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81 Witches of Prestonpans

Annemarie Allan

PRESTOUNGRANGE UNIVERSITY PRESS
www.prestoungrange.org

Prestoungrange University Press for
The Barons Courts of Prestoungrange and Dolphinstoun
227/229 High Street, Prestonpans
East Lothian EH32 9BE

About the Author

Annemarie Allan was born in Edinburgh and lives in Prestonpans. Her mother's family were part of the mining community at Morison's Haven and she has always had a strong interest in the history of the local area. After taking a degree in Literature at Stirling University she worked as a teacher, librarian and information officer with the Scottish Arts Council. She now works as a freelance researcher/writer in particular as Editor of this *Prestoungrange Historical Series*. She was a major contributor to the Prestonpans Section of the *Millennium Statistical Account of East Lothian* published in 2004.

FOREWORD

This series of historical booklets was quite specifically developed to provide an authoritative briefing for all who seek to enjoy the heritage of what were the medieval baronial lands of Prestoungrange and Dolphinstoun. All are available on the Internet at www.prestoungrange.org the Barons Courts' website.

This particular title addresses a period of institutionalised hysteria in Scotland; and we are most grateful to the Heritage Lottery Fund for its contribution that has supported its publication. Prestonpans proved for reasons described here to be one of the worst affected with as many as 81 witches put to death normally by strangulation and burning as a public spectacle.

As one of the final acts of our Barons Courts before their judicial rights were revoked in 2004 they granted an Absolute Pardon to them all. It was also declared that henceforth October 31st each year should be a day of remembrance for the evil done to them all.

We were at the outset confident that this series would find a welcoming readership and so it has transpired. But it has done much more than that for it is now providing the historical bases for the Arts Tourism programmes conducted by the Barons Courts through our own Arts Festival Society and in particular the insights required for the murals now being painted.

We thank the authors one and all for their contributions and for a job well done. It is one very practical contribution towards helping visitors and tourists to the town of Prestonpans towards a better understanding of the lives and ambitions of those that went before us all. For better and for worse we stand on the shoulders of our ancestors as we in turn craft our futures and tomorrow's world for our children. So often we see in the pages of history that whilst the cast of characters most certainly changes the issues that matter and get argued about remain the same.

Dr Julian Wills
Baron of Dolphinstoun
October 31st 2005

King James I & VI. Reprinted by kind permission of Glasgow University, Department of Special Collections

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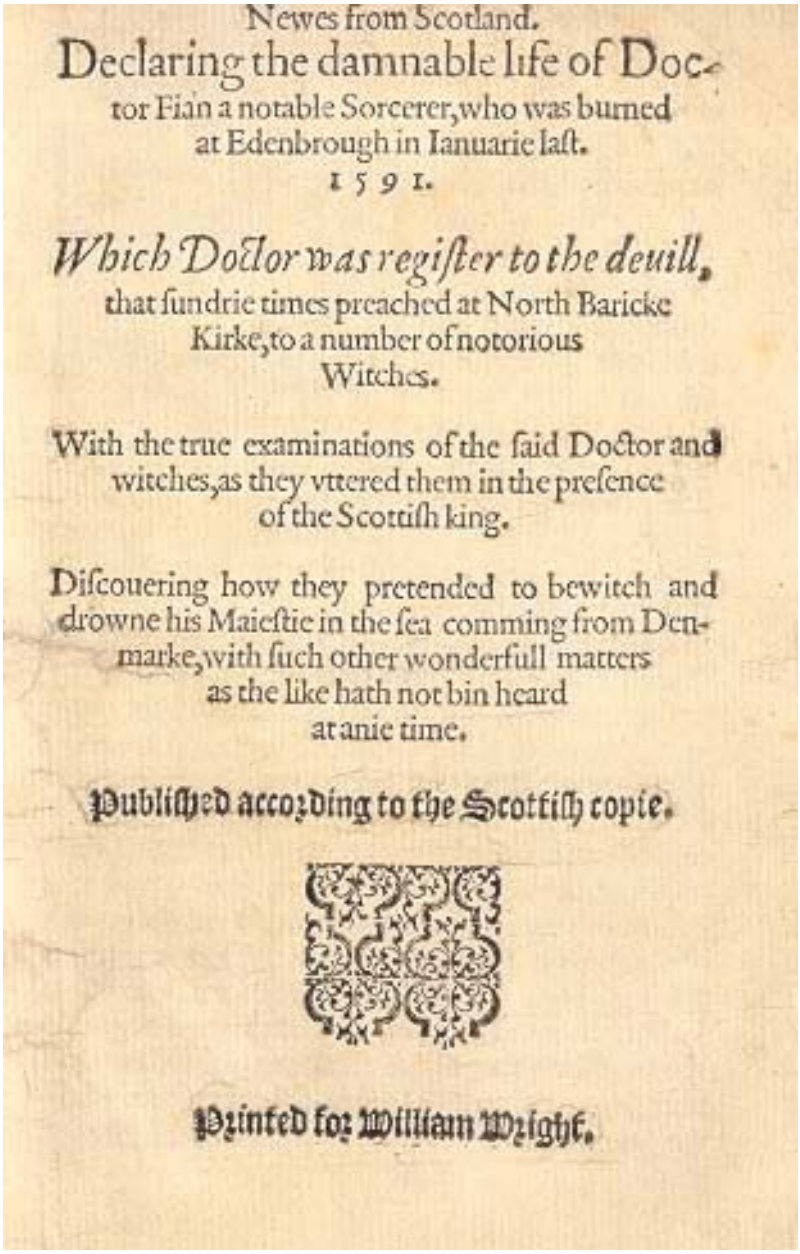

Newes from Scotland.

Declaring the damnable life of Doctor Fian a notable Sorcerer, who was burned at Edenbrough in Ianuarie last.

1591.

Which Doctor was register to the deuill, that sundrie times preached at North Baricke Kirke, to a number of notorious Witches.

With the true examinations of the said Doctor and witches, as they vttered them in the presence of the Scottish king.

Discouering how they pretended to bewitch and drowne his Maiestie in the sea comming from Denmarke, with such other wonderfull matters as the like hath not bin heard at anie time.

Published according to the Scottish copie.

Printed for William Wright.

Front cover, Newes from Scotland. *Reprinted by kind permission of Glasgow University, Department of Special Collections*

PROLOGUE

Prestonpans 1590

It is late autumn and the people of Saltpans, later to become Prestonpans, go about their business, unaware of the doom that will shortly engulf them.

From the harbour at Acheson's Haven, fishing boats head out over the water, threading their way between the seagoing trading ships which come laden with timber, iron and luxuries for the Lords of Prestoungrange, Preston and Seton. They will leave soon, anxious to avoid the winter storms, their holds filled with the coal and salt they will carry to their home ports across the North Sea – including Gothenburg in Sweden.

At the salt pans that give the town its name, workers are red-faced from the heat, sweating with the effort of piling coal beneath the huge pans where the salt is boiled out of the sea water. There are others outside, shivering with cold, passing bucket after bucket of water back to the shore. Colliers labour beneath the ground: men hacking out the coal, women and children loading the wicker baskets on their backs to lug the coal up endless stairs to the surface. The Lords of Preston and Prestoungrange are affluent men: salt is almost as valuable as gold in 16th century Scotland, and the town of Saltpans has the biggest concentration of industrial workers in the whole of Haddingtonshire.

Rumours are flying: it is said that David Seton, Bailie of Tranent, has instituted an accusation of witchcraft against his servant, Gelie Duncan. Whispers suggest that he has his eye on the estates of his kinswoman, the heiress Euphemia MacAlzean of Edinburgh, and Gelie has named her for a witch. This is exciting news. Though many witches have been arrested and executed elsewhere in Scotland, there has been no hint of witchcraft in Haddingtonshire since Jonet Fultoun fled the town of Saltpans in a great hurry over ten years ago. People still talk of her, and of her burning as a witch at Edinburgh.

