

TRANSACTIONS  
OF THE  
EAST LOTHIAN  
ANTIQUARIAN AND FIELD  
NATURALISTS' SOCIETY



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EAST LOTHIAN  
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**THE EDITOR OF THE *TRANSACTIONS***

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welcomes contributions for the next Transactions (VOL XXXIV).

The editor also wishes to record his apologies for the delayed publication of this volume, due to unanticipated impacts of the coronavirus pandemic.

Front cover illustration:

The Haddington Obelisk, in the grounds of Tynninghame House, which was erected in 1856 in memory of Thomas, 6<sup>th</sup> Earl of Haddington, and his wife Helen. © Walter Baxter (cc-by-sa/2.0).

Further information about the society can be found on the website:  
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## HELEN: THE HAND THAT LAUNCHED A THOUSAND TREES

By Judy Riley



*Helen Hope, Countess of Haddington, by John Baptiste de Medina, 1694.*

In 1761 the second edition of *A Treatise on the Manner of Raising Forest Trees, &c.* was published in Edinburgh. It included ‘*A Letter from the Right Honourable, the Earl of ... to his grandson*’. This was a smallish duodecimo book – the size of a modern paperback – bound in boards, priced at 1s 8d (Holmes, 2006, p.60). This was much cheaper than the previous edition of 1756 and formed part of a compendium, a kind of bumper edition of six horticultural items including the very first book on gardening in Scotland, John Reid’s *The Scots Gard’ner 1683*. There was evidently demand for a handy sized, moderately priced practical guide from one of East Lothian’s famous agricultural improvers. The second edition also included corrections to the former edition, although it is not known why the author’s name was omitted from the title: Thomas, 6<sup>th</sup> Earl of Haddington.

It is this letter to his grandson, included in the second edition, which provides most of the biographical details and, but for it, we might never have known that Helen, Thomas’s wife, ‘*was a great lover of planting*’. Thomas writes:

*She did what she could to engage me to it; but in vain. At last she asked leave to go about it; which she did; and I was much pleased with some little things that were both laid out and*

*executed, though none of them are now to be seen: For, when the designs grew more extensive, we were forced to take away what was first done.* (Anderson, 1953 p.89-90).

Nor would we have known that it was Helen's idea to plant the Binning Wood on the Muir of Tynninghame. Not content, she later set about planting an area by the sea of about sixty or seventy acres, known as The Warren. Here, against all expectations she succeeded in getting trees to grow where there was nothing but '*dead sand*,' in her husband's words (Anderson, 1953, p.93).

However, the life of Helen Hope, wife of Thomas 6<sup>th</sup> Earl of Haddington, is still something of an enigma. She was born in 1677 and died in Edinburgh, aged 91, in 1768. What we know derives in the main from what her husband wrote about her in this letter to his grandson. It was dated 22<sup>nd</sup> December 1733, the year after the death of his oldest son Lord Binning. It was not published for twenty-three years, and then again five years later. Helen was still alive at this time and although she was now 84 it is highly probable that, having given permission for the first edition, she was the source of the corrections in the second (Anderson, 1953, p.viii).

Helen came from a very wealthy family who had first made their money through the propitious marriage of her grandfather, James Hope (1614-1661), to the heiress Anne Foulis. He thus came into possession of the Foulis' valuable lead mines in Lanarkshire. Hope developed this into an even more profitable business, not only producing ore but exporting it to Holland. His son John (1650-1682), Helen's father, was equally successful. John married Lady Margaret Hamilton in 1668. Margaret was the eldest daughter of Charles 4<sup>th</sup> Earl of Haddington and had been born at Tynninghame (c.1650). The lead business prospered and their increased wealth enabled John to purchase Niddry Castle in 1678, when Helen was one year-old. He also bought the lands of Abercorn, now known as Hopetoun, probably with a view to building a fine house for himself. In Edinburgh they owned a very large house in the Cowgate.

Today Niddry Castle in West Lothian stands alongside an oil shale bing, but in the seventeenth century it had a much more pleasant outlook and a great three-acre walled garden, created at the beginning of the seventeenth century by George, Lord Seton, 3<sup>rd</sup> Earl of Winton. Lord Seton took pride in his several gardens and invested a good deal of money in them. He rebuilt Winton House and restored the gardens and orchards, but it is Seton Palace that was the most renowned. This was the place to go: Queen Mary, James VI and Charles I were all entertained there and delighted in the gardens and terraced walks as well as in the splendid interiors. In his account of his Travels in Scotland 1634-5, Sir William Brereton described it as, '*a dainty seat laced upon the sea. Here also is apple-trees, walnut-trees, sycamore, and other fruit trees, and other kinds of*

*wood which prosper well, though it be very near unto, and within the air, of the sea'* (Hawkins, 1884, p.98).

Accounts of the garden at Niddry Castle have not survived and it was probably never as grand as Winton or Seton. However, it would have had high standards of horticulture as it was gardened by at least three generations of John Reid's family. Both John Reid's father and grandfather were gardeners at Niddry Castle, and John's book *The Scots Gard'ner 1683* is a compendium of gardening knowledge and practical advice. Even to the modern reader it comes across as the result of many years of accumulated, personal experience. In his memoirs, John states that his first choice of career was as a vintner, but when his master died in 1673 he went back home and was '*persuaded to learn the old but pleasant art of Garden'ry,*' (Genealogical Records of John Reid, Vol I, p.510).

Reid stayed a year at Niddry before moving to Hamilton, then Drummond Castle, then Lawers, before his final Scottish garden, Shank, on the banks of the South Esk in East Lothian in 1680. When Helen's father purchased Niddry Castle in 1678 (Kelsall, 1993, p.90) the 'garden'ry' was still in the hands of John Reid's family. This was the garden Helen played in as a girl, and perhaps where the seeds were sown for her love of gardening.

The family's substantial Edinburgh townhouse had been built by Helen's great grandfather. Long demolished, it stood at the foot of the arch of George IV Bridge (1829), on part of the 'basement' site of the Edinburgh Central Library. Helen's parents had ambitious plans to rebuild it in the French style. Historians including Joe Rock and Monique Vincent have studied the remarkable architectural plans for their Cowgate House. They were found glued inside a seventeenth century chest of drawers known as the Hopetoun Chest in Newhailes House (Rock, 1987, pp.516-7). The engravings, dated 1680, are the work of Claude Comiers, a French philosopher and scientist not previously known for his architectural designs (Vincent, 1990, pp.473-80). His design is for a fine French style house with courtyard. This is a very early example of the taste for French architecture and design that was developing in Scotland. Leaving aside the architectural history, the way the rooms were laid out lead Rock to an interesting conclusion:

*All of the doors on the ground floor leading from the four main entrances open towards Lady Margaret's apartment and any visitor would have been aware of her status from the moment of their arrival. All of the openings shown in the plan are splayed towards Lady Margaret's suite... Was this simply flattery on the part of the architect or does it say something of Lady Margaret's status?'. (Rock, 2019).*

Whatever the answer to Rock's question, there is no doubt that Lady Margaret Hope was a very able and enterprising woman. The house, however, was never rebuilt to this plan. In 1682, while accompanying the Duke of York (later James VII/II) on a journey to Scotland, John Hope drowned at the sinking of HMS *Gloucester* (Skinner, 1992). He was 32. Helen was four or five years old, and her brother Charles still a baby, having been born the year before.

Lady Margaret, now widowed, showed herself to be an extremely capable businesswoman. During the years of her son's minority the lead enterprises continued to flourish, they had income from their estates and Charles, when he came of age, was one of the richest young men in Scotland. She played a prominent part in the social life of Edinburgh and was ambitious for her children. However, rather than rebuild the house at the Cowgate, Lady Margaret set her sights on developing the land at Abercorn for her son, and the family's wealth permitted extensive plans.

Among her many friends was Patrick Hume, created Lord Polwarth in 1690 in recognition of his services to William and Mary. When he became Chancellor 1696, he and his wife Grisell regularly held dinners in the Abbey apartments at Holyrood House, their official residence. Their aim was to reconcile conflicting parties to establish smooth government administration, but some occasions were purely social. On at least one such occasion, in November 1696, the Countess of Rothes was invited with her younger sons, Thomas and Charles. Thomas (aged 16) and Helen (18) had married just a few months before. Helen's mother, Lady Margaret Hope, attended along with Sir William Bruce, the most eminent Scottish architect of the day (Kelsall, 1993, p.210). Two years later she commissioned Bruce to design an imposing house on the Abercorn estate: Hopetoun House. She signed the contract in 1698 and work began the following year, the year of Charles's wedding to Lady Henrietta Johnstone, daughter of the 1<sup>st</sup> Marquess of Annandale.

Helen grew up watching her mother successfully manage both the lead mining and exporting business and the family estates, as well as overseeing Bruce's grand design for her younger brother, who was only seventeen when the contract was signed. She must have known about the abandoned plans for the Cowgate, and she would have followed the drawing up of the plans for Hopetoun House, probably meeting Sir William Bruce and his assistant Alexander Edward. Helen, the older sister, observed as her younger brother Charles began to take an interest in the architecture of the house and the design of the policies, for Bruce and Edward excelled in both. Charles eventually became one of an emerging class of 'gentleman-architects', and Hopetoun and its garden became a trendsetter.



It seems a far cry from the walled garden of Niddry Castle which had first nurtured Helen's love of planting. At Hopetoun Helen witnessed woodland design on a grand scale, for Bruce always set his houses firmly at the centre of their grounds (as he had at Kinross, Balcaskie, and Thirlestane) with commanding views of avenues, parterres, and a separated walled garden for kitchen produce.

As mentioned, Helen had married in 1695 to her first cousin, Thomas 6<sup>th</sup> Earl of Haddington, the son of her mother's brother. It was the kind of arranged marriage common at this time and in this case it was arranged by two powerful women: Lady Margaret Hope (or Hopetoun) and Margaret, Countess of Rothes, her brother's widow. Both mothers had lost their husbands early in their marriages when their children were still very young (Charles Hope was only 32 when he was shipwrecked 1682 and Charles Hamilton, 5<sup>th</sup> Earl of Haddington, was only 35 when he died in 1685).

Helen's aunt now became her mother-in-law. She seems a formidable woman in many respects and was the elder daughter of one of the most powerful men in Scotland, John, Earl (later Duke) of Rothes. A favourite of Charles II, he had been rewarded with high office, including Lord Chancellor of Scotland for life and President of the Privy Council of Scotland. He had constructed an imposing country seat at Leslie, completed about 1672. (William Bruce may also been involved in the design). This is where Helen's husband, Thomas, had been brought up, for although he had been born at Tynninghame, the Haddingtons moved to Leslie almost immediately after the Duke of Rothes died in 1681, when Margaret claimed her inheritance.

Unusually, provision had been made for the earldom of Rothes to pass to the eldest daughter but she had to be content with becoming the 8<sup>th</sup> Countess of Rothes, rather than the 2<sup>nd</sup> Duchess as she had hoped. She and her husband took on the active management of the extensive Leslie estates, while Tynninghame was let out to tenants and somewhat forgotten. Charles died just four years later. From then on, much as Lady Margaret Hope was doing, the Countess of Rothes successfully managed both estates until her own death in 1700.

Having been remodeled on a grand scale, the Palace of Rothes, as Daniel Defoe called the mansion at Leslie, was a far grander house than Tynninghame or Niddry Castle. A series of south facing terraces led down to the river Leven and woodland with rides and further gardens extended on the further bank. Lengthy tree-lined avenues divided blocks of enclosed fields. Brown (2012, p.220) quotes the contemporary account of Thomas Kirke, which mentions fountains, little statues, walls with fruit trees and extensive gardens 'on the

further side of the brook'. This splendid garden is where she brought up her three sons.



*The 5<sup>th</sup> Earl of Haddington and the Countess of Rothes. by circle of John Wright. (Courtesy of the Clan Leslie Trust)*

Margaret Rothes remains a shadowy figure, known to us from the few portraits that survive and a few letters. Some clues as to her personality may be found in an unfoliated volume in the Baillie Hamilton archive (NRAS3503) which contains the minutes and accounts of the Tutors of Thomas, 6<sup>th</sup> Earl 1685-1702 (hereafter, the Tutors' Book). The seven tutors – family members and close friends – were appointed to look after the inheritance of Thomas on the death of his father and were primarily concerned with financial arrangements (see note). The entries were made mostly at Tynninghame or Leslie, and although the majority are for accounting purposes there is an early detail which sheds light on the Countess of Rothes. There is also one seminal piece of information about the garden at Tynninghame and her involvement in it.

At their first meeting on 20<sup>th</sup> October 1685, it is stated that Margaret Rothes and any two of the Tutors would constitute a quorum. They drew up the debts and rentals of the estate and noted that the meeting *'approves of the Countesses motion that one book may be kept wherin the Earles testament, the Rentals of the Estate List of debts, Chamberland Accompts And Transactions'* (NRAS3503/3/76). That it is the Countess herself who makes this recommendation shows she had an understanding of the estate management and wanted detailed records kept in one place, even having her husband's will copied into the book, lest there was any misunderstanding.

In the penultimate paragraph of this entry, there is reference to the garden: *'The Tutors Desyred that my Lady at the sight of any of her nearest friends may consider how many Trees may be necessary for planting the Propper Ground now Reserved for that use, And they allow the rest of the nurserie Trees to be disposed of to the best Advantadge'* (NRAS3503/3/76). This is the earliest written evidence we have that plans for tree planting were under way, whilst *'nurserie trees'* indicates there was already a tree nursery at Tynninghame by 1685 (Fig 5). Lady Rothes is making the decisions concerning the garden, rather than the factor, gardener, or one of the other tutors.

The minutes then go on:

*And they approve of the terms of agriement with the Gardner for Giving him the profite of the ffruit and undergrowth of the yards. And the little piece Ground besouth the nurserie. Ane acre of land and grass for his Cow, Being ffrie of all other ffie and conditions And he Maintaining the yards, hedges Dykes and ane sufficient stock of nurserie for supplieng the planted ground.* (NRAS3503/3/76).

We learn that fruit and probably vegetables (the *'undergrowth of the yards'*) are grown for sale and the gardener also has use of *'a little piece of ground'* south of the nursery. The gardener in question was William Hunter, whose name first appears in the Tynninghame Parish Records on 10<sup>th</sup> December 1682 (the author is indebted to Joy Dodd for this information), and it appears in 1685 and later in 1691 in the Tutors' Book.

There are no estate plans of this date and the simple layout of John Adair's map gives no indication. The next engraved edition of the Adair map was printed in 1736 with less detail of Tynninghame than the previous one, but it does show the roads and indicates more extensive tree planting. General Roy's map, on the other hand, gives a good outline of the amount of enclosure and planting that had been undertaken by 1752-55; but it does not show a walled garden, for example, and Tynninghame House itself has been curiously omitted! A small house shown at the south-west corner of the woodland was *'Lady Trabroun's House'*, used as the manse. Bearing in mind that the surveying teams often sketched towns and estates by eye or copied from existing plans. Only the more important landscape features such as roads, rivers and lochs were surveyed using compasses and traverses, so even Roy's map cannot be considered a true picture of the estate in every detail. As a working hypothesis, the gardener's yards were probably somewhere in the vicinity of the present Walled Garden and his house would have been nearby, as is the Head Gardeners House today.

