

TRANSACTIONS  
OF THE  
EAST LOTHIAN  
ANTIQUARIAN AND FIELD  
NATURALISTS' SOCIETY  
FIFTH VOLUME

HADDINGTON  
PRINTED BY D. AND J. CROAL  
FOR THE MEMBERS OF THE SOCIETY  
1952

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# THE CISTERCIAN NUNNERY OF ST. MARY, HADDINGTON

NOTE ON THE SITE BY THE LATE J. H. JAMIESON.

About a mile distant from Haddington, on the left bank of the River Tyne, there stood for centuries a Priory of Cistercian Nuns; and although the last portion of the original fabric has long since disappeared, the site of the nunnery and what is left of the little village which grew around it still retain the name of 'The Abbey'.

The site chosen, with its sequestered and sheltered position and its fine alluvial soil, was such as was entirely in accordance with the requirements of Cistercian foundations, for they were usually placed near a river, facing south and with a background of sheltering hills or uplands. These conditions were supplied by the Tyne on the one hand and the Garleton hills on the other. Further, the nunnery was considerably removed from all disturbance, and to this day it is practically as isolated as it was in the twelfth century.

It could, however, be approached by various roads. From the town of Haddington the road was very direct. Crossing the ford, the road lay between the Nungate on the north and the Giffordgate on the south, and proceeded in a direct line through what afterwards became the estate of Amisfield, to the south end of the Abbey Bridge, where the river had to be crossed. The road must have followed very closely the line of the present road through Amisfield to its east gate. To the north of the town there was a footpath along the left bank of the river. That footpath, which has ever since been in use, has for many years led below the north arch of the Abbey Bridge, but it originally kept higher up and finished directly opposite the entrance to the nunnery. From the old road from Edinburgh to Dunbar across the Garleton hills a road descended to the nunnery and, crossing the Abbey Bridge, led to the south. Portions of this road still exist, the first part leading from the farm of Barney mains and, crossing the modern Edinburgh and Dunbar road, descends to the site of the nunnery.

## THE CISTERCIAN NUNNERY OF ST. MARY, HADDINGTON.

### HISTORY.

#### I

THE original policy of the Cistercian order—the “white monks”—which arose towards the end of the eleventh century<sup>1</sup>, did not envisage the foundation of nunneries and the extension of its characteristic rule to communities of women. It was, indeed, only in the last quarter of the following century that the General Chapter of the order gave official recognition to houses of nuns<sup>2</sup>. Nevertheless, the establishment of nunneries, following the Cistercian rule if not formally affiliated to the order, was an almost inevitable outcome of the prestige and influence attained by Cistercianism in the twelfth century.

“All over Europe”, it has been said, “princes, nobles and prelates were clamouring to found Cistercian nunneries or to introduce the Cistercian rule to already existing institutions”<sup>3</sup>.

The earliest of these houses of women was probably Tart, near Dijon, founded in 1133. Within the next twenty five years, Cistercian nunneries began to be constituted in Scotland and England<sup>4</sup>. Those in Scotland were South Berwick (Berwick-on-Tweed), founded by David I before 1153; Eccles, founded by one of the countesses of March in 1156<sup>5</sup>; and Haddington, founded not later than 1159 by Ada, widow of Henry, earl of Northumberland and Huntingdon (younger son of David I) and mother of two Scottish kings, Malcolm IV and William the Lion. It would seem that these and their later sister-houses in Scotland, while they followed in some sort the Cistercian rule, displayed Cistercian characteristics and claimed Cistercian privileges, did not, in any effective sense, come within the carefully integrated Cistercian organisation which centred in the General Chapter held yearly at Cîteaux.

1 Cîteaux was founded in 1098.

2 Boyd, *A Cistercian Nunnery in Mediaeval Italy*, p. 24.

3 *Ibid.*, p. 85.

4 Much earlier, apparently, than in some Continental countries; e.g. Belgium had no Cistercian nunnery till 1182.

5 The *Chronicle of Melrose* (Bannatyne Club), p. 75, says this was the second time that nuns came to Eccles.

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Nothing is known of their mutual relationship; there is no mention of their being under the jurisdiction of father-abbots; the bishop of the diocese supervised them as "visitor". Only once does Haddington figure in the records of the General Chapter, when the abbot of Glenluce was appointed in 1530 to gather contributions in the Scottish Cistercian monasteries with which are included five nunneries<sup>1</sup>. The archbishop of St. Andrews, it may be added, successfully resisted the attempt to have these nunneries visited by a representative of Cîteaux<sup>2</sup>. Again, all the Scottish houses of Cistercian nuns were priories; and although the nunnery at Haddington, one of the largest of these foundations, is frequently called an abbey, it never had that status.

The date of the foundation of Haddington nunnery is determined by two references: (1) According to the *Scotichronicon*, Ada, after the death of her husband (in 1152), at the instigation of Waltheof, abbot of Melrose (who died in August, 1159), founded a monastery of nuns of the Cistercian order at Haddington<sup>3</sup>; (2) there is a mention in a St. Andrews charter of a donation made to the nuns of Haddington by Robert, bishop of St. Andrews (who died in 1158 or 1159), on the day when he blessed the burial-ground of the nunnery<sup>4</sup>. If we may rely on the statement of the *Scotichronicon*, the foundation took place not earlier than 1152; on the evidence of the St. Andrews charter, the nunnery was in being between that year and 1158 or 1159. There is no doubt (as in the case of some Scottish nunneries) of the identity of the foundress<sup>5</sup>. Haddington had, in any case, formed part of Ada's dowry<sup>6</sup>. Her foundation-charter is not extant; for the early records of the nunnery were destroyed during the wars between Scotland and England. So says the preamble to a charter of 21 May, 1359, in which William de Landallis, bishop of St. Andrews, at the request of the nuns, recites and confirms the donations made before that date to the nunnery. On this record, which is incorporated in a crown charter of James II (31 August, 1458) and which, although it professes to have had its items verified from the episcopal registers of St. Andrews, is imperfect both in its contents and its form<sup>7</sup>, we have mainly

1 Canivez, *Statuta*, VI, pp. 689-690.

2 *Acts of the Lords of Council*, 1501-1554, p. 348.

3 *Scotichronicon*, lib. VI, cap. XXXII (I, p. 347 in Goodall's edit.).

4 *Registrum Prioratus S. Andree* (Bannatyne Club), p. 334.

5 Apart from record evidence, John Mair (Major), himself a native of East Lothian, declares: "Countess Ada, King William's mother, founded at Haddington a convent, fair and well-endowed, for nuns of the order of St. Bernard" (*History of Greater Britain* (S.H.S.), p. 165).

6 Lawrie, *Annals of Malcolm and William*, p. 221.

7 It is given in *Trans. of the Soc. of Antiquaries of Scotland*, I, pp. 106-112. On this version, edited by the Rev. Dr G. Barclay and published in 1792, the abstract in *Registrum Magni Sigilli*, II, 610, is based.

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to depend for our knowledge of the nunnery's endowments. The Countess Ada, it is said, gave the nuns the land on which their monastery was situated, with the whole surrounding land (*ambitus*) and five carrucates of land in the lordship of Haddington. Before her death in 1178, the foundress also granted them the lands of Begbie with other donations which, in the charter, are difficult to distinguish from those of other benefactors. It appears also that some of the nunnery's possessions in the parish of Crail were of Ada's bestowing—Crail, like Haddington, had formed part of her dowry. William the Lion is said to have confirmed all his mother's gifts to the nunnery and he is credited with the grant to it of three pounds sterling from the burgh of Haddington<sup>1</sup>.

Other benefactors are mentioned as having granted lands and privileges. Thus, William de Guling (Gullane) gave the nunnery various lands on either side of the Tyne and John, son of John de Stevenson, lands in the territory of Stevenson. William Vipont and his son, William, figure as donors of lands in Pilmuir and Alexander de St. Martin endowed the nunnery with the lands of St. Martin's and their mills. From Godfrey de Cumbircolstoune they received ten acres in Segrestoune, with twelve perches of peat-moss in Wynden. Lands in Garvald—East Grange, Snawdon, Fawlis, Glenterf, Carfrae, Newlands, Nunhopes, Newton, Grostre, Slade—with a portion of the land of Bara, with the mills and teinds and the church of Garvald, as well as a carrucate of land beside it, accrued to the nuns from various donors, the Countess Ada, King William and King Alexander<sup>2</sup>, Richard, William, David and Gamelin, bishops of St. Andrews, Hugh Gifford, David de Lindsay, Robert de Lawder and other benefactors. John de Gullane gave the nuns the tenement of Arvinstoune; Adam, son of Udard, two bovates in Beanston and three roods of peat-moss in Markle. By Patrick, son of Roger de Popple, they were granted a toft with a garden and eleven acres of land in Popple; by Robert de Vipont a strip of land in Stonypath; and by Robert de Hogley a toft and a piece of land in Stenton. Nunside near Haddington was the donation of Hugh Gifford, while Simon de Salton bestowed a rent amounting to a mark yearly from land near Giffordgate. Various unspecified benefactors also endowed the nunnery with tenements, burgages and rents in Haddington, Berwick, Roxburgh, Edinburgh, Inverkeithing, Aberlady and Renfrew and with a fishing on the Clyde. The nuns likewise were granted by the Countess

<sup>1</sup> R.M.S., II, 611, where King William is called erroneously "founder of the said monastery."

<sup>2</sup> The record does not show whether this was the second or third king of that name.

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Ada, William, Malcolm, Alexander<sup>1</sup> and other kings, as well as by Richard, William, David, Gamelin and other bishops of St. Andrews, extensive possessions in Crail — its church, ecclesiastical lands and teinds, half the fishing of the parish, the chapel of St. Rufinus in the castle with its lands, the lands of Sauchope, Pitcorthie and Forde, half a carrucate of Dostrox (Frushy), various tenements, burgages and rents in the town of Crail, ten acres of Baderny, Petynminnis with freedom of multure at the mill of Crail, pasture in the common and fuel in the king's muir beside Crail.

Special reference should be made to the holding by the nunnery of churches and teinds. Such possessions, frequently acquired by medieval monasteries and the source of many abuses, were at first discouraged among the Cistercians; but houses, both of monks and nuns, of that order eventually gave way to the prevailing custom. It is impossible to say whether any churches in her patronage were included in Countess Ada's donations to the nunnery. The church of Crail, as we have seen, passed into its possession but the date of this appropriation is unrecorded. Where the Cistercians held the bulk of the lands of a parish, they frequently took steps to acquire the parish church; and this may have happened at Crail. At all events, this church may have been in their hands by 1214, at which date we find mention of Walter, chaplain of Crail<sup>2</sup>, who was possibly a parochial chaplain employed by the nuns. Quite certainly, Crail was being served by a vicar in 1240<sup>3</sup>. The church of Athelstaneford, which appears in a thirteenth century record as the chapel of Elstanford<sup>4</sup>, is said to have been granted to the nunnery by Richard, bishop of St. Andrews (1163-1178)<sup>5</sup>. The donation included all the teinds and offerings of the parish as well as the teinds of a carrucate of land which formerly belonged to the territory of Drem and then to the territory of Elstanefurde. By the same bishop the nuns were given the teinds of Byres and Barns near Haddington (formerly called the Grange of Haddington) and Garmiltoun (? Garleton), of certain crofts in Haddington and Harperfield and of the mills of Haddington. In 1245, the nunnery was involved in controversy with the priory of St. Andrews regarding the teinds

1 The kings are mentioned in this order in the record.

2 *Registrum Prioratus S. Andree*, p. 362. He appears in another undated charter along with Ralph, chaplain of Crail (*Ibid.*, pp. 389-390). It is possible that both were parochial chaplains.

3 *Ibid.*, p. 162.

4 *Priory of Coldingham* (Surtees Society), p. cxii.

5 *R.M.S.*, II, 610. Athelstaneford formed part of the dowry of the Countess Ada (*Early Scottish Charters* p. 405), who renewed David I's grant of the lands to Alexander de St. Martin (*Laing Charters* 2). Could the bishop's donation have been the confirmation of a grant of this church by Ada or Alexander?

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of the land of Athelstaneford, as well as those of two bovates of the old garden of Stevenson and of the land between that garden and the town of Haddington; likewise regarding the teinds of a half acre of land beside Stevenson mill and of the crofts of certain burgesses of Haddington, which having been held by the nuns were sought by the canons of St. Andrews, while the nuns claimed the small teinds of Byres and Barns exacted by the canons. A settlement was reached on the basis that the nuns would retain all the teinds in question, while the canons would receive from them twenty shillings from the teinds of Fawside in the parish of Crail<sup>1</sup>. The teinds of the mills were to be a later source of controversy with the town of Haddington. Garvald, the third of these appropriated churches, was the church of a parish in which the lands were largely held by the nunnery. No mention of its early vicars has been found. Before the end of the thirteenth century, the nuns also held the chapel of St. Martin in Haddington<sup>2</sup>. It may be of interest to note the value of the benefices annexed to the nunnery, as given in an old (thirteenth century) taxation-roll: Crail, 80 marks; Athelstaneford, 10 marks; Garvald, 15 marks; St. Martin's chapel, 5 marks<sup>3</sup>.

One curious feature of the nunnery's organisation comes to light in the references to a cleric associated with it who is variously called prior, master or rector. Thus Ildebert or Hildebert, prior of Haddington, is mentioned before 1177<sup>4</sup>; Walter, master of the nuns of Haddington, appears along with the prioress and convent in a charter of 1245<sup>5</sup>; and Silvester, rector of the nuns of Haddington, is also named<sup>6</sup>. Other Cistercian nunneries had such a functionary connected with them — he was sometimes the incumbent of a neighbouring parish—and the explanation is that since the nuns were (in the words of Dr Eileen Power) "not very good business women" and, in theory, "enclosed", a master or prior<sup>7</sup> or rector or guardian, as he is variously designated, was given charge of the temporal affairs of the house. In course of time the custom languished and the master's function was taken over by a layman, acting as the nuns' bailie.

Little is known of the nunnery's early history. The first of its prioresses

1 R.P.S.A., pp. 329-330.

2 *Priory of Coldingham*, p. cxii.

3 R.P.S.A., pp. 30, 33.

4 *Carte monialium de Northberwic* (Bannatyne Club), 3; R.P.S.A., pp. 147, 149; *Liber S. Crucis* (Bannatyne Club), 16. Bernard Fraser is likewise mentioned as master of the nuns of Haddington (*Registrum de Neubottle* (Bannatyne Club), 74).

5 R.P.S.A., p. 331.

6 R.P.S.A., p. 389.

7 This title is a relic of the fact that early Cistercian nunneries were jointly governed by a prior and prioress (Power, *Medieval English Nunneries*, p. 228).



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to appear on record is Alicia, who, on 29 July, 1291, swore fealty to Edward I<sup>1</sup>; and, on 28 August, 1296, Eve, prioress of Haddington, made a similar submission to the English king<sup>2</sup>. On the other hand, the nuns obtained from Robert I, on 4 March, 1318/9, an injunction for the payment of their revenues in Haddington<sup>3</sup>. We do not know how the nunnery fared during the War of Independence. But we may regard as something more than "common form" the statement in the preamble to Bishop de Landallis' charter (21 May, 1359) that this house, "situated not far from the marches of England", was, "through the hostile assault of the English", despoiled of its records and moveable possessions<sup>4</sup>; for in February, 1355/6, Edward III brought upon Lothian the ravages and destruction of the "Burnt Candlemas" and after a halt at Haddington, marched out "having first burnt the town and the whole monastery"<sup>5</sup>. This may have been the consummation over a long period of the nunnery's sufferings through war. In September, 1358, the nunnery was endangered by a disastrous flood which took place in Lothian and the writer of one version of the *Scotichronicon* makes this the occasion of what he deemed an edifying incident. The nunnery, he relates, was only saved by the action of a simple but pious nun, who, when the buildings were threatened with inundation, took the image of the Virgin from the church, proposing to drown it unless St. Mary defended the abbey(*sic*) from the flood. But when, with the intention of throwing it, she lifted up the image, the water immediately receded until it followed its usual course<sup>6</sup>.

Janet, prioress of Haddington, appears in an Inchcolm charter of 26 August, 1421<sup>7</sup>. Twenty years later, the community was in the throes of a disputed succession to its headship; for, before 1440, Agnes Maul had been deposed from the office of prioress for her demerits by Henry, bishop of St. Andrews; and the convent had elected in her stead Mariota (Marion) de Douglas, who was then about twenty years old—ten years below the canonical age for such promotion<sup>8</sup>—but had taken office without obtaining a dispensation on account of her "defect of age". Agnes, however, had appealed to the Pope against her deprivation and was said to have won her case. It was now

1 *Calendar of Documents relating to Scotland* (ed. Bain), II, pp. 125, 508.

2 *Ibid.*, II, p. 202. The index to this volume gives her name as Eve de Cockburn.

3 *R.M.S.*, II, 611.

4 *Ibid.*, II, 610.

5 *Scotichronicon* (ed. Goodall), II, p. 354.

6 *Ibid.*, II, p. 362. *Gesta Annalia* (*Scotichronicon*, ed. Skene, I, p. 377) tells the story of the flood but does not mention the nun.

7 *Charters of Inchcolm* (S.H.S.), XIV.

8 A Cistercian statute laid down that no nun was to be made abbess under the age of thirty (Fowler, *Cistercian Statutes*, p. 107).

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the turn of Mariota, who had not been summoned in her own defence, to petition the Pope, who, on 18 January, 1443/4, absolved her from any sentences passed against her and rehabilitated her, on making formal resignation of her office<sup>1</sup>. On the same date, the Pope instructed his mandatory, if the latter found that Agnes had been justly deprived, to extinguish the suit between her and Mariota and to impose upon her perpetual silence; likewise, if Mariota, who had been blessed by the bishop as prioress, as well as recommended by the king and the bishop of St. Andrews and was now twenty six years old, was found fit, to make provision of the nunnery to her and ratify the acts of her administration<sup>2</sup>. Mariota's reign thereafter was unchallenged. She was still prioress on 12 May, 1463<sup>3</sup>.

During Mariota's term of office, the nunnery seems to have been concerned with recovering and securing revenues which were derived from local sources. On 31 August, 1458, the prioress and convent obtained from James II two charters under the Great Seal, one confirming Bishop de Landallis' charter<sup>4</sup>, the other confirming (1) a letter of Robert I (4 March, 1318/9) to his chamberlain enjoining the payment to the nuns of all the revenues which they were justly due to receive from the fermes of the burgh of Haddington in the reign of Alexander III<sup>5</sup>, as well as the payment to them of the teinds of the mills of Haddington as in the time of that king, in terms of a concession of Richard, bishop of St. Andrews<sup>6</sup>; (2) a letter of David II (20 June, 1358)<sup>7</sup> to his chamberlain and the provost and bailies of Haddington, ordaining the payment to the nuns of three pounds sterling from the burgh, in terms of a grant of William the Lion<sup>8</sup>. There can be little doubt that the nuns had sought these charters from the Crown in view of strained relations with the burgh authorities. In particular, controversy had arisen over the teinds of the burgh mills. These mills seem to have been twice destroyed by hostile action in the fourteenth century; in 1330 and 1331 they are mentioned as being rebuilt<sup>9</sup>, while in 1384 occurs a reference to their destruction by the English<sup>10</sup>. Thus, we may suppose, the payment of teinds from them had

1 *Calendar of Papal Registers*, IX, p. 326.

2 *Ibid.*, IX, pp. 326-327.

3 Douglas Collection (General Register House), Box 2 (100, 10, p. 68).

4 *R.M.S.*, II, 610.

5 That is before the outbreak of the War of Independence.

6 This grant is mentioned in Bishop de Landallis' charter.

7 David II is said to have given two bovates of land near Haddington to the nunnery (*R.M.S.*, II, 610).

8 *R.M.S.*, II, 611.

9 *Exchequer Rolls*, I, pp. 202, 361.

10 *Ibid.*, III, p. 129.

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been suspended and eventually fallen into desuetude. Before 1459, the nunnery, seeking to revive its claim to these teinds, had brought the bailies and community of Haddington before Nicholas de Otterburn, canon of Glasgow and official of Lothian<sup>1</sup>. Eventually the bishop remitted the case to his official-general, who gave judgement in favour of the nunnery and found the burgh liable in costs. John Ayton, William Haliburton and Robert Ingaldstone<sup>2</sup>, bailies of Haddington, and the community now appealed to Pope Pius II, alleging that from time immemorial the burgh had not been bound to pay any teind of the grain and corn brought to its mills or of the flour made there, and petitioned him to "commit the cause of the appeal and of the principal matter to some upright men of these parts". Accordingly, the Pope appointed the bishops of Glasgow and Whithorn and the archdeacon of Glasgow to hear both sides and to make a final decision<sup>3</sup>. The controversy was terminated, on 12 May, 1463, by an agreement between Marion de Douglas, the prioress, and the convent, on the one hand, and Patrick Cockburn of Newbigging, William Haliburton and William Clerk, bailies, and the community of the burgh of Haddington, on the other, in the following terms:

"That whereas the lady prioress and convent had formerly sued the bailies and community for the teinds of the common mills before the officials and commissaries of James, bishop of St. Andrews, and Thomas Ludirdale, principal official of St. Andrews, obtaining a definitive judgement of the teinds, from which an appeal was made by the bailies and community to Rome and rejected on the grounds of contumacy, therefore the prioress and convent had entered into possession of part of the multure as teinds; whereupon it is agreed between the said parties, with the consent of the bishop, that the prioress and convent grant in feu . . . to the bailies and community . . . the teinds of the said mills for ever for an annual payment of four pounds Scots, to be paid within the parish church of Haddington, wheresoever they are gathered, to the prioress and convent . . . , the bailies and community obliging themselves . . . that the rents and multure of the mills and all the common good of the burgh may be distrained by the officers and servants of the prioress and convent in security of the said payment . . . "4.

1. The bishop of St. Andrews had two 'officials' or judicial deputies, one of Lothian and another—the official general—of St. Andrews.

2. His name is given thus in the *Exchequer Rolls*. The Vatican record has it as "Inghelsten."

3. *Calendar of Papal Registers*, XII, pp. 59-60.

4. Douglas Collection (General Register House), Box 2 (100, 10, p. 68).

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The grant made to the nunnery from the burgh revenues<sup>1</sup>, on the contrary, did not fall into abeyance. It was paid even from English sources in 1311-12 and 1337<sup>2</sup> and is regularly entered in the Exchequer Rolls.