Soon, the news spreads that Gelie Duncan has named two others: Agnes Sampson, the wise woman who cured Robert Bailey's lad of a sickness is one of them. It seems she got her healing powers not from God, but from the Devil. There is

one other – and here the voices dip even lower in outraged glee – John Cunningham, respected local schoolmaster has been up to much mischief in and around the town, chasing one woman after another, working enchantments where his charm was not enough – even flying through the air at night when his neighbours thought him fast asleep in bed. There have been dark doings in the Kirk at North Berwick – people shiver as they repeat stories of corpses raided for bones to make corpse powder, of dancing and lewdness in the presence of the Devil himself. There is a delicious shivering dread in repeating the accusations – there is nothing to fear. North Berwick is a goodly distance from Saltpans.

The excitement reaches a new pitch of intensity with the news that King James himself has taken an interest in the three witches – it seems that the plot unearthed by David Seton was worse than anyone had suspected: it was treason, directed against the reigning monarch and instigated by that devil in the form of a man, Francis Stewart, Earl Bothwell. There are those who scorn such rumours, pointing out that this is no magic conspiracy, merely an attempt by David Seton to feather his own nest at the expense of another – as everyone knew at the outset. The voices of reason are ignored.

Jonet Straton has been named by Agnes Samson and taken for a witch – she has reported another more serious witch convention and this one not at North Berwick, but at Acheson's Haven. Though the boats ply their trade in daylight, at night it seems the harbour at Saltpans has been a meeting ground for many witches – as many as a hundred have gathered there to practice their evil art. Some say this is not surprising. My Lord Prestoungrange, Mark Ker, has long been known for his association with the arcane – those who serve in his great house tell of a whole room given over to a celebration of sorcery, richly panelled and painted in red, and the ceiling covered in figures of lewd demons and serpents. And all agree that Acheson's Haven itself has a strange reputation for mystical doings. But these things are only whispered of, not spoken aloud. Lord Prestoungrange is a close friend of the King.

Rumour slows as the witch hunt moves closer to home but then comes further news. John Cunningham – renamed Fian by the Devil, his master – had escaped! No-one saw him return to Saltpans, nor his recapture. But this is not surprising for one who can call on the supernatural power of hell itself to come to his aid. There are those who breathe easier when

further news comes that Fian has retracted his confession, denying his pact with the Devil. But the die is cast. The King has his eye on the people of Saltpans.

Agnes Sampson is persuaded by torture to name many others. There is no more salacious gossip, no laughter at the antics of the witches, no excited rumour-mongering concerning the doings of Earl Bothwell. People eye each other uneasily, wondering who it was that took part in the spellmaking at the Fiery Hills of Acheson's Haven, casting a cat into the waters to create violent storms at sea, crossing the water in leaky vessels to sink the ships that pass up and down the busy waterway of the Firth of Forth, passing an image of the King from hand to hand to create an evil enchantment and bespelling poison from a toad, one drop of which will see an end to His Majesty's life.

Others, less credulous, nonetheless still fear their neighbours, knowing that accusation alone is enough to condemn them. George Mott's wife, a pillar of the community, has been arrested as an associate of the Devil. She has plotted treason with other witches at her home, as has Rob Grierson a skipper out of the Haven. They are both part of a conspiracy stretching all along the coastline. Women tremble at the news of their daughter's, their sister's, their mother's arrest. They know that the prickers who drive their sharp spikes into soft flesh in search of the witch's mark can bend even the most determined to their will. And if that does not suffice, then a few days or weeks – or even months – with little food and no sleep in the chill stone prison of the tolbooth will do the job.

The pricker

It is not acceptable to hide from the enactment of punishment. Strangulation and burning are public spectacles. No-one wishes to draw attention to themselves by refusing to attend. While children watch their mothers burn, the smell of roasting meat fills the air, bringing a shameful response in those who see meat on their table not more than once or twice a year. This is the Devil's work, they tell themselves as they turn away. Not hunger, but the Devil's work.

Those who have lost family, friends, tenants and workers to the witch hunters are well aware that it is dangerous to draw attention to themselves. Instead they turn to God. But how can the people beg God for release? There has been no church for more than fifty years, not since it was burnt by the Earl of Hertford in reprisal for the Queen Regent's refusal to honour a marriage contract between her daughter and the son of the English King.

The people pray earnestly and desperately for a minister and at last their prayers are answered. The man is John Davidson and he is known to all for his fearless confrontation of the King in the pursuit of God's law. With Davidson's help, the people of Saltpans establish their church, bury their dead and look to the future.

The eye of the witch hunter turns elsewhere and the shattered community begins the painful process of rebuilding. But the eye will turn back. Saltpans has been marked. And for a further one hundred years, it is God and not the King who will root out those who have accepted the Devil's mark and made their pact with Satan.

The Scottish witch hunts of the 16th and 17th centuries formed part of a witchcraft panic which engulfed Europe from the early 1500s onwards. In Scotland, the witch fever took on a national dimension in 1590, when the entire nation, monarchy, nobility, church and people, were persuaded that witches sought to undermine the fabric of legitimate government in Scotland by focussing their malice on the person of King James VI, later King James I of England. These allegations were to have a profound effect on the residents of the small community of Prestonpans.

1. CONTEXT

From the 11th century onwards, Christianity in Western Europe had undergone a process of consolidation until, by the end of the 15th century, the authority wielded by the Roman Catholic church was immense. All religious and philosophical debate took place within this vast sprawling religious empire and huge areas of land throughout Europe were administered by the great monastic houses. Archbishops and cardinals were a significant political and religious presence in every country, with ultimate power vested in the hands of the Pope and his cardinals in Rome.

The relationship between European nobility and the clergy was close: higher clerics were members of the noble families and European monarchies often benefited from the affluence of the great monastic houses:

> "James V, for example, in 1532...had wrung permission from the Pope to appoint three baby sons, all illegitimate, to be titular abbots...The King thus got his bastards beautifully provided with an income at the churches' expense, but the monasteries were lumbered with the farce of a baby master."[1]

From its earliest days, the Christian church in Europe had faced divergence in religious belief: in Scotland, for example, the emergence of Roman Christianity included the absorption of a more localised Celtic form of Christian worship.[2]

However, by the late 15th century, the questioning and reinterpretation of established belief was moving gradually towards the establishment of alternative systems of worship. This splintering of Christianity was triggered by changes in the social framework: feudal society, with all its members integrated into an hierarchical structure reaching from peasant to monarch and its spiritual life guided by the Pope in Rome, could not accommodate the growing numbers of urban middle class who sought greater economic, social and political autonomy. In addition, many noble families such as the English Tudors resented the affluence of the church and its power to interfere in national politics.

Although often driven by secular issues, religious debate was nonetheless a genuine, deeply felt response to moral and philosophical issues. The rise of the Protestant faith was marked by an increased emphasis on personal responsibility: instead of worship mediated by the priest through the mass, scripture was seen as the source of religious truth and authority. And in the emergent technology of the printing press, dissenters found a powerful weapon for the spread of new ideas. Critics of the established church, such as Martin Luther, were able to disseminate their ideas swiftly and permanently: once printed, pamphlets could not be easily recalled and destroyed. This was, of course, a two-edged sword: John Davidson, for example, appointed first Reformation minister of Prestonpans in 1595 was, as a young man, obliged to flee the country when his criticisms of the Earl of Morton appeared in print without his consent.[3]

These religious changes were part of a wider philosophical revolution taking place at this time. A growing interest in the pre-Christian civilisations of Greece and Rome and in the native pre-Christian traditions of Europe produced a new breed of philosophers such as Desiderius Erasmus and, later, Francis Bacon, who challenged the absolute nature of the medieval world view. These Renaissance humanists sowed the seeds of individualism and the application of deductive reasoning typified by Scottish mathematician John Napier, who evolved his sophisticated system of mathematical calculation, known as 'Napier's Bones', during the late 16th century.[4]

To the modern mind, the growth of rationalism and deductive reasoning seems in conflict with a developing obsession with witchcraft. However, these efforts to create a rational structure for the universe were conducted within the context of deeply

held religious belief, and the existence of God was proof that supernatural power did exist. There was no absolute means of determining whether the reality of magic and witchcraft was fact or fantasy since belief was based on a particular interpretation of observed events. There was nothing contradictory, for example, in the publication in 1685 of 'Satan's Invisible World Discovered', by George Sinclair, Professor of Natural Philosophy at Glasgow University and inventor of an early 'diving bell'.[5] Sinclair had already proved a man could breathe underwater and saw no reason to reject the notion that people might fly through the air as witches did. His publication of a collection of material on witches and fairies is anomalous only from a 21st century point of view.