Lady Rothes continued to take an interest in the garden and the way the gardener conducted his business. In 1691 John Shirreff (the Chamberland, or factor) was instructed, *'to treat ane agreement with the Gairdner according to the Agriement last made with William Hunter, that the Gairdner nou understands what the profite of the yeards may arise to, and to aquaint him that if he be not willing to bargain at those termes, or about those terms, my Lady will provide an other gairdner (by) Martinmas, and to aquaint my Lady with his ansure'* (NRAS3503/3/76). This suggests that a new gardener is being appointed and that the Countess of Rothes is taking charge. As almost all of the other decisions of the tutors are delegated to one of their number or to Shirreff, this instance again seems to acknowledge the Countess' expertise in gardening matters and her ability to choose the best gardener.

The final reference to garden is to the boundary. On 12th March 1694 the notes record: *'as to the park dyke at tinninghame John Shirriff is allowed to higher ye them ane Ell higher than they are and that all provisioned necessar to be made for that effort.'* An ell was just over three feet, just under one metre. This park was probably an area to the north of the house, as the township then lay scattered to the south.

On 8<sup>th</sup> November 1695, the minutes report:

*Thomas has now married 'Mistris Helen Hope now countess of Hadinton his spouse and the said Earle cra(v)ing the advice of his said Curators anent the place of his residence ffor some tyme And what might be yearly allowed ffor the expense off his board his lady and other attendants which the Earl represented would nott be under eight or nyne in number and ffour horses at least and what would be the curators reasonable advice anent what should be allowed him or his Lady for the ... cloaths and other incidents of that nature besydes there yearly board.*

*The curators all agreed in one mynde that it was not ffit for the Earl for some tyme to take up a family himself and the most proper way they would advise was That for some tyme he should live in family with the countess of Rothes his mother which the curators thought would both spare his money and let him understand the way off Living. (NRAS3503/3/76).*

Helen and Thomas were told they must live at Leslie, to save money and 'understand the way off Living'. Charles, their eldest son was born there in 1697, so we can assume some understanding had indeed taken place! They remained at Leslie for four years until the death of the Countess of Rothes in 1700. Judging from the way Margaret Rothes took charge of garden matters at

Tynninghame, she must also have taken an active role in the maintenance of the elaborate gardens at Leslie, which Helen would have observed at first hand when she moved there. Helen had observed for most of her life that both her mother and her mother-in-law had successfully managed the family estates and businesses, taking a special interest in the gardens.

The young couple moved to Tynninghame in 1700, and it was Helen rather than her younger husband who grasped the opportunity there and began planting the *'little things that were both well laid out and executed'* (Anderson, 1953, p.90). The Tutor's Book has already shown that there was an existing tree nursery, and 'yards' for a gardener with a small business. No-doubt the latter was involved, although never mentioned.

After these early forays by his wife, Thomas admits *'being at last obliged to make some inclosures, for grazing my horses, I found the buying of hay very expensive; ...yet I did nothing of that kind for some years,'* (Anderson, 1953, p.89). But sometime before 1707 Thomas begins to follow his wife's lead: *'I had given over my fondness for sport and began to like planting better than I had done; and I resolved to have a wilderness'* (Anderson, 1953, p.90). In choosing 'a wilderness' he was following the example of one of his best friends, John Erskine, Earl of Mar, with whom he corresponded. He writes:

*Though the first Marquis of Tweeddale, my Lord Rankeilor, sir William Bruce, my father, with some others, had planted a good deal; yet I will be bold to say that planting was not well understood in this country, till this century began. I think it was the late Earl of Mar that first introduced the wilderness way of planting amongst us, and very much improved the taste of our Gentlemen.* (Anderson, 1953, p.90).

The Earl of Mar's visit to Tynninghame in 1702 was documented by the then minister George Turnbull, and Helen must have met him on a number of occasions. This style of planting, 'the wilderness way', would have been a formal, geometric pattern with circles and straight rides or avenues, each originally with a 'termination point', something to catch the eye and terminate the view. Originally many of the walks would have been bordered with hedges. Holly, yew, and box were favourites but very few examples of this this labour-intensive style exist today. Although the name 'Wilderness' is still used for the arboretum to the west of Tynninghame House, the formal layout has not survived. Roy indicates a small area with avenues leading from the bowling green surrounded by rectangular enclosed fields which probably represents this, although by that date (1747-52) the design had already changed.



and walks and this was then set on paper. *‘When this was shewn, it was agreed unanimously...and the planting carried on by that plan.’* This collaboration was an indication of the closeness of the family ties. Here the younger generation was meeting, as their parents had done, to plan landscape design. The Binning Wood (named for the hereditary lordship of the earls of Haddington’s eldest sons), was felled for the war effort between 1942-5, but was then replanted from 1947 to 1960 following the original design. The veteran limes and a few oaks in the Limetree Walk, which originally linked the wood to the house, were planted by Helen and Thomas themselves and were spared the axe. Thomas’s account reveals however that the overall plan developed in a piecemeal fashion.



*Limetree Walk, Tynninghame.*

A later scheme of Helen’s seemed even more hare-brained to her husband and friends. She set her heart on planting what had for many hundred years been an extensive coastal rabbit warren of some 400 acres, with very poor sandy soil, to the east of the house. The rabbits had been partly cleared and the land was providing minimal grazing for some young cattle and sheep.

*A Gentleman, who had lived some time at Hamburg, one day walking with your grandmother, said, That he had seen fine trees growing upon such a soil. She took the hint, and planted about sixty or seventy acres of this warren. All who saw it thought that the time, labour and trees were thrown away; but, to their great amazement, they saw them prosper as well as in the best grounds. (Anderson, 1953, p.93).*

Helen’s efforts were a further example to her husband, who had to admit, *‘I cannot say but it answers very well. As I have a great deal more of such kind of land, I design to plant it all.’*

When William Bruce laid out the grounds at Hopetoun, Kinross or Thirlestane, he placed the house at the centre with the avenues leading from it. This had been advice of John Reid in *The Scots Gard'ner 1683*: 'Make all the buildings and Plantings ly fo about the houfe, as that the Houfe may be the Centre; all the Walks, Trees and Hedges, running to the Houfe' (Hope, 1988, p.2). But when Helen began planting trees, she chose pieces of ground that were of little agricultural use to her husband - 'ground of very little value', as Thomas put it – rather than setting out avenues across the fields and destroying newly established enclosures. The design at Tynninghame therefore lacks an overall coherence, as the practicalities of enclosures took precedence. Helen's respect for what was already thriving, together with her husband's desire for enclosure, restricted the overall design of the wider landscape.

This may be the reason why the original gardeners' yards, once on the edge of the village, not too far from the house but out of view, may have occupied the site of the present Walled Garden. In his writing, Thomas never makes reference to the gardeners at Tynninghame, but advertisements from the Edinburgh Evening Courant prove gardener's business continued under a James Tait. This advertisement appeared in December 1721, and the two weeks following:

*There is to be sold by James Tait Gardner at Tynningham, All sorts of Fruit –Trees, all sorts of Flower-roots, all sorts of Flowering Shrubs, all sorts of Garden Tools, all sorts of Barren or Fruit Planting-Trees, all sorts of Grass Seeds, Hope Cloves, Saint Foyn and Ray –Grass, to be sold at very reasonable rates. (Edinburgh Evening Courant, 1721, 4470).*

Tait appears to have the business well in hand. What is interesting (and unusual) is that he does not offer woodland trees or thorns for hedging. Other nurseries advertising in this paper, usually in late December and early January, sold hedging material, a range of forest trees as saplings (suples), and fruit trees. These were being sold, for example, by William Miller in Edinburgh and by John Baillie in Haddington, both advertising in the Courant in 1723. In addition, Tait offers herbaceous ornamental plants and flowering shrubs, as well as fruit trees like Miller offers, and different grass seeds. It seems Tynninghame was one of the first Scottish garden centres!

1723 saw the first meeting of the Society for Improving in the Knowledge of Agriculture, and Thomas became a leading member. He prided himself on his agricultural improvements, one of which was the idea of sowing grass or clover for a fallow year between crops. He devotes several pages to this in his book, complaining that, 'the Whole Country (who are ever Angry at New things) were



*against me. They had a Poor Opinion of a man's Understanding, who would sow Grass upon Land, that carried Good Wheat and Barley... but there lay their mistake'* (Anderson, 1953, pp.71-2).

An 1859 estate plan shows in detail the field patterns, avenues and woodland that still followed the lines that Helen and Thomas had laid out in the early eighteenth century. There are three main avenues, all parallel, sweeping west to east to the north of the house. In between are fields with shelter belts or hedges. By this date, some internal divisions have been swept away in the parks around the house, following the later eighteenth century style for more naturalistic planting. The woodland planting began by Helen survives almost in-tact to this day.

But for her husband's letter, added to the second edition of his book, Helen's great love of planting might not be known to us today. The earl makes no mention of his wife within the main text. And yet were it not for Helen, Thomas would have had little to write about. Moreover, but for Helen, his writing might never have been published.

## NOTE

The seven Tutors were: Adam Cockburn, whose wife Susannah was daughter of 4<sup>th</sup> Earl of Haddington; John Keith (whose wife Margaret was also a Hamilton); Sir Archibald Hope, Lord Rankeillor, whose wife was a sister of 5<sup>th</sup> Earl; Mr William Anstruther married to Helen, daughter of 4<sup>th</sup> Earl; Sir Robert Sinclair of Stevenston; Sir James Foulis, Lord Reidford; Sir James Hamilton).

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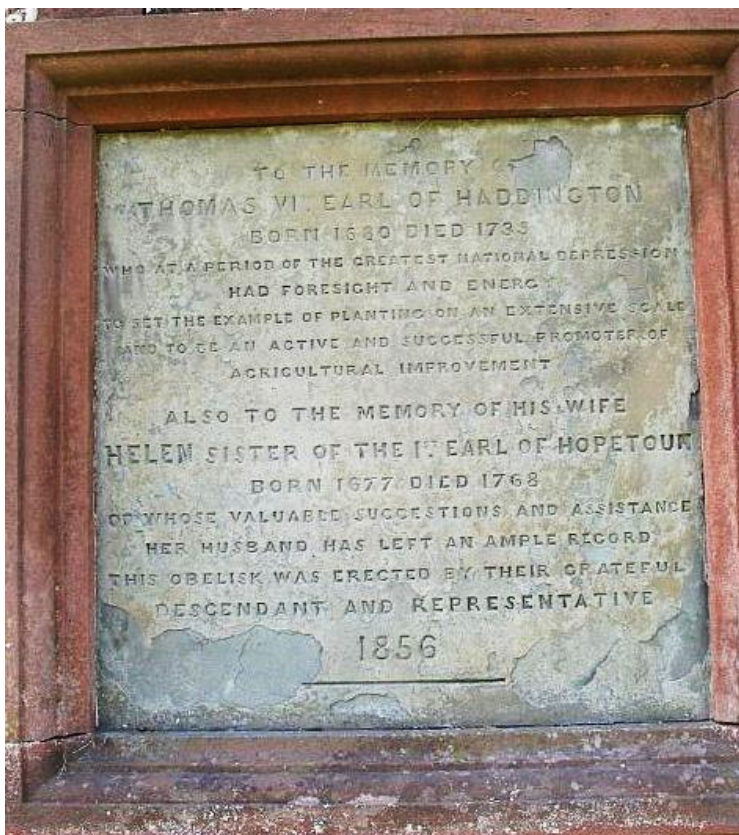
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*Stone tablet on the base of the Haddington Obelisk at Tynninghame.*

## JOSEPH STEPHENSON OF LONGYESTER AND HIS FALL FROM GRACE

by Harry D. Watson

Joseph and Thomas Stephenson, two brothers from Northumberland, were granted the “sub-tack” or lease of Longyester farm near Gifford by John Hay of Hopes on Whitsunday 1792. A detailed account of this document in the article by the present author, ‘Longyester Farm and the Agricultural Revolution in East Lothian’ in Volume XVIII of the Transactions (1984). A further article, ‘The Stephensons of Longyester: an East Lothian farming dynasty’, was published in Volume XXI (1991).

Given Joseph Stephenson’s acknowledged success as a progressive sheep farmer in the Lothians and Borders – Joseph and Thomas were mentioned in a pamphlet for the Society for Improvement of British Wool, written by John Naismyth of Hamilton – the author was surprised when, during a casual internet search of the name, he was taken to *Decisions of the Court of Session, 1781-1822: In the Form of a Dictionary* (Hume, 1839). A sorry tale unfolded, which is here transcribed. Joseph’s surname is given in the more usual Scottish form Stevenson.

JAMES HUNTER, Pursuer. JOSEPH STEVENSON, Defender.