The custom of appropriating parish churches, i.e. making over their income, to religious houses, already of long standing in the fifteenth century, was a prolific cause of controversy and grievance in the Medieval Church; for, although such a transaction carried with it the obligation to make adequate provision for the cure of souls, the monastery which held the appropriated church was too often tempted to serve it as cheaply as possible and thus to secure a larger share of the parochial revenues. Councils might enjoin that the monastery's deputy, the vicar, should be sufficiently remunerated and reside in his cure — the latter stipulation implying, optimistically but not always realistically, that he had a manse to live in. Such injunctions, however, were evaded by the appointment of *pensionary* vicars (the later medieval equivalent of parochial chaplains), who, unlike *perpetual* vicars enjoying a certain security of tenure, were mere hirelings employed from year to year. Thus the status of the parish clergy was lowered, the evil of non-residence encouraged, and the cure of souls impaired. The parish of Athelstaneford provides an instance of the exploitation by Haddington nunnery of one of its appropriated churches. A papal letter of 21 April, 1461, cites a petition of John de Haliburton, priest, and all the parishioners of the parish church of Elstanfurde, declaring that the nunnery's yearly income is two hundred and fifty pounds sterling and ample for the maintenance of the twenty four nuns who lived in it; and that among the churches united to it is that of Elstanefurde, commonly worth sixteen pounds sterling yearly, whose parishioners pay personal and predial teinds<sup>3</sup> to the nunnery, which also receives mortuaries<sup>4</sup> and other customary emoluments. Yet the prioress and convent have the church of Elstanefurde served by a priest removeable yearly at their will, contrary to canon law and to the great prejudice of the parishioners. Accordingly, Haliburton and the parishioners have petitioned the Pope to remedy this state of affairs, especially as half<sup>5</sup> the parochial revenues with a suitable manse is sufficient provision for a perpetual vicar and

1 Bestowed originally by William the Lion.

2 *Calendar of Documents relating to Scotland* (ed. Bain), III, p. 405, no. 1247.

3 Personal teinds were those which accrued from labour or trade; predial teinds, those derived from land, e.g. teinds of grain, hay, fruit and wood (*Statutes of the Scottish Church* (S.H.S.), p. 168n).

4 The mortuary or "corpse-present" was due to the Church on a parishioner's death. See Dowden, *Medieval Church in Scotland*, p. 186 ff.

5 A moiety, i.e. a half or small portion.

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as thus the parishioners will be readier to pay their teinds and offerings. The Pope, therefore, orders his mandatories, if on investigation they find these statements true, to institute Haliburton as perpetual vicar and assign him half of the fruits of the parish with a becoming manse<sup>1</sup>.

Not infrequently Scottish nunneries have been represented as centres of educational activity and as conducting what were virtually boarding-schools for girls. Thus we find it said:

"Long before the Reformation these establishments were the only seminaries for the education of rank and fortune. The nunnery of Haddington was celebrated on this account"<sup>2</sup>.

This baseless notion<sup>3</sup> comes to light in connection with the stay of a Scottish princess at the nunnery<sup>4</sup>. Of Margaret, second daughter of James II, it is stated that in 1464:—

"she was sent to be educated at the Cistercian priory of Haddington, where she resided till 1477, the prioress receiving yearly a fixed sum for her board . . . Here she was placed under the charge of Alison Maitland, one of the nuns, probably a lady of the family of Lethington, who acted as her governess during the whole period of her residence"<sup>5</sup>.

But when we look at the records on which these statements purport to be founded, we find no suggestion that Princess Margaret was placed in the nunnery for her schooling. They refer merely to an annual payment of twenty marks for her "expenses"<sup>6</sup>, i.e. the cost of her board, or, more specifically, for her "meat and drink"<sup>7</sup>; the idea of education has been imported into them. Some indication is given at a later point of the nuns' qualifications as educators—they are far from impressive. Again, Alison Maitland was no "governess" in the modern sense. She appears merely as the princess's "guardian and servant"<sup>8</sup>, an office for which she was granted by James III, on 13 February, 1474/5, a yearly allowance of five marks<sup>9</sup>. The fact is that the princess was simply one of those young women or single

1 *Calendar of Papal Registers*, XII, pp. 115-116. Some of the phraseology of the C.P.R. version has been altered.

2 *Liber S. Katherine Senensis* (Abbotsford Club), p. xxiv.

3 Scott shared and was perhaps responsible for the currency of such "romantic" ideas both of monasteries and nunneries. Cf. *The Monastery*, ch. iv; "The art of reading the lady (Alice of Avenel) had acquired by her residence in a nunnery during her youth"; and (of monasteries) *The Antiquary*, ch. xvii.

4 The contemporary prioress was Elizabeth, mentioned 1470-71 (*Exch. Rolls*, VIII, p. 124).

5 *Treasurer's Accounts*, I, p. cclxxxvi; cf. *Exch. Rolls*, VIII, p. lxii.

6 e.g. *Exch. Rolls*, VII, p. 365 (accounts of 1464-65); VIII, p. 459 (accounts of 1476-77).

7 *Exch. Rolls*, VIII, p. 124 (accounts of 1470-71).

8 e.g. *Exch. Rolls*, VIII, pp. 310-311.

9 *Ibid.*, VIII, p. 311n.

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ladies of good station whom nunneries quite commonly took as paying guests: Princess Margaret left the nunnery of Haddington in 1477<sup>1</sup>; but, about Martinmas, 1489, she entered another Cistercian house, that of Elcho, where the prioress received payment for her expenses till 1502<sup>2</sup>.

It is appropriate here to lay another historical "ghost", in this case the apparition of a daughter-house of the nunnery of Haddington. The following extraordinary statements appeared some time ago in a "Scotsman" report:

"In the eighth century, Nunraw, at Garvald, or Nunne-Rowe, as the name implies, was the site of a settlement of Cistercian nuns. To-day, after a gap of over 750 years, the property has returned to the same order, having been purchased as a monastery for Trappist monks, a branch of the Cistercians . . . .

Traces of the earliest buildings of the nunnery still remain in the bishop's consecration mark over the door originally leading to the chapel.

The refectory and lady superior's room is(*sic*) still pointed out . . ."<sup>3</sup>

A community of Cistercian nuns which was in existence in the *eighth* century and expired about 1200 is a historical *rara avis* indeed. We do not know how this fantastic idea originated but it may safely be said that Nunraw was never the site of a nunnery. As is mentioned below, the prioress of Haddington, on 29 February, 1547/8, undertook the defence of the "place and fortalice" of Nunraw; it was, in other words, a peel-tower. In any case, the existence of a nunnery at Nunraw would seem to be ruled out by the Cistercian statute of 1216 to the effect that a nunnery must be at least ten leagues<sup>4</sup> distant from another such house<sup>5</sup>. So far as record evidence goes, Haddington had no daughter-house at Nunraw nor indeed elsewhere.

D. E. EASSON.

## II

Early in the sixteenth century the nunnery's Fifeshire possessions twice happened to be associated with the foundation of new religious establishments characteristic of the time. During the three centuries and more since the priory itself had been founded, the prestige of the monastic houses had

1 This is confirmed by the entry in the account of 1476-77 which shows that only half the usual amount was paid for her expenses (*Ibid.*, VIII, p. 459) and the reference in the account of 1477-78 to Alison Maitland as her former servant (*Ibid.*, VIII, p. 542).

2 These payments are recorded in *Exch. Rolls*, X, p. 202-XII, p. 27.

3 The date on which this paragraph appeared has unfortunately not been noted. The paragraph is in our possession.

4 A Burgundian league was 1 mile, 2003 feet.  
Canivez, *Statuta*, I, p. 485.

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declined, and other religious institutions had gained in credit and repute. Endowments were now being given mainly to the universities and their colleges, and to the collegiate churches, in which a body of secular clergy maintained the services. In 1512, when John Hepburn, prior of St. Andrews, erected the college of St. Leonard, he endowed it with property previously belonging to his priory, including the lands of Fawside, in the parish of Crail, with their teinds; but the annual of 17s from those teinds which had long pertained to the priory of Haddington was reserved to the nuns<sup>1</sup>. Five years later, the prioress and convent were parties to the elevation of their parish church of Crail to collegiate status; the revenues previously belonging to the vicar were used to endow the provostry, of which the nuns remained the patrons, as they had been of the vicarage<sup>2</sup>.

The nunnery was also from time to time associated with public affairs during one of the most momentous periods of Scottish history. In August 1503 the Princess Margaret, daughter of Henry VII of England, spent a night at the nunnery when she came to Scotland to wed King James IV<sup>3</sup>. But although the sixteenth century opened with this marriage alliance (which was ultimately to result in the accession of a Scottish king to the throne of England) and with a treaty of 'perpetual peace' between the two old enemies, it included a phase of renewed bitterness in Anglo-Scottish relations. The defeat at Flodden (1513) was not followed by English penetration; but in the 1540s Henry VIII loosed on Scotland those devastating invasions which left a permanent mark on the Border abbeys, on Holyrood, and on Haddington itself. The nunnery was closely involved in some of the military operations. On 29 February 1547/8 the prioress undertook to defend the place and fortalice of Nunraw against 'our auld inymeis of Ingland', or, failing successful defence, to cast it down<sup>4</sup>. Little over a month later the English had made Haddington their headquarters, and from it they commanded much of the surrounding district. The Scots had little hope of regaining this strategic centre without French help; when that help came, a combined Franco-Scottish force laid siege to Haddington. But French assistance was given only on conditions, and the Scottish estates, meeting at the nunnery of Haddington on 7 July 1548, had to agree that their young queen, Mary, should be sent to

<sup>1</sup> Herkless and Hannay, *College of St. Leonard*, 20, 140; *Calendar of Charters*, Nos. 794C, 864.

<sup>2</sup> *Reg. of the collegiate church of Crail*, ed. Charles Rogers, 55-60 (7 and 8 June 1517); *St. Andrews Formulare* (Stair Soc.), i, 347.

<sup>3</sup> *Treasurer's accounts*, II, lxviii.

<sup>4</sup> *Acts of the lords of council in public affairs*, 572-3; William Fraser, *Scotts of Buccleuch*, ii, 185 (where the date is wrongly rendered 28 February).

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France to become the bride of the heir to the French crown. Even then the siege was raised by the intervention of a new English force, and only on 14 September 1549 did the English evacuate Haddington. A year later the nunnery became responsible for a share in the work of erecting a fort at Dunbar<sup>1</sup>. The English occupation, and the siege, caused Haddington's place among Scottish burghs to drop from the fifth (in 1535) to the fifteenth (in 1557); but it seems fairly clear that the nunnery buildings escaped destruction.

A large part of the history of the nunnery throughout the sixteenth century may be summed up in one phrase—the House of Hepburn. Already before the Reformation, many a Scottish religious foundation was secularised to the extent that the headship had become, if not actually hereditary, at any rate the perquisite of some noble house; as it passed from one member of the family to another, the revenues were alienated to their kinsfolk, while attempts to divert the establishment to any other family were repelled, sometimes by violence. The family which established itself in Haddington was the Hepburns of Hailes, earls of Bothwell, who by the period of the Reformation had come to regard the nunnery as their private property, from which all others must be excluded.

In 1517 the prioress was Jonet, apparently a Hepburn<sup>2</sup>. She must have died within the next two or three years, whereupon the subprioress and the nuns held an election of which we happen to have a detailed account. After hearing high mass, they were summoned by the sound of a bell to the chapter house, where they decided to make their election *per viam spiritus sancti*, that is, by acclamation or by unanimous vote. Their choice fell on one of their number, known to us only by her initials, M.H., a woman of about forty, of good family, born of lawful bed, mild in disposition, zealous for concord, a lover of God and the Church, humble, pious, sweet-tempered of nature and comely of person. This paragon formally accepted nomination and the nuns joyfully carried her back to the church, where they sang a *Te Deum*. All these proceedings were reported to Andrew Forman, archbishop of St. Andrews, who had to confirm the election. But here a contrary interest was at work. John Hepburn, a son of Patrick, first Lord Hailes, had been prior of St. Andrews since 1482. After being repeatedly passed over for promotion, he had in 1514 secured his election to the archbishopric by the chapter, only to be frustrated when the election was set aside in favour of Andrew Forman.

<sup>1</sup> *Acts of the lords of council in public affairs*, 606.

<sup>2</sup> Her initials were J.H., and she is presumably the 'Joanna Hepburn', formerly prioress, on record in 1526 (*Reg. of Crail*, 38; *R.M.S.*, 1513-46, No. 389).



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Between Hepburn and his successful rival there was at first open war and later prolonged legal proceedings and negotiations. At some stage Hepburn requested from Forman the appointment as prioress of Haddington of Elizabeth Hepburn, a nun in only her twenty-fourth year, described in one document as the daughter of an Augustinian canon and an unmarried woman, and in another as a kinswoman of Prior Hepburn, leaving little doubt that she was the prior's own illegitimate daughter. The admirable qualifications of M.H., the nuns' own nominee, did not avail against Forman's readiness to oblige Hepburn by a concession which cost the archbishop nothing, and so twenty-three year old Elizabeth became prioress<sup>1</sup>.

With such an unpromising beginning, Elizabeth was hardly likely to prove a prioress distinguished for integrity. That her personal morals were not above reproach was shown when, in 1541, two commissioners appointed by the archbishop of St. Andrews to inquire into irregularities held a session in Haddington. There was evidently an accusation against the prioress, and Harry Cockburn, brother of Patrick Cockburn of Newbigging, found it necessary to appear before the commissioners and purge himself, 'be his greit ayth, of ony carnale daill with Elizabeth, prioress of Haddington, this yeir bigane'<sup>2</sup>. The implication seems to be that the lady (who must by now have been at least forty-five) had not preserved a wholly unstained character in earlier years. What discipline may have been like at this time is suggested by a statute of the Provincial Council of Scotland in 1549 ordering all prioresses to gather together the dispersed nuns of their houses and to maintain them either in their own nunneries or others<sup>3</sup>. As to literacy, there is the evidence of document after document to which the nuns, and even the prioress herself, could signify their assent only by having their hands led at the pen by a notary<sup>4</sup>. Pictures of the nunnery as a haven of piety, culture and learning would seem to be overdrawn. It was more to the taste of Prioress Elizabeth when she received an invitation to join in a hunting party with the court of that licentious monarch James V<sup>5</sup>.

It is also true that the Hepburn prioress was inclined to be guided by the interests of her own family rather than by those of the nunnery. Her tenderness

<sup>1</sup> *Formulare*, i, 104-5, 334-6. The election in succession to J.H. is here assigned to the time of Andrew Forman (died in 1521) and Clement VII (succeeded 1523), an impossible combination; Elizabeth's appointment was not merely in Forman's lifetime, but was anterior to 12 March 1519/20 (*Formulare* i, 250-51, cf. 131).

<sup>2</sup> Haddington Protocol Books, iii, 102 (2 June 1541).

<sup>3</sup> Patrick, *Statutes of the Scottish church*, 96.

<sup>4</sup> e.g., *Calendar of charters*, Nos. 1723, 1770; *Laing Charters*, No. 722.

<sup>5</sup> *Treasurer's accounts*, v, 446.

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for her kin was shown when she advanced money to pay the ransom of John Hepburn of Beinstoun (son of Patrick Hepburn of Beinstoun and nephew of Prior John of St. Andrews), who had been taken prisoner by the English, probably at Solway Moss in 1542. In return, Hepburn resigned to her the lands of Easter and Wester Nunraw<sup>1</sup>. We find the prioress also coming to the rescue of one John Ramsay, described as her half-brother; in 1548, when he was convicted of the murder of David Dempster and had to pay £500 for his remission, she promised to contribute 100 merks towards this sum<sup>2</sup>. At some time during Elizabeth's tenure of the priory the earl of Bothwell became bailie of the nunnery property and Patrick Hepburn of Beinstoun became bailie depute, in which capacity each of them enjoyed an annual pension of £100—sums which together represented an expenditure of nearly two-thirds of the money coming into the priory<sup>3</sup>. The advantage of having a prioress in the family must have been appreciated by all concerned; but it is only fair to say that the nuns were in no position to resist if mighty laymen chose to put pressure upon them. In the troubled months of 1543, when the death of James V had opened the way to a struggle for supremacy between the earl of Arran and Cardinal Betoun, the earl of Bothwell had seized the nunnery of Haddington, confined the prioress and the convent in 'a chamber', and used the possessions and revenues of the house as his own. The prioress complained to the Governor (Arran), who sent a herald to command Bothwell to leave the nunnery and a force of men to restore the prioress to liberty. The outcome was 'many bragging words and countenances', but no bloodshed and probably no effective action<sup>4</sup>.

On the eve of the Reformation there are on record several feu charters by Prioress Elizabeth, a proportion of them to members of the House of Hepburn:—

- |                |  |
|----------------|--|
| 6 August 1556. | To Patrick Hepburn of Fastcastell, of Slaid and Newtounhauch. <i>R.M.S.</i> , 1546-80, No. 1753.   |
| 14 July 1557.  | To George Hepburn in Elstaneford and Marion Gibson, his spouse, of five acres in Adamflat, adjacent (on the north) to the way between Haddington and the nunnery. Calendar of Charters, Nos. 1723-4. |

1 Haddington Protocol Books, iv, 29 (9 March 1542/3).

2 *Acts of the lords of council in public affairs*, 609.

3 Books of assumption of thirds, i, 166.

4 *Hamilton papers*, i, 403, 537, 541.

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- 21 July 1557. To John Forrest, of Gimmersmills. Haddington Protocol Books, v, 185, and see Mr Montgomerie's article, below.
- 4 November 1557. To John Hepburn and Marion Sinclair, his spouse, of two acres in Croceflatt and five in Fluris. Haddington P. B., v, 192.
- 13 December 1558. To George Lermouth of Balcomy and Euphemia Lesley, his spouse, of Sauchope. *R.M.S.*, 1546-80, No. 1538; Calendar of Charters, No. 1770.
- 20 November 1559. To Adam Wilson, of an acre in Nungate. *R.M.S.*, 1580-93, No. 1855.
- 10 October 1560. To James Cokburne of Skraling, of Bagby. *R.M.S.*, 1546-80, No. 1577.
- 14 October 1560. To Patrick Home, son of the late Agnes Hepburn, of Garvald Grange. *Laing Charters*, No. 722.

To facilitate the process of alienation, the convent, on 25 May 1559, gave the prioress a commission permitting her to feu, let or set in tack the lands of the priory<sup>1</sup>. The picture presented by those transactions is of an attempt, in anticipation of approaching catastrophe, to realise as much as possible in hard cash, in the shape of the lump sums paid at the granting of the charters.

Yet when the expected crash came it was in some ways less severe than had been feared. The year 1560, commonly regarded as the date of the Scottish Reformation, is not a conspicuous landmark in the history of the nunnery. It is true that religious services in the priory church, if they had continued so long, would now come to an end—the Latin mass, at any rate, became illegal; and the recruitment of nuns must have ceased. But beyond this, things went on very much as before.

The priory as a corporation continued to be legally entitled to two-thirds of its revenues, while only one third was deducted, for collection to augment the revenues of the crown and pay stipends to the reformed clergy. There are, indeed, several indications that for a time, both before and after 1560, the priory did suffer through the withholding of rents and other dues and the difficulty of obtaining means of enforcing payment. With the onset of the Reformation, the processes of excommunication, or 'cursings', on which the priory had hitherto relied in its dealings with its debtors, ceased to be regarded; and proceedings in the civil courts were apt to be protracted and ineffective. Thus, in the rental drawn up by Prioress Elizabeth in February 1561/2, she

<sup>1</sup> Hist. MSS. Comm., Report v, 613.

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inserted one memorandum that 'we had the kingis and quenis customes of the burgh of Hadingtoun in almuss [alms] yeirlie xls., and now thai refuis to pay us the samin thir twa yeiris bygane in falt of letteris that we cannot obtene of the lordis'; and another that 'we have gottin litle thir thrie yeiris of our kirk of Craill, resting in the parochiners handis in fault of letteris to be obtenit at the lordis of counsall'. The nuns were at this time paying at least £20 annually 'to our advocattis in Edinburgh in procuratioun for the defence and ingetting of our dewteis'<sup>1</sup>. These difficulties seem in time to have been overcome, for the rentals made up in later years show no diminution of the priory's income.

The prioress evidently continued after the Reformation to reside at the conventual buildings and to date documents from there. So far as the nuns were concerned, the ideal of community of goods had long been lost sight of, and each had by this time her own separate 'portion' or salary. After 1560 they went on enjoying these portions as long as they lived. The value of a portion had been stated to be 18d per day, or £27 7s 6d yearly, in 1549, when a nun called Alison Ramsay sued the prioress for payment on this scale<sup>2</sup>. In 1560 the components of a portion were listed as 8d per day for flesh and fish, 6 merks yearly for clothes, 8 bolls of wheat, 7 bolls of bear and three bolls of oats—altogether worth between £40 and £50 in the Scots money of the time, equivalent in purchasing power to perhaps £150 sterling at the present day<sup>3</sup>. The number of nuns in 1560 was given as eighteen, which shows that the strength had fallen only slightly since the previous century, when it was stated that the number commonly wont to dwell in the convent was twenty-four<sup>4</sup>. Ten nuns were still alive in 1573, when they were receiving pensions of £20 each<sup>5</sup>. Some of them evidently still survived in 1586, when Walter Adamson, a royal official, received a gift of the nuns' portions of Haddington which were vacant and of the others as they should fall vacant<sup>6</sup>.

The rentals which were made up for assessing the 'third' of the nunnery provide valuable information about its whole organisation. That the nunnery of Haddington was uncommonly large as women's houses in Scotland went is suggested by the figures for the numbers of nuns, just mentioned, and the

1 Books of assumption, i. 165-7. On 9 December 1553 the lords of council had heard a suit by Prioress Elizabeth against William Skirling in St. Andrews for non-payment of the price of the teind sheaves of the lands of Drumrawok (Acts and decreets, x, 48).

2 Acts of the lords of council in public affairs, 595.

3 Books of assumption, i. 166.

4 Calendar of Papal Registers, xii, 115.

5 Books of assumption, i, 183.

6 Register of presentations, ii, 161; Registrum secreti sigilli, lxiii, 22 (confirmation, 24 Nov. 1591).

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figures for its income confirm that this was so. The total income in 1561 was as follows:—

Money—£308 17s 5½d.  
Wheat—7 chalders, 11 bolls  
Bear—40 chalders, 1 boll, 2 firlots  
Oats—42 chalders, 4 bolls  
Meal—11 chalders<sup>1</sup>.

The nunnery which most nearly approached Haddington in wealth was North Berwick; all the others seem to have been very much smaller establishments<sup>2</sup>. The victual included in this 1561 rental was worth far more than the money—probably over £2,000, so that the total value of the abbey was some £2,500 Scots annually—worth as much as perhaps £10,000 sterling to-day. In succeeding years, it seems, a number of tacks must have been granted, in terms of which the nunnery drew money, rather than victual, for in a rental given up apparently in 1564 or 1565 the revenues were:—

Money—£663 9s 6d.  
Wheat—1 chalders, 15 bolls, 1 firloft  
Bear—18 chalders, 2 bolls  
Oats—11 chalders, 4 bolls  
Meal—10 chalders, 13 bolls<sup>3</sup>.