Moreover, the presence of unseen influences was evident everywhere in everyday life. This was a period when epidemic diseases killed large numbers in town and country and these diseases clearly moved by some invisible means from one person to another.[6] In 1584, for example, when plague broke out in Perth, King James took immediate action:

> "...his majesty departed the same night...leaving his whole household servants enclosed in the place of Ruthven, with express command to them not to follow, nor remove forth from the same, until they saw what became of them upon the suspicion."[7]

The birth of rationalism, therefore, with its emphasis on deductive reasoning, in many cases actively contributed to the belief that witchcraft was a real and often malevolent force in society. It was in fact the attempt to provide a logical explanation for supernatural phenomena within a Christian context which encouraged the belief that witchcraft and magic were part of the arsenal of weapons wielded by Satan in his struggle against God.

2. THE DEMONIC PACT

In the pre-Reformation medieval period, charms, prayers and practical remedies used by healers, particularly among the poor, were an accepted fact of everyday life. Many pre-Christian beliefs were woven into the fabric of daily life and the practise of magic was not necessarily regarded as proof of demonic involvement. In Scotland, as in the rest of Europe,

many customs and beliefs from pre-Christian religion were common and some, such as Halloween, survive even today.[8] In other cases, many of those who claimed supernatural powers were considered simply misguided, or insane.[9]

However, this relatively relaxed attitude to magic began to change as the supremacy of the Catholic Church was challenged:

> "Previously, the church had accepted and incorporated a great deal of popular folk belief; now it was consistently hostile to popular 'superstition', including both surviving Catholic practices...and rituals involving such things as fairies."[10]

For practitioners of both the old and the new religions, it was necessary to demonstrate adherence to a specific set of beliefs – there was no room on either side for alternatives. Those who rejected the dominant faith, whether by practising alternative forms of Christian worship or by employing magic, were acting on behalf of Satan, who sought the overthrow of God's kingdom on earth. Across Europe, Catholics and Protestants alike pursued a policy of apprehending and punishing the heretic. In Scotland, when the Catholic religion was in the ascendant, there were:

> "168 accused of heresy or otherwise identified by contemporaries as Protestant sympathisers in the period up to 1546"[11]

Any group bent on establishing conformity will seek a means to consolidate its sense of self by identifying 'outsiders', and the concept of heresy was applied to all alternative belief systems. Since the use of charms and spells did not conform to accepted practice, their use came to be viewed as a deliberate rejection of the true faith. Furthermore, in Protestant societies, the growth of the concept of personal responsibility facilitated the notion that those who indulged in heretical practices did so not through lack of understanding but through personal choice.

The '*Malleus Maleficarum*' or '*Hammer of Witches*', compiled in Germany in 1486 by two Dominican friars, demonstrates the growing belief that witchcraft was heretical and therefore merited severe punishment. Indeed, this document argues that not only those who practised witchcraft were guilty

of heresy, but also those who refused to acknowledge its reality.[12] The conflict over belief systems was seen as the earthly representation of the battle between God and Satan. Witches could therefore only receive their powers by entering into a pact with Satan, whereby they renounced their baptism and undertook to be his servants:

> "the devil asks whether she will abjure the Faith, and forsake the holy Christian religion...then the devil stretches out his hand and so does the novice, and she swears with upraised hand to keep that covenant"[13]

Whether or not they used their power for good or for acts of 'malefice', ie to do harm, was irrelevant. Such power was a denial of true religion. Any evidence of magical practices was considered an indication that such a pact had been entered into. As to the question of why women were more frequently found guilty of the practise of witchcraft, the *Malleus Maleficarum* is quite clear:

> "…since they are feebler both in mind and body, it is not surprising that they should come more under the spell of witchcraft."[14]

This belief in the Demonic Pact was prevalent in both Catholic and Protestant cultures and the suggestion that someone had entered into such a pact was enough to secure a conviction in many subsequent trials:

> "The Pact was not universal in European countries which prosecuted witches. It featured relatively insignificantly, for example, in England...but [elsewhere] it became more important than accusations of malefice or sorcery in securing a conviction in a court of law."[15]

3. SCOTLAND IN TURMOIL

In common with the rest of Europe, Scotland in the 16th century was a nation in upheaval. New concepts of social order, new approaches to human understanding of the natural world and new systems of religious observance were to bring about radical social change, including the emergence of a religion ratified by the state but, unlike England, largely independent of its control.

The opening years of the 16th century saw Scotland poised between alliance with two others: France, a Catholic country, and England, which had rejected the authority of Rome. In 1503, the royal families of Scotland and England were united through the marriage between James IV and Margaret, eldest daughter of Henry VIII. By 1513, however, the Scots were invading Northumberland in support of France, a campaign which culminated in the disastrous battle of Flodden in which 8,000 Scots were killed, including the King.

The uneasy relationship between these three nations was acted out against the tide of religious change sweeping across Europe. There can be no argument that the most profound event in terms of the Scottish nation during the 16th century was the gradual establishment of the Presbyterian Church of Scotland. However, it is important to bear in mind that this was not simply a struggle between two forms of faith. What began as a debate conducted by disaffected catholic clerics on the flaws within the existing church became a separatist movement only in response to their frustration at the pace of change from within. In these early years, Presbyterianism was only one of a range of options. Moreover, this impetus for change was driven not only by religious considerations, but also by the nobility's eagerness to benefit from the affluence of the great monastic houses. From the twelfth to the sixteenth centuries, Prestonpans, for example, was part of the lands of Newbattle Abbey.[16] By 1549, Mark Ker, first Lord of Prestoungrange, was the abbey Commendator, responsible for the management of abbey lands and in charge of the income derived from these lands. In the years which followed, the Ker family gradually took over ownership of most of the land and property previously governed by the monks of Newbattle.[17] The progress of the Reformation movement towards establishment as the official church in Scotland was therefore inextricably linked with social and political issues, including not only the struggle for power between French and English sympathisers within Scotland but also those determined to retain Scotland's independent sovereignty.[18]

In 1527, the first designated martyr to the Protestant faith in Scotland was created when Patrick Hamilton's outspoken criticism of the Catholic church attracted the attention of David Beaton, Archbishop of St. Andrews. He was found guilty of heresy and burned in 1527.[19] Hamilton was a Catholic cleric who had been exposed to new ideas while studying abroad. The accusation of heresy, initially employed

against clerics such as Hamilton, was later used to justify the arrest, examination and punishment of witches. Archbishop (later Cardinal) Beaton conducted a campaign of some force against the growing Protestant population and was responsible for the death of George Wishart, who arrived in East Lothian in 1546, when John Knox, Scotland's greatest religious reformer, was a resident at the house of Hugh Douglas in Longniddry:

> "Wishart was...conducted to the mansion of Longniddry. There he had an opportunity of communing with Knox, who, deeply interested in his missionary labours, became his companion from place to place, armed with a two-handed sword."[20]

After Wishart's arrest and imprisonment at Elphinstone Tower, home of the Johnstone family, Sir David Hamilton of Preston became involved in efforts to save his life. A daughter of this family later married John Ker, stepson of John Knox and the second post-Reformation minister of Prestonpans.[21] Knox's widow lived for a number of years with her son in Prestonpans[22] and his grandson, Samuel Pont, was baptised in the parish in 1609.[23] Wishart was executed in 1546: Cardinal Beaton was assassinated by several Protestant sympathisers later that same year.