### SALE OF SHEEP – *A drunken bargain found not actionable*

*This was an action of damages for a failure to deliver 25 score of hog-sheep, agreeably to a bargain made on the 15<sup>th</sup> of May 1802. The defence was that it was a drunken bargain, and highly prejudicial to the vender.*

*The fact appeared to be thus. Joseph Stevenson was joint tenant of the farms of Long Yester and Riddell Lodge, along with the minor children of a deceased brother to whom he was tutor-at-law. He had also recently taken a third farm, Soonhope, and had to enter and stock it at Whitsunday 1802.*

*It was in evidence, that in spring 1802, Stevenson had no stock of sheep to spare, either from Long Yester or Riddell Lodge, and that he would have to go to market for a stock to Soonhope. On the morning of the 15<sup>th</sup> of May 1802, he accordingly left home for Lauderdale on that errand; and he viewed the stock of ewe-hogs on the pursuer Hunter’s farm of Woodside, and on Rutherford’s farm of East Mains, both of them near Lauder. He was not*

*satisfied with what were shown him, and came to no agreement to buy from either of these persons.*

*After spending some time in the fields, Stevenson, Hunter, and Rutherford, adjourned to Nicol's inn at Lauder; and there, after Stevenson had taken a slight dinner, they sat down to rum and water. What passed among them at this time about the buying or selling of sheep did not appear in evidence; for Rutherford, the only witness to it, was dead before the proof in this process came to be taken. But about three o'clock, when they had dispatched one half-mutchkin of rum [about 213ml], and were entering on a second, they were joined by Romanes, a writer in Lauder, who did business for Stevenson, and whom Stevenson had sent for, to have his advice and assistance about two processes in which he was engaged at the time. He conversed accordingly with Romanes, gave him some instructions with respect to the processes, and promised to send him certain letters, which might be serviceable in the business. Romanes thought him sober at this time, and his instructions accurate and proper.*

*Having finished that business, Stevenson resumed a conversation, which, as Romanes understood, had been previously going on, betwixt him, Hunter, and Rutherford, about the buying and selling of sheep. Romanes understood "that Mr Stevenson had come into the country to purchase sheep; and that the defender, Mr Stevenson, being then selling some hog-sheep from the farms of Long Yester to the pursuer, the deponent cautioned them both not to be rash, the one in selling what he did not mean to dispose of, nor the other in purchasing what he did not mean to buy; to which Mr Stevenson replied, 'he had sold the hog-sheep, and he would be damned if he did not deliver them.'*

*Hunter hereupon desired Romanes to set down the terms of the bargain in writing. Romanes said that this was not the practice for such bargains, but that he would take a note of the terms, to serve as a memorandum if it should be wanted, and he accordingly set them down in a blank leaf of an almanac, in the presence of the parties. The memorandum was as follows:*

*"Lauder, 15<sup>th</sup> May 1802:- This day, in Mr Nicol's, Mr Joseph Stevenson, farmer at Yester, sold twenty-five score of hogs from said farm to James Hunter in Trabrounhill, at 20s. a-head, deliverable and payable 26<sup>th</sup> current; and upholds them 5s. a-head better than the hogs presently on the farm of Woodheads. This bargain made in presence of John Rutherford in Eastmains, and Robert Romanes, writer in Lauder."*

*In making this entry, Romanes at first, by mistake, set down 20 score instead of 25 score, as the number of sheep sold. When he read it over to the parties, Hunter took notice of the error. Romanes then asked Stevenson, "Whether the*

*number should be 20 or 25 score?" the defender said the number was 25 scores which he had sold; and he repeated, that having sold them, "He would be damned if he did not deliver them." Romanes corrected the memorandum accordingly, and again read it to the parties, who declared that it was now a just statement of the bargain. Rutherford or Hunter next asked, was it necessary to sign the note? Romanes answered, that it was not the practice to be so formal in such transactions; and in consequence of his suggestion the note was not signed, but no objection to sign was made by any of the parties. After remaining from fifteen to twenty minutes, Romanes left them, and carried off the almanack with the note. The third half-mutchkin of rum was not yet set on the table when he took his leave. Before he left the room, Stevenson repeated his promise to send him the letters above referred to.*

*Thus, according to the testimony of Romanes, Stevenson was not disabled for business, nor even materially the worse of liquor, at the final conclusion of the bargain. But the following circumstances were also in evidence:-*

*Stevenson had for some years been much addicted to drinking, especially when at home, and by himself, insomuch that he was sometimes for a whole month quite incapable of business. In particular, he had been in one of those fits of solitary intemperance - "drinking in one of his usual rambles" - as his herd expressed it, and for the most part confined to the house for a course of three weeks recently, before setting out for Woodside on the 15th of May. It further appeared, that between nine and ten o'clock of the morning of that day, when on his way to Woodside, he was observed to be in liquor, not sitting fair in the saddle, riding fast, quarrelling with his galloway [pony], and striking it on the head and neck with his stick. In short, such was his appearance, that one of his neighbours on whom he called by the way did not wish to see him, and desired his servant to say that he was from home. Last of all, it was proved, that in the afternoon of the same day, between three and four o'clock and about four miles from Lauder, when on his way home, Stevenson fell from his horse upon the road, owing to liquor, and required the assistance of several men to place him again in the saddle. Before sunset, and when further on the road home, he was seen very drunk at a place called Dodhouse and there his galloway arrived before him; and he said when he came up, that both he and the galloway had fallen over a brae. It appeared by Mr Nicol's bill that ten shillings' worth of rum had been drunk before he left the house.*

*It was further in evidence, that the sale of the Long Yester hogs was considered by every body as a strange proceeding, and a foolish and most prejudicial bargain, they being a breeding stock, nearly half ewes and half wethers, and what could hardly be got for money at the time. So far from having sheep to dispose of, he had to make large purchases of wethers,*

*lambs, and ewes, for his farm of Soonhope, in the succeeding June, July, and October; and a brother of his applied accordingly to the Sheriff, on account of the infant children, joint tenants of Long Yester, to prevent the delivery of the hogs. He did not, on reaching home, say any thing to any one of his having sold hogs to Hunter: on the contrary, he repeatedly said to his herd, that if he had done no good, he had done no ill. Afterwards, when questioned about the sale, which at first was not credited, he varied in his account of the price from twenty to twenty-two and twenty-five shillings a-head.*

*The Lord Ordinary (Dunsinnan), on advising the proof, found “that under all the circumstances of this case, there is no evidence of a serious deliberate bargain having taken place between the parties, and therefore sustains the defences, assoilzies the defender, and decerns.” A petition, complaining of this judgment, was refused without answer.*

*Certainly Stevenson had here some difficulties to contend with. So far as appears, he had not been solicited to sell, and though not cool or sober when he made the bargain, he was not utterly disabled by liquor from knowing what he was about: his own agent, after warning the parties to attend to what they were doing, took down, and repeatedly read over to them, the terms of the bargain; and they would have signed the paper if the agent had not objected. On the other hand, the purpose of sale was such as he could not have entertained at a sober hour. The style in which he spoke of it to Romanes was wild and passionate, and nowise suitable or natural in the case of so important a bargain; and he could not be considered as in the fittest condition for such a piece of business, having been the worse of liquor in the morning of that day, and this after a course of drinking continued for three weeks. Moreover, it might reasonably be inferred from his condition early in the afternoon, when on the road home, that while in Nicol’s house he was already in some measure under the influence of liquor.*

Joseph Stephenson’s case is no. 524 in the *Dictionary of Decisions of the Court of Session*. It is immediately preceded by the similar case of James Jardine, tenant of Larieston (pursuer) against John Elliot, tenant in Hayfield and Dykeraw, for failing to implement a bargain made between them on 13<sup>th</sup> February 1801 to sell Jardine Elliot’s entire stock of ewes on Dykeraw. One witness commented that “the whole was a drunken ramble”.

Joseph Stephenson did not long outlive the escapade which had put him into the Court of Session records, dying at Longyester in 1803. As his children were

under-age his executors appointed trustees to administer his estate, but before long his widow Margaret Renwick had fallen out with them. The resulting court case rumbled on for over thirty years until, after the original principals were all dead, their descendants finally agreed on a settlement. Given Joseph's addiction to drink, it is somewhat ironic that his illegitimate son Hugh Stephenson – who assisted his father on the farms at Longyester and Soonhope – would later become an innkeeper first in Kelso and then on Fleshmarket Close, Edinburgh. This Hugh was the great-great-great-grandfather of the author.

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**ANDERSON OF WINDYGOUL AND WINTERFIELD**  
**By Stephen Bunyan and Joy Dodd**



*Winterfield House in the 19<sup>th</sup> Century. Courtesy of Belhaven Hill School.*

Winterfield House, now Belhaven Hill School, one of the older large houses in Dunbar, was built about 1760 by the Andersons of Winterfield, who for a long time were one of the main families of the area and former heritors.

Interest in this property was aroused in May 2015 when the author was copied into an email chain from the Reverend Gordon Stevenson, the parish minister of Dunbar. He had been advised by an officer of the Royal Horse Artillery that the regiment wanted to hold a Commemoration Service on the 18<sup>th</sup> June 2015 at the grave of Major General William Cochrane Anderson, who had at one time been an officer in their battery and who was a veteran of the Battle of Waterloo.

As a former member of the Royal Regiment of Artillery, as a Depute Lieutenant of East Lothian and as Chair of the Community Council, the author felt he ought to become involved. With the agreement of the Lord Lieutenant and working in co-operation with Captain Lucy Collette, Captain Adam Coffey and other representatives of the Royal Artillery, and with the support of the Rev Ian Coltart, Stuart Pryde, Gordon Whitelaw, Joy Dodd, the Committee of Dunbar History Society and others, a most successful Commemoration Ceremony was held. It was attended by a good number of representatives of the community, and some former artillery officers. It was also attended by a group of pupils from Belhaven Hill School. The service was followed by a reception in the parish church at which Captain Coffey made a presentation on the Waterloo campaign.

During the planning of this event, the first concern was the state of Anderson's burial plot, built about 1831. Fortunately the lock had given way some time before which allowed for some tidying to have been done, and more was undertaken by Stuart Pryde and his team from East Lothian Council. A file held by Dunbar History Society led the authors to descendant of the General, which in turn revealed that his older brother, Lieutenant Colonel Robert Anderson of the Argyll and Sutherland Highlanders, was also a Waterloo veteran and that he too was buried in the family plot. Surely this double burial must be a unique situation. It was therefore decided to commemorate both officers.

### **The Andersons of Winterfield**

The Anderson family of Winterfield, Dunbar were well-established in the town by the end of the 18<sup>th</sup> century but had their origins in the parishes of Heriot in Midlothian and Humbie in East Lothian. The earliest known was a George Anderson of Nether Brotherstone in Heriot, and his wife Sarah Cranstoun. The 1692 Hearth Tax records for the parish of Humbie indicate a move into East Lothian. Robert Anderson of Brotherstone and Keith Bank paid for 2 hearths; and his brother, John Anderson at Duncrahill, also paid for 2 hearths. A gravestone for Robert's children still survives in the chapel at Keith Marischal. Robert inherited Nether Brotherstone and later acquired the estate of Whitburgh. John Anderson married Catherine Pringall on 30<sup>th</sup> Nov 1671 and it is his descendants who appear by the 18<sup>th</sup> century in Dunbar. Three sons and three daughters are known to this couple, and it is their eldest son John (born 4<sup>th</sup> June 1673) who continues the line. Interaction between the descendants of these brothers – the Andersons of Whitburgh and the Andersons of Windygoul – continued over the next 200 years, including marriages between cousins.

John Anderson Snr had moved from tenant to landowner by 1700. His disposition and assignation written in 1705 describes him as John Anderson of Windygoul [SC40/60/6 Bundle 1730]:

*Be it known to all men by thir presents me John Anderson of Windygoul for the love and favour I have and bear to John Anderson my eldest son, and for certain onerous causes and considerations moving me wherewith I hold me well satisfied renouncing all objections in the contract forever. Therefor witt ye me to have sold assigned and disposed Likeas by the tenor hereto, To and in favour of the said John Anderson my son his heris and assignes, whatsoever (with and under the provision and reversion after mentioned allenerly) All and Hailll the*

*debts, sums of money and yearly rents underwritten- Viz the sum of one thousand pounds scots money and one hundred merks of penaltie; rents of the said principal sums bygone, being unpaid and in time coming during the not payed thereof Contained in a bond granted by Robert Hepburn of Whitburgh to me and Helen Anderson my daughter, the date 1 December 1696, registered in the book of Council and Session upon the 3<sup>rd</sup> day of August 1699, containing a faculty and power to me at any time in my life & article Mortis to uplift or utherwise dispose of upon the samen sums without consent of my daughter.*

This document also states that by this date he had acquired property in Dunbar from a John Lauder in Belhaven. Although he describes himself as of Windygoul, he names Gilchriston as his house. A man of property! The date of his death is not known.

In the next generation, John Anderson married Janet Richardson on 21<sup>st</sup> November 1716 at Castleton, North Berwick. Janet was the eldest daughter of Richard Richardson of Muirefield, North Berwick, and his first wife Catherine Scot (baptised 27<sup>th</sup> March 1692). Their eldest son Richard was baptised on 6<sup>th</sup> January 1721 in Tranent, the family living at Windygoul. A second son John was born in 1722 and a third son James in 1723, who married his cousin, Janet Anderson, daughter of Thomas Anderson of Whitburgh. When Richard Richardson died in 1729 (his own son having predeceased him), the son of his eldest daughter Janet, Richard Anderson, became heir to his property at Castleton in North Berwick. This John Anderson died in 1758 and was buried in Tranent churchyard.

### **The Battle of Prestonpans 1745**

The Anderson connection to the Battle of Prestonpans is well documented but confusing. The significant player was Robert Anderson, son of Thomas Anderson (then Laird of Whitburgh), first cousin of John Anderson of Windygoul. The connection between the two families was strong: Robert's sister Janet had married James Anderson of Windygoul, third son of John. Robert joined the Jacobite army of Prince Charles Edward Stuart, and when present with the Highlanders around Tranent on the evening of 20<sup>th</sup> September 1745 he told his neighbour, James Hepburn of Keith, that, having shot snipe in the morass near St Germain's, he knew a pathway through it. Anderson was urged to communicate this information to the Prince, who was sleeping in a nearby field of cut pease. The Prince, having reconnoitred the route, resolved

to cross the morass in the early morning with Anderson's help. This resulting redeployment led to the Jacobite victory, and Anderson continued to serve on the Prince's staff until the end of the Rising.

### **The Next Generations**

Richard, John Anderson's eldest son, was only 8 years old when his maternal grandfather died and so he could not manage the property of Castleton until he reached maturity. His affairs would have been managed by his father, as indicated by the Window Tax for Castleton for 19 windows in 1746 [E326/1]. Until 1752 this was paid by John Anderson rather than Richard. In his testament records for that year, Richard confirms he was granted a 58 years' tack of the lands of Castleton and Halflandbarns from the Dalrymples of North Berwick for yearly payment. He will have inherited the property of Winterfield in Dunbar from his father in 1758. Richard married Janet (Jessie) Hamilton at Castleton on 13<sup>th</sup> December 1759. All of their children were baptised in North Berwick. Richard Anderson was elected to the Burgh Council of North Berwick in 1775 and served until his death in 1786. He died on the 17<sup>th</sup> July 1786 and is buried in Dunbar Churchyard. In his testament he details not only the lands of Winterfield – house, biggings, yards, parts, pendicles, & pertinents extending to the three pound land of old extent – but also to other property & tenements in Belhaven, West Barns and Ewford. He also decrees that whoever inherits from him must bear the surname of Anderson, and describe themselves as “of Windygoul”. Janet Hamilton died in February 1800.

When describing Winterfield House, now Belhaven Hill school, in *Buildings of Scotland*, McWilliam (1978) dates the ‘five bay centre with its architraved windows and pedimented Roman Doric doorpiece, belonging to the original house,’ to around 1760. This suggests that Richard was the original builder, but that it may not have been his principal residence.

John Anderson (born 1763) was the only son of Richard Anderson and Janet Hamilton, and inherited from his father in 1786 but maintained the connection with North Berwick. John was only aged 20, when he married: ‘*John Anderson only son to Richard Anderson Esq of Windygoul, in this parish and Miss Jean Dalrymple, daughter to David Dalrymple, one of the Senators of the College of Justice in the parish of Prestonpans [Lord Westhall] were married at Edinburgh 11<sup>th</sup> March 1783*’ (North Berwick Old Parish registers). Four daughters and five sons were born between 1783 and 1801, some baptised in North Berwick and some in Dunbar. John Anderson served on North Berwick Burgh Council from 1788 until, as Mr John Anderson of Castleton, he was purged in 1796. This seems to be when the family moved to Winterfield, the

Window Tax for Castleton being paid by John Rennie, a cousin, after this date. They also had property in Portobello, Edinburgh.