The illuminating part of Prioress Elizabeth's rental of 1561 is, however, the list of expenses. It should be remembered that she was in effect compiling her income tax return and was not likely to underestimate the sums which, she optimistically hoped, might be deducted for expenses. Indeed she succeeded in making the expenses almost precisely equal to the income, so that, as she commented, 'the quhilk money and victuallis will skantlie pay the deductionis and necessar ordinar chargis of the place sum yeiris'. The statement of expenses must, therefore, be regarded critically, and it perhaps represents not the reality of 1560 but the ideal of a remote Golden Age when the nunnery had useful functions and was adequately staffed to perform them. Following are the significant items:—

'To six auld servitouris and gentilmen, to thair claithis and hors in the yeir, ilk ane xx li.'

<sup>1</sup> Books of assumption, i, 165.

<sup>2</sup> Comparative figures can be readily found in *Thirds of benefices* (Scot. Hist. Soc.). In the taxation for the College of Justice, North Berwick and Haddington had each been rated at £21, all the other nunneries at much lower sums (*Acts of the lords of council in public affairs*, 541).

<sup>3</sup> Books of assumption, i, 182, ii, 122.

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The yearly fees of the following 'sober servitouris of the place conforme to use and wont': —

Cooks	£10
Two porters	£6 13s 4d
Paniter	£4
Pantryman	£2
Maltman	£6 13s 4d
Brewster	£4
'The common levanderis' (i.e., laundresses)	£2
Gardener	£1 6s 8d
Smith	£2
'The cartar and the boyis'	£2
'The plewman and utheris servitouris and boyis of the stabillis'	£6 13s 4d

'To auld failyeit men and wedowis of our four parochinis and kirkis . . . and puir pilgrimes and indigent persounes cumand daylie to the place, according to the chalmerlandis compt, at the leist in meit 2 chalders meill, together with silver extending to xl li. distribute part less part mair.

'And to the pure solles almous daylie conforme to the diet comptis hard be auditouris, at the leist yeirlie' £66 13s 4d.

'The horse corne and in ressavng of strangeris commounlie at the leist in the yeir x chalderis oats'<sup>1</sup>.

Another source which becomes available for the first time in the sixteenth century and throws much light on the administration of the priory's property is the Protocol Books of the Burgh of Haddington. They are especially valuable for the holdings in Nungate, numerous transfers of which are recorded from 1530 onwards. Following are a few of the earlier examples: —

12 October 1530. 'Louk Hepburn, bailye to the prioress of Haidinton, be a speciall precep onder hir seill, past to a tenement of land . . . in the Nungait betuix a land of umquhill Hew Robertsonis one the southt and a land of umquhill Ade Cokburnis one northt and thair . . . gaif Marione Braidwod and [blank] . . . possessione . . .'  
(Vol. ii, fo. 14).

12 October 1530. The bailie of the prioress gave sasine to James Braidwod and Elspeth, his spouse, of a tenement in the Nungait,

<sup>1</sup> Books of assumption, i, 167.

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between a waste tenement of umquhill Henry Wrycht on the south and a land of umquhill William Wrycht on the north. (Vol. ii, fo. 14).

17 June 1531. Mr John Hepburn, bailie of the prioress, gave sasine to Patrick Argyll of Hartrewod and John Myllar, of an acre in the Nungait, on the north side of the Lone, between Philip Gybson's land on the east, James Tait's on the west, the water of Tyne on the north and the Lone on the south, under reversion to James Tait. (Vol. ii, 23).

5 December 1531. Patrick and John resigned the foregoing acre in the hands of the prioress in favour of Andrew Kerynton. (Vol. ii, 27).

30 January 1532/3. Thomas Thomsoun in the Nungait resigned his land there (between the Tyne on the west, the lands of George Mersar on the east and north and the king's street on the south), and also 13 rigs on the east of St. Martin's kirk in the Nungait (between the lands of the said Thomas on the east and west, the king's street on the south and north) in the hands of Andrew Kerynton, bailie of the prioress, and sasine was given to Alison Jhonson in liferent. (Vol. ii, fo. 48).

From time to time the nuns and the tenants on their lands were involved in disputes with their neighbours over rights of way, cutting of peats and boundaries. The most celebrated of those disputes—that with Lord Yester over the nunnery's granges or sheep-farms and the rights of passage to and from them—is dealt with by Mr Waterston in another article in this volume. In the Haddington Protocol Books there are traces—sometimes tantalisingly slight—of other disputes. Thus, on 6 June 1533, 'Edmond Haye tuike a instrumentum that the prioress cartis suld nocht haif na passaig on his maill erd wythin the lordship of Yester'<sup>1</sup>. Exactly a week later, 'Robyn Dicson, servand to my laydy prioress, askyt at Georg Waike and Arche Bartrem gyf thai stopit my lord Yesteris servandis to cast turffis and quhair thai wald haif castyn, quhilk answerit that thar cam servandis of my Lord Yesteris and wald haif castyn turffis at the Grene Castell . . . and thai knew that my laydy prioress hed dischargit hym of castyn off turffis and thai knew nocht gyf he hed gottyn leif fra my laydy to cast, and that steid [place] wes waistit wyth turf castyn, and said to my Lord Yesteris servand, "Bryng thaim a command fra my laydy quhair thai sall cast and thai sal be welcum"'<sup>2</sup>. In March 1535, again, the prioress and convent had to procure a brieve of 'lining' (*i.e.*, lineation or bounding) for a tenement on the east side of the 'Strumpetstreit'

<sup>1</sup> Haddington P.B., ii, 55.

<sup>2</sup> *Ibid.*, 56.

## THE CISTERCIAN NUNNERY OF ST. MARY, HADDINGTON.

in Haddington, lying between the lands of the deceased Robin Anderson on the south, Robin Bolton on the north and John Wolson on the east<sup>1</sup>. In 1546, James Cockburn of Langtoun acknowledged that he had 'offendit' the prioress by taking corn, cattle and goods from the lands of Begbie, and undertook to make any recompense which might be decided on by John Hepburn of Beinstoun<sup>2</sup>.

The Hepburns' rivals in the priory of Haddington were the Maitlands of Lethington. An early indication of their readiness to encroach on the priory property appeared in 1537, when they challenged the nuns' rights to the lands of Permanscleuche Rig. In support of the claim of the prioress that she had enjoyed peaceable possession of those lands, evidence was given by Nicol Symssoun in the Parkheid of Yester, a man of eighty-six, who made this declaration to Robert Dicson, a servant of the priory: 'Robyn Dicson, quhair that ye inqueire me quha occupiit and wes in possession . . . of the landis callit Permanscleuche and the Ryg . . . it is na tym for me to lee, for I am of greit aig [age] and knawis nocht how sone God will call on me . . . I kepit catell on Permanscleuche Ryg . . . and sene [since] I left that steid [place] it is xli yeris; and never herd pleye [dispute] of na man quhill [until] now laitle [lately] Richart Maitland off Leidinton wythin thir twa or thre yeris maikis a pleye'<sup>3</sup>.

After the Reformation, pressure from the Maitlands seems to have been strong, perhaps especially during the three years (1562-5) when James Hepburn, earl of Bothwell, was out of favour at court and was in prison or in exile. On 6 December 1563, Prioress Elizabeth granted a charter to William Maitland, younger, of Lethington, secretary of state, of the Mains of Haddington, Muirtown, Westhopes, Easthopes, Woodend, Newlands, Rindslaw, Snawdown, Carfrae and Little Newton<sup>4</sup>. Three weeks later, the prioress was dead, and the Maitlands' fortunes rose still higher. On 26 December Queen Mary made Sir Richard Maitland of Lethington, and John, his son, factors and administrators of the nunnery during the royal pleasure<sup>5</sup>. Sir Richard, as *oeconomus* or administrator, on 15 December 1564 confirmed a charter by James Cockburn of Skirling to William Maitland of Lethington, son of the queen's secretary, of the lands of Bagbie<sup>6</sup>. When the earl of

<sup>1</sup> *Ibid.*, 82.

<sup>2</sup> *Acts of the lords of council in public affairs*, 545.

<sup>3</sup> Haddington P.B., ii, 99. 27 October 1537.

<sup>4</sup> Hist. MSS. Comm., Report v, 613.

<sup>5</sup> Reg. sec. sig., xxxii, 18; Cal. S.P. Scot., ii, 28.

<sup>6</sup> Spottiswoode's *Religious Houses* (ed. Russell, 1824), 462; R.M.S., 1546-80, No. 1577.



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Bothwell was restored to favour at court, by the end of 1565, he petitioned for the annulment of the grant of the priory to the Maitlands, on the singularly candid ground that 'the same abbay, being a lang tyme broukit [possessed] be his freindis, promotit from tyme to tyme at the nominatioun of his predecessouris, wes his maist native roume [land] and kyndlie possessioun', and that the queen had earlier promised him the reversion of the priory on the death of Elizabeth, his near kinswoman. On 17 March 1565/6 the gift to Maitland was revoked, and the abbey was gifted to another Hepburn prioress — Isobel<sup>1</sup>. Four days later a pursuivant was despatched to summon Maitland to deliver up the priory<sup>2</sup>. Evidently the new prioress was shortly afterwards installed with the traditional ceremonial — the 'wonted toys' as indignant protestants phrased it<sup>3</sup>.

The renewed Hepburn ascendancy was not of long duration, so far at least as the earls of Bothwell were concerned, for with the marriage of Earl James to Queen Mary and his flight after Carberry the line of Hepburn earls came to an end. Maitland of Lethington thereupon obtained (on 20 October 1567) a confirmation or re-grant of the lands which he had been given in December 1563<sup>4</sup>. The Maitlands, however, were not in marked favour again until the 1590s, when Maitland of Thirlstane became King James VI's Chancellor. There was thus a period when the significant name in Haddington was neither Hepburn nor Maitland, but that of yet another family, Lindsay of Byres. At some point a tack or lease of the priory property, of comprehensive scope, was granted by the prioress to Lord Lindsay of Byres. Its date and duration are alike unknown, but it cannot have originated later than 1567, and the Lindsay connection was maintained for some time<sup>5</sup>. On 19 July 1578 the prioress granted to Lord Lindsay the Mains of Haddington and the other lands which had been given to the Maitlands in 1563<sup>6</sup>. (These lands were once more in a Maitland's hands by 1594)<sup>7</sup>. The prioress had, of course, continued as titular owner of the property of the abbey. She married Andrew Schethum of Skelpie, and the ultimate demonstration of the absurdity of the position of this nominal 'prioress' of a 'nunnery' came when her husband's consent, 'for his interest', was formally given to a deed whereby Isobel, on behalf of the

1 Reg. sec. sig., xxxiv, 55.

2 *Treasurer's accounts*, xi, 486.

3 *Cal. Border papers*, i. 4: *Cal. S.P. Scot.*, ii, 275.

4 *Scottiswoode*, *op. cit.*, 463.

5 *Thirde of benefices*, 279; *Register of presentations*, ii, 56.

6 *R.M.S.*, 1580-93, No. 62.

7 *Ibid.*, 1593-1608, No. 73.

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convent, resigned a share of the patronage of the parish church of Haddington in favour of Lord Lindsay of Byres<sup>1</sup>.

It seems that after the death of Prioress Isobel the nunnery was gifted to Patrick Maitland of Auchincreif, and alienation to the Maitlands presumably went on apace. By 1621, when the priory was finally erected into a temporal lordship for John, master of Lauderdale, son of the viscount of Lauderdale, it was said that its property was 'for the maist pairt establischt in the person of the said viscount of Lauderdale'<sup>2</sup>.

GORDON DONALDSON.

<sup>1</sup> *R.M.S.*, 1593-1608, No. 1450.

<sup>2</sup> *Acts parl. Scot.*, iv, 645.

## A XVITH CENTURY BOUNDARY PERAMBULATION

THE documents relating to this perambulation are to be found in the Yester Writs deposited at the Register House, Edinburgh.

In 1930, the Scottish Record Society published a complete calendar of same, compiled by Charles C. H. Harvey and John McLeod, a masterly work of palæography, meriting much more attention than what it has hitherto obtained. It comprises over 1,300 separate writs, dating from the years 1166 to 1625, and gives a vivid insight into the local history of East Lothian. Fully indexed with the names of over 5,000 persons and 1,500 places, it can be appreciated what a vast source of information it affords on human affairs during those five centuries.

Of particular interest is the list of names of persons of high and low degree, living and acting their parts in these early days—making their exits and their entrances on this historical stage of Southern Scotland. Again the wealth of local place names is of interest to the map reader. Many of these survive on the modern map, some, although greatly changed, can still be traced, others cannot be identified or have disappeared.

The particular writs referred to, excerpts of which are given, concern an age-long dispute between the long line of Prioresses of the Nunnery of Haddington and successive generations of the Lords of Yester regarding their granges or sheep farms and rights of passage to and from same, and show how the boundaries of certain church lands were defined and the issues finally settled, which, as will be seen, involved a very elaborate and detailed perambulation over grazing grounds in the Lammermuir hills to the south of Gifford.

This carried out in the early years of the reign of King James V, expressed in the archaic, middle Scots wording, together with the extraordinary change down the ages in the old names of now familiar places, presents interesting problems which certainly challenge an attempt at solution.

The call to locate and actually to tramp over the ground trodden or perambulated by the Boundary Commissioners when they set out four hundred years ago to fix 'the methis and merches', can hardly be resisted. What gives

## A XVth CENTURY BOUNDARY PERAMBULATION

an added spice to the whole matter, is the threatened curse of Elizabeth Hepburn, the Prioress, without which, it is doubtful if her legal claims would ever have been substantiated.

Again there is the mysterious "PYKET STANE". Where was it? What was it? The whole subject is fascinating and the unravelling of its mysteries, an absorbing task—a sort of combination, as it were, between the thrills of a treasure hunt and the intricacies of a jig-saw puzzle.

Maps, modern and ancient, require to be pored over and compared, even right back to the earliest Timothy Pont, and the faintest of clues eagerly followed up. Many conjectures have necessarily to be made, proved or disproved, until at last one finds that what at first appeared to be an almost hopeless task, gradually resolves itself into something not only intelligible but with a topography sufficiently identifiable as to be plotted on a map with considerable confidence, although not, of course, with absolute certainty. Dealing with a locale so well known to our East Lothian readers as the northern flank of the Lammermuir hills, it makes a special appeal. Again the legal procedure presents many points of interest, as showing how, in spite of these early and lawless times, it was possible to straighten out and settle in an orderly way, a dispute which had been carried on for centuries prior to the perambulation.

The writs dating back to 1327 tell their own story, but the following observations may prove helpful.

*Writ 20.* Year 1327.

A charter, the original in Latin, refers to a dispute, even then probably long-standing, as to rights of passage between the outlying nunnery granges of NUNHOPE and the town of Yester and thence to the nunnery, and from Nunhope to NUNLAND, likewise thence on to the nunnery on the Tyne, 1½ miles below Haddington, the Lord of Yester being at that time, Sir John Gifford.

*Note:*—NUNLAND must not be confused with the other Nunland (now Huntingdon) as the later writs clearly show.

*Writ 421.* August 1525. (Full text given in original middle-Scots).

Issued by Elizabeth Hepburn the Prioress 198 years later than Writ 20 and addressed to 'good Christian people and the good folks of this parish'.

## A XVIth CENTURY BOUNDARY PERAMBULATION

It is expressed in terrifying terms and amounts to a threat of excommunication to such as refuse to restore the documents demanded to Lord Hay of Yester, evidently issued by consent of both parties. No reference is made to rights of passage the object apparently being solely the definition of boundaries of the nunnery granges.

That this threat was successful in that the missing documents were ultimately produced, is evidenced by writs 427 and 500.

*Writ 417.* 22nd August, 1525.

Appoints Commissioners and Assize, and orders the perambulation, specifying the ground to be covered.

*Note:*— The name NUNLAND is changed to NEWLANDIS, presumably the present NEWLANDS,  $2\frac{1}{2}$  miles S.E. of Gifford.

CARFRA (Carfrae) and the adjoining moor CRUMBYSTRUDYR MYR are brought into the picture.

*Note:*— No mention is made of the rights of way through Yester.

*Writ 424.* 8th March, 1525-6.

Agreement by both contestants to abide by the decision of the arbiters. One thousand pounds sterling claimed by the Prioress. Parties to convene at the 'PYKIT STANE' (See topographical notes).

*Writ 426.* 9th April, 1526.

Result of the decision by the Arbiters. Ordains that the findings be the accepted boundary, and again repeats with slight variations particulars given in writ 417. Discharges the £1,000 plea of the Prioress.

*Writ 427.* 10th April 1526.

Mentions the production of a 'Boundand Charter' and of 'an old perambulation made before the late Alexander Duke of Albany'. The old perambulation must date from about 1480 as this Alexander, who was the son of James II, was killed in 1485 at the age of 30.

Confirms findings of the new one and settles on a give and take basis, the sore subject of winning fuel (peat) on the moor west of Carfrae.

*Writ 500.* 11th July, 1533.

Finally legalises by Act of Lords of Council the 1327 Charter. This would suggest that this early charter had some bearing on the dispute of two centuries later.

## A XVIth CENTURY BOUNDARY PERAMBULATION

ENTRIES taken from CALENDAR OF WRITS preserved at Yestre  
House 1166-1625.

20. November 1327 (original in Latin).

To all who see or hear this writ John Gyffard, Lord of Yestre and the Baronies of Morame and Duncanlau, greeting in the Lord everlasting: seeing that there has been a dispute between the Reverend Dames, the Prioress and Nuns of Hadygtoun, and me over certain roads, paths, and free entries and exits from their Grange of Nunhope to their House of Hadygtoun, and from their Grange of Nunland, and other granges, lands, petaries, and turbaries to their foresaid house: Wit ye that I for the weal of my soul and the souls of Eufamia my wife, and our heirs, ancestors, and successors for me and my heirs by the tenour of this present writ have granted and by this writ confirmed to the said Nuns and their successors free and common transit *beyond* the corn and meadows *enclosed in fence* at all times of the year in all roads and paths of use at any time from the Nunhope to the town of Yestre and thence to their House of Hadygton, and from the said Grange of the Nunhope to their foresaid Grange of Nunland, and from that grange and all other granges, lands, woods, petaries, and turbaries in all roads and paths commonly used to their said House of Hadygtoun with wains, carts, horses, and any kind of animal whenever they require forever without contradiction or hindrance from me or my heirs or anyone in our name: And I, John, and my heirs the foresaid free and common transit by all foresaid roads and paths shall warrant, and acquit, and forever defend to the said Nuns against all people: In testimony whereof I have strengthened by the confirmation of my seal: Dated at Yestre Castle, Thursday after Martinmas in the year of grace 1327. (H.)

417. 22nd August 1525.

Copy Decreet of Perambulation by Patrick Baroune of Spittalfeld, Mr Thomas Wemyss and David Borthuik, burgess of Hadingtoun, having commission as Justiciars Depute from Colin Earl of Argyle, Justice General of Scotland, to perambulate the Marches between the lands of Newlandis, Carfra and Nunhopis *alias Zestirhopis* with their pertinents, pertaining to Elizabeth prioress of the Abbey of Hadingtoun and religious women and convent of the same, on the one part, and the lands of Duncanlaw, Zestir and Park of Zestir, with their pertinents, pertaining to John Lord Hay of Zestir on the other part, lying in the Sherifffdom of Edinburgh and Constabulary (of Hadingtoun), whereby they in a fenced court on 22nd August 1525, and before an assise

## A XVIth CENTURY BOUNDARY PERAMBULATION

consisting of Richart Maitland of Lethingtoun, Alexander Dalmahoy of that Ilk, Andro Wardlaw of Warestoun, James Aldinstoun of that Ilk, John Livingtoun of Saltcotis, David Myrtoun of Cammo, James Wawane of Stevinstoun, William Lermont of the Hill, Patrick Ogill of Hartrumwod, Master Henry Hepburne in Elstanefurd, Robert Carnis in Saltoun, John Houstoun in Lany, Thomas Cranstoun in Doddiss, Master Thomas Cunyngham, Alexander Monypenny, Alexander Hume in Haliburton, Thomas Ewyne, burgess of Edinburgh, Richart Gudfallo in Fortune, Patrick Masone, George Masone and Alexander Uchterstoun in Grenlaw; perambulated the saids lands as follows, viz: — "Begynnand at the Heslisid Knok and fra that descendand north langis ane ground of ane auld dyke on the west syid of ane balk quhil it cum to ane schele callit Hyrdman schele alias le Lawar schele and fra thine north est discendand in the watter of Zestir and fra thine gangand downe the said watty to Doddisburne fut quhar the sammyn burne fallis and enteris in the said Watter of Zestir, and fra that evin up Doddisburne to the hed tharof uthirwayis callit Doddishewch heid and fra thine south est le slaid to the standand stane utherwayis callit pykyt stane quhilk is the heid of Innerkent and fra thine downe to the heid of Innerkent burne passand downe as the said (burne) rynnis, and als the foresaid assis fand and deliuerit that the *est* end and part of Crumbystrudyr myr sa fer as lyis betuix (the) priores and conventis propir landis of Carfra on baitht the sidis tharof to ane auld march dyke on the north part and the marche (torn away) the southt part of the said myre pertenis to thame in propirte and fra thine gangaud west the said myre the south halff tharof pert (tenis to) the said priores and convent and thar lands of Carfra contigue adjacent tharto in propirte and the north halff of the sawmyn to the s(aid) Jhone Lord Hay of Zestir and his lands of Duncanlaw contigue adjacent tharto in propirte without he schaw ane sufficient boundand charter of the said hale myre, and this without prejudice of the Abbot and convent of Newbottillis clame and interest to ane part of the said myre to be schawin at tyme and place convenient gif thai ony haf." And ordain the said bounds to be marked by tree or stone dyke or ditch by the parties. (M.)