4. THE GODLY STATE

It was against this background of religious dissent that the Scottish monarchy moved closer to France in 1538 with the marriage of James V to Marie de Guise. The year 1542 saw both the birth of their daughter, Mary and the death of King James V. An attempt to enforce a marriage proposal between the English and Scottish crowns triggered an English invasion which came to be known as the 'Rough Wooing', a period of considerable turbulence for East Lothian. However, by 1548, the infant queen was resident at the French court, with the government of Scotland in the hands of a succession of regents.

In 1557, the rise of Scottish Presbyterianism was confirmed when Protestant nobles signed a bond rejecting among other things, the 'Congregation of Satan', ie the Catholic church.[24] In the two years which followed, many others across all ranks of society added their names to this bond. During this period John Knox continued to express his discontent with the governance of his country, despite his enforced residence in

England and Europe. In his pamphlet of 1558, 'The First Blast of the Trumpet against the Monstrous Regiment of Women', famous for its title if not for its content, he argues that any woman who exercises temporal or spiritual power over men is an instrument of the devil:

> "...it is a thing repugnant to the order of nature that any woman be exalted to rule over men. For God has denied unto her the office of a head...the nobility both of England and Scotland…[are] not only subjects to women, but slaves of Satan and servants of iniquity."[25]

This deep suspicion of women in positions of authority undoubtedly contributed to the much greater likelihood of a woman being accused of witchcraft than a man. In Scotland, 85% of accused witches were female.[26]

Within days of his return from exile in 1559, a sermon preached by Knox in Perth triggered a riot which resulted in the burning of two monastic houses.[27] The reformers subsequently expanded their influence across Scotland, allying themselves with England through the Treaty of Berwick. In spite of vacillation on the part of many of its supporters, in 1560 the Scottish Parliament declared the abolition of the mass, rejection of papal authority and the adoption of the Protestant faith. The 'First Book of Discipline', presented to Parliament in 1561, though not ratified by the monarch, Mary Queen of Scots, is nonetheless an important document, outlining a system of social control which was later successfully put in place and which had significant implications for the witchcraft outbreaks of the 17th century. The Protestant ministry was to be organised into superintendents, ministers, elders and deacons, a combination of ordained ministry and local laymen. Superintendents were considered to have the following responsibilities:

> "...to erect kirks, appoint pastors...examine the life, diligence and behaviour of the ministers…and the manners of the people: they must see how the youth were instructed and the poor provided for; and finally take cognisance of any crimes which called for the correction of the Kirk."[28]

In 1561, Mary returned to Scotland, the Catholic Queen of a country divided by religion and still enduring an uneasy relationship between France, England and its own sense of

national identity. The conflict between Mary Queen of Scots, and John Knox, Scotland's greatest religious reformer, was a significant element in the turbulent years following her return.

Mary declined to ratify the edicts of the 'Reformation Parliament'. There seems, however, to have been perfect agreement between the various factions over one particular piece of legislation. In 1563, two years after her return to Scotland, Catholic and Protestant alike were united in the passing of the Scottish Witchcraft Act, part of a series of Acts aimed at criminalising unsocial behaviour. This Act, among the most draconian of such legislation in Europe and without expressing any definite belief in what it terms 'vain superstition', forbade, on pain of death, any use of magic. In addition, anyone who consulted a magic user was subject to the same penalty.

> "...na maner of persoun nor persounis of quhatsumver estate, degre, or conditioun they be…to use ony maner of Witchcraftis Sorsarie or Necromanccie nor gif thame selfis furth to have ony sic craft or knawlege thairof... Nor that na person seik ony help response or consultatioun..... the pane of deid, alsweill to be execute aganis the user abusar as the seikar of the response or consultatioun."[29]

The Scottish Act took:

> "The most extreme position with regard to the conflation of black and white magic...consulters of witches were said to be worthy of death in the same manner as practitioners...England continued to tolerate cunning men and women (who were quite distinct from black witches)...Major witch hunts in Scotland and on the continent on the other hand tended to engulf the healer along with the cursed."[30]

5. KING JAMES VI

In 1567, Mary Queen of Scots abdicated in favour of her infant son, King James VI, (later James I of England) handing him over to the care of Protestant nobles. In securing the person of the King, these nobles also secured the opportunity to educate him in the Protestant faith. As a child, James was little more than a game piece in the power play between various court

factions. Once he reached adulthood and began his personal reign at the age of 21, suspicion and mistrust were ineradicable aspects of his personality, a fact which was to have significant implications in the context of the witch hunts which gripped the country throughout his reign and beyond.

Although the Earl of Morton eventually established himself as Regent for a considerable number of years, as a child James was constantly at risk from the political manoeuvring of various factions. Much of his childhood was spent at Stirling Castle under the guidance of his tutor, George Buchanan, a man of significant intellectual achievement and a fervent Calvinist.[31] Buchanan endowed James with a fondness for learning and a considerable facility in Latin. This intellectual precocity was allied to a strong sense of self-preservation and James learned very early to manoeuvre his way through the various court factions by avoiding confrontation wherever possible. Physically weak, it was his mental agility which allowed him to survive the often violent world of 16th century court politics. A contemporary description of the King as a young adult highlights the conflicts in his character, including his awareness that he lacked the physical presence necessary to gain the respect of his court. He was:

> "…wonderfully clever…full of honourable ambition and has an excellent opinion of himself…he is timid with great lords and seldom ventures to contradict them, yet his especial anxiety is to be thought hardy and a man of courage…his gait is sprawling and awkward; his voice is loud and his words sententious…His body is feeble…he is an old young man…he is prodigiously conceited."[32]

6. DEMONS AND DIVINE RIGHT

Nonetheless, as an adult, James successfully presided over a nation riven by different factions. The rising middle class saw the Protestant church as both a spiritual entity and a route to power, not merely independent of the state, but with significant control over the government of the country. At the same time the nobility – at war with itself in its quest for power – saw control of the person of the King as a route to supremacy. Lacking physical presence and with neither the willingness or the competence for confrontation, the King was nonetheless determined to establish his right to rule, basing his mandate

for kingship on the authority of a higher power, ie as God's representative on earth.

The concept of 'divine right' was more usually associated with Catholic monarchs and it brought him into conflict with his Protestant subjects. George Buchanan, his childhood tutor, refused to acknowledge the concept of divinely appointed kingship, arguing that no monarch could act without the mandate of the people.[33] James, however, saw a true monarch as one:

> "…ordained for his people, having received from God a burthen of gouernement whereof he must be countable."[34]

According to James, a true King is created by God, and the power vested in him is of divine origin and therefore absolute:

> "…love that God, whom ye have a double obligation; first, for that he made you a man; and next, for that he made you a little God to sit on his throne and rule over other men."[35]

The concept of divine right has a direct bearing on the witch hunts which took place in Scotland: any supernatural act directed against the King or the godly society was seen as part of Satan's efforts to destroy God's kingdom on earth and was therefore undoubtedly demonic in origin. The King's interest in witchcraft was intense. His 'Demonologie', published in 1597, specifies both the dangers of witchcraft and the methods of dealing with it which were enforced during his reign, first as King of Scotland and subsequently of Britain.[36]

The Demonologie, though published in 1597, was probably written at some time in the course of the witch hunt of 1590–91.[37] As the wording of the 1563 Act implies, belief in witchcraft at this time was by no means universal and in part, the Demonologie is an attempt to refute the arguments of those who refused to acknowledge its reality. Reginald Scot, for example, writing in 1584, ridiculed the credulity of those who entertained such beliefs:

> "I for my part have read a number of their conjurations, but never could see anie divels of theirs, except it were in a plaie."[38]

Not only did King James strongly object to such disbelief:

> "…such assaults of Satan are most certainly practised, and that the instruments thereof merit most severely to be punished."[39]

but he also maintained the validity of torture as a means of extracting a confession, the reality of the Demonic Pact and its associated 'witch's mark' – the spot on the body marked by Satan and subsequently insensitive to pain:

> "…experience daily proves how loath they are to confess without torture, which witnesseth their guiltiness."...he [Satan] makes them to renounce their God and baptism directly, and gives them his mark upon some secret place of their body. Which remains …thereafter ever insensible, howsoever it be nipped or pricked by any (as is daily proved)."[40]

Amongst a range of acceptable proofs for the practice of witchcraft he includes accusations by neighbours, a sorcerous reputation and the naming of another individual by a witch under interrogation. All these, he argues, are valid, since no innocent person can be falsely identified by servants of the devil. Once guilt is established, the penalty should be death with no exemption for sex, age or rank, including children.[41]

7. WITCHES AND THE NEW RELIGION

The new Protestant Church of Scotland strongly supported the King's desire to eradicate the perceived threat of witchcraft. In the 17th century in particular, witch hunts were frequently driven by local ministers, but even as early as the 1570s, John Knox is recorded as having harangued a woman accused of witchcraft from the pulpit at St. Andrews, afterwards watching her being burned to death.[42]

The process by which an individual came under suspicion of witchcraft often began with an accusation either by another witch under examination, by the local minister, or the local laird and, very commonly, accusations from neighbours. In the latter case, the issue of 'habit and repute' was crucial to any defence.[43] Unlike modern legal practice, a person's reputation was considered a valid element in the assessment of evidence. Some accusations were dropped early thanks to proof of respectability, but clearly, such an accusation would have an

impact on the individual's reputation, who, once accused, would be more likely to come under suspicion in the future.

Evidence was collected from neighbours while the witch underwent local imprisonment and interrogation by the accuser and often by local church elders. Torture was, technically, not permitted without the issue of a legal commission. However, such legal considerations were often ignored in the witch hunts of the 15th and early 16th centuries. Suspect witches were 'walked', ie prevented from sleeping, for days and even weeks at a time. Often, clothing was removed, food was withheld and imprisonment was made as uncomfortable as possible – all of this before being convicted of any definite crime. During Cromwell's interregnum in the 1650s his commissioners reported a:

> "…woman that was suspected…to be a witch, was twenty-eight days and nights with bread and water, being stript stark naked, and laid upon a cold stone, with only a hair cloth over her. Others had hair shirts dipp'd in vinegar put on them to fetch off the skin."[44]

'Witch prickers' such as John Kincaid of Tranent, toured the country, inserting needles into the bodies of the accused in search of the 'witches mark'. Kincaid's:

> "method of testing witches was to stick a brad-awl, or a pin three inches long, into various parts of their bodies...Probably his awl...could be retracted into the hilt when the operator pleased, so as to deceive the eye of spectators."[45]

These practices – and further tortures if the crime was tried at a higher court – were all considered acceptable in compelling a witch to confess. If found guilty, sentence of execution, usually by strangling and burning, was often carried out locally. The final indignity was that, once convicted,

> "prisoners had to reimburse the courts for the costs of their torture, trial and execution."[46]

It is perhaps for this reason that the cost of execution for John Fian of Saltpans, the most famous of Scotland's alleged witches, is carefully itemised in the records:

"Cost of Execution of John Fian or Cuninghame :

Item, to the wricht for setting the stoupe 10s
Item, for ten laid of coillis at vs viij the laid 64s 4d
Item, for twa turs of hedder 9s
Item, ane turs of brome 3s 6d
Item, vj tar barrellis and for careing of thame to the hill 20s
Item, 2 dry barrellis 5s
Item, for towis 3s
Item, for waiting upon the fyre 2s
Item, for carying the stoupe to the hill 8d
Item, to the lokman and his man 6s 8d
Total £5 18s 2d"[47]

8. A FRAGMENTED HISTORY

Although the witch hunts clearly had a profound impact on society in Scotland during this time, a study of the impact of these events is subject to certain limitations:

> "...the total number of executions, let alone the number of prosecutions, for witchcraft, can never be known… far too many records have been lost or destroyed...the surviving records demonstrate the indifference to formal and regular detail of a pre-bureaucratic age. Names are not always given. There are frequent references to 'many witches'. Verdicts are omitted."[48]

In addition, these records often ignore additional deaths among those who were suspected but did not suffer the full process of the law:

> "… those who had committed suicide while in prison...those who died from torture, ill-treatment or neglect in prison...those who had committed suicide or fled before their arrest, those who had been acquitted...given minor punishments, banishment or merely admonished..."[49]

In the case of Prestonpans, the ministers of the 16th century parish are recorded as having participated in a number of witchcraft trials. However, direct access to the parish minutes is not possible: The original records have disappeared and material held in Scotland's National Archives comprises a

heavily edited version produced in the 18th century which makes no reference to witchcraft.[50]

Difficulties in terms of such fragmentary documentation – much of it lost, destroyed, held in undocumented private collections or in many cases never recorded at all – is compounded by the complex and varied legal processes from accusation to trial and verdict. Scottish law was administered by a range of courts: baronial courts trying local offences; Regality Courts exercising central authority on a devolved basis which functioned in tandem with Sheriff Courts; the central criminal court or Court of Justiciary, which tried cases either centrally or through travelling courts, the 'Justice Ayres' and the Privy Council, which operated at the highest level, but could intervene in the legal process at any point.[51]

Furthermore, the laws governing witchcraft were not static. Before 1563 the church dealt with witchcraft, but punishment was enacted by secular powers. In 1563, the Witchcraft Act criminalised witchcraft and in October 1591 the privy council established six commissioners to enquire into witchcraft cases. This commission, empowered to send suspects for trial and authorise the use of torture, encouraged a proliferation of prosecutions of the early 1590s.[52] Between 1592 and 1597, commissioners from the Kirk and Privy Council were permitted to distribute standing commissions for the prosecution of witches at local level, after which this power was withdrawn and the privy council thereafter considered each individual request for a commission to hold a witchcraft trial.[53]

The 17th century saw further changes to the law. In contrast to the state-driven witch panic of 1590–91, much of the subsequent business of identifying, imprisoning and interrogating witch suspects was, as mentioned above, the preserve of the Kirk Session.[54] The Kirk, however, was not significantly involved in Prestonpans in 1590. At this time the town had no minister and indeed, no church, the original having been destroyed by the Earl of Hertford during the 'Rough Wooing' of 1544.[55]

It is also difficult to determine why witchcraft persecution should occur in one place and not another. The Highlands of Scotland, for example, appear to have experienced relatively little in the way of 'witch panics' compared to Fife and the Lothians.[56] In the case of East Lothian, or Haddingtonshire as it was formerly known, of all the cases recorded prior to the late 1580s, only one refers to a case in East Lothian. Witchcraft trials did occur during this period: the University of

Edinburgh database, the 'Survey of Scottish Witchcraft lists 112 witchcraft cases between 1550 and 1588.[57]

However, in the case of Haddingtonshire, the trigger seems to have been the national panic of 1590–91. Between the years 1590 and 1690 Haddingtonshire recorded a total of 542 cases, the highest of any county in Scotland, despite the fact that relative to other lowland counties of Scotland, its population was fairly small.[58] Although there is no valid means of determining why Haddingtonshire did not pursue witches with any great vigour before the 1590s, the trigger for its subsequent witchcraft obsession is, by contrast, relatively easy to pinpoint: the marriage of the King, by proxy, to Anne of Denmark at Copenhagen on 20 August 1589.