During the Napoleonic period, John Anderson took a commission in the East Lothian Fencibles around 1795. With the possibility of a French invasion via the Lothian coast, Winterfield was at the centre of a great deal of military activity because a large military force was gathered close by in temporary barracks (Miller, 1859). The presence of all these soldiers must have been of great interest to the children and it may be that this influenced the career aspirations of Anderson's sons, who took up service careers rather than the law as might have been expected given their mother's background.

John Anderson died at Portobello in August 1823. He was re-buried in Dunbar on 14<sup>th</sup> December 1831 following the death of Jean Dalrymple. The Anderson grave lair in Dunbar Churchyard had been established when Richard Anderson was buried there in 1786, but the stone enclosure may have been constructed at this time.

Like many well-established Scottish land-owning families, the Andersons of Windygoul and Winterfield, followed the pattern whereby estates used usually passed down in male primogeniture. This meant that younger sons needed an appropriate alternative position, such as the law, the army or navy, or the Indian Civil Service similar colonial enterprise; daughters were found suitable marriages in similar families.

John Anderson was succeeded by his eldest son Richard (baptised in Dunbar on 31<sup>st</sup> August 1786), who was became a commander in the Royal Navy. Richard was present as a midshipman at the Siege of Acre under Sir Sydney Smith (1799), the occasion when Napoleon said he had missed his destiny. Richard was presented by the Sultan of Albania with a uniform and a valuable shawl, part of which survived a fire of 1903, after he had given refuge – and surrendered his bed – to the Sultana.

John's second son was Robert Anderson, born on 10<sup>th</sup> April 1788 and baptised in North Berwick. He served in the 91<sup>st</sup> Regiment of Foot, later the Argyll and Sutherland Highlanders. He was a lieutenant in 1804, captain in 1812, major in 1824, and then Lieutenant Colonel in 1831. Robert served in the Hanover campaign from 1805-1806 and was later made a Knight of Hanover, an order instituted by the Prince Regent in 1815. He fought at the battles of Vimiero and Corunna in the Peninsular War, served in the Walcheren expedition in 1809, served in Swedish Pomerania in 1813, and at the siege of Bergen op Zoom in 1814.

On 16<sup>th</sup> June 1815 the 91<sup>st</sup> Regiment were at Quatre Bras. Two days later, the regiment was positioned at Hal Road guarding the right flank of Wellington's army at Waterloo. Robert was also present at the subsequent storming of Cambrai and then the capture of Paris. After the war he was deployed to St Helena to guard the defeated Napoleon. He noted that a signal gun was fired whenever Napoleon went outside; a hardly necessary precaution in that lonely spot from which escape was so unlikely. Anderson was appointed Lt Colonel in 1831 and commanded the 91<sup>st</sup> from 2<sup>nd</sup> December 1837 until his retirement in July 1841. It was during his time that Belhaven church was built in 1836/8. Robert died on 30<sup>th</sup> April 1844 and was buried in the burial enclosure in Dunbar. His wife, Charlotte, died in Jersey in 1852 and is also said to be buried here. Two daughters survived: Rachell Wade, who inherited Whitburgh, and Jean Dalrymple.

Winterfield then passed to the next brother, Major David Dalrymple Anderson, baptised on 28<sup>th</sup> Sept 1789 in North Berwick. David served as a cadet in 1804, an ensign in 1806, and then rose to become Assistant Adjutant General of the Sirhind Division of the Bengal Army. He retired in India in 1838 with the rank of Major. David died on 13<sup>th</sup> September 1850 in Manchester, but is also buried in the family plot in Dunbar.

David was succeeded by his next brother William Cochrane Anderson, baptised on 2<sup>nd</sup> May 1791 in North Berwick. He joined the army at an early age and was gazetted as second lieutenant in 1806. He also took part in the ill-fated Walcheren expedition of 1809, and was one of the first to mount the scaling ladders at on 15<sup>th</sup> August. He remained with the expedition which had horrendous losses due to typhoid.

Anderson played a significant part in the Battle of Waterloo as a lieutenant in Major Bolton's Battery. When Wellington ordered six abandoned Belgian guns to be recovered to prevent their capture, Lieutenant Anderson was given the task. He mounted one of the gun teams and the task was accomplished so well that all but one of the guns were recovered. The approaching French prevented the task being completed, but the recovered guns went on to do good service later in the battle. Sir George Wood, commander of the Royal Artillery at the battle, wrote a note of appreciation on the day and gave it to the young officer saying it might be useful some day, which no doubt it was. At a much later stage William sent the note to the Duke of Cambridge when he wanted a favour for one of his sons. Anderson was awarded the Waterloo medal, and he was promoted to the Horse Artillery which had been formed in 1793 to provide effective artillery support to the cavalry. To his irreverent family, Anderson became known as "*Waterloo Willie*".

He could not, at that stage, have expected to inherit the family patrimony and so he pursued a military career. William Anderson spent the postwar years at Woolwich, and although peacetime army promotion was slow he was promoted to captain in 1827 and sent to Canada. Some of his family accompanied him and lived in St Helens on the St Lawrence whilst he was stationed in Montreal. Anderson's career in Canada proved significant: he managed to prevent a war by holding a palaver and smoking a pipe of peace with the five nations of American Indians. He was allowed to sit on their carpet, which no other Paleface sat on until the Duke of Connaught in 1930! The explorer Captain Back named a waterfall on the Lockhart river in the North West territories after him.

Returning to England, Anderson played a significant role in dealing with the Chartists in Manchester. By pointing his guns down Moseley Street he 'persuaded' the Chartists into less threatening behaviour. Anderson was promoted to major in 1841, to lieutenant colonel in 1846, and to full colonel in 1854. He then returned to Woolwich as commander of the field batteries and oversaw those going to the Crimea. Retiring in 1856 with the rank of Major General, Anderson settled in Edgehill, West Dean St, Edinburgh, becoming an active member of Free St Stephen's Church.

Anderson shaved on Saturdays in order to keep the Sabbath. He had practised his religion throughout his military career and had a great concern for his soldiers' moral welfare, and had been an elder in the Presbyterian chapel in the garrison at Woolwich. The trowel with which he laid the foundation stone remained a treasured possession. Anderson had been approached in Chester by Free Kirk fund raisers, possibly because of his connection with Dunbar. He presided over meetings for the Duchess of Gordon at Huntly, and attended the General Assembly of the Free Church. It was suggested that he might go to Waterloo for the fiftieth anniversary of the battle but his health was precarious. He had heart disease and some bouts of pain, but he was out for a drive a few days before his unexpected death on Wednesday 30<sup>th</sup> August 1865, in his 74<sup>th</sup> year.

The Laird of Winterfield's funeral was a grand military affair. After a service at 8.30am, conducted by Reverend Thomson of Free St Stephen's, Anderson's coffin left Edgehill covered with a Union Flag, on a gun carriage pulled by four black horses. The coffin was accompanied by military and civic dignitaries, by officers of the 71<sup>st</sup> Highlanders from Edinburgh Castle and the 4<sup>th</sup> Hussars from Piershill, and by a hundred soldiers and officers of the Royal Artillery from Leith Fort. The procession passed the Ormond Hospital in which he had taken an interest, where the boys lined the wall. The cortege proceeded along Princes Street to Waverley Station, from whence it proceeded by train to Dunbar. A

family account records this as a special train, but the Haddingtonshire Courier says it was the 10.15 to Dunbar. On arrival, the coffin was removed quietly to the churchyard. Prayers were offered by the Reverend Thomson and the body interred in the family plot. The gunners and others presumably fell out after the train left Edinburgh. You could open a special window to put a coffin on a train until around 1960.

Relatives present were the Major General's sons, Colonel J R Anderson CB, Captain D D Anderson, Captain James Anderson, and Mr Harry Anderson. Although he was David's youngest and only non-military son, Harry acted as chief mourner. Perhaps he was representing his mother. Sons-in-law Edward Philips and Robert Williamson were also in attendance, as were three grandsons.

Unlike his siblings, William Anderson had a large family with 10 grandchildren at the time of his death. He had married Christian Gibson in 1820 (she died in 1883). He left a very complicated will which provided for the winding up of his wife's property as well as his own (the Married Womens' Property Act did not come into force until 1870). A document was drawn up which had regard to their marriage settlement. Christian was the heiress of George Gibson of Harehope and Borland near Peebles and was clearly a wealthy woman. The will made no large bequest to their eldest son because he was well provided for, but they were able to leave substantial sums to their other children.

The military tradition continued into the next generation too. William was succeeded at Winterfield by his eldest son John Richard Anderson CB, a colonel in the Royal Artillery. He was born at Woolwich in September 1821 and was commissioned in December 1840; in 1842 he took part in the China War. He was present at the principal engagements of the Crimean War and was awarded the Medidjie Order. In the Indian Mutiny he was present at the Siege of Lucknow. John Richard became a substantive colonel in 1869 and retired on full pay in the honorary rank of Major General on 15<sup>th</sup> March 1871.

John Richard had married Rachel Wade Anderson, his first cousin, who had inherited Whitburgh from the John Anderson of Whitburgh who died in 1846. When he died in 1796, Robert Anderson of Whitburgh (of Battle of Prestonpans fame) had decreed that if there was failure in the Whitburgh male line then the estate should pass to the heirs of Winterfield. John Richard had a large family and by an undertaking made with his father he was able to sell off his estates, by which he had to some extent rationalised the estate. Property was feued between 1866 and 1868, including the land on which the author's house 'Pilgrim's Way' stands, and the other cottages and small school which



bear the date 1867. 'Pilgrim's Way' was for the schoolmaster. From the title deed for the neighbouring property Elm Bank, issued in 1873, we find that William Cochrane Anderson had acquired this land from Sir John Warrender, Baronet of Lochend in 1854. This was confirmed in a feu charter granted by J R Anderson in 1868.

With the agreement of his executors and trustees, after 1869, John Richard sold the bulk of the Winterfield estate to William Rennie; Whitburgh was sold in 1876. His will is another complicated document and includes his marriage settlement with his cousin Rachel Wade Anderson, who had predeceased him. It provided for the division of both Whitburgh and Winterfield between their ten children. His brother James W Hamilton Pringle Anderson was one of his trustees.

The military tradition continued further with William Cochrane Anderson's other sons. George Gibson Anderson, second son, was born on 1822 at Eddlestone, Peebles. He served in the Bengal Infantry and was promoted to colonel in 1878, major general 1881, and full general in 1889. He inherited Edgehill from his parents and died in 1895.

Robert Erskine Anderson (born in Quebec in 1829 and baptised at Eddlestone, Peebles) was commissioned as ensign 1847, and headed to Calcutta to join the 3<sup>rd</sup> Bengal Europeans. He marched to the Punjab in 1848 and fought in the Battle of Chillianwallah before being sent home due to ill health. Returning to India in 1853, Robert rejoined his regiment at Agra as the Mutiny broke out. Attacked by spears in his carriage, he survived but lost his possessions and was reduced to penury and forced to live as highwayman in the hills. Robert was awarded a medal for his bravery in the Mutiny: he was present at Cawnpore (Kanpur) and saw the results of the massacre. He married Emma Douglas of Cavers near Hawick, and returned to India in 1860. In 1862 he applied for leave in Europe and applied to join the Gentlemen at Arms, but after the death of his wife he gave up hope of any more service and lived in Edinburgh, Woolwich and finally in Devon. There he died in 1903.

William Christian Anderson, born 1827 at Eddlestone, died young.

David Dalymple Anderson, born 1833 in Quebec, also served in India at the time of the Mutiny and died there in 1868.

William Christian Anderson, born 1831, married Wilhelmina Gordon in 1856. He served in the Royal Engineers and died of wounds he suffered in the Crimea.

Janet Anderson, born around 1826, married Edward Philips.

Cecilia, born 1837, married Robert Williamson in Edinburgh.

James Hamilton Pringle Anderson, born 1837 and baptised at Eddleston, served in the Royal Artillery and was promoted to general in 1889. He died in 1895.

Henry Inglis Anderson (1845) was baptised at Eddlesthone.

George Robert and David were trained as cadets at Addiscombe for the East India Company and were known by the family as “the Addiscombe boys”.

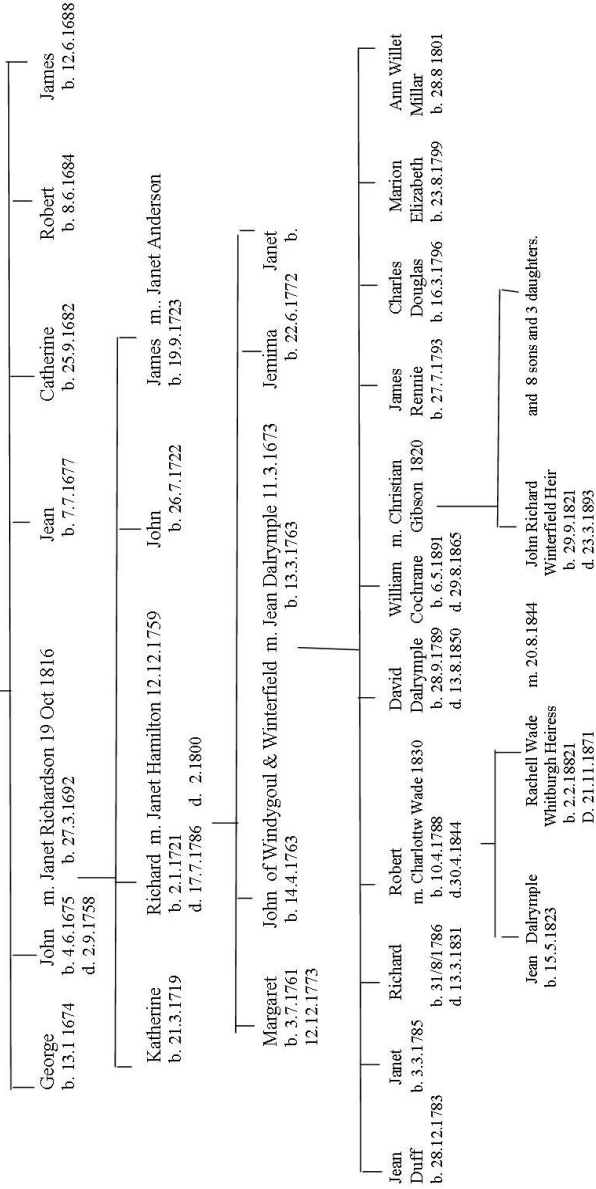
In the 1861 census Winterfield was occupied by Lieutenant George Tayler of the Royal Navy with his wife, a niece and three servants. John Richard Anderson was therefore the last Anderson to be laird of Winterfield after a tenure of nearly two hundred years. The house was a base perhaps rather than a home, as it passed from brother to brother. They tended to live at Eddleston and Edgehill in Edinburgh. They would have performed their responsibilities as heritors and the land would have provided some income. The Anderson family continued into the twentieth century. A number of descendants sent good wishes to the Commemoration service, although none of them still bore the name Anderson.