421. August 1525. (full text).

Gud cristyne pepyll and ze gud folkis of this paryschyne her I mak it knawine to zow [you] and ilk ane of zow of quhat estate or degre that evyr ze be off, that ther is here ane lettyr of the officialis of Lowdiane direct and

## A XVIth CENTURY BOUNDARY PERAMBULATION

ordanit to be served to diuers kyrkis and curatis in thir *est* partis and specialy her to this kyrk to me, the quhilke lettyr and monitur [admonition] sayis that it is complenit and schawine to the said officiall in the name and behalff of Jhone lord Hay of Zestir now instant that the sonnys of iniquite and membris of the devyll nocht dredand god no haffand hym befor thar ee of the quhilkis the namys ar vnknawine to him fraudfully throw dissate and aganis the biddyn of god concelis withhaldis and hydys fra hym certane bowndane charteris instrumentis and vthiris documentis anentis the rycht merchis and diuisiones and landymeris betuix the landis and sulze off the barony of Zestyr and Duncanlaw with the pertinentis pertenant to the said lord Hay apoun that ane part and the marchis methis and diuisiones off the Nunhopis vthir ways callit Zestyr Hoppis Newlandis Carfra and Newtoun with thare pertinentis pertenant tyll ane venerabill lady Elizabeth now prioress of the Abbey of Hadingtoun and to the convent of the sammyn apoun the tothir part in gret and hevvy perell and dampnacioun of thair awine saule, and in gret skayth [injury] and tynsale [loss] off the said lord of Zestyr, herfor I command and charge zow generalie and ilkane of zow be zourselff anys twyis thryis [once; twice, thrice] peremptorly be the vertew of thir letteris and onder the pane of gret cursyn and tynsal of zour awin saull that gyff thar beis ony of zow that kennyt or kennis sic bowndand charteris eidentis or documents pertenant to the merchis or to ony part of thaim or has gyffyn consale fauor consent or assent to the hydyng or distroying of thaim or ony ane part of thaim quhar throw [through which] the rycht merchis may nocht be understand na knawine betuix the saidis landis, that ze or ony of zow that knawis zour selff culpabill or gylty herintyll [herein] that ze cum zourselff or send any mediat persoune [representative] man or woman within nyne days immediately herefter folowand and reveyle [reveal] and schaw and restor and deliuer all that ze ken pertenant to the said merchis to the said lord Hay that the rycht merchis may be knawine and vnderstand vnder the pane of gret cursyn and of puttyyn owt of the candill of zow and zour namys to be put owt of the buk of lyff and men and ze to duell evyrmare with the devillis in hell and ze cum nocht and revele and grant in sa fer as ze haff done or kennis within thir said nyne days now nixt herefter followand this my monitoun as said is, the quhilke and ze do nocht I will denunce zow cursyt with buk and candyll ay and quhill I be dischargit off this said leetyr be vtheris letteris or the party etc.

*Endorsed:* Formulaire of a chairge given in name of the prioress of Hadington.



## A XVIth CENTURY BOUNDARY PERAMBULATION

424. 8th March 1525-6.

Submission between Elizabeth prioress of Haddingtoun and convent thereof on the one part, and John Lord Hay of Yestir on the other part, to abide by the deliverance of the arbiters following viz.: for the part of the said prioress and convent Thomas Barclay of the Rynd and Mr Robert Galbraitht burgess of Edinburgh, and for the part of Lord Hay Gilbert Wauchope of Nudry Merschell and Master Henry Spittaill burgess of Edinburgh, and of William Sincler of Hirdmistoun as oversman, anent the debait between them regarding the marches of the lands of Nunhope, Newlands and Carfra pertaining to the said prioress and convent and the lands of Yestir and Duncanlaw pertaining to the said Lord Hay, also anent a perambulation lately led upon the marches of the said lands by Mr Thomas Wemys and anent a summons of error raised for reduction thereof by Lord Hay, and anent the plea depending between the said parties upon 1000 pounds sterling claimed by the said prioress and anent the proper possession and ground right of the lands debatable between them, Parties to convene at the "pykit Stane" on 21st March instant, and the arbiters to give their deliverance within twenty days thereafter. At Edinburgh 8th March 1525. Witnesses, William Scot of Balwery Knight, John Edmonstoun of that Ilk, Master John Hepburn of Beynstoun, Sir Alexander Romannos chaplain and Master George Forster. (M.)

426. 9th April 1526.

Decreet Arbitral given by Gilbert Wauchope of Nydri-Merschell and Maister Hendre Spetaill, arbitors chosen for the part of John Lord Hay of Zestir, anent the divided 'stetting of methis and merchis' betuixt the lands of Nunhopis, *Newlandis* [Nunland] and Carfra pertaining to Elizabeth Lady Prioress of Hadynthone and convent of the same on the one part, and the lands of Zestir and Duncanlaw pertaining to the said Lord on the other part, and anent a perambulation lately led upon the dividing of the said lands, and also anent the summons of error raised by the said Lord for retreating of the said perambulation, and anent the plea of 1000 pounds sterling 'movit' by the said Lady Prioress against the said Lord before the Bishop of Dunkeld's Commissar: They decree as follows "Anent the merchis betuix the landis of Zester and the Nunhopis on the west syd we ordand the marchis that ar auld contenit in the boundand charter producit be the sayd Lady Prioress to be observit in tymis to cum quhill it cum to the Hesliknok and ordanis

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fra thyne to be kepit discendand fra the said Hesliknok to la Lewar schelis as the said Charter beris expresly and fra thyne to the watter of Zester and sa downe quhill it cum to the fuit of Dodis burn and sa wp Dodis burn quhill it cum to the heid of the burn besyd the marche grayne and fra thyne southest the slak quhill it cum to the stane callit the southt pikit stane endlyne the ryg of the hill and fra the southt pykit stane eist to the roid that cumis wpe fra the eister heid graine of Innerkempe safer upe as the southt twa stanis liis erdfast and fra thyne southt ordanis all the remanent to be haldyn propirte to the Lady Prioress and convent of Hadynthane to the watter of Fasenye and fra thir merchis north wart the propir to the Lord Zestir''. They further ordain the Crumstruthermysr to be common between the said parties, Discharge the plea for 1000 pounds sterling and ordain the summons of error to cease. At Edinburgh 9th April 1526. Witnesses, Archbald Scowgal, William Erl, Richart Borthyk and Gawyn Coluil. (M.)

427. 10th April 1526.

Confirmation by William Sincler of Hirdmanstoun, as oversman in the foregoing Submission, of the Decreet Arbitral pronounced at Hirdmanstoun 5th April 1526 by Thomas Berclay of the Rynd and Master Robert Galbraitht arbiters chosen for the said prioress and convent, who having heard witnesses for both parties and also having seen a "boundand Charter" and an old perambulation made before the late Alexander Duke of Albany and the new perambulation made before Mr Thomas Wemyss, decern that the persons who passed lately upon the inquest for serving the said breif of perambulation has justly set the marches of the saids lands and that they have justly made the myre of Crummerstruthir proper to the said prioress and convent within the marches as therein specified, and ordains them to have effect, assoilzies all persons of inquest from the summons of error foresaid; they also ordain the prioress and convent to suffer the said Lord Hay and his tenants to win peats for their feul only "all west through the samyn fra the marche dyke of their lands of Carfray on the north part and the marche stanis forment the samyn dyke on the south part of the myre without hurt of their manurit lands liand on the south syd of the said myre" and in case they do not get sufficient feul therefrom, they counsel the prioress and convent to suffer them to win feul, within the said myre fra the saidis merche dyke and stanis to the flaik brig and na forder eist without hurt of their proper land on ilk syde thereof, they asking special licence and tollerance of the said prioress and convent

## A XVIth CENTURY BOUNDARY PERAMBULATION

thereto; and also to suffer them to win turfs on their muris on similar tolerance, And anent the 1000 pounds sterling claimed by the said prioress they assoilzie the said Lord Hay thereof in case he accept this decreet and otherwise ordain them to pursue the same orderly by law. Witnesses to the Decreet, Patrik Hepburn, Master of Halis, Master John Hepburn of Benestoun, Thomas Fiff, Schir Williame Scott, chaplain, and Schir Jhone Dausone notary public. Confirmation dated at Hirdmanstoun 10th April 1526, Witnesses, David Rantoun of Bille, John Sincler of Blance, Mr Archibald Rantoun, Schir Cuthbert Myltoun, chaplain, Thomas Fiff, Master Bartilmo Kello, Schir George Lok and Symon Fortoun. (M.)

500. 11th July 1533.

Act by way of Instrument of the Lords of Council taken by Master Henry Spittale procurator for John Lord Hay of Zestir, that Master Robert Galbraith procurator for the Prioress and convent of Haddington produced an evident made by John Giffert Lord of Zester and Baron of the Baronies of Morhame and Dankanelaw, granting to the said prioress and convent and their successors, "free and common passage by cornys and medowis putt in defence all tymes of the zeir in all wayis roddis any tyme usit frae Nunhope to the toun of Zester and fra thyne to thaire place Hadingtoun and fra thair Grange of Nunhope to thair Grange of *Newlandis*\* and fra the said Grange and all utheris their Grangis and landis wodis petis and turlfis in all gatis and roddis commonlie usit to thair said place of Hadingtoun with wanys cartis hors and all utheris bestis als oft as neid beis." Which evident was under the seal of the said John Giffert of date at the Castle of Zestir upon Thursday after the feast of St. Martin in Wynter in the yeir of Grace 1327. At Edinburgh, 11th July 1533. George Gude is notary. (M.)

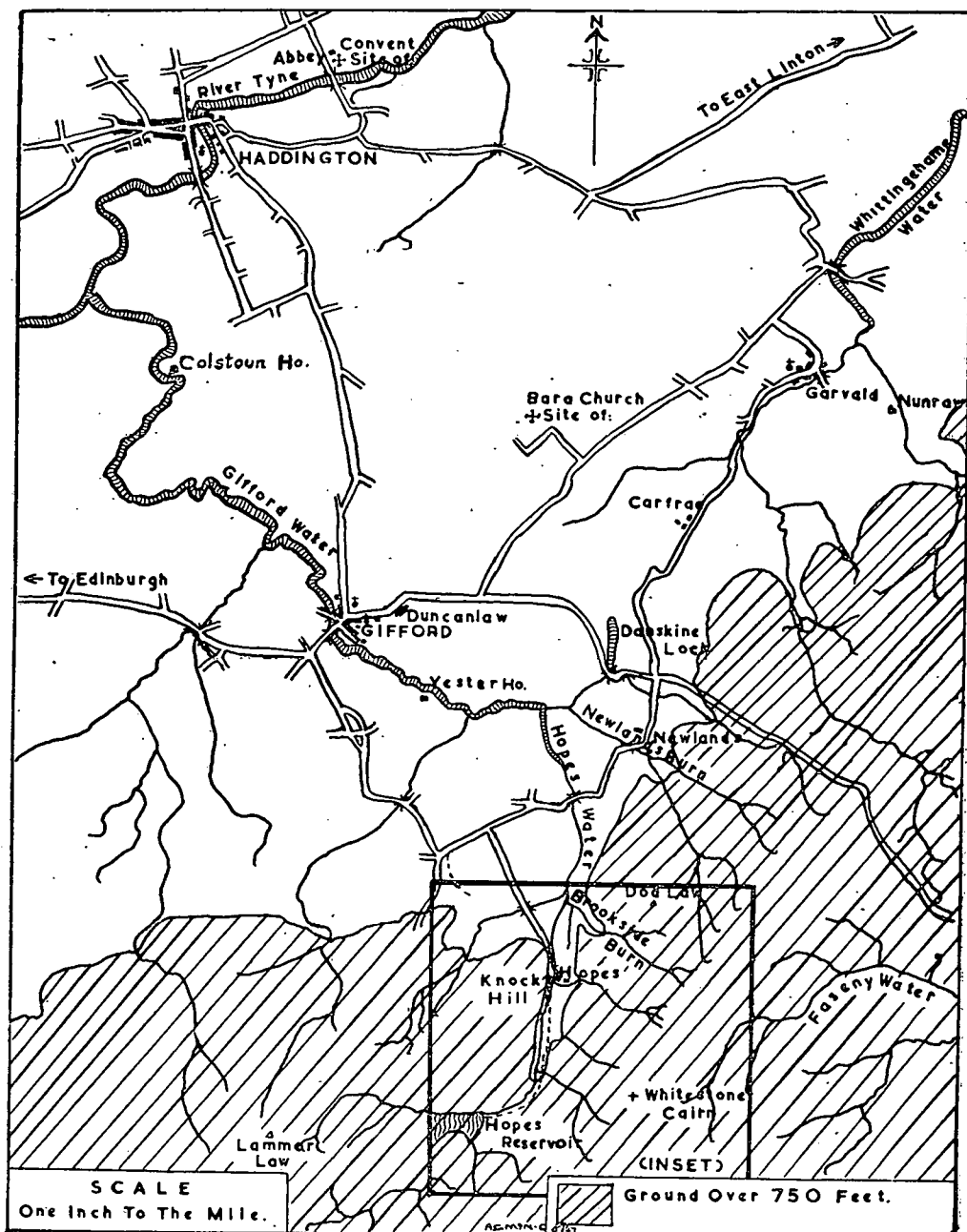
\* 'Nunland' in original charter No. 20 of 1327.

## TOPOGRAPHY.

The small scale map of the larger area shows the general lie of the land including the site of the convent down the Tyne from Haddington and the relative positions of the nunnery granges of Hopes, Newlands and Carfrae to Yester.



# A XVIIth CENTURY BOUNDARY PERAMBULATION



## A XVIth CENTURY BOUNDARY PERAMBULATION

The large scale inset map attempts to show the plotting of the perambulation so far as it applies to the hill district.

The writer gives his interpretation of what he considers their modern equivalents and states his reasons for such as follows:—

### *Old Names.*

HESLISED KNOK.

### *Modern.*

KNOCK HILL.

Hazel trees abound on Knock Hill, hence the name "Heslised". From the hill running down North there is at present every indication of an old "BALK" or ridge as described as well as the foundation of a very ancient wall.

WATER OF ZESTIR.

HOPES WATER.

Writ 417 gives 'Nunhopes alias Zestir Hopis'. This assumption is therefore reasonable.

DODDISBURNE.

BROOKSIDE BURN.

As the Brookside rises on Dod Hill, this old name may have derived from the name—a fairly legitimate deduction—Doddishewch Heid, the flat hauch or meadow at the head of Brookside burn.

PYKIT STANE.

WHITESTONE CAIRN.

This may sound somewhat far-fetched, but some modern corruptions of old names are even more extraordinary. Whitestone Cairn is obviously an ancient landmark which can be seen from great distances and from all directions. Its position fits in exactly both with the part of the perambulation that leads to it up the little valley (slaid) to the south of Doddishewchheid and leads from it to the source of the Faseney close by.

It is described as a standingstone, this it may originally have been, but possibly later made up to a heap of stones or cairn to make it more visible from afar. A noteworthy feature is that these stones, about 20 or 30 Tons, must have been carried up from the valley, as there is not a stone to be seen on the whole expanse of the flat Hill surface which is all peat and heather.

A similar cairn of loose stones of the same name 'the pykit stane' exists also as a boundary mark in Peeblesshire on the united marches of Stobo, Broughton and Kirkurd. INNERKENT BURN—upper water of Faseney.

'THE TWA STANIS ERDFAST'—These two stones lying on the ground have yet to be discovered. The local shepherd has no knowledge of them.

## A XVth CENTURY BOUNDARY PERAMBULATION

CRUMBYSTRUDYR MYR—Unidentifiable—It occurs many times in the Yester Writs in a great variety of spellings, but was probably what was once moorland west of Carfrae, towards Baro and Myreside, lying between the old Yester properties of Morham and Duncanlaw, now highly cultivated land having apparently been drained and cleared.

NUNHOPE alias ZESTIR HOPPIS—It is difficult to say whether this grange was the present East or West Hopes. The writer is inclined to think it was West Hopes, as part of the present farm building of same is obviously a very old fabric. Pont's map of about 1610 gives them as Easter and Wester 'HOUPES'.

Both are given separately as properties of the nunnery in Yester Writs No. 832A of 1580, which also includes the following:—

Woodend — Possibly either East of Colstoun wood or 1 m. S.E. of Whittingehame House.

Newton lands—Possibly present Long Newton.

Rynslaw—Not able to identify.

Snawdone—One mile North-east of Newlands.

Little Heirton—Not able to identify.

Carfrae—As at present.

Moortonehall—This name appears on the Timothy Pont map approximately near the present Abbey Mains farm.

The thanks of the writer is due to Mr A. McNeel-Caird who executed the maps and without whose help and valuable suggestions, it would have been impossible for him to have worked out the perambulation, and with whom he tramped over and surveyed the whole ground.

### SUGGESTED PERAMBULATION.

*Refs.*:— Yester Writs, Nos. 417 and 426.

(Identifiable with some confidence although not with absolute certainty.)

*Original.*

*Modernised.*

*Writ 417—*

Begynnand at the Heslised Knok and fra that descendant north langis ane ground of ane auld dyke on the west syd of ane balk quhil it cum to ane schele callit Hyrdman schele and fra thine north est discendand in the watter of Zestir.

Starting at Knock Hill and from thence descending north along the foundations of an old dyke on the west side of a ridge (between two plough lands) until it reaches a hut called Shepherd's Hut and from thence north down to the Hopes Water.

## A XVITH CENTURY BOUNDARY PERAMBULATION

### *Original.*

And fra thine gangand downe the said Wattyre to Doddisburne fut quhar the sammyn burne fallis and enteris in the said wattyre of Zestir.

And fra that evin up Doddisburne to the hed tharof uthirwayis callit Doddishewch heid.

And fra thine south est le slaid to the standand stane uthirwayis callit PYKIT stane quhilk is the heid of Innerkent.

And fra thine downe to the heid of Innerkent burne passand downe as the said burne rynnis.

### *Modernised.*

And from thence going down the said Water to Brookside burn to the point at which this burn meets the Hopes water.

And from that up the Brookside burn to its head thereof called Brookside Hauch (a flat meadow).

And from thence south is the valley to the standing stone called the Pykit stone (Whitestone Cairn) which is at the head of Faseny.

And from thence down to the head of Faseny burn (the boundary) passing down following the course of the burn.

(Alternatively).

*Writ 426—*

Fra the South Pykit Stane eist to the roid that cummis upe fra the eister heid graine of Innerkempe safer upe as the South twa stanis liis erdfast and fra thyne southt ordanis all the remanent to be haldyn propite to the Lady Prioress to the Watter of Faseny and fra thir merchis North wart the propir to the Lord Zeister.

From the Whitestone Cairn east to the road which comes up from the Eastern fork of Faseny so far up as (where) the south two stones lie on the ground, and from thence South, ordains (that) all the remainder to be held as the property of the Lady Prioress to the river Faseny, and from these boundaries Northward (to be held) as the property of Lord Yester.



## THE FORRESTS OF GIMMERS MILLS AND THEIR CHARTER CHEST

It is eight centuries and more since the first mill wheel was installed on the spot where the Bermaline Mills of Haddington still take their power from the stream of the Tyne. Some time about the middle of the twelfth century the Countess Ada confirmed to Alexander de St Martin certain lands near Haddington which had been granted to him by King David and also his mill on the Tyne and he about 1178 gifted his lands and tenements of St Martin's Gate, with mills and other pertinents, to the convent of Cistercian Nuns which had recently been founded by the Countess<sup>1</sup>. These are the mills which till some fifty years ago were known to Haddingtonians as the Gimmers Mills. No doubt those who farmed the lands of the Nunnery and the baxters of the Nungate and even those who would, if they were allowed, have ground for their domestic baking, had to bring their corn "for meal and multure to the thirling mill" like Fergusson's farmer, for the religious houses were notoriously strict in the exaction of their dues, as was that Abbot of St Albans who paved a parlour with the mill stones he had confiscated from those daring to grind their own corn.

The earliest existing document dealing with the affairs of the mills is a notarial instrument of 24 February 1545/6 from which it appears that on 6 September 1538 the Prioress of the Nunnery granted a tack of the mills and various lands to Alexander Kerrington for a period of nineteen years. Alexander may have found the smooth working of the mills somewhat disturbed by the operations of the battery which, in July 1548, the French forces engaged in the famous siege set up on the mill premises to bombard the town wall across the river. There is another tack, undated but apparently between 1550 and 1557, by which the same mills and lands are let by Dame Elizabeth Hepburn, Prioress of the Nunnery of Haddington, to Mr. (in modern parlance, the Reverend) Alexander Forrest, parson of Logie Montrose, again for nineteen years. On 21 July 1557 Dame Elizabeth with assent and consent of the monastery chapterly assembled, conveyed the mills and lands to John Forrest, burgess of Haddington, and the heirs male of his body begotten, whom failing (which God forbid) to Mr. Alexander Forrest,

<sup>1</sup> See references in *Ancient Historical Monuments, East Lothian*, p. 43, and also Wallace-James, *Deeds relating to East Lothian*, p. 1.

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his uncle, and his heirs male of his body begotten<sup>1</sup>, whom failing to the heirs whomsoever of the said John. On the same day John took sasine. The original grant is missing but it is recited in full in the process of confirmation presently to be considered. It proceeded on a narrative of the advantages arising from the granting of lands and feu-farm (rather than letting them on tacks) such as the promotion of policy, honourable holdings, new culture of sterile lands, improvements, planting of trees, breeding of fish in water and ponds, construction of pigeon houses and rabbit warrens as well as the advancement of arms and matters of war, none of which seems to have any particular relevance to the sale of Gimmers Mills though the recital might be intended to suggest that the chapter had ripely advised and considered the matter. Besides, the feudal dues stipulated were to increase their annual income from the mills and lands by two shillings Scots—or twopence sterling. Futhermore, their servitor, Mr. John Forrest, held a tack of the mill for nineteen years, of which only a few had run. (This would appear to be untrue as the Kerrington's tack above noted had not yet expired and the only other tack was that, probably deliberately undated and only brought into existence for the purpose of this recital, of Alexander Forrest). Also, John had paid great sums for the feu charter as well as other sums in their great and urgent need for the repair and rebuilding of the monastery and cloister and houses of the same, destroyed and burned by our old enemies, the English, in the last war. For the mills and lands John was to pay £25/4/1½ with one cain capon for each acre, and was to furnish horse carriage to the nearest sea water when the victuals of the monastery were carried from Fife (where the Nunnery had various endowments) and at other times when the monastery should have need; also making three suits of court at "our head pleas at Nungait".

The subscriptions of the charter are these:—

Elizabeth, Prioress of Hadingtoun with my hand at ye pen led by ye notar undirwritin; Domina Katherine Bettoun, Domina Isabella Crummy, Domina Isabella Hepburne<sup>1</sup>, with our handis at ye pen led by ye notar undirwritin; Domina Elizabeth Gardner, sup-prioress eldar, with my hand at ye pen; Domina Elizabeth Drury; Domina Johanna Conynghame; Domina Katherine Farrar; Domina Johanna Bronefeild;

<sup>1</sup> On the lax observation of the rule of celibacy among the Roman Catholic clergy of Scotland, see Hill Burton, ch. xxxvii. That Alexander left a family is shewn by an entry in the Council records for 22 April 1590 relating to "William Forrest son of umquhile Alexander Forrest, parson of Logie Montrose, and heir to James Forrest, proprietor of the yard and houses called the vicar's manse lynad bewast the Kirk". Alexander must have remained a Catholic for there is no record in the *Fasti Ecclesiae Scoticanæ* of his having held a ministry in the Reformed Church.