9. THE WITCH PANIC OF 1590–91

It was intended that the King's bride would travel to Scotland in autumn, 1589. However, the Queen's fleet was hindered by both bad weather and a leaky vessel. On several occasions the ships were forced back and, after a final effort in November 1589, the Queen settled in Oslo to wait for better weather. The storms which plagued the fleet also resulted in the sinking of the ferry between Burntisland in Fife and Leith, just outside Edinburgh, with the death of most of the passengers and crew, including Lady Mary Melville of Garvock, on her way to welcome the queen.

> "…Sche being willing to mak deligence, wald not stay for the storm to saill the ferry; wher the vehement storm drave a schip forceably upon the said boit, and drownit the gentilwoman, and all the personnes except twa."[59]

King James, waiting anxiously for news of the fleet, spent his time close to Edinburgh, including a stay near Prestonpans, at the home of Robert, 6th Lord Seton. From Seton House he no doubt had a clear view of the stormy waters which separated him from his bride. By the end of summer, he had waited long enough and undertook the journey to Norway to meet his bride – an uncharacteristically decisive choice which placed him in some degree of personal danger. James sailed in October 1589 and despite contrary winds, arrived safely in Oslo six days later. He and his bride spent the winter in Denmark and by May 1590 they were in Scotland.[60] These three events: the sinking of the ferry, the delayed arrival of the

Queen and the contrary winds affecting the King's voyage were the core of truth at the centre of the various 'dittays' or indictments in the witchcraft trials which followed.

In the summer of 1590, two women were burnt at Kronborg in Denmark, having been found guilty of using witchcraft to raise storms to impede the Queen's voyage.[61] By July, news of this witch hunt had followed the royal couple to Scotland. Physically weak and fearful of personal injury, it is probable that James welcomed this news: it confirmed that his fear was not for personal reasons, but for the future of a state without its divinely appointed King.

According to Walter Scott:

> "James was self-gratified by the unusual spirit which he had displayed on his voyage in quest of his bride and well disposed to fancy that he had performed it in positive opposition …to the malevolent purpose of Hell itself."[62]

Clearly, the King's determination to fetch his bride in the face of opposition from Satan himself gave him, in his own mind at least, the heroic stature which he craved.

10. CONSPIRACY

The accusation of treason through witchcraft was not new to Scotland. In 1479:

> "The Earl of Mar, brother of James III…fell under the King's suspicion for consulting with witches and sorcerers...the unhappy Mar was bled to death in his own lodgings without either trial or conviction."[63]

In 1577, a little over ten years before the arrests of 1590, Violet Mar of Perth had been tried and executed for treason by attempting to kill Regent Morton through witchcraft. These two examples clarify the social changes Scotland had undergone between the late 15th and late 16th centuries: the King's brother was executed without trial – Violet Mar, thanks to the Witchcraft Act of 1563, was tried and executed by established legal process.

It is clear that that East Lothian's involvement in the events which followed the King's return was to some extent the result of geographical factors: any supernatural plot against the well-being of the King and his family would require the conspirators

to be placed at various locations along the coastline of the Firth of Forth,[64] and in November 1590, when David Seton, bailie of Tranent, instigated the examination of his servant, Gelie Duncan, on charges of witchcraft, the King took an immediate interest in the case.[65]

It seems likely that Gelie Duncan's arrest was motivated by personal gain supposedly to assist David Seton in acquiring the estate of his relative, Euphemia MacCalzean.[66] No doubt Seton was encouraged by the family feud centred on Lady Foulis of Rosshire, which smouldered on in a series of accusations and counter-accusations of witchcraft from 1576 up to the end of the 16th century,[67] reaching one well-reported climax in the summer of 1590.[68] Among those named by Gelie Duncan in early depositions were John Fian, a schoolmaster from Saltpans and Agnes Sampson, a healer, of Nether Keith, near Humbie. This discovery of witchcraft in Tranent, close to the coast, was enough to persuade the King that this might provide the answer to the question of who was responsible for the dangers that had plagued him and his household.

The case of Gelie Duncan would have been known to King James through his association with James Carmichael, a Haddington minister who may well have participated in an earlier interrogation of Agnes Sampson at Haddington in May 1590. Carmichael is widely believed to have been the author of 'Newes from Scotland' a sensationalist pamphlet published in 1591, describing the arrest, torture and confession of John Fian and others.[69] This pamphlet attempts to take events to a new level of conspiracy, describing a plot by the devil to destroy his greatest enemy on earth, Scotland's divinely appointed King.

By December 1590, when the first of those accused of treasonably plotting the death of the King and members of his court were interrogated in Edinburgh, a link between Denmark and Scotland had been established:

> "…in the midst of the firth they met with the [witch] of Coppenhown [Copenhagen], where they commoned together."[70]

The names of those implicated by the North Berwick witches extended beyond the affluent middle class into the nobility, including the English ambassador, Robert Bowes who, though briefly mentioned, was never seriously considered a likely suspect.[71] But the most famous of the alleged conspirators was undoubtedly Frances Hepburn, fifth Earl of Bothwell and the King's cousin.

The King's relationship with his cousin was an uneasy one. Unlike James, Bothwell was a dynamic individual of a type becoming anachronistic in a society which placed increasing emphasis on social order and control. James was:

> "...bookish and machiavellian, Bothwell was intelligent and with an aristocratic pride comparable to James's sense of royal privilege."[72]

Bothwell was also aggressive. In 1584 he participated in an attack on members of the Hume family and:

> "killed all three, but hewed Davy Hume...all to pieces."[73]

Bothwell frequently disrupted the King's life, often arousing fear and consternation by forcing his way into the King's presence supported by men and weaponry. James, typically, attempted to appease this alarming figure: when James set off to fetch his bride, Bothwell was not only, as lord high admiral in charge of the fleet which brought the royal couple home, but was also named second in command of the government during the King's absence.[74]

James appears to have used a typically double-sided approach in his efforts to control his unruly cousin, part conciliatory, part accusatory. By 1593, James took advantage of the various accusations against his cousin when Bothwell was tried for employing witches in various attempts on the life and well-being of the King. Bothwell defended himself vigorously, but ultimately unsuccessfully, and left Scotland. He died in exile in Naples in 1612.[75]

Of the high ranking individuals named as conspirators, only one, Euphemia MacCalzean, was executed. In June of 1591, she was found guilty of various acts of both witchcraft and treason. Her death was horrific. She was not so much burned as baked alive:

> "...taken to the castle hill of Edinburgh and there bound to a stake and burned in ashes, quick [alive] to the death and all and sundry her lands, heritages...and gear to be forfeited and escheat to our sovereign lord's use."[76]

Almost immediately after her death, officially notarised documents were signed by those who had testified against her, proclaiming her innocence[77] and most of Euphemia

MacCalzean's forfeited estates were returned to the family – presumably including David Seton – in June 1592.[78]

11. THE RANK AND FILE

Although high ranking individuals such as the Earl of Bothwell and Euphemia MacCalzean were an essential component in the existence of a conspiracy aimed at the highest in the land, the validity of such a conspiracy is also dependent on large numbers of supporters. In the case of the Earl of Mar in 1479:

> "...twelve women of obscure rank and three or four wizards, or warlocks, as they were termed, were burnt at Edinburgh, to give a colour to the Earl's guilt."[79]

In terms of those who were identified as conspirators at local level, the earliest surviving records of the events of 1590–91 are the interrogations of Gelie Duncan and Agnes Sampson in Edinburgh in December 1590. The only official record relating to John Fian is the 'dittay' from his trial that same December. However, Fian's fame was assured by the notorious 'Newes from Scotland':

> "declaring the damnable life and death of Doctor Fian, a notable sorcerer, who was burned at Edinburgh in January last, 1591."[80]

'Newes' is typical of the type of prurient, sensation-mongering journalism which remains with us to the present day. It includes elements which, even without the account of witchcraft and sorcery, make it clear that its publisher was not excessively concerned with the truth. It describes how Fian accidentally charmed a cow which followed him:

> "forth of the church and to what place soever he went, to the great admiration of all the townsmen of Saltpans"[81]

This is clearly a fabrication, not simply because of the magic but, in purely practical terms, because Saltpans at this time had no church.