Winterfield House has been known as Belhaven Hill House since 1901. It was bought by Major Peter Marrow, who extended it and changed its name. His son was a casualty in the Great War and after his mother’s death in 1920 the house was sold. It opened as Belhaven Hill School in 1923. The name Winterfield House is now the designation of the farmhouse, formerly Winterfield Mains, in Shore Road. It was built in 1793 and then extended in 1870 after John Richard’s sale of the estate to William Rennie.

# Anderson of Winterfield

George Anderson of Nether Brotherstone

John Anderson of Windygoul m. Catherine Pringall Nov 1761



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## **SIR ROBERT HEPBURN, ADVOCATE, AND THE HEPBURNS OF KEITH MARISCHAL**

**By David Affleck**

In 1944 the Scottish Record Society published the list of members of *The Faculty of Advocates in Scotland 1532-1943*, edited by Sir Frances Grant, Lord Lyon. It included an entry for a Sir Robert Hepburn which referred to him as Robert Hepburn of Prentonan, gave his father as Adam Hepburn of Bonhard and his wife was a Libra Spence, and stated he was admitted as an advocate in 1630.

On 7<sup>th</sup> January 1899, Reverend Alexander Thomson Grant, rector of the Episcopal church at Leven, finished a detailed investigation on the identity of a Robert Keith admitted as an Advocate in 1630.<sup>1</sup> Grant's stated aim was to establish Keith's parentage, although he left no explanation in his papers as to why he undertook this major research. His conclusion, along with detailed notes on sources, was deposited in the National Records of Scotland (RH15/205/6). They include his assessment of two other Robert Hepburns, one being Sheriff Clerk of Berwickshire and the other the third son of Patrick Hepburn of Smeaton. He was ruled out as there was an entry in the Protocol book of Edinburgh Council stating he died in 1646 and his older brother Frances was served heir. The identity of Robert Hepburn, Advocate, has continued to be linked by some family researchers to the Hepburns of Smeaton line without any apparent knowledge of this finding by Rev Grant. It is also still believed in Australia that the Hepburns of Keith were descended from the Hepburns of Smeaton; it is part of their folklore.

Rev Grant eventually concentrated on Robert Hepburn, Advocate, using as his main source an entry for 8<sup>th</sup> December 1630 in the *Book of Sederunt for Lords of Council and Session*, Vol V, folio 37. As mentioned previously, another entry in folio 49 added that Robert was son to Adam Hepburn of Bonhard. The entry in Grant (1944), refers to him as Robert Hepburn of Prentonan. A place name search reveals that there is a place with a similar name in the parish of Fogo in Berwickshire. There is also a sasine for 29<sup>th</sup> September 1632 for the shire of Berwick and a charter of 3<sup>rd</sup> December 1633 referring to Robert Hepburn and the consent of his spouse Libra Spence, as well as birth record for a daughter Beatrice in the Edinburgh register for 20<sup>th</sup> April 1633. A sasine of 29<sup>th</sup> June 1645 by James, Earl of Home refers to a Robert Hepburn, sheriff clerk of Berwick. It is the published extract of Roll of Advocates that links Robert, son of Adam to the estate of Prentonan and Libra Spence, probably

because of the editor's desire to include genealogy notes. By the time the Scottish Record Society published their book, the Rev Grant had died.

Keith Marischal is an estate near Humbie in East Lothian. There was a separate branch of Hepburns at Humbie in the seventeenth century, descended from the Hepburns of Smeaton. The author's interest in the lineage of this Sir Robert Hepburn emerged during his preparation for the exhibition *The Last of the Hepburns of Smeaton*, held at the John Gray Centre in Haddington in December 2019. Was he descended from the Smeaton line?

### **The Ownership of Keith Marischal in the 17<sup>th</sup> Century**

*The Hepburn Chronicle*, a publication by Australian Ross Hepburn and available as a compact disk, contains a number of accounts based on a belief that Sir Robert Hepburn of Keith, a descendant of the Hepburns of Smeaton who died in 1683, had bought the estate of Keith Marischal from the Keith family, had died unmarried, and then left the estate to his cousin Jean Ireland of Millborn. Her grandson, Robert Congalton, had then inherited the estate provided he adopted the name of Hepburn, becoming Robert Congalton Hepburn of Keith Marischal. But there are other accounts that suggest Keith Marischal and the adjacent lands of Peaston were acquired by Lady Margaret Hamilton, widow of John Hope of Hopetoun, in 1696. Keith Marischal was recently sold with the story that it had belonged to the Hopes of Hopetoun from that year.

Recent investigations into the events in the seventeenth century have since helped us to understand the history of this site (Kerr-Peterson, 2020). There is general consensus that in December 1642 the estate of Keith Marischal was sold to a Robert Hepburn by the Keith family, Earl Marischals of Scotland, for 66,000 merks (£43,000) with a Deed of Reversion which allowed the lands to be redeemed by the Earl Marischal for the same price. This was originally to be suspended for nine years, but the Keith family rescinded that option before then. But who was the Robert Hepburn who purchased the estate as described?

The assiduous Rev Grant pressed on with his detailed analyses. He researched the charters relating to the lands of Scone Priory and noted that an Adam Hepburn of Bonhard was descended from Patrick Hepburn, Bishop of Moray, and had been legitimated on the 4<sup>th</sup> October 1545; an Adam Hepburn, younger, eldest son of Adam of Bonhard had then been a party to a Contract of Wadset in 1597. Having identified Robert the Advocate's father, Grant was able to locate a Deed of Renunciation registered in 1632 that disclosed the second

marriage of a Christian Chalmers to Adam Hepburn of Bonhard. This provided the parents of Robert Hepburn, Advocate.

Grant then noted that in 1661 Robert Hepburn was knighted, holding a number of public offices including Commissioner for Supply for Haddingtonshire. A Robert Hepburn, Advocate was described as husband to an Isobel Foulis in May 1638, and Grant was able to show he had been a witness to the baptisms of four children of George Foulis and his wife Janet Bannatyne, as well as the baptism of the second daughter of Sir John Foulis and Margaret Primrose. Australian sources have claimed that he was unmarried but there is a testament confirmed on 19<sup>th</sup> February 1655 for an Isabell Foulis, spouse to Robert Hepburn of Keith Marischal. She had died a month earlier and there were no children. Robert then married Jean Cockburn of Ormiston, daughter of Sir George Cockburn, on 5<sup>th</sup> June 1665; again there were no children. After looking for other records relating to this Robert and comparing handwriting and signatures which he submitted for a second opinion, the Rev Grant wrote:

*The result of the examination of these papers is that the moral certainty of the identity of Sir Robert Hepburn Advocate, is very greatly strengthened. It is evident that while still a young man he had become eminent and very well off. I conjecture that he was not desirous of advertising or emphasising his descent from the Bishop of Moray; - in no single document out of many scores examined have I found him designated other than an Advocate and after he reached man's state he is never designated son of Adam of Bonhard except in the Roll of Advocate. These facts added together are quite sufficient to warrant me in assuming that his parentage is established.*

Sir Robert died in June 1683. His widow, Jean Cockburn, sought help from her family and the Earl of Findlater to gain access to his charter box in the belief that, several years before his death, Sir Robert had settled his estate on his grandnephew, Robert Congalton. Her claim was heard by the Privy Council on 27<sup>th</sup> July 1683 but the record shows access was denied on legal grounds.<sup>2</sup> Robert the grandnephew consequently succeeded to the estate of Keith. There were eight conditions which included:

- The liferent to him and to his widow were reserved
- Power to alter the disposition was reserved
- Power to sell or burden his lands was reserved
- His successor was to pay his debts and realise credits, and to adhere to the Protestant faith under pain of forfeiture
- He was to assume the name and arms of Hepburn of Keith under pain of forfeiture.



There is a separate reference to a condition that on his death his heir was to marry one Jean Cockburn or to lose the estate. The heir objected, lost, and had to pay her compensation.

There was an intention to pay 6,000 merks a year to his widow out of the anticipated 14,000 merk value, but the estate had substantial debts. The lands of Peaston had already been granted to the Earl of Hopetoun as security for debts, but there was land at Blackhouse which the Hopes were trying to buy from him, and which had a disposition of guarantee to the Hopes while they raised the sum of £7,495 Scots. The land was subsequently sold to the Hopes. Forty years later, an attempt was made by a James Rickard Hepburn to annul the sale effected by his father as heir to Sir Robert, on the grounds that the holders of Keith were disabled by Sir Robert's settlement from burdening the estate and could not sell any part of it. The case went against him.

The identity of Sir Robert Hepburn and his ownership of Keith Marischal was now certain, although the addition to the entry in the Roll of Advocates by Sir Frances Grant remains. But what about the succession and the question of Hepburn ownership?

### **Robert Congalton Hepburn**

Robert Congalton, a member of the significant Congalton of Congalton family, complied with the requirement to assume the name of Hepburn. He acquired ownership of Keith Marischal, borrowed money with the estate as surety, and married the lady of his choice, Anne Murray. In the National Library of Scotland, there is a manuscript account of Dr Sinclair of Herdmanston and others being commissioned by the Marquis of Tweeddale in October 1715 (at the height of the Jacobite Rising) to 'bind Robert Hepburn of Keith to keep the peace or bring him to Haddington and to seize horses and Arms in and around Keith':

*Hepburn of Keith with his two brothers, two sons and three servants came out of the Inner Gate, well mounted on horseback and well accoutred, and shot and wounded a servant. A fire-fight ensued in which the seventeen-year old son of Robert was killed.*

(NLS MS.487, f. 75).

The report also refers to the Gate of the Outer Court, which does not feature in the current house because of later improvements. It was submitted by a William McPhail, schoolmaster at Nether Keith, because of 'the Scandalous

and Malicious Misrepresentation of the action at Keith being industriously spread abroad to defame Dr Sinclair of Herdmanston.’

After the incident at Keith, Robert Congalton Hepburn was captured at the Battle of Preston in 1715. He is listed as a prisoner and described as Robert Hepburn, son to Keith, along with an Alexander Congalton (merchant) and a Frances Congalton (surgeon) and Sir William Congalton of that ilk. He was then imprisoned in Newgate in London, but managed to escape to the continent. He later returned home and resumed family life against the background of court action over his failure to repay loans. In 1713 he had borrowed two thousand merks from an Alexander Wilson, brewer and burghess of Edinburgh, which led to a petition for repayment in 1717 (NAS E605/32). Lord Milton, a Fletcher of neighbouring Saltoun, was a member of the newly appointed Commission of Forfeited Estates and would have been aware of the option to leave the Hepburns to resolve their financial affairs rather than the problem being passed to the Commission. Robert Congalton Hepburn died in January 1730. His eldest son James would play an important part in the later Jacobite Rising of 1745. The house remained in Hepburn ownership until about 1790, when the house and part of the estate was acquired by the Hopes of Hopetoun. Fletcher of Saltoun also acquired part of the estate at that same time.

## APPENDIX

There is a Hepburn of Smeaton connection to some members of the Hepburn network in Australia, as illustrated by this comment on a sabre said to belong to a Captain Robert William Hepburn (1782-1866). He had made his home in Australia in 1828.

*The sabre sword contains as one of its 6 decorations the Hepburn motto “Keep Trust” above a bridled horse tethered under a Yew tree. This exactly matches the Hepburn of Smeaton Arms as represented by Nisbet in 1816. This is more than mere speculation and clearly supports the connection from the Hepburn’s of Waughton to Smeaton, Alderston and Keith.*

In addition, it is recorded that there are two entries in Captain Robert Hepburn’s Psalter.

A reference to the marriage of Robert Hepburn to Jean Cockburne in Humber on 5 June 1655.

They had at least two sons. Robert of Keith and the Rev William of Fowlis Wester.

Their genealogy debate clearly continues. Perhaps the clue is that there were two Keith's in the Parish of Humbie, Keith Marischal and Upper Keith with links to the Hepburns of Humbie and through them to the Hepburns of Smeaton.

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## THE NEW MILLS CLOTH MANUFACTORY

By Eric Glendinning



*The Amisfield cascade, looking towards the New Mills site.*

For a time, Haddington was home to the largest textile concern in Scotland. Scotland in the late 17<sup>th</sup> century was a much poorer country than England. The 1681 *Act for Encouraging Trade and Manufacture* was an attempt to improve the Scottish economy. New enterprises were encouraged by preventing foreign imports and removing duties on exports. In this context the New Mills Cloth Manufactory was set up on the south side of the river Tyne, near the present cascade in what is now Haddington's golf course at Amisfield. 'New Mills' refers to the two corn mills built there by Patrick Hepburn prior to 1600. This land, and an earlier waulk (fulling) mill, had belonged to the Abbey of St Mary. The Hepburns had acquired the abbey itself and substantial monastic holdings after the Reformation, and it is possible that the corn mills were constructed from the stones of the demolished abbey. A village grew up at New Mills and a cloth-making enterprise had operated on the site from about 1649.

Sir James Stanfield, burgess of Edinburgh and one-time MP for Haddington, purchased Amisfield in 1672. He promoted the company and served as one of its directors, leasing the buildings and land to the company. Together with the dyehouse and other buildings, the tack of 1681 included '*that great manufactory stone house on the south side of the village of Newmylnes being one hundredth and one foot in length, twentie-one foot in breadth ...and three storie high*' (Scott, 1905: 158). The story of Stanfield's 'murder' is better known than the history of the cloth-making enterprise. This account is an attempt to redress the balance. A summary of the Stanfield affair is appended.

The *Minutes of the Managers' Meetings*, held in Edinburgh, were transcribed and edited by W R Scott. Published in 1905 by the Scottish History Society, they have been digitised by the National Library of Scotland and are available online. The surviving minutes cover the period from the company's foundation in 1681 to 1691 and from 1701 to 1703; the other years' minutes are lost. Through these documents we discover details about the workforce, the products, the materials used, and the vicissitudes of trading at a time of upheaval which included the 1688 Revolution and the failure of the Darien Scheme.

### **The workforce**

The company's prospectus envisaged a workforce of 233. An attempt was made to recruit some local labour. An announcement at the Cross of Haddington on fair day (September 24<sup>th</sup>) 1681 appealed for '*honest ingenious men for prentices*' (Scott: 7). However, it was clear from the outset that specialist labour would also have to be recruited from England, mainly from the cloth-making areas of Yorkshire, alongside Dutch and French workers too. Incentives were paid to attract the right skills. The range of workers required to turn fleece into yarn and yarn into cloth of a colour and texture to appeal to buyers included: fullers, dyers, spinners, bobbin winders, scribblers (carders), weavers, and shearers (who dressed the cloth). In addition to spinning, women were required for '*dighting and picking the wool*' (cleaning it prior to spinning). The company had its own piper, who was paid 20 merks annually although his duties are not specified. According to Scott, at its peak New Mills employed seven hundred people, although he does not cite a source for this figure (Scott: lxxv).