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Domina Eufamia Nepar; Domina Alesona Ramsay supprioress youngar;  
Domina Elspet Dowglass; Domina Katherine Keryngtoun; Domina  
Christina Quhite; Domina Mariota Cokburne; Domina Christina  
Ottirburne;

a small, but probably highly select body of well born ladies enjoying their life of quiet retirement beside the old "Abbey" bridge.

Two days after the signing of the charter there issued from the office of John (Hamilton) Archbishop of St. Andrews, Primate of Scotland, Legate of the Apostolic See, with powers of *legatus a latere*, a beautifully engrossed precept directed to the provosts of the churches of Corstorphine, Holy Trinity near Edinburgh, and Foulis of the diocese of St. Andrews, and to Adam Bothwell, canon of the church of Glasgow, directing them to enquire into the propriety of the proposed alienation of the monastery property, and, if they found all due and honourable, to confirm the same. The precept is signed by F[riar] Petrus, for Master Alexander Forrest, secretary<sup>2</sup>.

On 4 August Nicholas Spittel, provost of the collegiate church of Fowlis, and Adam Bothwell, canon of the metropolitan church of Glasgow, as judges, executors, and commissioners, met in the church of St. Giles in Edinburgh in the aisle of St. Gabriel there, and after hearing John Forrest for himself and Henry Kinross as procurator for the Prioress and convent, decreed that the disposition in perpetual feu of the mills and lands was for the advantage of the monastery and confirmed the same. The document is a long and elaborate one, admirably engrossed and bound in book form.

Anyone accustomed to the processes of conveyancing and to the normal rate of progress in such matters who views the documents and compares the dates must recognise that there is something peculiar here. Thus, John Forrest on the date on which he obtained his charter, without having obtained the necessary sanction, took sasine of the subjects. Two days later the precept of the Archbishop was issued. During these two days John from Haddington had to present his application to the Archbishop. The Archbishop had to consider his proper course of action; his secretary had to draft the orders after due reference to the memorandum of Pope Pius II of 1465 expounding the principles to be observed in such matters; the Abbreviator had

<sup>1</sup> Isabella by 1569 had succeeded as Prioress.

<sup>2</sup> The Commission of Legacy from Julius III to Archbishop Hamilton is to be found in the Warrender Papers (S.H.S. 3rd series, vol. 18 p. 25). It was issued ca. 1552 and among the many powers was that of authorising the exchange of immovables of monasteries, dignities parsonages etc., to give long leases or to feu (in feudum et emphiteosim concedere) when evident advantage is shown after cognition.

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to prepare his vellum, rule it, and engross on it in his clear and classic script the precept now among the Gimmersmill charters. *Quod est absurdum!* Equally unlikely is it that the precept should have been communicated to the adjudicators, that a date should have been fixed for hearing, notices issued to the parties, the court assembled and the elaborate order drawn up and engrossed in the space of twelve days. Obviously the whole proceedings, including the order of confirmation, had been prepared in advance and probably by Mr. Alexander Forrest, Master of Arts, tacksman by a dubious lease of Gimmersmills, Parson of Logie Montrose, chaplain (perhaps) of the altar of the Three Kings of Cologne in the Parish Church of Haddington, Provost of the Collegiate Church of Kirk o' Fields, Secretary to the Archbishop of St. Andrews and proto-notary of the diocese, *and UNCLE* of the beneficiary of the said proceedings<sup>1</sup>.

We may find a reason for these apparently tortuous proceedings in general history. Scotland in the fifteen-fifties was, like Germany in the nineteen-thirties, torn between incompatible ideologies with putsches and brawls and armed clashes threatening a bloody civil war. As time went on the black figure of John Knox loomed over the Catholics like that of Hitler over Germany. Especially in the religious houses, except such as were already the private milch kine of royal or other bastards, there must have been fears for the future. They knew what had happened in England under Henry VIII, and, without our believing for a moment that they were in any way open to the indecent slanders with which the reforming propagandists smeared the reputations of Catholic sisterhoods, we may well conceive that the wise virgins of the Nunnery, like Jews in Germany with their non-transportable property, were of opinion that the time had come to liquidate at least part of their possessions before they were taken from them. It is quite probable that John Forrest had in fact paid solid cash for his grant, and the documents we have been considering may represent the scheme by which Alexander endeavoured to ensure, so far as formal conveyancing could make them so, that his family's rights were unassailable.

How well justified was the action of the Prioress and her nuns appeared when, just three years later, a short session of the Scottish Parliament abolished

<sup>1</sup> By the courtesy of Mr R. G. Cant, Deputy Keeper of the Muniments of St Andrews University I have been given the following details of Alexander's career at St Andrews. "Alexander Forris, nationis Laudoniae", matriculated at St Salvator's College in Session 1531-1532. "Alexander Forhus, dives" took his B.A. again as a member of St. Salvator's College in 1533. "Ma. Alexander Forres" took his M.A., again as a member of St. Salvator's College in 1534".

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their religion in Scotland and threatened them with imprisonment, banishment, and even death if they as much as heard the sacrament of the Mass. Ten years later their property passed to Maitland of Lethington, for a time to Bothwell, and then back to Maitland<sup>1</sup>.

It was thus that Gimmers Mills came into the possession of the Forrest family with whom they were to remain in direct male descent till the end of the eighteenth century. The family had been in Haddington since at least the last quarter of the fifteenth century. The name appears variously as Fourhouse, Fowros, Fowrois, and Fourrois, and it is not till the middle of the 16th century that it settles down into Forrest. These variants would suggest a foreign origin as they could hardly be mere mis-renderings of the Scottish name Forrest, which Dr. George Black in his book on Scottish surnames traces to Forrester or Forres (the town). They were apparently a prosperous family acquiring lands, tenements, and annual rents, either by purchase or marriage, in all parts of Haddington and the Nungate. Naturally with each acquisition they took over the title deeds of the subjects and these with documents recording various transactions in which the family were concerned account for the collections referred to on page 75 of vol. IV and page 66 of the present volume of these Proceedings. Such a collection might at first sight be interesting only to those who can be thrilled by a "beautiful piece of conveyancing", but here and there, even in this arid waste one may find curious little bits of information such as our Antiquarian Society exists to bring to light. Take topography: In 1444 Robert de Nesbyt acquired from John de Whitsum de Corb fourteen ground annuals issuing furth of various properties in Haddington scattered from the corner of Wyrting Street (now Millwynd) and Sidegate to the Gallowacres on the Edinburgh Road. These passed, apparently as a compact group till they came in 1508 to David Forrest who used them with some others to endow the altar of the Three Kings of Cologne which he had "biggit" in the parish church. From the instrument of 20 October 1522 by which sasine of the endowment was given to the chaplain one might construct a postal directory for a good part of

<sup>1</sup> A sheet of receipts for the feudal dues from the Mills covering the period 1602 to 1615 casts light on the subsequent devolution of the revenues of the Nunnery. The Superiors of the lands are shewn as the Provost and Town Council of Edinburgh in 1602; Robert, Lord Lindesay, probably Sir Robert Lindesay of Orkie, 9th Lord Lindsay of the Byres in 1612; and Dame Isobel Hepburne, prioress of the Abbey of Haddington and her spouse, Andrew Schethin of Skelpie in 1614 and 1615. The "royal charter" by James VI in 1605 alluded to on page 41 of Mr Forbes Gray's Short History of Haddington is in fact only a formal instrument of resignation by David Forrest and regrant in favour of himself and spouse. It is under the Great Seal as the direct superiority must have been in that year in the Crown which it would appear used the forfeited resources of the Nunnery as a means of granting temporary favours.

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sixteenth century Haddington. This David is probably the burgh Treasurer who, according to an entry in the Auld Register of the Council for 6 May 1539, acknowledged receipt of forty shillings apiece from two persons who had refused to take upon themselves the office of Abbot of Unreason in the annual profane frolic which the more serious minds of a reforming tendency were trying to abolish. He was ordered to "vayr (expend) the four pound he gat fra Thomas Synclar and Thos. Ponton on play coittis (actors' costumes) and thai coittis to be kept in the commen kist till the next year to the abbot and that abbot to deliver thaim to the commoun kist agane unspoil".

It was a George Forrest who on 10 November 1543 as one of the Sheriffs of Edinburgh within the Constabulary of Haddington went to the Market Cross and there by the delivery of a white wand to Master William Brown in the name of the Bailies, Council and Burgesses of the said Burgh gave and granted state, and heritable sasine of the office of Sheriff according to the tenor of the Charter of King James V of 4 December 1542<sup>1</sup>.

John, the grandson of David, was the first of his family to be feuar of Gimmersmills. He was twice Provost of Haddington, in 1555 and 1564. In 1552 as a burghess he "came cautioner that ane worthy and mychty lord, George, Lord Seyton sall bring the silver bell that his horse won upon the x day of Maii the yeir of God im vc fiftytwo yeiris upon the third day of November the samyn yeir and present the same to the provost and baillies of the said burgh of Haddington with ane augmentation lyke as the said lord pleases to augment for his honour and the same bell to be run for the said day swa that the winner thairof may haif the same agane". If only this ancient relic should some day turn up to be a centre of attraction in a regional museum in Haddington House! John had already commenced business as a miller for in 1554 he, along with John Ayton who succeeded him as provost in 1556, took a tack of the two common mills of the town for three years for fifteen score and ten merks; from which it would appear that long before the day of Galt's Provost it was the recognised thing that where a profit was to be made from the common good the council and their friends should have first pick. In 1568 John was, apparently, still on the Council for in that year he accompanied the Provost to Edinburgh to purchase license for the town to remain absent from a raid. He was dead in 1569 and was succeeded by his son David in virtue of a precept of Clare Constat granted on 4 September by the Prioress Isabel. This precept, which had a perfect impression of the seal of

<sup>1</sup> Wallace-James, Charters and Writs concerning the Royal Burgh of Haddington p. 41.

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the Nunnery, unfortunately disappeared from the charter chest about fifty years ago. The notarial instrument recording the Sasine of David is dated 6 October 1569 and is witnessed among others by David Forrest, General of the Mint of our Lord the King. This David is the best known member of the family. It was at his house that George Wishart stayed on his last visit to Haddington in 1545 when he preached, to a disappointingly scanty congregation of the faithful, of righteousness and of the awful judgments to come speedily upon the town. Knox described him as a man that long had professed the truth and upon whom many at that time depended, but later he fell from grace when with a decent respect for the religious feelings and ceremonies of that large part of his fellow countrymen whom Knox described so elegantly as "rotten papists" he refused to condone the violence of the Edinburgh rabble in assaulting the procession of the relic of St. Giles and as a temporiser "laboured to stay the brethren". Fortunately the "party" in Scotland never had the power (except perhaps against Archbishops like Beaton and Hamilton) which a more recent "party" has evolved for dealing with deviationists, and David and his fellow temporisers escaped purging. A full account of his career is to be found in Appendix xviii to Laing's Edition of Knox's History of the Reformation, to which we may add, from documents in the charter chest, that he left a son David, who died *sine prole*, and four daughters who were in 1585 in indigent circumstances.

Life in Haddington at the end of the sixteenth century was not altogether peaceful. On 21 January 1599 Patrick and Richard Broun, burgesses of Haddington "comeperit in the counsall house of the tolbooth of Haddington (where is now the car park in Market Street) before Thomas Cobburne, provost, Alexander Seyton and Philip Gibsone, baillies of the said burgh" and complained that David Forrest (probably the miller or his son), John Bartram, William Forrest and others, "all burgessis, frie men, and frie lieges off the said burgh" had all been warded in the said tolbooth and put in lock-fast custody where "thai haiff remanit continuallie sen syne and where thai ar yit secludit fra thair necessarie and neidfull effeiris retenit be the said provest and bailies upon what occasion thai know not". Patrick and Richard offered to go bail for them, to be answerable for anything with which they may be charged, but the provost and bailies "altogedair refusit" to release the prisoners.

There is nothing to show why this collection of highly respectable citizens of Haddington should have been thrown into prison but I suspect that it was

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an incident in some municipal dispute such as we find later in the disgraceful episode of 1734/5 when a usurping body of *soi-disant* councillors managed by a misuse of the processes of the Court of Session to get the legitimate members of the Council arrested and marched off under military escort to Dunbar. It required further proceedings in the Court of Session and questions in Parliament to get them released. On that occasion two Forrests were on the legitimate side, one of them receiving compensation for the indignity of his arrest and the other acting as host when the legitimate party celebrated their triumph.

It was not always on process of law that citizens of Haddington relied to oppress their neighbours. In 1604 the Sheriff Court had to decide the complaint of David Forrest Gymmersmills that Patrick Hepburne of Newmyllis had come upon David's "hauche callit Dobieshauche with his ky and accompaneit with his sones and sirvandis to the number of threttie personis bodin in feir of weir with staffis two handit swordis and uthir waponis invasive be plaine force oppression and bangistrie did quhat lay in thame to have usurpit and takin possessioun of the said David's hauche and auld heritage". David was successful in his action but in 1608 he had to sue out letters of contravention of lawburrows against Patrick and his sons and William Ker of Bairfute, their surety, for further intrusions in the same land. As a Judge in India I have had to try many such actions, civil and criminal, and I am afraid that Haddington even after the Union of the Crowns was, with its factions and its high-handed aggressions, in no better case than the Indian villages I used to know so well. The Records of the Privy Council in the sixteenth century show how often such quarrels led to bloodshed and manslaughter.

If, as the records show, crime was rife and retribution uncertain, punishment when it did overtake the criminal was, to those who nowadays shudder at the thought of the black cap, inconceivably brutal. On the 28th of May 1612, David Forrest of Gimmers Mills doubtless as the most substantial man among them, was chosen as their chancellor by the jury which tried Margaret Alexander for incestuous adultery and child murder. Tenuous though this connexion may be with our theme, it may be taken as sufficient excuse for reproducing here part of the most dramatic document in the records of Haddington, especially as the report of the case published by Dr Wallace-James in his volume of Charters relating to East Lothian is not easily accessible. The wretched woman had given birth to a child in a brew house



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somewhere between Newton Port and Hardgate and had buried it in the bank of the river near the so-called "Bothwell Castle". The body was discovered and buried in St. Mary's Kirkyard and the woman was brought to trial before Sir William Seton of Kyllismure, Sheriff, and Andrew Gray and Patrick Brown, Sheriffs Substitute. She was duly found guilty and sentence pronounced as follows: "that ye said Margaret Alexander salbe takin furth of this tolbutth and in exemplarie maner to hir reproche and schame conveyit be the lokman (hangman) directlie furth of the tolbuthe to the brewhous quhair scho bure and murthurit the said bairne and thair to gif opin confessoun of hir action, from hence to the part quhair scho maist cruellie and unnaturallie did hyde the said bairne under the dyke at the watter syde and thair to gif testimonie of hir unworthie behaviour and present repentance thair of and fra thence to be conveyit directlie to the kirkyaird quhair the said bairne was bureit for ane exemplar terrification to all godless harlottis to flie and abhore the lyke mair nor beastlie behaviour and with hir same handis quhair-with scho first skrappit the hoill at the watter syde to hyde hir said adultrais and incestuous murthure to skraip out hir said murthurit bairne out of the grave quhair it presentlie lyes to the greater testimonie of hir ignominie and last it was descernit be the saidis judges and gevin for dome be the said dempster that the said Margaret Alexander salbe conveyit fra the said kirkyaird to the Mercat Croce of Hadingtoun and thair upoun ane skaffold to mak oppin confessioun of hir wicked lyfe incest adultrie and maist unnaturall and detaistable murthureis and thairefter to be publickly hangit to the deid upoun the gibbet at the said Croce and efter hir death hir twa armes fra the elbak (elbow) down to be stricken off the ane to be affixt and hung upon the port of Hadingtoun callit Noreis (the North East towngate at the north end of Hardgate) neir to the part quhair the said last murthureit bairne was found and the uther to be conveyit to Abirlady and hung upoun a pyk or staik of tymmer to be hung and cheinzeit (chained) to remane to the terror and example of utheris quhair hir crymes and fylthiness war maist oppinly knawin and scho abusit hir self and begott the said last bairne, quhilk was gevin for dome".

One can picture the horror of this *via dolorosa* as the miserable creature scrambled up the river bank below Sandybed House (then the pride and not as now the shame of Haddington) and staggered along Hardgate and Sidegate, the lockman's halter round her neck and the rabble hooting at her heels; on by Church Street and past the schools and so to the ghastly business in the

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churchyard and thence to the Cross where the Provost and Bailies and Forrest the Miller with his fellow jurors had occupied the posts of vantage for the culminating spectacle while the truant scholars peeped between the legs of their elders or were perhaps pushed forward by them to profit by this solemn warning as to the wages of sin.

Even in the dulness of conveyances one may detect differences in moral outlook between then and now. No modern conveyancer would admit so frankly as David Forrest does in a deed of 1 February 1621 that his purchase from his brother-in-law George Symson, though ostensibly for cash, was in fact a hollow transaction designed to preserve George's property from his creditors. The debts having been now "out-red" by George's brother, David, as in "honour" bound, reconveys. Unfortunately, George's son, James, got just as deep in debt and in 1628 he had to execute a trust deed transferring all his property to David's son, George. George and James Symson were Postmasters of Haddington and their house was apparently at the corner of High Street and Hardgate in the space behind the George Hotel recently laid out as a garden. In his deed James gives a bill of sale over the moveables in his house. The Inventory shows how one might expect to find the house of a respectable burgess of Haddington furnished in the seventeenth century. Modernising the spelling it runs "and also I by these presents have sold and by these presents *Simpliciter* sell and dispo[n]e from me, my heirs, executors and assigns to the said George Forrest his heirs executors and assigns my whole moveables and insicht plenishing without and within my hous to wit, nine furnished beds with curtains, covers, feather beds, bolsters, cods (pillows), blankets, sixteen pair of sheets, one striking knock (clock), four post horses, seven boards (tables) with covers, ten chairs, 6 stools, seven "chimlar brasses" (brasses for the grate?), twelve cushions, a fair vat with brewing lomes (tubs), a press for clothes, three coffer[s], a coffer of walnut tree, six forms, nine tin stoups, 1 quart stoup of tin, two dozen trenchers, 2 lavers (wash basins), twelve "laine" (earthenware) plates, all kitchen work and pieces appertaining thereto, four dozen servites (table-napkins), six board-cloths, four salt-vats and generally all and whatsoever my whole insicht and plenishing therein".

The number of furnished beds and tables may indicate the size of James's family or, more probably, the fact that he kept a changehouse where, as now in the adjacent George Hotel, travellers might have a meal while they changed horses or could be put up for the night. The absence of cutlery is notable.

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Possibly everyone cut up his meat with his own whinger and used it or his fingers as a fork. But how did they sup their Scotch broth?<sup>1</sup>

The other documents in the charter chest, with one exception, offer little of general interest. I only cull one entry from a book of accounts<sup>2</sup> which may make our civic fathers lament the change in Scots legal procedure and social customs:

"Item to the officers for serving of the edicts at the cross 30s.

Item for the wyne to the provost and the baillies the same

day viz. Jani 19, 1648 58s."

And in those days fiftyeight shillings, even Scots money, would buy quite a lot of wine.

Various members of the family continued to play their part in the life of the burgh. Three of them appear as recording their assent to the new sett of the Council in 1658. David Forrest of Gimmersmills was Sheriff Depute and Provost in 1710, 1714 and 1720. The part played by two Forrests in the affair of 1734 has already been noted but, apparently, one of them (a bailie too!) had to be fined in 1747 for encroaching on the public street in the back of the Smiddyraw, a practice but too common in those days.

No account of the great flood of 1775, recorded on the tablet at the Custom Stone, is complete without the tale of how the miller and a friend were marooned on the top of a pear tree "where they were obliged to remain five or six hours under the most dreadful apprehension of being carried down the current, tree and all". With memories of the even greater flood of 1948 and seven feet of water in my drawing room I can sympathise with my predecessor in the Mill House.

The last Forrest in the male line to hold the mills was Dr. George Forrest, Professor of Natural Philosophy in the University of St. Andrews from 1772 until his death in 1795 who, I know not how, managed to combine an active participation in the business of milling with his professorial duties. He was succeeded by relatives in the female line but with the sale of the property about 1870 to Mr. More of Monkrigg a family connection which had lasted well over three centuries came to an end.

1 A hundred years later Alexander (Jupiter) Carlyle writes: "By this time even the second tavern in Haddington (where the presbytery dined having quarrelled with the first) had knives and forks for their table. But ten or twelve years earlier my father used to carry a shagreen case with a knife and fork and spoon, as perhaps they do still on many parts of the Continent. When I attended in 1742 and 1743 they had still but one glass on the table which went round with the bottle". Autobiography, Ed. J Hill Burton 1860. p. 64.

2 See article in S.H.R. No. 110, Oct. 1951, *An East Lothian Executor's Accounts, 1645-1650*.

A. MONTGOMERIE.

## A NOTE ON AN ALTAR IN THE PARISH CHURCH OF HADDINGTON

THE altar of the Three Kings of Cologne is usually referred to by historians of Haddington as being among those which were in existence in the fifteenth century. From documents among the Gimmersmill Charters deposited in the Register House (see page 75 vol. IV of these Proceedings and page 66 of the present volume) it would appear that this altar was in fact erected and dedicated as late as 1522. A notarial instrument dated 20th October 1522 records the grant of sasine to Master (in modern parlance "the Reverend") George Sidsarf of a number of annual rents issuing furth of certain tenements in Haddington, such rents to be the emoluments of the chaplain (Sacellanus of the Chapel or Sacellum) which David Fowross (Forrest), burgess of Haddington had founded, constructed and endowed in honour of the undivided Trinity, of the glorious Virgin Mary, of the Most-Sanctified Three Kings who are buried in Cologne and of all the Saints. This chapel was in the North-West part of the parish Church and was dedicated to the perpetual celebration of divine rites at the said altar by a suitable chaplain to pray for the soul of our most illustrious King James the Fourth and the state of our most invincible King James the Fifth, and for the Souls of his (David's) predecessors, himself, his two spouses Agnes Lawson and Isabell Dickson and all his children and successors. The instrument recites how William, the son of David as procurator for his father, proceeding to each of the tenements, resigned the rents into the hands of a noble man John Wawss, one of the bailies of Haddington, who thereupon gave sasine by earth and stone and a silver penny into the hands of a discreet man, the chaplain of the said altar for the time being viz. Master George Sidsarf. There are eighteen properties yielding in sum £10 7s 8d. Documents at one time in the Charter Chest but now missing referred to further endowments made in 1527 and 1532.