It is therefore difficult to judge the truth of the pamphlet's descriptions of torture inflicted on the accused. However, if these are valid, then the accused were subjected to extreme pain. In the case of Fian, torture instruments included the

'bootes' (an iron frame which used wooden wedges to crush the legs and bones) and the 'turkas' used to tear out fingernails. Gelie Duncan was subjected to the 'pilliwinkes' or thumbscrews and 'thrawing', ie securing her head with ropes and jerking it from side to side.[82]

Both the official records and 'Newes from Scotland' agree that it was through the King's own interrogation that Agnes Sampson confessed her treasonable actions,[83] although 'Newes' declares torture was used to encourage her. The King participated in a number of interrogations and followed the trials with interest, even to the extent of questioning the verdict of the assize in the case of one of the accused, Barbara Napier.[84]

This case of Barbara Napier, where the King made clear his resentment of the court's failure to enact the sentence of execution, also offers an insight into the attitude of the kirk to witch persecution and highlights the continuing struggle between church and state even in the pursuit of a common goal:

> "Mr Johne Davidsone said likewise, in the morning doctrine, that it appeared by the evill successe he [James] had in executioun of justice, so farre, that he had not power over a carline witche, naming Barbara Naper; that he and his counsell were not assisted by God, and that, because he had not repented sufficiently for his former sinnes."[85]

The statement that the King was not supported in his actions by God was not likely to be well received by a monarch who claimed his Kingship was divinely appointed. Two days later:

> "...Davidson was brought before the court with other members of his Presbytery when the King demanded that they should desist from using such public censures... discussion turned upon that ever-recurring question – the power of the King and the jurisdiction of the Kirk."[86]

It is clear that the Kirk, at least, did not see James as having higher authority than their ministers:

> "Mr Johne Davidson went doun to the Palace, to speeke with the King…He admonished him of neglect of justice, carelesse appointing of the ministers of justice, placing unfit men in offices, granting remissiouns."[87]

The most famous event described in the various documents associated with the witch persecutions of 1590–91 is undoubtedly the alleged convention at North Berwick Kirk, the place chosen by the witches to meet with the devil to celebrate their successes and make future plans. The earliest map of the area of sufficient detail, by John Adair in 1736, offers a possible reason for this: North Berwick, located at the point where the river meets the sea, was the only settlement with a church overlooking the coast.[88]

However it was not the citizens of North Berwick who became the focus for this witch hunt, but the residents of Tranent and Prestonpans.

12. A COMMUNITY UNDER SUSPICION

Prestonpans was the closest coastal settlement to Tranent, source of the original accusation by David Seton. It provided an appropriate mid point for a conspiracy stretching from Leith to North Berwick and boasted a well established harbour. Moreover, by 1590, the town already appears to have had some degree of sensitivity towards the issue of witchcraft: Jonet Fulton of Leith, who was strangled and burned in 1579, was obliged to move from Prestonpans some time before this due to a reputation for witchcraft.

Apart from its geographical suitability and close proximity to Tranent, there are a number of other possible reasons why the town was likely to attract suspicion. The area around the harbour at Acheson's (Later Morison's) Haven, formerly Prestongrange Colliery and now the site of the Prestongrange Industrial Heritage Museum, has been mined for coal for many hundreds of years. Local tradition reports that coal deposits did catch fire at various times[89] and Janet Stratton's description of the area around Morison's Haven as the 'Fiery Hills'[90] suggests that the coal workings there may have been on fire at some time. This would give the landscape a somewhat fearful appearance, as such fires continued to smoulder on, often underground, for many years.

Acheson's, or Morison's Haven itself also has another claim to fame, as the location of the earliest records of any Masonic Lodge in the world, dating from 1599.[91] Masonic guilds had a reputation for interest in arcane matters such as geometry and alchemy which came to be associated in the popular mind with the use of magic. Although there is no record of the date when this lodge was established, the mason's guild had an

official presence in Scotland from 1475[92] and it is therefore a reasonable assumption that the lodge at Acheson's Haven existed for some time before 1599. Though there is no evidence of significant involvement in the witch hunts on the part of the Masonic community, the King's master of works, William Schaw, undoubtedly knew the members of the lodge of Acheson's Haven and is recorded as participating in the interrogation of Agnes Sampson.[93]

Documents relating to the confessions and trials of the alleged conspirators establish Prestonpans as a significant locus for the conspiracy against the King, with the activities of witches in Edinburgh, Leith and elsewhere orchestrated by John Fian in Prestonpans. According to the various depositions, dittays and 'Newes from Scotland', a number of events allegedly took place in the area both prior to and following the infamous witch convention at North Berwick. These included meetings at various locations, including a number of houses in and around Prestonpans, such as Robert Grierson's house, from which the witches progressed to a Halloween meeting with a ship at sea, causing the ship to sink[94] and 'George Mot's backhouse' where they baptised a cat and tied bones from a corpse to its feet, then cast it into the water at Prestonpans in order to raise the storms which sank the Burntisland ferry and caused difficulties for the King's ship on its way to fetch his bride during September and October 1589.[95] Most damaging of all, however, were the activities alleged to have taken place during a witch's convention at the 'Fiery Hills' beside Aitcheson's Haven, the port of Prestonpans, on Lammas Eve (31 July) 1590, when:

> "Agnes Sampson, Barbara Napier and Euphame MacCalzean being at the Fiery Hills, Agnes Sampson raised the devil."[96]

This meeting was of primary importance in establishing guilt, for it was here that the witches took forward their treasonable plans for the death of the King by means of an enchanted picture and the use of poison extracted from the body of a toad. It was also the occasion for a number of damaging statements concerning the role of Francis, Lord Bothwell. Documents refer to up to eighty persons present at this meeting.[97] and Agnes Sampson in particular identified many individuals by name in the course of her enforced:

> "retelling of a story of witchcraft until that story becomes convincing as a narrative of treason."[98]

It is probable that Tranent, located on the lands of the Seton family, suffered equally with Prestonpans, which was under the control of the Kers of Prestongrange and the Hamiltons of Preston. However, it was Prestonpans, as the largest settlement in the area, which provided a ready supply of victims. The Adair map shows the town was not a great deal smaller than Haddington. It was surrounded by land farmed on the 'runrig' system mainly by residents of tiny 'farmtouns' – the First Statistical Account of Scotland, as late as the 1790s, lists a total of 60 resident in 13 houses at Dolphinston and Dolphinston Mains combined.[99] Tranent, situated slightly inland, and the coastal fishing hamlets also appear on the Adair map as much smaller settlements than Prestonpans, which was at this time already engaged in a range of rural and industrial activities including coal mining, saltmaking, fishing, farmwork and market gardening.

Furthermore, the population of Prestonpans, its salters and colliers, were considered to be among the lowliest of classes. Although their vital function in terms of the Scottish economy was recognised in various late 16th century statutes which brought them under the special protection of the crown, a further act of 1606 aimed at preventing people from escaping this difficult and extremely dangerous work declared these two types of worker tied to the land in perpetuity: they were, in effect, slaves to the landowner.[100]

It is also important to bear in mind when considering the impact of the witch hunts on a specific community that local settlements were closely linked through family ties. Beigs Wallace, of Preston in the parish of Prestonpans, who was burned in 1629, named her daughter, Jean Craig of Tranent as a witch. Twenty years later in 1649, her daughter was tried, found guilty and strangled and burned at Tranent.