The concern was unlike any factory today. Apart from the waulk mills (fulling mills), which were powered by the Tyne, everything had to be done by hand. The company owned the looms and spinning wheels, and the weavers and spinners paid rent for their use as well as for their accommodation. The loom-rent for stocking weavers was 5 groats a week. Weavers were paid piece rates which differed according to the quality of the cloth: 15d Scots per ell for the finest and 5d Scots for the coarse. Spinners were provided with wool and paid for the yarn produced, with a return of yarn required in a fixed proportion to the wool. Some skilled workers employed their own '*covenant servants*', not always paid punctually. A 'master' (manager) had overall charge and lived on site. David Maxwell held this post. In turn he was overseen by the 'managers' (Board of Directors) in Edinburgh, who occasionally visited. Not all the workers were on site: eight or nine dwellings were constructed for spinners at

Morham, where Stanfield had a residence, and other sites for spinners, including Bolton, were scouted within a 5-6mile radius of New Mills.

Child labour was also used, both girls and boys. Boys were required for '*mixing and swinging*' the wool. A '*master of the boyes*' was employed, presumably to keep them in order. Some girls and boys were trained to spin in the '*Hollande fashion*'. The minutes record disputes between workers as well as cases of theft of wool and yarn, '*embezzlement*'. Discipline was severe: in 1682 two workers, Evelling and Nicholes, were banished for debauching the workforce. The Provost of Haddington and the Nungate bailey were asked to ensure they did not take refuge there. A stable was converted to a prison where malefactors could be held until the next fair day in Haddington when they were compelled to stand at the Cross wearing a paper describing with their crimes '*in great letters*'. Runaway workers who broke contract to seek employment with rivals were brought back '*to be a terror to others*' (Scott: 264). But there were also acts of kindness: rent was not charged for Alexander Smith, as he was '*long sick of ane fever and is most miserable but a very honest servant*' (Scott: 96).

## Products

The company produced cloth in four grades according to the wool used: Spanish (merino) made the finest cloth; followed by Spanish/English half-and-half; all English; and Galloway. In addition to broadcloth the company produced stockings, including women's silk stockings '*dyed to the current fashion*', for example *masarein* (deep rich blue), gold, green, and cherry. Striped hosen and silk gloves were also produced. The Edinburgh managers, largely merchants, had first call on purchasing the output. Any balance remaining was put to rroup in the city.

Bulk contracts, especially for cloth for soldiers' uniforms, were particularly sought. Scott quotes an order from the Privy Council that uniforms should be made '*to distinguish sojers from other skulking and vagrant persons*' (Scott: lxiv). Not all military customers were satisfied with the quality of the cloth provided. Lord Balcarres complained about the cloaks provided for his troop and refused to accept them. One way to avoid such an outcome was to offer sweeteners to the purchasing officer. A Major Balfour received a number of gifts – 2 ells of red cloth, a beaver hat with hat band and fringe gloves, 4 or 5 coats – '*that he may favour the companie in receiving the cloaths and not casting them*' (Scott: 81), and '*in respect he has promised to be the manufactory friend in getting Marr's Regiment cloaths to furnish*' (Scott: 102). This proved a successful strategy, as in 1686 that regiment purchased 840 suits at 20s Scots each. Amongst the company's military clients for red cloth were

John Graham of Claverhouse (known variously as either “Bluidy Clavers” or “Bonnie Dundee”), and Lt-General Douglas. The latter is named on the grave marker of the Covenanter John Hunter as the commander of the dragoons who pursued and killed him in the Tweedsmuir Hills.

### **Raw materials**

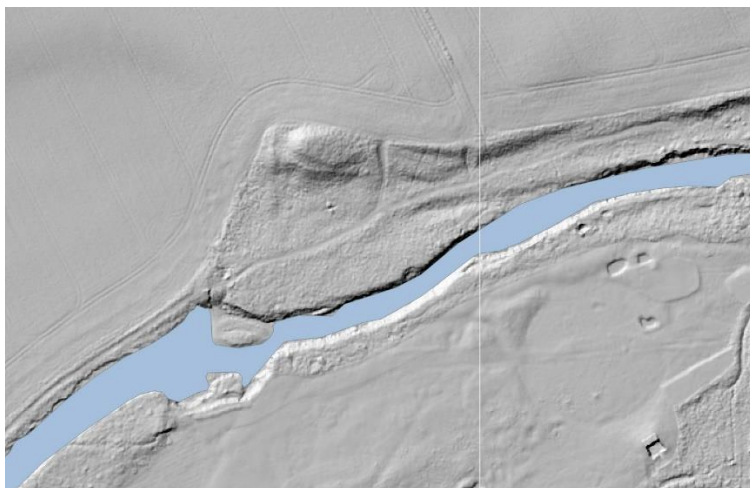
Spanish wool, from Segovia, was bought in Holland; Scottish wool in Wigton and Kelso. Silk yarn came from London and soap from Edinburgh. Hogsheads of olive oil, Italian (*Gallipoli*) and Spanish (*civill*), were used to treat washed wool prior to spinning and were also imported from Holland. Dyeing required great skill and a host of ingredients: potash (to make the lye to ensure yarn was receptive to dye); alum and *coppertas* (ferrous sulphate) as mordants to fix the dye; *argall* (orchill lichen for violet), *tesselo* (perhaps tussilago – coltsfoot – for yellow/green), madder and cochineal (for reds, especially for soldiers’ uniforms), and Jamaican indigo. The dye master bought his own supplies, largely from Holland and London, then claimed his costs from the company. Closer to home, Darwin (1996: 38) states that madder was once grown near Aberlady for Haddington dyers, but no date is given.

### **Trade**

By 1684 the measures to prevent foreign imports were widely flouted, with cheaper and often higher quality English cloth coming in. Even investors in the company were involved in the trade: John Baillie, an Edinburgh stockholder in the company, was found to have imported English cloth valued at £400 sterling. The cloth was seized and burnt by the hangman and Baillie’s ‘*part in the Scots manufactory forfeited*’ (Scott: 91). The company was soon facing difficulties. The master was instructed to encourage weavers to purchase their looms, with payment deducted over time from their piece rates. Sir William Patterson (founder of the Bank of England and a key promoter of the Darien scheme) was given 6 dollars in 1686 to promote a new act in Council to prohibit imports, but this too was weakly implemented.

Domestic competition also grew and by 1700 there were large manufactories in Musselburgh and Glasgow. The minutes for 1701 record that the company took steps to protect its favoured status. A cargo of wool bound for export was seized at Bo’ness. A Captain Charters was reported to the authorities for bringing home ‘*cloath stockings and other forraigne woollen manufacture*’ (Scott: 225). The manager was ordered to raid William Ray’s shop in Haddington and to search for imported goods, ‘*particularly womens black*

*cloathes*'. Scott reports tensions between woolmasters, landowners keen to export wool, and the manufacturers who wanted cheap raw materials. A compromise in 1704 banned cloth imports but allowed wool exports, a decision which largely favoured the woolmasters. Following the Act of Union of 1707, the company could not compete with the imports of cheaper English cloth. They had purchased the land and buildings from Stanfield's estate in 1695, but in 1713 land, buildings, machinery and stock were all sold. In 1726, Colonel Francis Charteris purchased the site for his new estate of Amisfield.



*Lidar image of the Tyne at the Amisfield cascade, showing what may be the New Mills site on the south bank opposite the gun platform on the north.  
Courtesy of David Connolly, BAJR.*

### **What remains?**

The present cascade is most likely on the same site and at its core may be the cauld which served Hepburn's corn mills. Stonework supporting the bank on the south side of the Tyne may relate to these, or could be later reinforcements from when the park was laid out. Humps and bumps adjacent to the cauld may be signs of the dyeworks, the stable-cum-prison, waulk mills, pits (5' 6" deep) for the '*brew fatts*' (dye vats), warehouse, yard or workers' accommodation which once occupied this area. The golf course pond may once have served the mills when the Tyne was low. Much was swept away when Charteris laid out his park and Amisfield House was built, but below the greens and fairways



there may still be signs of this great enterprise which employed more workers than any Haddington business today, and which produced silk stockings for fashionable Edinburgh society and cloth for the uniforms of the Edinburgh, Stirling and Bass Rock garrisons. It is a site well meriting an archaeological survey.

### **Appendix: the Stanfield affair**

Sir James Stanfield is mentioned in the New Mills Records as one of the first group of 'Managers' as well as landlord of the company. The only mention of his son is the gift of a suit length in 1685, '*for the desire of Sir James Stansfield Lady allowed George Home to give her als much cloath as be her sonne Philip ane suit of cloaths about threitein shillings pryce*' (Scott: 108). There is no reference to the death of Sir James in 1687, although a later entry, for May 1688, orders payment to James Kells for his expenses occasioned by coming to Edinburgh '*upon Sir James Standfield's death.*'

For an account of the trial and execution of Philip Stanfield for the alleged murder of his father, we turn to the diary of Sir John Lauder of Fountainhall (1646-1722 or 1724), an eminent judge of the Court of Session. The diary was edited for publication by Sir Walter Scott who found that much had been added by a fellow lawyer, 'Mr Milne', to the extent that it was not possible to separate the contributions of the two authors. Scott also added his own comments and additional material from contemporary sources in a series of lengthy footnotes, one of which relates to the affair.

Sir James Stanfield was found drowned in the Tyne in 1687. He suffered from '*hypochondria*' and his death was initially thought to be suicide. When the body was examined however, there were signs he may have been strangled. His son Philip fell under suspicion, and was made to touch the wounds on his father's neck. This was a form of trial dating from the middle ages, known as cruentation. When he touched them, the wounds bled. Although Philip denied the accusation, this was taken as a sign that God had judged him to be guilty. There was also circumstantial evidence: Philip had led a dissolute life and had financial difficulties. He had been cut out of his father's will and been heard to curse him. Rumour added that he and his mother had even bought mourning clothes prior to the murder.

Scott notes that in his own time none of this would justify a charge of parricide, but this is pre-Enlightenment Scotland and Fountainhall's diary for the period has accounts of judicial torture to extract confessions. The treatment of William Spence, chamberlain to the Duke of Argyle who had led an unsuccessful

rebellion in 1685, illustrates the extent and variety of methods used at the time. To extract the code to the Duke's secret correspondence, Spence was tortured first 'by boots' and when that failed he was 'put in General Dalyell's hands; and it was reported that by hair shir and pricking (as the witches are used), he was five nights kept frae sleep, till turned half-distracted' (Scott, 1822: 95). When that too failed, he was tortured with 'thumbikins... a new invention...from Muskovy.' He gave up the code only when threatened with the boots again: cruelty and credulity went hand-in-hand. Although the peak period for witch trials was over, in 1688 a Dunbar woman was condemned for witchcraft and trials continued into the early eighteenth century (Scott: 260).

Stanfield's servants were tortured for evidence and Philip was found guilty. His execution was botched. The scaffold collapsed and he had to be strangled by the hangman. His contemporaries considered this a fitting end for one who had so dealt with his father.

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## PLANTING OF DISSENER MEETING HOUSES IN EAST LOTHIAN

By David Dutton

During the eighteenth century the church in East Lothian became more diverse. In part this was a consequence of changes that applied throughout the Lowlands. In 1712 the House of Commons, dominated by high church Tories, passed two pieces of legislation which had a significant impact on the Scottish church. The Patronage Act reintroduced lay patronage, which had been abolished in 1690 as part of the Revolutionary Settlement (Drummond & Bulloch, 1973: 18); and the Toleration Act allowed Episcopalians, who were prepared to pray for the monarch and use the Book of Common Prayer, to worship in their own meeting-houses (Drummond & Bulloch, 1973: 18). The eighteenth century also saw the emergence of theological differences within the Church of Scotland. While evangelicals, like Thomas Boston of Ettrick, stressed the importance of a personal relationship with God (Lachman, 1993: 88-89), moderates, like Francis Hutcheson, Professor of Moral Philosophy at Glasgow, espoused Enlightenment ideas (Sefton, 1993: 418-9).

This article will show that there were two strands to the planting of dissenter meeting houses in East Lothian; that their growth was not the product of a single movement but arose from developments within individual parishes; that, in three burghs, dissenter meeting-houses were in competition with one another; and that the planting of new congregations was made possible by the emergence of a new 'middle class'. It will refer to two main sources: William Mackelvie's *The Annals and Statistics of the United Presbyterian Church* (1873) and Robert Small's *History of the Congregations of the United Presbyterian Church from 1733 to 1900* (1904). The former was still in manuscript form when Mackelvie died in 1860 and was prepared for publication by a committee appointed by the Synod of the United Presbyterian Church and, to that extent, bears the imprimatur of the denomination.

A generation later, Small took on the task of revising Mackelvie's work. His aim was to provide an account of every United Presbyterian congregation in Scotland up to the formation of the United Free Church in 1900. While Small acknowledges his debt to Mackelvie, he adds 'in his country manse [he] had slender means of sifting the information that came to him from local sources' and that 'inaccuracies were inevitable' (Small, 1904: viii). While in most instances this does not pose a problem when tracing the origins of dissenter meeting-houses in East Lothian, Small differs from Mackelvie in his account of the founding of the Relief Church in Haddington and, to a lesser degree, in

his account of the founding of the Burgher congregation in East Linton. When referring to ministers and congregations in the Church of Scotland, this article cites Hew Scott's *Fasti Ecclesiae Scoticanae: the Succession of Ministers in the Church of Scotland from the Reformation*, Volume 1.

### **Non-Presbyterian Meeting-houses**

The first strand in the diversity in the church in East Lothian was the planting of non-Presbyterian meeting-houses. In 1714 Episcopalians in Haddington no longer felt comfortable worshipping in St Mary's Parish Church and John Gray, who came from the town and had been deposed as minister at Aberlady for refusing to pray for William and Mary, began to officiate in a 'humble' Episcopalian meeting-house in Poldrate (Miller, 1844: 468). To avoid the Penal Laws which were introduced following the 1745 Jacobite rising, the Episcopalian community made use of the 1712 Toleration Act, turning their meeting-house into a 'qualified chapel', and used the Book of Common Prayer. As a result it came to be regarded as an English enclave and in 1767 was described as the 'chapel of the English congregation'. In 1770, the congregation opened a new chapel on the site of the former Franciscan Friary which was given the name 'Holy Trinity' (Fraser-Tyler, 1970: 8). Francis Wemyss Charteris of Amisfield contributed around half of the cost of just over £800. In the same year the Wesleyan Methodist Society in Dunbar, which had been formed in 1755 after visits to the town by John Wesley, opened a chapel in Victoria Street. In 1798 an Independent meeting-house was opened in Fisherrow, and in 1802 Robert Haldane, who had sold the family estate outside Stirling to finance the opening of preaching centres throughout Scotland, purchased the former Relief Church off Court Street in Haddington and formed an Independent congregation (McNaughton, 1993: 404).