There is no evidence to show how long Sidsarf officiated as chaplain but on 15th July 1553 Master Alexander Forrest (son of David Forrest, the founder) Provost of the Collegiate Church of the Blessed Mary of the Fields (de Campis) resigned into the hands of his nephew John Forrest, burgess (and at one time Provost of Haddington), his chaplaincy of the Altar to which John at once appointed Dene John Anderson. The transaction took place in Alexander's "Camera" in the Kirk o' Fields and therefore close to the spot

## A NOTE ON AN ALTAR IN THE PARISH CHURCH OF HADDINGTON.

where fourteen years later, in a house "both riven and ruinous in a place of small resort between the falling walls of two Kirks" East Lothian's most notorious son murdered Henry Darnley.

It is curious that on 29th June 1557 there should be an instrument by which John Forrest institutes the same Dene John Anderson as chaplain in succession to *dene Thomas Keryngton* who had resigned. How this deed is to be related to that of 1553 does not appear, but as will be seen from an article in the present volume on the Forrests of Gimmers Mills every document in which the name of Alexander Forrest appears smacks of intrigue.

John Anderson was probably a relative by marriage of the Forrests. He held the Chaplaincy till 6th May 1587 when he resigned it into the hands of David Forrest who thereupon appointed George Hepburn brother-german to Patrick Hepburn of Smeton. In 1595 David presented to his son David Chaplain of the said Altar all the dues therefrom as enjoyed by George Hepburn, deceased.

It does not appear that Anderson, Hepburn or Forrest were clergymen of the Reformed Church. At least they do not appear in *Fasti Ecclesiae Scoticae* as ever having held any charge. In any case the continued celebration of rites for the souls of deceased Forrests at an altar of the Three Kings in the Parish Church of Haddington after the Reformation of 1560 is most unlikely, so that these later appointments were probably like those of the Tulchan Bishops, mere legal formalities for the purpose of drawing the rents. That they were successful shows how little pious resolutions prevailed where money was concerned. On the 29th November 1571 the Provost, Bailies and Council of the Burgh of Haddington had ordained "that all annuals of the Chaplainries and Altarages within the Burgh should be collected and applied to a Master of the school or a reader for teaching of bairns and exhorter in the Kirk and that there be a qualified man gotten with advice of the Council and the town". My predecessors in Gimmersmill House had other ideas as to the best use of the money.

A. MONTGOMERIE.

## YESTER CASTLE

IN previous papers published in these Transactions, I have dealt with Dirleton and Hailes, two of the three East Lothian castles that show masonry dating from before the War of Independence<sup>1</sup>. I now welcome the invitation, with which I have been honoured by the Editorial Committee, to discuss the third of the trio, Yester — the most fragmentary, yet in some respects the most remarkable of the group.

Each of these three castles appears to be in its own way unique in Scotland. Dirleton shows us what seems to be the earliest example of a "clustered donjon" in Britain. In Hailes we find, embodied in later work, the only extant Scottish example of a stone manor-house of the thirteenth century, like Aydon Hall in Northumberland. Now at Yester we have to consider the remains of what, if my interpretation is correct, must have been a large rectangular stone donjon or tower house, of a type which, it has been usual to think, is not found earlier than the fourteenth century—but here at Yester must be assigned to before the year 1267.

Full descriptive accounts of Yester Castle are available in MacGibbon and Ross<sup>2</sup>, and in the East Lothian volume of the Royal Commission on Ancient Monuments<sup>3</sup>. In the present overgrown and encumbered state of the ruins, it would be idle to attempt a third such description. A definitive architectural account of the castle must await the time, so earnestly to be desired, when the site has been subjected to complete excavation and the ruins placed in a proper state of repair. My present purpose is rather to offer what,

1 For Dirleton, see these *Transactions*, vol. III, pp. 1-18; also *Trans. Glasgow Archaeol. Soc. N.S.*, vol. viii, pp. 1-31, and *Scot. Hist. Review*, vol. xxvii, pp. 48-56. For Hailes, these *Transactions*, vol. iv, pp. 1-10.

I take the opportunity of adding a note to what is said as to the founding of Dirleton College in my paper, as cited above p. 16. The date of foundation is definitely given as 1444 in Bower's *Scotichronicon*, ed. W. Goodall, vol. II, p. 541.

An interesting point, omitted from my paper on Hailes Castle, is that George Wishart was imprisoned there after his arrest in January, 1546, before being brought to St. Andrews. See Spottiswood's *History of the Church of Scotland*, ed. 1668, p. 79.

2 D. MacGibbon and T. Ross, *Castellated and Domestic Architecture of Scotland*, vol. I, pp. 116-21.

3 *Eighth Report, County of East Lothian*, pp. 145-8.

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in the existing state of our knowledge, can be no more than a provisional interpretation of these very puzzling ruins. The measured drawings which accompany this paper (Fig. 1) were made by the late Dr. Thomas Ross in November, 1882, and were placed by him at my disposal when I began the study of Yester Castle twenty-five years ago. They meantime hold the field as the completest survey of the remains.

The word Yester, anciently Ystrad, is of Britonic origin, and signifies a valley. Doubtless it refers to the valley of the Gifford Water, which, rising in Lammerlaw, flows with a winding course of upwards of eleven miles, until it pays its tribute to the Tyne a short distance above Haddington. In the upper part of its course, as far as Yester, it is known as the Hopes Burn, and flows in a deep and romantically wooded gorge which has been eroded out of the soft red or reddish-white calciferous sandstones. These beds, dipping generally to the north at an angle of some 15 degrees, are exposed in various places below the castle. The rock is a crumbling one, and does not seem to have afforded the materials of the castle, which is built in general of a reddish freestone that has weathered exceedingly well. It may have come from Bara, north-east of Gifford, where there are ancient quarries. Just below the castle, a smaller stream, likewise descending in a wooded gorge, enters the Hopes Burn from the west, and so forms a triangular promontory, upon which stands the castle. Except on the open base, or south front, the sides of this promontory are exceedingly steep; and the front has been isolated by a wide and deep cross-ditch, uniting the two ravines. In rear of the castle, upon the nose of the promontory, is a second cross-ditch, crescentic on plan—a precaution doubtless considered necessary because the approach from this direction, along the axis of the site, is less steep than on the flanks.

The lands of Yester were granted by William the Lion to Hugh de Gifford, who was one of the hostages when that monarch was released from his English prison in 1174. If he had a castle here, it will have been a timbered earthwork on the mount and bailey plan. We shall find that possibly the two cross ditches may be the relics of such a structure. In the time of his grandson, Sir Hugh de Gifford, we meet with what, so far as I have found, is the earliest record of the castle. It is a grant, dated 1250, by Adam de Morham to Sir Hugh de Gifford of a tract of woodland adjacent to the castle of Yestrith<sup>1</sup>. Sir Hugh died in 1267, and concerning him Fordun has the following important note:—

<sup>1</sup> D. Loudon, *History of Morham*, Preface.

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"Hugo Giffard de Zester dies, whose castle, or at least the cellar and donjon, as old stories tell, was erected by demonic art; for there is a marvellous *souterrain*, wonderfully constructed, and carried under a great space of ground, which is commonly called Bohall"<sup>1</sup>.

This description obviously refers to the celebrated Goblin Ha', the most remarkable feature of our castle, which has been immortalised by Scott in the Host's Tale in *Marmion*:—

"Of lofty roof, and ample size,  
Beneath the castle deep it lies:  
To hew the living rock profound,  
The floor to pave, the arch to round,  
There never toiled a mortal arm,  
It all was wrought by word and charm."

Fordune assigns the building of this *souterrain*, and also of a donjon or great tower with which he connects it, to Sir Hugh Gifford who died in 1267. There is no reason to dispute his statement, which is confirmed by the thirteenth century character of the fireplace and other architectural features of the structure. This vaulted underground hall, with its two subterranean passages—one leading to a side-gate on the western bank, and the other by a steep stair to a well—are the only thirteenth century remnants now visible upon the site. The pointed vault is magnificently constructed of ashlar, strengthened with massive chamfered ribs, while the side walls are equally finely built of large ashlar, high in the course. All the voids are pointed. The vaults of the two passages are likewise ashlar-built, the section of that over the stair down to the well being semi-circular, while the other is pointed.

It is evident, on a glance at the plan, that this *souterrain*, with its associated passages, bears no sort of relationship to the later buildings above it. It has a different alignment, and the north curtain wall of the present castle crosses it obliquely. That the vault was no mere cellar its handsome fireplace shows. This fireplace is at haunch level, where the vault was spanned by a timber floor, as appears from the joist holes and upper door<sup>2</sup>. It seems to me that the key to the meaning of the structure is supplied by Fordun's reference to a donjon, that is to a great tower. The *souterrain* can be nothing else than the substructure of this tower. Allowing for an external wall-thickness of say 10 feet, we recover the idea of a tower measuring 57 feet by 33 feet—that is, the dimensions of a good sized Norman keep. Its

1 "Hugo Giffard de Zester moritur, cuius castrum, vel saltem caveam, et dongionem, arte daemonica antiquae relationes ferunt fabrifactas: nam ibidem habetur mirabilis specus subterraneus opere mirificio constructus. magno terrarum spatio protelatus, qui communiter Bohall appellatus est"—*Scotichronicon*, book X, chap. XXI.

2 The shallow and sketchy character of these joist-holes, however, leaves us in some doubt as to the precise nature of this loft or staging.



## YESTER CASTLE.

basement will have contained the usual cellarage; on the first floor, under the vault, was the retainers' or common hall, with its large fireplace; above this would be the lord's hall, with his *cámara* over that, and sleeping accommodation in the garret. Such tower-houses were of course lofty: Drum Castle, for example, which on ground plan measures 53 feet by 39 feet over walls 12 feet thick, is 70 feet 6 inches high to the battlements.

Whether the substructure was always underground, or has been made so by the levelling up of the site, after the tower had come to grief, only the spade can show. But the level of the ditch outside, at the north end of the site, strongly suggests that the vault was always underground at this end. On the other hand the two doors at the opposite end equally suggest that on the south front the structure was open to the daylight. The opinion may be hazarded, therefore, that the donjon was built partly within the ditch and partly into the south flank of a *motte*, or timbered earthen mount, of which the curved north ditch is a survival. It will thus have resembled the donjon at Clun Castle, where the basement is wholly beneath the surface of the *motte*<sup>1</sup>. The present castle, we may imagine, stands on the bailey of its earliest predecessor, which exhibits the usual triangular or shovel shape proper to such enclosures.

The older view, advanced by MacGibbon and Ross, was that such stone rectangular towers did not come into fashion north of the Tweed until after the War of Independence. Recently, however, evidence has been accumulating that they were not unknown in Scotland during the thirteenth century. Dunnideer, Drum already mentioned, the early tower-house at Skipness, and the great tower at Castle Sween may be cited as instances—not to mention Kolbein Kruga's stone tower of the twelfth century on the Orkney island of Wyre<sup>2</sup>.

In the sketch plan and section given herewith (Fig. 2), I have endeavoured to suggest the probable relationship between the presumed original *motte* and bailey and Sir Hugh Gifford's donjon.

Like the other castles of our trio, Yester was garrisoned by the English during the War of Independence, and was still in their hands as late as June, 1311<sup>3</sup>. On its recovery by the Scots, it would be demolished in the usual

<sup>1</sup> See the view in my *Castles from the Air*, Plate 48.

<sup>2</sup> For Dunnideer, see *Proc. Soc. Ant. Scot.*, vol. LXIX, pp. 460-71; for Drum, my *The Earldom of Mar*, pp. 118-9; for Skipness, *Proc. Soc. Ant. Scot.*, vol. LVII, pp. 266-87; and for the Castle in Wyre, *Anc. Mon. Com., Report on the Orkneys*, pp. 235-8. I hope to discuss fully Skipness and Castle Sween in papers forthcoming in the *Transactions of the Glasgow Archaeological Society*.

<sup>3</sup> *Cal. Documents relating to Scotland*, vol. III, p. 45.

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manner. The donjon, I conceive, was then thrown down; and when in the fourteenth century the place came to be restored, its rubbish, and the upper part of the *motte*, were probably used to fill up the *motte* ditch on the bailey side and to level the ground here so as to secure a platform for the new buildings, which were to follow quite a different plan. Hence (if my view is right) the way in which the Goblin Ha', the surviving basement of Sir Hugh Gifford's donjon, is now buried underground.

So far as its architectural features permit us to infer, the restoration was delayed until well on in the fourteenth century. The new castle seems to have been conceived upon simple lines, much in the style of Bruce's castle at Tarbert — a stone-walled enclosure with domestic buildings placed where convenient inside. Donjon, it seems, there was none. The great north curtain, 6 feet thick and 40 in height, is a most impressive piece of construction. It is well built of squared rubble, and has a heavy splayed base, returned on the flanks. In the north wall is a round arched postern, lean-to buildings were on either flank, and in the west curtain a stone laver probably marks the screens end of the hall. The detail of this laver can hardly be earlier than the fifteenth century. About the same date is indicated by the base of a double-light window in the inner or courtyard wall of this range.

Later in the fifteenth century an entirely new house, forming a complete habitation in itself, was built on the eastern side of the castle courtyard. This building was designed on the "palatial" plan (*palatium* = hall) which became common in Scotland during the later medieval period. That is to say, it consisted essentially of a long hall, raised upon cellarage, and having the private apartments of the lord at its upper or dais end, and the kitchen at the lower or screens end<sup>1</sup>. The same type of building was erected, about the same time, on the east side of the courtyard at Dirleton. Our Yester palace has been finely conceived, and what of its architectural detail survives is pervaded by a high sense of style. The basement contains a barrel vaulted cellar, entered from the courtyard. On this side there is a fireplace, and in the curtain wall a narrow loophole, opening into a wide ingoing with a stepped sole. On the first floor was the hall, which had a lofty pointed vault. Its fireplace is in the east wall, and has been of large size: in the back of it is a window, with a steeply plunged sole. South of the fireplace is an aumbry, with an ogee-headed

<sup>1</sup> For the "palace" plan see W. Mackay Mackenzie, *The Medieval Castle in Scotland*, chap. V, also my *The Earldom of Mar*, p. 44.



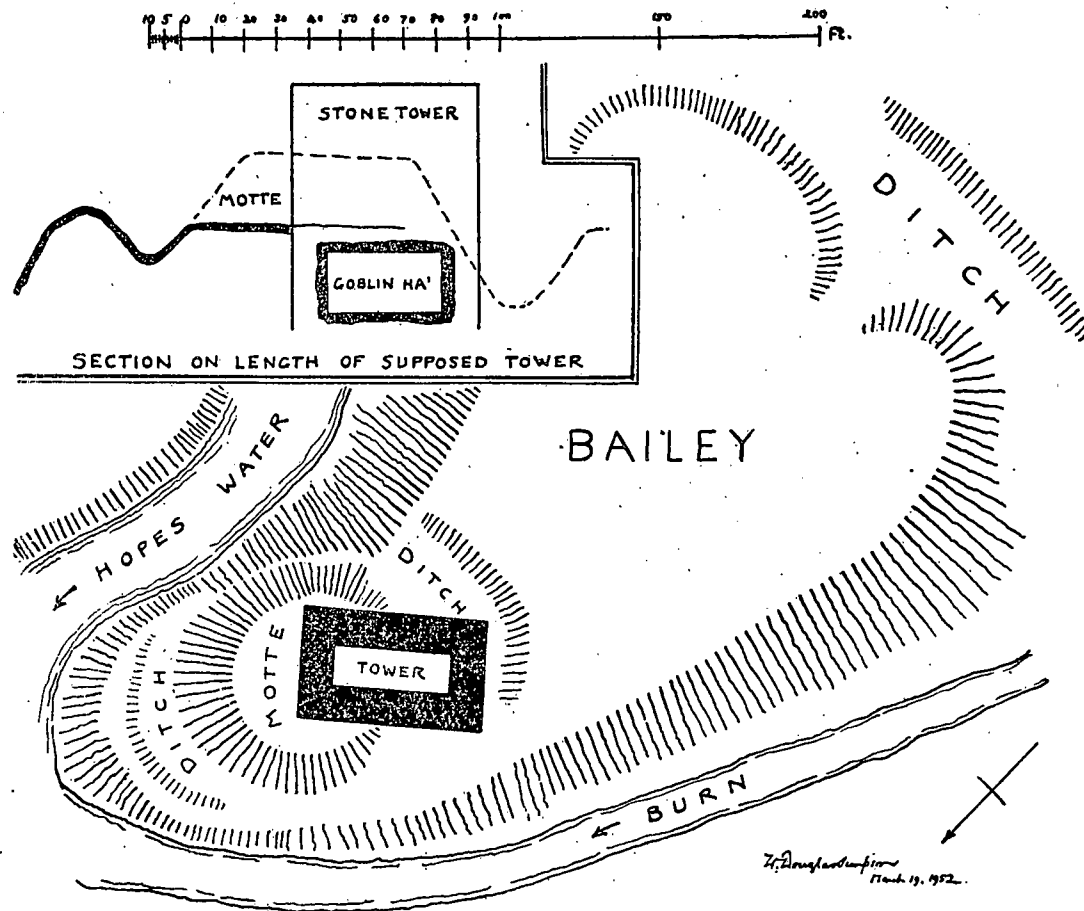


Fig. 2. Yester Castle: Conjectural plan of earliest phase.

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arch; and still further in this direction the remains of a lofty and noble window, the rear arch of which has been of an elliptic form resting on a filleted nook shaft with a tall double-belled base. In the sloping north jamb, which alone survives, is an aumbry having a pointed arched head with projecting mouldings returned across the sill. Above the apex of this is carved a plain heater shaped shield. At a later date, the hall has been divided up, and two joisted floors inserted.

Yester Castle was heavily involved in the operations round Haddington during the War of the Rough Wooing. A French garrison was dislodged by the English under Lord Grey of Wilton, on 24th February, 1548. He handed over the custody of the castle to Sir George Douglas, whose son the English commander retained as a hostage for his father's faithfulness to the English alliance. On March 15, Captain Bagshot was in command of the castle, with a garrison which included 50 pioneers. This suggests that earthwork fortifications were in contemplation. On 28th April, however, it is reported that Spanish troops were holding the house of Yester against the English garrison of Haddington, so that it must have fallen again into the hands of the Scots: but not for long, since on 21st May instructions are sent down from England that the castle is "to be razed if not soon fortified"<sup>1</sup>.

According to Bishop Pococke, the castle was in the end destroyed by Somerset's forces<sup>2</sup>, and the present state of the ruins rather tends to give this impression. Yet in 1577 it is described as the "chief house" of Lord Yester<sup>3</sup>. The subsequent history of the castle is obscure, but it is said to have been held against Cromwell. Yester House, its modern successor, dates from 1740-46<sup>4</sup>.

W. DOUGLAS SIMPSON.

1 For these particulars see *Cal. Scottish Papers*, Vol. I, reff. in index; also *Diurnal of Occurrents*, p. 46.

2 Bishop Pococke's *Tours in Scotland*, p. 317.

3 *Cal. Scottish Papers*, Vol. V, p. 259.

4 See *Trans. Ed. Archit. Ass.*, Vol. II, pp. 30-4.

# SUPPLEMENTARY LIST OF EAST LOTHIAN DOVECOTES

A COMPREHENSIVE survey of the dovecotes in East Lothian appeared in the third volume of the *Transactions* of the East Lothian Antiquarian and Field Naturalists' Society.

A few dovecotes in the county were omitted. It is hoped that the following notes may serve to complete the survey.

## Aberlady Church Tower.

The square western tower is the only part left of the pre-Reformation Church. The tower is in 4 portions. The lowest or basement section is used as a store and is vaulted with stone. The dovecote is in the third storey while the uppermost chamber forms the belfry. The dovecote can only be entered through a trapdoor, in the vaulted ceiling of the basement, after ascending a high ladder. The internal dimensions of the dovecote are 6 feet square, and the walls of sandstone are three feet six inches thick. The openings for the doves entering are round-arched, and four in number, one opening above the other and the two uppermost openings have each a landing ledge. They are set in a rectangular, tall, vertical slit-like window in the south wall. The ceiling of the cote is the wooden floor of the belfry above, in which hangs a bronze, church bell of the date 1814, and having a diameter of twenty three inches. There were at one time wooden nest boxes, but none is now present, and there is no indication of previous stone nests. Pigeons however still use the dovecote as a nesting place.

## Bankton House.

The dovecote forms the upper half of a square building which stands to the west of Bankton House, at the west end of the wall of the house gardens.

*Walls.* The walls are rubble sandstone, having oyster shells and sea shells in the mortar. They are twenty-two inches thick.

*Entrance.* The original entrance was in the west end of the south wall and is five feet two inches high and three feet three inches wide. The present entrance, thirty-one inches wide, is in the west wall nearer its south margin than its north, and is reached by an inclined road.

		<i>Original Number.</i>
<i>Nests.</i>		
<i>North Wall.</i> Six rows of fifteen nests (originally ten rows of fifteen) . . . . .	90	150
<i>South Wall.</i> Eight rows of sixteen nests. One row of ten and two extra nests . . . . .	140	180
(Originally there has been an additional four rows of ten west of the door).		
<i>West Wall.</i> Four rows of sixteen nests. Two rows of eleven nests plus one row of nine, one of four and two extra nests south of the door . . . . .	101	156
(Originally another five rows of eleven in addition).		

# SUPPLEMENTARY LIST OF EAST LOTHIAN DOVECOTES.

	<i>Original Number.</i>	
<i>East Wall.</i> Four rows of fourteen nests plus a row of thirteen, a row of ten, of seven and of six ...	92	174
(Originally there were nine rows of fifteen nests plus one row of fourteen, of eleven, of eight and of six).		
Total ...	423	660

The nests are  $9\frac{1}{2}$ " wide,  $9\frac{1}{2}$ " high and  $11\frac{1}{2}$ " deep.

*Entrance holes for the pigeons* are blocked up, but were in the centre of the south wall over the string course.

*Roof* is of timber and tiles.

Dimensions of the dovecot externally are east to west 19 ft. 11 inches, north to south 19 ft.  $1\frac{1}{2}$  inches. There is a string course high up on all the walls, and a cornice of sandstone is under the eaves.

The dovecote is now used as a henhouse.

The basement was an old vaulted wine cellar, now used as a farm and garden store. A dovecote over a wine cellar is unusual.

The monument to the famous Colonel Gardiner is to the north of the dovecote across green lawns.

## Bothwell Castle, Haddington.

A square ruinous dovecote is attached to the east gable of the dilapidated old building, known as Bothwell Castle, which stands on the east side of the Hardgate, Haddington. According to the late Mr Forbes Gray, this building has been named Bothwell Castle, in error. It was the house of the Cockburns of Sandybeds. The dovecote stands on the sandy bank of the River Tyne.

The walls of the cote are composed of rubble, pink and brown sandstone, and are 14" thick. There are many particles of sea shells in the mortar.

Two string courses are present on three sides of the cote. The west gable, which is attached to the castle, has no string course. The upper string course is moulded and concave, and becomes the cornice on the north and south walls. The lower course is sloping in form.

The east gable has ten crow-steps of sandstone on each side, and there is a skewput at each corner.

The entrance is in the south wall. It is three feet wide and four feet high, and is closed by a wooden door.

The nest holes are of sandstone. They are arranged as follows:—

West wall.	2 tiers x 12, one tier of ten nest holes, 8 tiers x 6=82	
South wall.	8 tiers x 3 on the west side of the entrance	} =77
	8 tiers x 2 on the east side of the entrance	
	2 tiers x 2	
	3 tiers x 11 above the entrance	
East wall.	Only nine nests remain.	9
North wall.	No nests now present.	

Total nests 168

## SUPPLEMENTARY LIST OF EAST LoTHIAN DOVECOTES.

The original number of nest holes was :—

West wall	200
East wall	200
South wall	83
North wall	121. Total nests originally 604.

The nest holes are 6" to 7" wide, 8" high, and  $10\frac{1}{2}$ " deep. The nest partitions are  $3\frac{1}{2}$ " wide, the sills are  $2\frac{1}{2}$ " high and the ledges to the tiers are  $2\frac{1}{2}$ " wide. The external dimensions of the dovecote are 15 feet from north to south, and 14 feet from east to west.

There is a small, square, dove entrance hole in the wall of the east gable, situated over the centre of the lower string course.

The roof is absent but has been formerly a ridge roof. In a sketch of this dovecote done by MacGibbon and Ross, there is shown a row of six dove entrance holes, set in a board, in the roof facing to the south.

Castlemains Farm, near Yester House.

The old farm house of Castlemains lies at the foot of the Lammermuir Hills, in the valley of the Gifford Water. It is about one mile south east of Yester House. The ruined castle of Yester and the famous Goblin Ha' are hidden in Yester woods, a little below the farm house.

The dovecote of Castlemains is a square roofless building, which stands in a field close to the farm house. The walls are of rubble, red sandstone, and there is a string course on each of the four sides of the cote. The walls are 35" thick. There are good solid coign stones at each corner.

The entrance is in the south wall. It is  $27\frac{1}{2}$ " wide and  $54\frac{1}{2}$ " high, and has a lintel of one block of red sandstone.

The nest holes line each wall of the interior but most of them have been demolished on the south side. The two lower rows are blocked up. The nests are made of red sandstone. They are arranged as follows :—

18 tiers of 13 nest holes on the west wall = 234.

18 tiers of 14 nest holes on the east and north walls = 504.

The original number of nest holes on the south wall was—

7 tiers of 3 nest holes on the west side of the entrance.

7 tiers of 7 nest holes on the east side of the entrance.

11 tiers of 14 nest holes above the entrance.

The total number of nest holes was therefore 962.

The nest holes are 9" to 11" wide, 7" high and 13" deep. The partitions between the holes are 3" wide, the sills are  $2\frac{1}{2}$ " high and the ledge to each tier is  $1\frac{1}{2}$ " wide. The lowest row was 24" from ground level.

There are no dove hole entrances. Presumably pigeons formerly entered by a dormer in the roof.

The roof has been of slate and stone slabs. The cote is externally 19 feet square, and internally it is  $13\frac{1}{2}$  feet square.



## SUPPLEMENTARY LIST OF EAST LOTHIAN DOVECOTES.

### Harelaw Farm.

This is a square dovecote, placed over the archway into the farm court, at Harelaw farm, near Longniddry. The walls are of rubble, red sandstone. The entrance is by means of the adjacent farm buildings and is blocked up. There are said to be 400 nests of stone. The roof is conical and slated. It consists of an upper smaller conical part above the truncated cone of the basal part. Vertical wooden boarding, which contains eight arched dove entrance holes on each side of the dovecote, separates the upper part of the roof from the lower. The apex of the roof supports a pole with weather vane and compass pointers. The external dimension is 20 feet square.

### Hailes Castle.

The dovecote is in the basement of the east tower. It is much damaged.

*Walls*, red sandstone of ashlar, but a small part of the south wall is of rubble. They are six feet one inch thick.

*Entrance* is by a sharp-pointed archway with chamfered edges. It is at the south east corner and is fifty-seven inches high to the spring of the arch, and about thirty-four inches higher at the apex of the arch. It is forty-four to fifty inches wide. It is now quite open but has had a double door.

*Nests. North Wall.* Four rows of fourteen nests plus one row of twelve, of six, and of three = 77

*West Wall.* A row of fifteen nests at the bottom. Two rows of seventeen nests above that. Two rows of nineteen, one row of twelve and one row of eight = 107

*South Wall.* Two rows of nine, one row of five, of four and of three = 30

*East Wall.* A row of fourteen.

A row of sixteen.

Two rows of fifteen.

One row of thirteen, of ten, of seven, and of one = 91

Total nests 305

The nests are in the basement only, and many are broken or absent. They are 8" to 9" wide, 9½" to 10" high, and 10" deep.

Lowest row is six feet above ground level.

There is a narrow slit window in the north wall 50½" high, 6" wide, with a deep splay of 6 ft. 7".

A sharp pointed arched recess at the west side of the outer side of the south wall is open to the air. It is 42" deep and 26" wide.

Roofless. The floor has a trap door entrance down to a dark dungeon or pit. A few pigeons were about.

## SUPPLEMENTARY LIST OF EAST LOTHIAN DOVECOTES.

### Luffness House.

There is an old circular dovecote close to the entrance gate of Luffness House. It has already been recorded. Another dovecote, which belongs to Luffness House, stands in the centre of a field which lies south of the grounds of the mansion. It is a tall square building and resembles a campanile tower. The walls are of rubble sandstone and quartzitic grit stone. Each side of the cote is 7 ft. 10" wide. A buttress extends some distance up the walls at each corner. Each buttress projects 21" out from the walls and is 17" wide at the face. The tower rests on a strong projecting plinth, made from blocks of stone, and the plinth is above a rubble foundation.

There are two tall rectangular and narrow open windows, one above the other, in each side of the cote. A stone is set in each of three walls, below the lower of the two windows. The centre of each of the three stones shows a circular opening which is surrounded by a weather moulding above and laterally. The openings are the exits of three circular ducts which perforate the walls. A stone cattle-trough lies on the ground below the opening in the west wall, and the remains of another trough are found on the north side. There is evidence of three former plug holes around each opening. It appears as if, formerly, a pipe ran water out from the interior of the building into troughs on the ground on each side.

There is no perforated stone in the east wall where its position is occupied by the entrance to the cote. The entrance is 34" wide and 6½ feet high. It is completely closed by a wooden door which shuts off the cote.

The building consists of a basement, two upper walled-in storeys, and a top-most storey which is open on all four sides. The top compartment has three windows on each side, rectangular in shape, with plain mullions between the lights. It has a conical low roof, having a pole surmounted by a ball ornament at the apex.

There are no dove holes. Pigeons enter by the open windows in the top storey.

A farm worker informed me that there had been stone pigeon-holes in the two middle compartments but he thought many of them were demolished.

### Pencaitland Church Tower.

The upper part of the tower of this interesting old church is still used as a dovecot.

*Walls* are of grey sandstone. The lower part of the tower containing the cote is longer in dimension from north to south than east to west. The upper part is octagonal with a narrow vertical semi-lancet opening in each side and contains the church bell.

*Entrance* to the dovecote is through a trapdoor in the ceiling of the gallery at the west end of the interior of the church.

*Nests.* In upper portion of the tower

Lower portion	2 rows x 4 = 8	}	20 on two sides.
	2 rows x 6 = 12		
	3 rows x 4 = 12		32 on two sides.
	4 rows x 5 = 20		

Total 104.

9" x 9" x 9". Made of wood.

## SUPPLEMENTARY LIST OF EAST LOTHIAN DOVECOTES.

*Openings for the pigeons.* Three arched openings are cut in a stone in the south wall, two openings forming a lower row and one opening above these. There is a stone landing ledge which is almost weathered away. The pigeons can also enter by a narrow slit in the west wall and by the eight windows in the octagon.

*Roof* is formed by an octagonal pyramidal spire, covered by slates and a weather cock on the top.

### St. Clement's Wells Farm, near Wallyford.

The dovecote stands in a field close to the farmhouse of St Clement's Wells. The farmhouse was built in 1802, and is a picturesque old house, surrounded by trees, on the north slope of the hill, on the summit of which are the ruins of Fawside Castle. The dovecote is a single-chambered one and is fifteen feet square.

*Walls* ashlar-rubble, of grey and red sandstone and grit stone. Like the dovecote at Ravelston, there are pinnings in the mortar separating the larger blocks which form the walls. The walls are 18" thick.

One string course, 7 feet 4" up from ground level, and 6" wide, is present on each of the four walls. The north wall is about 20½ feet high. It is composed of brick in that part of it which rises about 4 feet above the roof of the cote.

There are four crow steps to each gable. There is a narrow slit-like window, in the centre of the south wall, above string course and entrance. It has lintel, rybats and sill of blocks of grey sandstone.

*Entrance.* The entrance to the dovecote is in the south wall, four feet eight inches high and two feet eight inches wide. The doorway is closed by a very heavy iron door.

*Nests* are made of brick slabs, red in colour.

North wall; eleven rows of nine nests each, and a bottom row of eleven nests	110
West wall; seven rows of ten nests and above these one row of seven, of five, of three and of one	86
East wall is similar	86
South wall no nests.	

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Total nests 282

The nest holes are very symmetrical, 12" wide, 12" high and 12" deep. The partitions between the nests are 1¼" wide and the sills are 1¼" high. The nests on the north wall are 7 feet 6" up from floor level and on two walls they are 8 feet 6" up.

*Roof* is of timber and slate. It is rather dilapidated.

*Entrance holes for the doves* are in a wooden frame in a dormer window in the centre of the roof, in three rows, the two lower rows having each three openings and the upper row two openings. Each row has a landing ledge.

The dovecote is of the lean-to type with a sloping roof facing south.

At one time there stood near it the great St. Clement's distillery, the products of which at one time added greatly to the revenue of Scotland.

## SUPPLEMENTARY LIST OF EAST LOTHIAN DOVECOTES.

### St. Germain's.

There is a circular single-chambered dovecote situated by the edge of a field, about two hundred yards south west of the mansionhouse.

*Walls* are rubble composed of yellow sandstone and black basalt. 3 feet thick. One wide string course about 9 feet 8" up.

There is a circular parapet round the top which has sixteen rather narrow merlons.

*Entrance* is on the west side, is 4 feet 7" high and 34" wide, and has a wooden door.

*Nest holes* are in circular tiers. Number of nest holes is 27, 3 tiers x 23, 6 tiers x 25, 4 tiers x 23, 2 tiers x 25, 3 tiers x 21, 2 tiers x 25. Total 501.

They are 10" wide, 7½" high, 15½" deep. The partitions are 5½" wide and the sills 3½" high.

*Roof* of stone with a circular aperture over which is a wooden louver.

*Potence* has a ladder on one side which originally had sixteen rungs. It swings round freely.

*External circumference* is 50 feet 10".

*Peculiar features.* Two very narrow slit windows in the north and south side which splay markedly inwards so that the inner opening is 2 nest holes wide and 3 nest holes high.

A rather larger and wider slit window is present above the entrance which has two iron vertical stanchions.

My only record of the dovecote is as follows: The Lands and Estate of St. Germain's for sale, comprehending the lands of St. Germain's, Chesterhall, and Greendykes, in the parishes of Tranent and Gladsmuir, constabulary of Haddington, and Shire of Edinburgh. There is an exceedingly good substantial mansionhouse, lately repaired. There is also a pigeon house (April 11th, 1780, *Edinburgh Advertiser*).

I am indebted to the Rev. Mr. Bulloch for his kindly bringing this dovecote to my notice.

### Trabroun Farm.

The dovecote is situated over the stone arch, which leads into the square court of the farm buildings.

It is single-chambered, octagonal, set on a square base.

The walls are of grey ashlar sandstone, and there is an arched recess in each wall, except on the west side, where the recess is substituted by an open window. The entry to the cote is by ladder.

There are now nest holes, but up till recently there were wooden nests on the walls, from top to bottom, possibly about five hundred in number. A potence remains, in good condition, with a ladder attached of about sixteen rungs.

The dove entrance holes are three in a narrow board, on each side, below the eaves of the roof, making a total of twenty four holes.

The roof is pyramidal, eight-sided, and slightly ogee at the base. It is slated, and carries a pole, having four compass points attached.

Each side of the octagon is about five feet six inches wide, and the base is about fifteen feet square.

## SUPPLEMENTARY LIST OF EAST LOTHIAN DOVECOTES.

### Whitburgh House.

This circular white dovecote stands conspicuously in a field, near to Whitburgh House. The dovecote is confined to the upper part and can only be reached by a ladder.

The walls are rubble, sandstone, whitewashed and  $22\frac{1}{2}$ " thick. Iron bands, encircling the walls, look at a distance like string courses. There are four entrances to the base compartment, one entrance facing each of the four points of the compass, N.E.S.W. Each entrance is 6 feet high and about 1 foot 6" to 1 foot 9" wide. All are open, and the wind blows right through this round basement, in and out, through the entrances.

The entrance to the cote is 6 feet high and 2 feet 2" wide and is guarded by an iron covered door. It is on the south side.

There are 12 rows of 38 nests=456, made of wood.

The roof is cone shaped, slated, and capped by a lantern.

The pigeon entrance holes are two in number on each side of the lantern, around the lower part of the frame of wood.

The external circumference is 50 feet 4" and the internal diameter is 12 feet.

This white cote can be seen from afar. Dovecotes were commonly whitewashed as white was supposed to attract pigeons, and it still attracts them to this cote.

A. NIVEN ROBERTSON.

## DOCUMENTS RELATING TO HADDINGTON

SINCE the publication at page 75 of Vol. IV of these Proceedings of the list of documents from the Gimmers Mills charter chest further material from the same source has been deposited in the Register House by Messrs Montgomerie and Company the present owners of the Mills. Other documents originally forming part of the same collection which had come into the possession of the Town Council have been similarly deposited and are now available for the use of all who are interested in local social history or topography. Two lists are appended. It is earnestly hoped that all members who may be aware of the existence of any similar collections of documents of East Lothian interest will bring them to the notice of the Secretary.

### LIST I.

DEPOSITED BY MESSRS MONTGOMERIE & CO.

1. *1444, August 12.*

CHARTER by John de Qwhitsum de Corb to Robert de Nesbyt of annual rents furth of tenements lying in the burgh of Haddington.

2. *1490, April 9.*

TACK by James of Cokburne of Newbiggin, bailie of the minister provincial, warden and convent of the Friars Minor of Haddington, and with their consent, to John Getgud, burgess of Haddington, and Isabell, his spouse, of an acre of land lying in Harmanflat, from the acres of the deceased Radulph Eithling, for a yearly rent of 5/- Scots during their lifetime. Approved by John Hepburn, John Aytoun, William of Gallway and Patrik of Cokburn.

3. *1518, December 23.*

RESIGNATION by William Lermonth of Monte of his tenement on the North side of the Marketgate of Haddington (lands of James Sleich on East and John Holme on West) and SASINE thereof to David Fourros, burgess there; whereupon David resigned the same again in favour of William F., his eldest son and apparent heir by his first wife reserving liferent.

DOCUMENTS RELATING TO HADDINGTON.

4. 1553, July 15.

NOTARIAL INSTRUMENT OF RESIGNATION narrating that Master Alexander Forrest, provost of the collegiate church of Blessed Mary of the Fields, Edinburgh, resigned unto the hands of John Forrest, burghess of Haddingtoun the chaplainry of the altar of the three Kings of Cologne in the parish church of the Blessed Mary in Haddingtoun for presentation thereto of Dene John Andersone. [Original in two pieces].

5. 1557, July 21.

INSTRUMENT narrating that John Forrest, burghess of Haddington, compeared at the Mill called Gymmosmyll and produced a Feu Charter by the Prioress and Convent of Haddington in his favour of the grain mill called Gymmosmyll and 4 butts of arable land called the Myllcroft and some other properties which Charter was dated at the monastery 21st July 1557. Sasine was thereafter given to Forrest.

6. 1557, July 23.

COMMISSION by John, Archbishop of St. Andrews, Primate of the Kingdom of Scotland, legate of the holy apostolic See, with power of legate *a latere* to the provosts of the churches of Corstorphine Holy Trinity near Edinburgh, and of Foulis, of the diocese of St. Andrews, also to Adam Bothwell, Canon of the church of Glasgow directing them to enquire into the propriety of the alienation by the Prioress and Convent of Gymonsmylne and other properties on feu farm.

7. 1557 August 4.

CONFIRMATION by the papal legate and his deputes of the FEU CHARTER above referred to which is engrossed at length (this is bound in book form) and originally had a seal attached.

8. 1559, May 8.

INSTRUMENT OF SASINE by Elizabeth, prioress of the nunnery near Haddington, following on a resignation made to her as superior by Richard Andersoune, tenant in Nungait near Haddington, to John Forrest, burghess of Haddington, of a tenenment with houses and garden lying near the priory in the place commonly called Nungait.

DOCUMENTS RELATING TO HADDINGTON.

9. 1562, May 20.

CHARTER by George Browne of Colstoun selling to Mr Alexander Forrest his acre of arable land presently occupied by John Swyntoun, son and heir of deceased Nicolas Swinton, burges of Haddington, lying in the Giffart Gait (lands of the Altar of St. Mary of Eddrem on east and south and lands of said deceased Nicolas on north). The document has been cancelled by cutting.

10. 1572/3, January 20.

INSTRUMENT OF SASINE by David Forrest following on a resignation made by him in favour of himself and Isobelle Zule, his spouse, with the consent of George Hepburne, rector of Hauch [later Prestonhaugh or Prestonkirk, presbytery of Dunbar], his curator, of a tenement within the burgh of Haddington, to be held in conjunct fee.

11. 1579-80, February 10.

SASINE of Sir George Lyell, chaplain of the Mary Altar in the parish church of North Berwick of an acre of land in the Harmanflatt (William Broune on west and David Forros on west, *sic*) in terms of Feu Charter by Alexander Barclay, son and heir of deceased Alexander B., burges of Haddington, dated 9th February 1579-80.

12. 1584, July 30.

ASSIGNATION by Patrik Broun of Coilstoun, son and heir to the deceased George Broun of Coilstoun, to Alexander Symsons, burges of Haddington, of his right of redemption of his acre of land called Candillis orchard at the east side of Giffergait beside the burgh of Haddington, mortgaged by the said George Broun to the deceased Alexander Forrest.

*In dorso*: Notice of the intimation of the aforesaid Assignment by Alexander Symsons to Effame, Margaret and Marioun Forrest, heirs to the deceased David Forrest, son and heir to the deceased David Forrest, general 9 April, 1585.

13. 1585, August 8.

DISCHARGE and OBLIGATION by Euphame, Marion and Margaret Forrest and taking burden on themselves for Michael Mariorebankis, spouse of the said Euphame, and Janet Forrest, sister of the aforesaid, to Alexander Symsons, burges of Haddington, for the sum of £40



DOCUMENTS RELATING TO HADDINGTON.

Scots in redemption of an acre on the east side of Giffergait [cf. (12) *supra*], with promise to infest him in three butts of land adjoining said acre of land:

14. 1585, September 8.

INSTRUMENT OF SASINE following on the preceding by Euphame, Marion, Margaret and Janet Forrest in favour of Alexander Simsone, burghess of Haddington, of the aforesaid lands.

15. 1586, July 14.

TRANSUMPT made by order of the Provost and Bailies of Haddington of an Instrument contained in the Protocol Book of Thomas Stevin late common clerk of the said burgh, which is dated 30th April 1572, and narrates that Mr Alexander Forrest gave Sasine personally to Simon Cokburne and James, his son, under reversion for 100 merks, of his acre and half acre of land containing 11 butts on the east side of Giffergait (lands of 'our Lady Ile of Eddrem' on the east and south and lands of deceased John Douglas, mason, on north).

16. 1595, May 19.

PRESENTATION by David Forrest, elder, burghess of Haddington, as patron of the Altar of the Three Kings of Cologne, in favour of his son, David Forrest, younger, in succession to George Hepburn, last chaplain thereof now deceased.

17. 1595, May 28.

PRESENTATION by David Forrest, elder, to David Forrest, younger, of the dues to the said altar as enjoyed by deceased George Hepburne.

18. 1597, February 18.

INSTRUMENT OF SASINE following on precept furth of Chancery dated 31 January 1597, in favour of Master Patrick Hepburne of Smetoun, of two tenements of ground with the houses thereon lying in the town of Nungait near the burgh of Haddington.

19. 1599, June 21.

NOTARIAL INSTRUMENT narrating that Patrik Broun and Richert Broun, burgesses of Haddington, appeared before Thomas Cokburne, provost of the said burgh, and others of the town council, to petition for the release of David Forrest, Johne Bartram and others, burgesses

DOCUMENTS RELATING TO HADDINGTON.

of the said burgh who were confined in the tolbooth of Haddington on a charge unspecified: the said Patrik and Richert to stand as cautioners for them. Which petition was refused by the aforesaid provost and council.

20. *1602-1615.*

FOUR DISCHARGES, dated 1 December 1602, 23 January 1612, 2 May 1614 and 24 August 1615, to David Forrest of Gymmersmylnes for his feu duties payable furth of his mill lands belonging to the abbey of Haddington by Henrie Quhyte, chamberlain and factor for the said abbey and Patrick Buchannane, messenger in Haddington. The superiors of the lands are given as the provost and town council of Edinburgh in 1602, Robert, Lord Lindesay [probably Sir Robert Lindsay of Orkie, 9th Lord Lindsay of the Byres, d. 1616] in 1612 and Dame Issobell Hepburne, prioress of the abbey of Haddington, in 1614 and 1615.

21. *1603, April 9.*

DISCHARGE by Margaret Carkettill, daughter and heir to the deceased George Carkettill, burgess of Edinburgh, and spouse of Archbald Hamiltoun of Batfurde, to David Forrest of Gymmersmylnis, burgess of Hadingtoun, of the sum of 400 merks Scots.

22. *1604, August 30.*

(Extract) COURT OF SESSION DECREET on the action raised at the instance of David Forrest of Gimmersmylnes against Patrik Hepburne and others confirming to the said David his title to the lands of Dobies Hauch and ordering the arrest of the said Patrick for taking forceable possession of these lands.