In a rather condescending observation, Forbes-Gray says Episcopalianism had 'a precarious foothold' in Haddington and Methodism 'like Independency, was an exotic plant in East Lothian' (1944: 65). However, while non-Presbyterian meeting-houses may have had a limited impact on the church in East Lothian, their survival rate was impressive. Holy Trinity Scottish Episcopal Church in Haddington and the Congregational Church in Musselburgh are still in existence. While the Methodist Society in Haddington lasted only a generation and initially the Methodist Society in Dunbar struggled with debt, the latter survived as a separate entity until 2015 when it joined with St Anne's Scottish Episcopal Church. And the Independent congregation in Haddington endured a breach in the Tabernacle movement over the issue of baptising infants and continued for most of the nineteenth century (McNaughton, 1993: 404). In the same period, Presbyterian meeting-houses in East Lothian suffered significant attrition.

## **Presbyterian Meeting-houses**

The second strand in the diversification of the church in East Lothian was the result of the tendency of Presbyterians in Scotland to divide and divide again. In 1733 Ebenezer Erskine and three others seceded from the Church of Scotland in protest at patronage and what they saw as a decline in doctrine and discipline (Cameron, 1993: 42). In 1747 the General Associate (Antiburgher) Synod broke away from the Associate (Burgher) Synod over the propriety of taking the 'burgher oath', which required the holder of a public office to uphold 'the true religion professed in this realm, and authorised by the laws thereof' (Mackelvie, 1873: 18). In 1761 Thomas Gillespie and two other ministers formed the Presbytery of Relief to support those who had had a minister imposed on their parish (Cameron, 1993: 110). And in 1806 the Constitutional Associate Presbytery broke away from the General Associate (Antiburgher) Synod over its decision to espouse the 'Voluntary Principle' (Cameron, 1993: 22).

The main factors in planting Presbyterian dissenter meeting-houses in East Lothian were the willingness of praying societies to secede from the established church, disputed presentations of ministers to parish churches, internal disagreements within the Secession Church, and dislike of a parish minister. Despite the doctrinal disputes that arose in the Church of Scotland in the 1720s and 30s, only one congregation in East Lothian arose out of religious controversy. In 1800 there were four Presbyterian denominations in East Lothian: the Church of Scotland, the Associate (Burgher) Synod, the General Associate (Antiburgher) Synod, and the Relief Church.

## **'Marrow' Controversy**

The origins of the Secession of 1733 can be traced to a controversy over a rather obscure book entitled *The Marrow of Modern Divinity* (Cameron, 1993: 36-9). It was the work of an English Presbyterian, Edward Fisher, and had been published around 1645. In 1718 it was reprinted in Scotland, with a preface by James Hog of Carnock, and became popular among evangelicals. However, in 1720 the General Assembly condemned passages in the book which it judged to be Antinomian, and in 1722 rebuked twelve ministers who had remonstrated against the condemnation. John Williamson, minister at Inveresk, was one of the so called 'Marrow Men' and a number of his parishioners formed an association to pray for him and the triumph of his evangelical principles

(Mackelvie, 1873: 234). Although Williamson did not join the Associate Presbytery, he remained a critic of the predominant party in the General Assembly, and it is possible that his stance encouraged members of the association to adhere to the 1733 Secession (Scott, 1917: 326). In 1737 the association joined with praying societies in Midlothian and were recognised as a congregation in connection with the Associate Presbytery (Mackelvie, 1873: 234). Initially it met in the settlement of Easthouses, in the parish of Newbattle. However, in 1742 it moved into Dalkeith. This prompted members of the association to petition the Associated Presbytery to be allowed to disjoin from the Dalkeith congregation and join with praying societies in Fisherrow and Musselburgh to form a new congregation. However, possibly because of a shortage of ministers, the Presbytery refused. In 1765 the association and the praying societies in Fisherrow and Musselburgh petitioned the Associate (Burgher) Presbytery of Edinburgh and were turned down. However, the Synod was more sympathetic and established a procedure whereby in 1766 the Bridge Street congregation in Musselburgh was formed. In 1767 it opened its first church and in 1768 called James Scott from Jedburgh, who remained in the burgh until his death in 1786 (Mackelvie, 1873: 235).

### **Praying Societies**

Praying societies also played a significant role in the planting of dissenter meeting houses elsewhere in East Lothian. The origins of those groups can be traced to two separate movements: the *collegia pietas* which Philip Jakob Spener founded in Frankfurt in the 1680s as a way of revitalising German Lutheranism (Ward, 1992: 57); and small cottage meetings which emerged in Scotland during the Covenanting period as a way of providing mutual support in times of persecution (Fawcett, 1971: 64). There was, therefore, an element of activism as well as piety in the makeup of these groups. Most societies were composed of up to twelve members and met in private houses for Bible Study, discussion of one of the questions in the *Shorter Catechism* and mutual support (Fawcett, 1971: 57-74). Although under the jurisdiction of the minister and kirk session, praying societies had their own structures. In many places members from different societies came together each month as an 'Association' and sent delegates to an annual gathering known as a 'Correspondence' (Mackelvie, 1873: 2).

In 1737 the Correspondence of East Lothian formed a congregation which was recognised by the Associate Presbytery (Mackelvie, 1873: 214). Two of its leaders, William Wilson and Thomas Mair, presided over a fast to mark the occasion. Because its members were spread throughout the county, the congregation decided to meet in the county-town of Haddington and, after

worshipping in the open air in the summer and barns in the winter, opened its own meeting-house off Newton Port in 1741. However, the congregation had to wait until 1744 to call Robert Archibald.

Drummond and Bulloch describe the Haddington congregation as ‘the evangelical and discontented from miles around’ and state that they ‘had little thought of the unity of the Church and their main bonds were hostility to the National Church and a determination to have their own way’ (Cameron, 1993: 51). Although future events would show that there was some truth in these claims, the hostility which Seceders felt towards the Church of Scotland can be explained, in part, by cultural differences between a new generation of ministers in the established church and members of praying societies. Following the reintroduction of patronage, patrons began to nominate ministers from their own social class, who had embraced the polite manners of the Enlightenment (Smout, 1969: 233), and who preached eloquent sermons on the usefulness of religion (McIntosh, 2014: 45). In contrast, Seceders were drawn from a more conservative religious tradition which hung on to the piety of the Covenanters. Drummond and Bulloch concede that the Seceders were not alone in regretting the passing of the ‘fire and passion of the Covenanting days,’ and that older members of the established church often felt uncomfortable with ‘the ethical piety of the new generation of clergy’ (Cameron, 1993: 39).

### **Disputed Presentations**

Another significant factor in the planting of dissenter meeting-houses was the resistance of some parishioners to the imposition of a minister on their parish. While in the first decades after the reintroduction of lay patronage in 1712 patrons and presbyteries proceeded with caution and consulted local parties before appointing a minister, by the 1730s, encouraged by the sympathetic attitude of the predominate party in the General Assembly, patrons were becoming more assertive (Cameron, 1993: 57).

In 1740 the parish of Tranent and Seton became vacant and the Crown, as patron, presented Charles Cunningham, who had been licensed by the Presbytery of Dunbar, and, despite considerable opposition from within the parish, the General Assembly instructed the Presbytery of Haddington to induct Cunningham to the church and parish (Mackelvie, 1873: 231). This led three elders and forty members to leave the established church and adhere to the Associate Presbytery. In 1741 they applied to be allowed to form a congregation in Tranent. However, although Seceders had been active in the town, the Associate Presbytery did not have sufficient preachers to supply a second congregation in the area and they were obliged to join the Haddington

congregation. However, in 1771 the Associate (Burgher) Presbytery of Edinburgh allowed them to disjoin from the Haddington congregation. Even then the congregation faced difficulties. The established church obtained a sheriff's warrant which halted the building of a meeting-house for a time and the congregation had to wait until 1779 to call their first minister, Robert Sheriff, from Dunbar.

In 1765 John Ker, 3<sup>rd</sup> Duke of Roxburghe, nominated George Bruce, minister at Minto, to the church and parish of Dunbar. Although a number of parishioners affirmed their respect for Bruce, they objected to his nomination because he had a weak voice and could not be heard (Mackelvie, 1873: 224). The Presbytery of Dunbar and the Synod of Lothian and Tweeddale sympathised with the objectors and refused to sustain the Call. However, the General Assembly, which was controlled by Moderates, ordered the Presbytery to induct Bruce. This led a number of parishioners to join with six members of the Burgher congregation in Haddington who were living in Dunbar and apply to the Associate (Burgher) Presbytery of Edinburgh to be recognised as a congregation. Their request was granted and, after worshipping in a barn, they opened a meeting-house in 1766 and in 1767 called John Henderson from Jedburgh.

### **The 'Breach' of 1747**

By 1744 the Associate Presbytery had grown to forty-five congregations, which enabled it to be reconstructed as the Associate Synod, with three regional presbyteries (McKerrow, 1841: 255). However, the denomination was divided over what it meant to adhere to the National Covenant of 1638.<sup>1</sup> The Synod spent most of 1745 considering the implications of the Jacobite rebellion. Although Seceders were loyal to George II, there was controversy over whether Seceders should sign an oath, which had been introduced in several burghs, to uphold 'the true religion professed in this realm, and authorised by the laws thereof' (Brown, 1791: 54). Hard-line members of the Presbytery argued that signing the oath implied acceptance of the established church and after a passionate debate the Synod decided that the oath was 'inconsistent with its testimony and covenant bond' (Brown, 1791: 54). Nevertheless, in April 1747, Burghers (as those who saw no difficulty in swearing the oath were now being called) were able to reopen the question and

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<sup>1</sup> In 1741 Alexander Moncrieff and Thomas Mair had persuaded a poorly attended meeting of the Associate Presbytery to ban fasts and thanksgivings organised by the state but the injunction had been ignored by the majority of ministers.



get the Synod to take no action 'until the issue had been maturely considered in presbyteries and sessions' (Brown, 1791: 56). This prompted just under half of the Synod to walk out and form the General Associate (Antiburgher) Synod.

Robert Archibald, minister of the Secession Church in Haddington, joined the General Associate Synod and, because there were a number of burgesses on the session, the rift in the Haddington congregation was particularly bitter (Small, 1904: 514). At a session meeting in June 1747 Archibald accused Bailie Caddell and another elder of being the ringleaders of a revolt against his ministry. He alleged the group had attempted to seize the meeting-house by force, had carried off the session minute book and the 'poor's money' and had withdrawn from 'gospel ordinances'. Although Archibald had thirteen elders and six deacons suspended, by the end of July the Burgher faction had forced him and his supporters to withdraw. After worshipping in the minister's garden during the summer and seeking shelter in the winter, in 1752 the Antiburghers opened their own meeting house on the opposite side of Newton Port to their Burgher rivals.

### **Original Seceders**

While by the time of Archibald's death in 1762 the congregation was said to number around 300, in 1806 it split during the Old Licht/New Licht controversy in the General Associate (Antiburgher) Synod. Its minister, Robert Chalmers, was one of those who seceded from the Synod over its decision to espouse the Voluntary Principle and who helped form the Constitutional Associate Presbytery (Mackelvie, 1873: 218). Although twelve of the fourteen elders in the congregation continued to adhere to the General Associate Synod, Chalmers was supported by the majority of his members. However, a court ruled that the minority held the title of the meeting-house in Newton Port and Chalmers and his supporters were obliged to pay them £610 to retain possession of the building (Mackelvie, 1873: 218). This enabled the minority to purchase the former Relief meeting-house off Court Street from Robert Haldane (Mackelvie, 1873: 218). In 1841 the majority joined the Original Secession Church, which in 1852 joined the Free Church. It was then renamed Knox's Free Church (Ewing, 1914: 27).

### **Dislike of Ministers**

While Alexander Carlyle, minister at Inveresk, was one of the leaders of the Church of Scotland (Cameron, 1993: 137), his endorsement of Enlightenment ideas alienated some of his parishioners (Mackelvie, 1873: 235); and in 1783 he outraged others by supporting his assistant, a Mr Burns, against whom a

*fama* (scandal) had been alleged. When Burns appeared in the pulpit several parishioners walked out. The first group then used the resultant discontent in the parish to petition the Relief Presbytery of Edinburgh for supply. At first the Presbytery was reluctant to get involved and the petitioners were required to show that the preaching in the parish church was not evangelical. Even when the Presbytery granted the petition, matters did not proceed smoothly. Although the congregation erected a spacious meeting-house in Mill Hill, when a leet of minsters preached there were allegation of irregularities and the result was declared null and void.

Matters were complicated by one faction favouring a Mr Henderson who, as a licentiate of the Church of Scotland, was not eligible to be a minister in the Relief Church. His supporters attempted to get round the problem by petitioning the Presbytery of Dalkeith to designate the meeting-house a 'chapel of ease'. However, after dithering, the Presbytery eventually allowed the matter to lapse. Meanwhile there was an undignified struggle between those who belonged to the established church and those who belonged to the Relief Church for possession of the meeting-house. Eventually the latter prevailed and in 1786 called William McKechnie from Anderston, Glasgow, who remained in Musselburgh until his death in 1828.

### **Convenience of Members**

By the 1750s a number of people living in the Dunbar area were travelling to Haddington to attend the Antiburgher meeting-house in the town. In 1760 they applied to the General Associate (Antiburgher) Presbytery of Edinburgh and were recognised as a congregation and opened a meeting house in East Barns and in 1762 called Robert Cunningham from Comrie (Mackelvie, 1873: 223). By 1820 the bulk of the congregation was living in Dunbar and it decided to relocate to the town.

By the 1760s a number of people living in North Berwick were attending either the Burgher meeting-house in Haddington or the one in Dunbar. In 1771 they applied to the Associate (Burgher) Presbytery of Edinburgh for supply and over the next thirteen years received considerable assistance from the Reverend John Brown of Haddington (Mackelvie, 1873: 228-9). In 1767 Brown was appointed Professor of Divinity under the Associate Synod and each August and September around 30 students came to Haddington to study under him. As the Synod allowed students to preach in Haddington without Brown being present, he was able to take the opportunity both to preach in North Berwick himself and to provide supply to enable colleagues in Musselburgh, Tranent and Dunbar to do so. Although the congregation opened a meeting-house in

1779, they had to wait until 1784 to call James Scrimgeour from Bristo Street, Edinburgh.

Small says that in 1792, twenty-one residents of the parish of Prestonkirk successfully petitioned the Associate Presbytery of Edinburgh to receive supply (Small, 1904: 545). While Small does not specify their reasons, Mackelvie states that members of the established church were 'dissatisfied with the life and doctrine of the incumbent of the parish' (Mackelvie, 1873: 238). The formation of the new congregation prompted forty-one members of the Burgher congregation in Dunbar to seek to be disjoined, with a view to joining the new fellowship. When the session of the meeting-house in Dunbar indicated its concurrence, the Presbytery approved the arrangement. In 1795 the congregation called Hugh Jamieson from Wellington Street, Kilmarnock. However, as the meeting-house in East Linton was not yet complete, his induction took place in the open air. As well as having a distinguished ministry, for which Marischal College, Aberdeen made him a Doctor of Divinity, Jamieson also ran a private academy in the village. He was a bachelor and on his death in 1827 he left his house in East Linton to the Burgher congregation for use as a manse.

## **Outreach**

In 1820 the Associate (Burgher) Synod and the Associate General (Antiburgher) Synod came together to form the United Secession Church. The new denomination believed in outreach and in 1840 the United Associate Presbytery of Edinburgh responded to a request from people living in Aberlady and established a preaching station there (Mackelvie, 1873: 249). The experiment was successful and in 1842 a congregation was formed. It purchased a former granary and malt-barn and had it fitted out as a place of worship. David Hogg, previously of Rattray, served the station for three years as a 'located missionary'. In 1844 he retired and the congregation called Robert Watt from Inverary, who remained in Aberlady until his death in 1858.

## **Relief Church in Haddington**

There is some uncertainty surrounding the circumstances which led to the founding of the Relief Church in Haddington. Mackelvie says that on the death of William Barclay, the Earl of Hopetown presented Robert Lorimer to the first charge, rather than following 'use and wont' by appointing Robert Scott, minister of the second charge; that this offended Scott's friends, some of whom

set about building their own place of worship; and that in March 1791 the congregation was received into the Relief Presbytery of Edinburgh (Mackelvie, 1873: 218). However, George Barclay did not die until 2 December 1795, five years after the alleged disputed presentation (Scott, 1915: 370). Although Small points to Mackelvie's mistake, he does not provide an alternative account of the founding of the Relief Church in Haddington.

The confusion is understandable. In 1792 the congregation called David Gellatly (Small, 1904: 521-2). The trajectory of his ministry was set soon after he arrived. Gellatly's behaviour at the second meeting of the Edinburgh Relief Presbytery which he attended led the Synod to find him guilty of equivocation, disorderliness of conduct and insolence towards his fellow presbyters. Matters then went from bad to worse. When his elders and managers petitioned the presbytery to investigate his moral conduct, Gellatly attempted to have the moderator, clerk and a leading member of the Synod put in prison for not disclosing the evidence against him. Nevertheless, the presbytery found him guilty of attempting to alienate the meeting-house from the Relief Church to the Establishment, acts of deception, falsehood and flagrant immorality, and he was deposed. Although the congregation went on to call William Reid, the damage had been done. When the managers were unable to pay Reid's stipend he resigned and the Synod severed its connections with the congregation. Soon afterwards the managers sold the meeting-house to Robert Haldane.

The mostly likely explanation of the founding of the congregation is that by 1790 there were members of the Relief Church living in East Lothian and, like Episcopalians and Seceders before them, they chose to erect a meeting-house in the county town. They seem to have had considerable resources as the building had seating for 549.

## **Conclusion**

This article has shown that there were two strands to the diversification of the church in East Lothian in the eighteenth century: the planting of non-Presbyterian meeting-housing and the planting of Presbyterian ones. While the former had a limited impact on the church in East Lothian, they displayed remarkable resilience: the Episcopal congregation in Haddington, the Methodist congregation in Dunbar and Independent congregation in Fisherrow are all still in existence.

It has also shown that Presbyterian dissenter meeting-houses in East Lothian did not arise from a single movement but involved different factors in different parishes, including the willingness of praying societies to secede from the

established church, disputed presentations of ministers to parish churches, internal disagreements within the Secession Church, and dislike of a parish minister; and that because three different denominations were involved in three burghs there was competition between Presbyterian meeting-houses.

While church historians like Drummond and Bulloch, have tended to dismiss dissenters as ‘malcontents’ and while general historians have often seen them as ‘reactionary’ (Brown, 1993: 16), it took considerable determination and considerable sacrifice to establish a dissenter meeting house. Most dissenters had come out of the established church, where the heritors were responsible for providing the minister’s stipend and maintaining the parish church. For most Scots in the eighteenth century, the notion of having to pay for the ordinances of religion was a novel concept. However, in order to succeed a meeting-house needed a regular income and this was usually achieved by requiring families to pay seat rent (Cameron, 1993: 57).

During the eighteenth and early nineteenth century Presbyterians, Episcopalians, Haldaneites, Independents and Methodists erected fourteen meeting-houses in East Lothian between them. While most were relatively modest, seating around 300, the Relief Church was more ambitious. Its meeting-house in Haddington had seating for 549 and the one in Musselburgh for 800 (Mackelvie, 1873: 218; 236). While Episcopalians were supported by the gentry, dissenters were drawn from a growing ‘middle class’ of small farmers, tradesman and merchants who had sufficient disposable income both to put up places of worship and to pay the stipend of a minister (Brown, 1993: 16). While it would be going too far to suggest that there was an element of class conflict in the emergence of dissenter meeting-houses in East Lothian, dissenters were anxious to assert their independence from the landed classes and the ministers whom they nominated to parish churches.

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Available at [www.mymethodisthistory.org.uk/chapels/scotland-2/dunbar\\_methodist\\_church/](http://www.mymethodisthistory.org.uk/chapels/scotland-2/dunbar_methodist_church/)

'How it all began' on *Musselburgh Congregation Church*  
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*Holy Trinity Episcopal Church, Haddington*  
Available at <https://holytrinityhaddington.co.uk/>

**APPENDIX:**  
**Annual Reports of the Council of the Society**

**ANNUAL REPORT 2019**

The President and Members of Council present their annual report.  
The Financial Statements for the year ended 31 March 2019 will be submitted separately.

**1. Charitable Purpose and Objectives**

The Society's purpose shall be the advancement of the arts, heritage, culture and science and shall carry out its activities or services itself or in partnership with other persons or bodies holding the same purposes as the Society.

The objectives of the Society shall be to undertake, promote and support the study of the antiquities, archaeology and history and the natural history of East Lothian, in this constitution the "Objectives".

**2. Structure and Governance**

The Society is an unincorporated institution registered with the Scottish Charities Regulator, number SC007701.

The Constitution was amended and approved by the Society's Annual General Meeting in May 2015.

The Society's activities are governed by the Charity Trustees, known collectively as the Council.

During the year 2018 to 2019 the members of the Council were

President	Stephen Bunyan MBE
Vice President	Joy Dodd
Vice Presidents Emeritus	Sir Hew Hamilton-Dalrymple, Bt., GCVO. (died Dec 2018) The Dowager Countess of Wemyss and March (died Feb 2019)
Secretary	Vacant, (Joy Dodd acting pro. tem.)
Treasurer	Vacant, (Joy Dodd acting pro. tem.)
Librarian	Joy Dodd
Editor	Chris Tabraham
Web site	George Robertson
Other Members	Jacquie Bell, Graeme Bettison (resigned March 2019), William Dodd, Bridget Ellwood, Vicki Fletcher, Alexander, Duke of Hamilton, Ian



Hardie, John Hunt, Shena Jameson, Arran Johnston, Elaine Whewell, Gill Wilson,

Council members are elected at the Annual General Meeting and may be co-opted in terms of the constitution. Although there is no formal induction, new and existing members receive guidance and support to ensure that they are familiar with the Society's values, objectives, purposes and powers and of their duties and responsibilities as the designated trustees of a registered charity.

The main responsibilities of the Council are to take reasonable steps to:

- (a) prepare financial statements which give sufficient detail to enable an appreciation of its transactions during the financial year and to keep and maintain proper accounting records which must reflect the current financial position at any given time. This is fulfilled by the treasurer reporting to Council at each and every meeting,
- (b) safeguard the assets of the Society, and
- (c) prevent and / or detect fraud and other irregularities.

By doing so the Society complies with the Charities Trustee Investment (Scotland) Act 2005 and the Charities Accounts (Scotland) Regulations 2006.

I gave notice during the year that we have a serious situation and need to fill some impending vacancies.

We need a new Vice President who would be willing to become President in the near future, a secretary and a treasurer. .

### **3. Administrative Structure**

The Society's Principal Office is c/o Mrs Joy Dodd, 14 Leslie Way, Dunbar EH42 1GP.

The Society's bank account is held with the Bank of Scotland, 95 High Street Dunbar EH42 1ER.

The Society's Independent Examiner is John A Sparksman, Accountant, 18 King's Court, Dunbar, , EH42 1ZG

### **4. Finance**

The Society is funded primarily by members' subscriptions and profit gained from the Annual Lectures Day in September each year.

The payments made relate mainly to the hosting of events and meetings of the Council and to the publication of the biennial "Transactions".

The events held during the summer programme are self-funding.

A financial statement is prepared at the end of each financial year on a "Receipts and Payments" basis. An Income and Expenditure account is

prepared for information purposes only under the Historical Cost Convention with year-end adjustments for known outstandings.

## **5. Trustee Remuneration and Expenses**

The Trustees receive no remuneration and have no contractual relationship with the Society in terms of the Intermediaries Legislation (IR35). Reimbursement of expenses incurred in the administration of the Society is made.

## **6. President's report 2019**

The 93<sup>rd</sup> Annual General Meeting of the Society was held at Westbarns Village Hall on 20<sup>th</sup> May 2018. The president welcomed members to the meeting. The officers and council were re-elected

At the conclusion of the business Arran Johnston gave a talk entitled 'Road To defeat ; General Cope's march from Dunbar to Prestonpans in 1745'.

Obituary; in the course of the current year the following members and ex members have died, Mrs Fiona Christison, Mrs Jean Shirlaw, Sir Hew Hamilton Dalrymple BT.GCVO, Shelagh, The Dowager Countess of Wemyss and March and Mr Michael Cox.

Resignation Mr G Bettison resigned as a member of council in March 2019.

### **Summer Visits.**

Saturday 9th June the Society visited Stenton village. The outing was organised by Mrs Ray Halliday. Stephen Bunyan spoke about the history of the parish church and Bill Dodd spoke about the post reformation church. At the conclusion of the walk about tea was taken in the restored village hall.

Saturday 7<sup>th</sup> July the Society visited Doon Hill. Professor Ian Ralston spoke about his recent reassessment of the History of the site and Arran Johnston spoke about the second Battle of Dunbar in 1650.

Saturday 1<sup>st</sup> September by arrangement with David Philp a visit was made to Coldingham Priory where, society member, Rennie Weatherhead gave a fascinating account of the history of the priory and pointed out many features of interest.

Saturday 15<sup>th</sup> September the society co-operated with Haddington History Society in organising the 'Haddington 700' lectures day.

Sunday 7th October, the final outing of the season was to Gilmerton walled garden by arrangement with Lady Kinloch and Mrs Simcock. It was of interest seeing work in progress to restore the garden and to hear about the intentions

to involve volunteers in a programme of garden therapy. The charity is called Growing Matters.

### **Winter Lectures**

Three lectures were given in the Maitlandfield Hotel in the course of the winter,

10<sup>th</sup> November 2018 Erland Clouston gave a talk on the Life of Nan Shepherd who wrote an inspirational book 'The Living Mountain' in the 1930ties on cairngorm and experiencing the effect of climate there. At first sight this seemed an odd topic for us but it related to much of what we stand for with our interest in nature.;

9<sup>th</sup> February 2019 Dr Miles Kerr Peterson spoke about Keith Mariscal and his findings there. He gave a re assessment of the Keith Family and its importance in Scottish history.

This was followed by a paper by David Affleck who cast new light on the question of ownership of the estate at the end of the 17<sup>th</sup> century.

9<sup>th</sup> March 2019 Joy Dodd gave a talk "From the Old to New", the development of Tynninghame estate in the 18<sup>th</sup> century.

The Annual Dinner was held on Friday 12<sup>th</sup> April in the Maitlandfield Hotel, Haddington.

David Campbell spoke on the importance of story telling and then told the story of Princess Thew and her expulsion from Traprain Law and of her survival and the birth of Kentigern and his importance as St Mungo in Glasgow,.

### **7. Planned Activities for 2019 – 2020. The programme of summer activities has been issued.**

Details have been issued to Members who are asked to make their reservation as requested.

### **8. Transactions**

The transactions continue to be held in high regard. They are lodged in the copyright libraries and East Lothian libraries and are purchased by academic and other libraries. They are issued to Queen Margaret University, Secondary Schools in East Lothian and to Loretto and Belhaven Hill School and some other bodies. Volume XXXII is now available.

The transactions are now available online. The society is most grateful to George Robertson and Philip Imirizi for undertaking this huge task.

### **9. Membership**

Although membership remains reasonably steady at 110 (25 family subscriptions and 60 single subscriptions), the Council is looking at ways in which to attract new members particularly of a “younger” age group. We believe that interest has been stimulated by increased awareness off the society on our website and on Facebook.

### **9. Other Matters**

The President represents the Society on the John Muir Park advisory group, which he chairs.

Mr J Hunt represents the society on the Aberlady Bay advisory group and on the Laws advisory group.

The Secretary represents the society on the East Lothian Heritage Forum.

The Society continues to support the work of the Scottish Local History Forum and the Architectural Heritage Society of Scotland.

The Society is vigilant in the face of threats to our heritage of buildings and landscape. Enquiries about the Society and about East Lothian continue to be received.

## ANNUAL REPORT 2021

At this time (during the global coronavirus pandemic) the Office Bearers of the Society decided that because of Covid restrictions they could not hold an AGM. They decided that the existing Council should carry on pro. tem.

All proposed events had to be abandoned.

### Lectures

We have had three successful lectures on Zoom, that have been attended by some members who would have found physical attendance impossible.

11<sup>th</sup> Feb 2021 Arran P Johnston gave a talk entitled 'East Lothian: Scotland's Battle County'.

11<sup>th</sup> March 2021 Allan Kilpatrick gave a talk entitled 'A vulnerable Coast: the military defences of East Lothian in two world wars'.

8<sup>th</sup> April 2021 George Robertson hosted a discussion with Eric Sanders who, as an 18-year-old, was present when Hitler arrived in Austria at the time of the Anschluss. He escaped from Austria to Italy and then came to Britain and Belhaven Hill joining the SOE. This was followed by a talk entitled 'Belhaven Hill in WW32-SOE Special Training SchoolmSTS54b'.

Membership remains steady with 23 family members & 78 individuals.

Transactions- Arran has continued working on the Transactions as have contributors. We hope they will be available for members in May. We are encouraging members to publish short articles on our website and more would be welcome.

The president's book 'History in Lockdown', published by Dunbar Community Council, contains three Antiquarian pieces.

Obituaries. Three members have died in the last year. Brian Young died on the 28<sup>th</sup> May. An obituary was placed on the web site. RIP Dougal Andrew and Robert Bertram, both long time members.

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