23. *1605, January 31.*

INSTRUMENT OF RESIGNATION by David Forrest of Gymmersmylnes for new infeftment of himself and Issobell Symsons, his spouse, in the corn mills called Gymmersmylnes with astricted multures, the mansion house and pertinents thereof, lying at the east end of the burgh of Haddington within the territory of the Nungait.

DOCUMENTS RELATING TO HADDINGTON.

24. 1608, June 4.

SUMMONS raised at the instance of David Forrest of Gymmersmylne against Patrick Hepburne of Newmylnes, George and William, his sons, and William Ker in Bairfute ordering them to appear before the court on 1 November to give reason why they refuse to pay compensation for damage done to the lands of Dobeis Hauch pertaining heritably to the said David Forrest: half of the money to go to the latter and half to the Crown.

*In dorso*: three charges on the summons dated 6, 7, 8 June 1608.

25. 1621, February 1.

DISPOSITION by David Forrest of Gymmersmylnes to James Symsons, merchant burghess of Edinburgh, of two tenenments of land lying at the east end of the Crocegait of the burgh of Haddington and various other lands.

26. 1622, March 13.

RESIGNATION containing PRECEPT OF SASINE by David Forrest of Gymersmillis to James Symsons, merchant burghess of Edinburgh, his brother-in-law, of the croft of land called Candillis lying on the east side of Giffergait in the constabulary of Haddington: the price of the said croft being £240 Scots.

27. 1626, December 31.

CHARTER OF SALE by Sir Robert Hepburne of Alderstoune with the consent of John Hepburne, burghess of Haddington, and William Auchenleck in Nungait, to Adam Tait, gardner in Ledingtoun, and Janet Hill, his spouse, in liferent, and to James Tait, his son, in fee, of 2½ acres of land lying in Nethercroft and the tenement called Ousteid, lying in the town of Nungait.

28. 1627, December 8.

CHARTER by David Forrest of Gymmersmylne, following on a Contract, dated 1 and 8 December 1627, made between him and Issobella Symsons, his spouse, on the first part, George Forrest, his son, on the second part and Mr John Lauder, minister at Tynninghame taking burden on himself for Jean Lauder, his sister, on the third part; in

DOCUMENTS RELATING TO HADDINGTON.

view of the marriage to take place between the said Jean and the said George, the said David Forrest grants to the said George the mill, granary and astricted multures of Gymmersmylne, the haugh called Gymmersmylnehauch, with other lands pertaining thereto.

29. *1628, November 10.*

DISPOSITION by James Symson, postmaster in Hadingtoun to George Forrest apparent [heir] of Gymersmillis, of two tenements of land lying at the east end of the Cross gait of the burgh of Haddington, the croft of land called Candelis croft and the acres of land called Gallow Akers with the teinds thereof.

30. *1629, December 29.*

CHARTER containing PRECEPT OF SASINE by James Kirkwode, merchant burgess of Hadingtoun with consent of Elizabeth Maknaucht, his spouse, in fulfilment of letters of alienation of the same date, to William Smyth, indweller of the town of Nungait, and Cristiane Tait, his spouse, in conjunct fee, of a strip of arable land lying on the northern side of the town of Nungait.

31. *1631, May 27.*

DISPOSITION by Helen Sympsone, with the consent of Lawrence Cokburne for his interest, to George Forrest, fiar of Gimmershillis [sic], of an annualrent of £100 Scots furth of the lands of Gallowaikers and the two tenements adjacent thereto lying in the burgh of Haddington. Which annualrent was due equally to the said Helene and Margaret, Walter, Charles and Marie, her brothers and sisters, and they being now deceased, she binds herself to take infeftment in their share.

32. *1632, February 24.*

INSTRUMENT OF SASINE following on the previous Disposition.

33. *1632, February 24.*

SASINE given personally by David Forrest of Gymmermylles, of his acre and half acre of arable land called Candilscroft on the east side Giffertgait (boundaries as above) in favour of George Forrest, fiar of Gymmersmylles, his son, and Jean Lauder, his wife.

DOCUMENTS RELATING TO HADDINGTON.

34. 1644, September 28.

DISPOSITION by David Forrest of Gymmersmylnes to George Forrest, his grandson, following on a Contract of Marriage, dated 1 and 8 December 1627, made between the said George's father and Jean Lawder, sister to Mr John Lawder, minister at Tynninghame, of two acres of land in the Medow Aikeris with three pieces of land lying adjacent to the burgh of Haddington.

35. 1645-1649.

ACCOUNTS of the estate of the deceased George Forrest, sometime postmaster, burgess of Haddington, who died 16 March 1637. They include lists of debts due by him as noted in his testament [Com. Edinburgh Tests., Vol. 58, fol. 256], lists of debts due by him but not in his testament and details of legal expenses. Of special interest are details of money paid out for clothes and other necessities for his children Jean and George Forrest, Isobel, a sister, who is mentioned in the testament, "being now dead". There is also an entry describing precautions taken against infection when, in November 1645 "the plague daylie increasing in Hadingtoun", the two children were taken to "Glegornie" on "Mertimes day" and isolated there six weeks, *vide* article "an East Lothian Executor's Accounts 1645-1650," *Scottish Historical Review*, vol. xxx p. 144.

36. 1648, June 30.

RENUNCIATION by Issobell Symson, widow of the deceased David Forrest of Gimmersmillis, liferenter of the mill, mill lands and other pertinents of Gimmersmillis, to George Forrest, her grandson of all title and claims which she may have to the said liferent, reserving to herself the interest on the crop for the present year 1648.

*In dorso*: note by John Martine, notary, that possession was given to the said George on 5 July 1648.

37. 1648, July 16.

DISPOSITION by Jhone Wilkie, notary, burgess of Haddington to George Forrest, only son of the deceased George Forrest, postmaster and burgess of Haddington, of an annualrent of 15/- Scots furth of a tenement of land lying on the north side of the High Street in the burgh of Haddington.

DOCUMENTS RELATING TO HADDINGTON.

38. 1653, March 19.

CONTRACT OF EXCAMBION between James Smith, portioner of the Nungate of Hadingtoun and James Tait, weaver, burges of Hadington. Two butts of land lying in the Nungate possessed by the said James Smith, adjoining the lands of the said James Tait on the south in exchange for a butt of land lying in the Nungate possessed by the said James Tait, adjoining the lands of the said James Smith on the east.

39. 1653, March 26.

INSTRUMENT OF SASINE by James Smith in favour of James Tait, following on the aforesaid Contract of Excambion. Registered G.R.S. 16 May 1653.

40. 1653, May 14.

CONTRACT OF EXCAMBION between George Forrest of Gimmersmilnes and James Tait, weaver, burges of Hadingtoun: exchange of a butt of land lying in the Nungait of Hadingtoun possessed by the said George Forrest and two butts of land recently possessed by James Smith, portioner of the Nungait, and now possessed by the said James Tait, lying in the Nungait. [Incomplete].

41. 1664, February 2.

DISPOSITION by James Smyth, portioner of Nungait, to George Forrest of Gymmersmylns, of a tenement of land with the yard and a piece of land adjacent thereto all lying within the town of Nungait.

42. 1672, March 4.

DISPOSITION and ASSIGNATION by Patrick Cockburne of Borthwick, son of the deceased Alexander Cockburne of Pople, to George Forrest of Gimmersmilnes, of a tenement of land with the yard pertaining to it lying on the east side of the Commone Gait of Hadingtoun as well as all titles pertaining thereto.

43. 1694, September 4.

CROWN PRECEPT for infetting David Forrest, as heir to deceased George F. of Gimmersmilnes, his father, in the mills and mansion and other properties belonging thereto enumerated at length.

44. 1694, September 20.

SASINE following upon the foregoing Precept.

DOCUMENTS RELATING TO HADDINGTON.

45. 1701, May 20.

DISPOSITION by William Yule, merchant in Dunbar, to David Forrest, bailie of Hadinton, as administrator in law for his son, George Forrest, of the usufruct of the acres of land called Gunsgreen Aikers in the parish of Dunbar.

46. 1712, September 1.

INSTRUMENT OF SASINE following on precept of Clare Constat, dated 10 May 1696, granted by Lord John Sinclair of Lochend to David Forrest of Gimmersmilns as heir to his daughter, Helene Forrest, whose mother was heir portioner to the deceased Alexander Lauder, indweller in Belhaven: in the equal half of six and a half acres of land lying in the lands of Winterfield near Dunbar.

47. 1743, October 5.

PRECEPT OF CLARE CONSTAT by Captain Richard Millar, late of Brigadier Guise's regiment of foot, in favour of himself as heir of conquest to the deceased Archibald Millar, portioner of Nungate of Haddingtoun, his brother, in a tenement of land with yard and pertinents lying in the territory of Nungate of Haddingtoun, a barn, two barnyards and a piece of ground, with other lands.

LIST II.

DEPOSITED BY HADDINGTON TOWN COUNCIL.

1. 1477, May 7.

SASINE of Robert Nesbyt, son and heir of deceased James N., in annualrents from tenements in Haddington including one in Wyrlnstreit in terms of Crown Precept from Chancery.

The seal of John Ayton, bailie of Haddington who gave sasine is appended to the document.

2. 1480, October 24.

CHARTER by Richard Cokburne of Harperdene, burgess of Haddington, to the Altar of the Virgin in the north aisle of the parish church of an annualrent of 15s. from the tenement of Thomas Wardlaw lying in Smyddy Raw and appointing dene Alexander Cokburne as chaplain to celebrate offices. Combined with the Charter is the grant of infestment attested by two notaries.

DOCUMENTS RELATING TO HADDINGTON.

3. *1497, December 7.*

SASINE of Elizabeth Crag as heir to Janet Haliburton, her mother, in a tenement in the High Street on the north side thereof in terms of Crown Precept from Chancery.

The seal of Laurence Fleming, bailie of Haddington, is appended.

4. *1505, December 17.*

RESIGNATION by Alexander Nesbit of an annualrent of 5s. from the tenement of the deceased John Redpeth and other annualrents from other tenements and SASINE thereof to himself and Elen Boge, his spouse.

The seal of Mr Thomas Borthik, bailie of Haddington, is appended.

5. *1508, August 30.*

CHARTER by Alexander Home of Polwert to David Fowros, burgess of Haddington, of annualrents from tenements in Market Street and elsewhere.

The seal of the granter (much defaced) is appended.

6. *1513, November 12.*

PRECEPT by Joan, prioress of Hathinton, for infefting John Getgud, as heir to his father John G., in a piece of land in the Nungate on the south side of St. Martin's Chapel.

The granter's seal is appended.

7. *1545-6, February 24.*

NOTARIAL INSTRUMENT upon the Assignation by Isabell Alexander, widow of Andrew Keringtoun in Nungate, to her sons Mr George K., denes Andrew K., and Thomas K., chaplains, of a Tack of the grain mills called Gymmersmyln lying in the Nungate with 2 acres of arable land and a croft and some other acres in Adamflatt, Fluris, Gallosyd and Sprotflatt which Tack had been granted by the prioress for 19 years, dated 6 September 1538. (The Tack is engrossed at length).

8. *1551, November 13.*

TACK by Elizabeth, prioress of the Abbey of Hadyngtone, with consent of her convent in favour of John Fourhouse 'of Hadyngtone' of 3 acres of arable land in Nungate lately possessed by John Getgud and including an acre in the Croseflott for the space of 19 years paying 4/-



## DOCUMENTS RELATING TO HADDINGTON.

yearly and a capon for each acre as tack duty and also 'carrage to the sey quhen our wittallis cumis fra Fyfe'.

The chapter seal is appended and the deed purports to be signed by the prioress and convent (15 names in all).

9. [1550-60].

TACK by Dame Elizabeth Hepburne prioress of the abbey and nuns of Hadingtoun with consent of the convent in favour of Mr Alexander Forrest, parson of Logymontrose of their corn mill called Gymmois Myln at the Nungate, 2 acres of arable land 'with croft hauchis' and 10 acres and 1 rood of arable land within the bounds of Nungate for the space of 19 years. Several different payments are mentioned for each property. The deed is undated but it is signed on behalf of the prioress and members of the convent (15 names in all) by Mr William Walterson, notary public. The names of the nuns agree with those in the previous writ except in one instance where Dame Eupham Naper is substituted for Dame Elspeth Dowglace.

10. 1569, October 6.

SASINE of David Forrest as heir to deceased John F., his father, provost of the Burgh of Haddington, in terms of Precept of *Clare Constat* by Isabell prioress of the monastery of the nuns of Haddington dated at the place of Nwnraw 4 September 1569 for infefting him as heir foresaid in the grain mills called Gymmoismillis and certain acres of land lying in various parts (described in detail).

11. 1586-7, February 15.

CHARTER by Isabell prioress of the monastery of Hadingtoun and convent thereof confirming a charter by John Cokburne, burgess of Haddington, in favour of Robert Oliphant of Alderstoun, burgess of Edinburgh, of a tenement of land in the Nungate and 3 butts and a particate of land there which confirmed Charter was dated 8 February 1586-7.

12. 1587, June 28.

CHARTER by Patrick Getgud, burgess of Hadingtoun with consent of Elizabeth Wilson, his spouse, in favour of William Purvis, burgess there, and Elizabeth Hewat, his spouse, and George P., their eldest

## DOCUMENTS RELATING TO HADDINGTON.

son, of his Temple tenement on the east side of the burgh between the Temple tenement of John Wilson on the north and the tenement of deceased John Hynd now of Alexander Symsons on the south.

The Charter purports to be sealed with the seals of Patrick Getgud and his spouse but the only seal appended is that of one Henry .....ven.

13. 1597, September 26.

RENUNCIATION and DISCHARGE by Patrick Hepburne of Walkmylne now living in Stevinstoun for the sum of 1243 merks as the price of some victual bought from him by Robert Olyphant of Alderstoun for which Olyphant wadset 10 acres of land at the east side of the Mylneschott or Mylneflat. The money being paid these subjects are now redeemed.

14. 1605, January 31.

CHARTER by King James VI in favour of David Forrest of Gymmersmylnes, burges of Haddington, and Isabell Sympsone, his spouse, of the corn mills called Gymmersmylnes and mansion thereof with the hauch and a number of acres (all specified) the superiority of which had formerly belonged to the prioress and convent of the monastery of Haddington.

A fragment of the Great Seal is attached.

15. 1631, April 25.

CHARTER by Mr James Cockburne of Wester Monkrig, provost of Haddington, and the bailies and council disposing to George Forrest, fiar of Gymmersmylne and Jean Lauder, his spouse, the teinds of 19½ acres in various parts including the Hermanflat and Meadowaikers.

The Burgh seal is appended.

*NOTE by Dr Henry M. Paton regarding the seals on the foregoing documents.*

*Note:—* The descriptions of the shields are taken from Stevenson & Wood's *Scottish Heraldic Seals* except No. 12 which is not mentioned in that work and the references are to volume, page and number. The legends round the seal are according to my own reading. None of the legends in Stevenson's book are to be trusted without careful inspection.

# DOCUMENTS RELATING TO HADDINGTON.

1. Three cinquefoils. *Legend*:— S[JOHANNIS] AYTON II.234 (182).
3. A chevron between three cinquefoils. *Legend*:— S LAVRIN FLEMIN  
II.357.
4. Three cinquefoils with a star at fess point. *Legend*:— S THOME  
BORTHIC. II.254 (464).
5. A lion rampant — foliage at top and sides of shield. *Legend*: —  
S A[LEXANDRI] HVME. II.419.
6. On a chevron two lions pulling at a rose. *Legend*:— S DOMINE .....  
II.412\*
7. In a canopied niche the Virgin crowned and seated on a throne, her right  
hand extended holding a sceptre; her left supporting the Child on  
her knee, who is also crowned. Beneath, under a trefoiled arch, is a  
half-length figure of a monk kneeling to sinister. At each side of  
niche an ornament of foliage. *Legend*:— S CAPITVLI SANTE  
[MARIE DE] HADINTVN. I.181.
12. [Gyronny of eight]: the legend must, I think, refer to Henry Campbell  
who was burgess of Haddington, witness in 1575 (*Yester Writs*, No.  
791) but the spelling is unusual.  
*Legend*:— S HENR[ICI]CAMPVE[L].
15. A goat passant. *Legend*:— SIGILLVM CAVSARVM BURGI HADINÆ  
I. 65.

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\* Stevenson gives the legend as "S DOMINA IOANNA DE  
HEPBURN PRIORISSA MONASTERII DE HADINTOUN".  
From the look of it, it is quite impossible that all this would  
be on the seal and all that is really visible is S DOMINE .....

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## APPENDIX

OBITUARY AND LIST OF MEMBERS.

## OBITUARY.

### WILLIAM FORBES GRAY.

[A TRIBUTE BY THE LATE JAMES H. JAMIESON]

WILLIAM Forbes Gray, a valued member of our Council, died on the morning of 12th May, 1950. My friendship with Mr Gray extended back to a little over thirty years when I first came in contact with him as a fellow member of the Old Edinburgh Club. To the book of this Club he contributed many articles, and for a number of years he was editor. He had a facile pen and never tired of using it in the work in which he found great pleasure, namely the study of history, and the records of the lives of notable men.

He was both a journalist and an author. At an earlier age he was for some years on the staff of the "British Weekly" under that distinguished journalist and author, Sir William Robertson Nicoll. He used to tell me much about Sir William. He also in his journalistic career was associated with John Buchan, later Lord Tweedsmuir.

Mr Gray wrote a considerable number of books and great numbers of his articles appeared in the "Scotsman". Much could be told of his career but it is his work in connection with our Society that we are mainly interested in. Some years after its foundation he expressed to me a desire to become a member and I accordingly took means to have him added to our membership. It was not long after that, that he was elected a member of Council and many know the valuable work he did in that connection. About that time I was compiling my bibliography of the county and, with his knowledge of such work, he helped me greatly in the classification and arrangement of the many books included in that publication. Some time after that, he suggested to me the compilation of a book dealing with the notable men of East Lothian, and this we worked at together, but perhaps the crowning effort of his enthusiastic work for the Society was the "History of Haddington". It was on a walk with him along the banks of the Tyne that he asked me if I did not think

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that a new and up-to-date history of Haddington was desirable. I said that I certainly thought so, but that, so far as I was concerned, I felt that at my age I could not undertake such a work single-handed, but that if he undertook to construct the narrative I would co-operate with him in every way with my knowledge of the town and with the use of the material I had collected. This he agreed to and we worked at the book together for two years. It was a great delight to him and he put his best work into it. Then he was also appointed editor of our "Transactions" bringing out the third volume with all his experience and care. He has contributed a number of articles to our "Transactions" the last being that on the Bass Rock. He was not able, owing to health reasons, to join the party to the Bass, but many would no doubt read with profit his article.

But there was another work which he did for the town of Haddington and that was his examination of the Gray Library which for many years had lain in the gallery of the Public Library. His report to the Town Council so interested them in the value of this collection that they determined to build an annex to the building in which to keep it and engaged him to make a catalogue and to classify and arrange the books in the new building. Although not a native either of the town or county, he was greatly interested in them and nothing pleased him better than to visit the old town of Haddington. His name as I told him would be long remembered in the literary history of the county. He became like a son of East Lothian.

## JAMES JACK.

THE Society has sustained a further loss by the death on 10th January, 1952, of Mr James Jack of Monktonhall, Musselburgh.

Mr Jack was a member of the Society since very early in its history and continuously a member of Council from 1934 until his death. His services to the Society lay in the practical, workmanlike wisdom which he applied to all discussion, and in the enthusiasm and thoroughness with which he promoted its affairs. In the last few years, as a member of the Haddington House Sub-Committee, he gave most valuable encouragement to the idea of a worthwhile cultural museum in Haddington and, by his will, has bequeathed to the Society the generous sum of £1,000.

The Society regrets the passing of Mr Jack and gratefully records its appreciation of his bequest.

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### JAMES H. JAMIESON.

THIS issue of the *Transactions* would be incomplete without a reference to the passing, on 19th January, 1952, of Mr James Jamieson, who was responsible for the formation of the Society, acted as its first Secretary and first Editor, and for nearly two years was its Honorary President.

A native of Haddington, Mr Jamieson who had reached the advanced age of 87, was apprenticed as a writer in the County Town, and after spending eight years in an Edinburgh solicitor's office, received a secretarial appointment at Edinburgh Academy, remaining there until he retired in 1930.

Keenly interested in everything antiquarian, Mr Jamieson was an active member for many years of the Old Edinburgh Club, the Edinburgh Natural History Society, the Scottish Ecclesiological Society and the Carlyle Society, contributing many important articles to the annual publications of these organisations.

All these years, however, Mr Jamieson never lost sight of his most cherished goal, which was the establishment of an antiquarian society in his native county, realising that there was much of historical interest there for its members. It was gratifying to him when, in 1924, the East Lothian Antiquarian and Field Naturalists' Society was formed at a meeting of interested people held at Haddington. The growth of the Society has been in no small measure due to his efforts, for no one worked harder for its success. His knowledge of the history of Haddington and East Lothian generally was phenomenal and, possessing a retentive and reliable memory, it was seldom that he had to refer to any of his books for a date. The Society acted wisely in appointing him the first Editor of their *Transactions*. These have proved worthy of the Society, so much so that their form has undergone little or no alteration since.

Mr Jamieson during the first 25 years of the Society's life also acted as leader at many of its excursions, and the older members will recall with pleasure his fine work in that direction. At all times Mr Jamieson refused to put pen to paper until he had verified and checked any statement of which he had the slightest doubt, and he would put himself to no end of trouble in his quest for accuracy.

To Mr Jamieson also must be given the credit for the excellent Library which the Society possesses. From the inception of the Society he took it upon himself to gather together books of value concerning East Lothian, and these were collected at little cost to the funds.

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As a former Secretary to the Society I can speak of the great help which Mr Jamieson gave when trouble arose over the leadership of an excursion. I have visited him at his home two days before an excursion was due to take place, and been thankful to find him ready to take up the duty at so short notice. If for nothing else than his compilation of a "Bibliography of East Lothian" published in 1936, his joint Editorship with the late Mr W. Forbes Gray of "East Lothian Biographies" issued five years later and his important part in the preparation of "A Short History of Haddington" (1944), Mr Jamieson would have been regarded as having rendered yeoman service to the Society, but there are many other directions in which he gave valuable service.

Although rheumatism had crippled Mr Jamieson and confined him to the house for nearly five years before his death, he always maintained the keenest interest in the doings of the Society, and, until a few months of his death, was looking forward to the present issue of the *Transactions*. The Society which Mr Jamieson created is much the poorer for his passing, but while it lasts his name will never be forgotten.