13. THE LOCAL LORDS

Although the Kirk Session, with its rigid system of social order later became the major source of witchcraft accusations:

> "The Kirk Session, which identified so many witches, was a fully inquisitorial body. There was no jury, and the minister and elders combined the roles of prosecutor and

> judge…their primary role was coercive, stamping out ungodliness wherever it could be found."[101]

this was not yet fully the case in the 1590s, when the system of parish kirks was still in the process of establishing itself. Prestonpans, without a church or minister, had no local system of authority which might have mediated between its residents and the attentions of the nobility. This may in part explain why the first witch hunt, a relatively local affair, was colonised by the crown for its own purposes:

> "…the lord could, if he chose, dominate it [the town] completely."[102]

There is no record that the three major land-owning families in the area, the Setons, the Hamiltons and the Kers, took any steps to prevent the witch hunting on their lands. Indeed, the Seton family, in the person of David Seton, had already established their agenda in the witchcraft trials. In terms of the Setons, an important element in the progress of these accusations would undoubtedly have been the fact that the Setons were a Catholic family. A significant number of executions of 'catholic heretics' took place in Scotland throughout the early Reformation period[103] and the family must have been well aware that their religious affiliation put them at particular risk of the charge of heresy. Despite their interest in the outcome of the trials, they would undoubtedly have attempted to ensure that Seton lands did not figure too largely as named focus points for witchcraft activity.

It has been mentioned above that the Hamiltons of Preston were fervent supporters of the Protestant cause. Given their significant presence as commissioners and investigators of cases of witchcraft in the area during the course of the 17th century it would seem that some of the family at least were also committed to the hunting of local witches. Robert Hamilton, Bailie of Preston, was a commissioner in the cases against Margaret Mathesoun of Prestonpans and Beigs Wallace of Preston, both of whom were burnt locally in 1629. John Hamilton, bailie of Prestonpans was involved in the cases against 7 women in 1661 and, between 1628 and 1630, Patrick Hamilton of Preston was commissioner in a total of 24 accusations of witchcraft.

The remaining family, the Kers, are probably the most important in terms of the first witchcraft outbreak of 1590–

1591, since it was on the Prestongrange land owned by the Kers that much of the alleged activity took place. If the Setons were representative of the old Catholic nobility and the Hamiltons of the new Protestant hierarchy, then the Kers may be said to typify another group, the Renaissance humanists, who sought greater intellectual freedom than that allowed by adherence to the authority of the established church. Scotland's largest and best preserved example of renaissance ceiling decoration, the Prestongrange Ceiling, was commissioned by the first Mark Ker and completed in 1581. The wealth of images on this ceiling are a homage to the humanists of 16th century Europe, including the great French humanist Rabelais. It is an unequivocal statement that the Ker family considered themselves part of this cultured society.[104]

The family's religious affiliations are uncertain. Though not a catholic family like the Setons, there is some evidence that the first Mark Ker was not as confirmed a Protestant as his de-secularisation of the abbey lands of Newbattle might suggest: in 1560, during the early Parliamentary declarations of Protestant independence, John Knox commented:

> "...the chief pillaris of the Papisticall Kirk gave their presence, sick as the abbotis of Lendorse...Newbottill... and dyverse otheris..."[105]

Moreover his brother George was implicated in the treasonable affair of the 'Spanish Blanks' in 1592, when an alleged attempt at a Catholic conspiracy ended with George Ker's capture off the island of Cumbrae.[106]

There is also evidence of Mark Ker's attitudes to those who subsisted on land through his favour: in 1563 he was summoned before the Privy Council for evicting four of his tenants and ordered to pay a sum for their living expenses.[107] Although there is no record of the Ker family directly involving themselves in the witch hunt, this, together with the general attitude to salters and colliers mentioned above, suggests that the people who lived and worked on the lands of Prestongrange were not particularly valued by their lord.

The Prestongrange Ceiling, uncovered in the early 1960s, was originally thought to be evidence of satanic involvement on the part of the Ker family. Although this was not, in fact, the case[108] it seems likely that its existence may have contributed to a contemporary belief that the lands of Prestongrange were associated with satanic ritual. The death of Mark Ker the

younger in 1609 was reputedly brought about by witchcraft[109] and sorcery was also blamed for the death of his son, the 2nd Earl of Lothian, when the Ker family's ownership of the lands of Prestongrange ended with the suicide of the debt-ridden Earl.[110]

14. WHO WERE THE ACCUSED?

It is difficult to arrive at precise figures for how many of those accused in the witch hunt were residents of Prestonpans. Many women, as was customary at this time, are listed in the records under their original, not married name. The 'wife of George Mot', for example, may therefore appear elsewhere under another surname.

Christina Larner lists 51 for Prestonpans/Preston during 1590–1591.[111] However, the Survey of Scottish Witchcraft lists only five. This second, much smaller, total is due to a number of people in the Survey who are listed under the presbytery of Haddington instead of their place of residence. The actual number for this particular outbreak of persecution is no doubt somewhere between these two extremes.

Local records can also help in identifying residents of Prestonpans. However, there are no church records for 1590–91, before the parish was established. Furthermore, as mentioned earlier, the Minutes of Prestonpans Kirk session for the 17th century are no longer available and the existing record contains no information about the years of witchcraft persecution in Prestonpans, despite the fact that two ministers of the parish are recorded as participating in trials. The only surviving record in what remains of the parish minutes of an individual who may be one of the accused is the marriage of Issobel Griersoun to William Nicholson in 1598.[112] A woman of the same name was the first recorded witchcraft suspect in Prestonpans during the 17th century. Records of wills can also be useful in determining whether at least the family names of witchcraft suspects were resident in Prestonpans during the 16th and 17th centuries. These wills were made by rich and poor alike, since the poorer classes used a will as a means of claiming goods, even of minimal value, or outstanding wages.[113] These wills confirm that a number of families, such as Grierson, Chouslie, Mott and Acheson, were residents of Prestonpans during this time. However, certain names, such as Acheson, were common all along the East Lothian coastline.

Other names, such as Richesone or Carington can be traced through records of births, marriages and deaths[114] but, although these local records confirm residence, this does not necessarily confirm a family relationship.

The total numbers of accused collated from various sources for the 17th century correlate much more closely, comprising a figure between 38 and 41. Together with the figures from the 16th century, this indicates a minimum of 43 and a maximum – allowing for duplicates in Larner, who identified the number of trials rather than the number of individuals – of 81. These figures exclude those whose trial record is no longer available and those who died, fled or suffered in other ways.

In terms of establishing motive for the targeting of specific individuals, there is little evidence remaining. However, the saltpans were an enormously valuable resource and, given that David Seton appears to have a clear financial motive for instigating the original accusation against Gelie Duncan, it is possible that others, too, saw the witch hunt as an opportunity. There were a number of individual salt pan owners in Prestonpans in the 16th century, including George Mott, in whose home an alleged witches' meeting took place, Mott had a charter for a saltpan from Mark Ker in 1559 as did the Achesons, two of whom appear in the lists of accused.[115] Robert Griersonn may be the same Robert Griergsoun, skipper in Prestonpans, for whom a will is recorded in 1593.[116] However, as has been stated above, such relationships can only be speculative.

Despite these difficulties, it is clear that Prestonpans was a focus for the persecution of witches. Those who were imprisoned, tortured by the witch prickers and deprived of sleep until they were incapable of distinguishing fantasy from reality were likely to confirm and elaborate anything their examiners chose to introduce into their interrogations and, even from this distance in time, it is not difficult to imagine the ravaged community, where every mother, daughter or sister was only a whisper away from torture and execution. The damage that could be done to a single family is evident in the case of Margaret Hall of Prestonpans, who was investigated for witchcraft in 1661. Both her daughter and her mother were also accused of witchcraft. And not only women, it seems, were at risk: some cases also record the denunciation of husbands and fathers.

15. THE KIRK ESTABLISHED

The establishment of the parish of Prestonpans in 1595 is possibly one indication of how the community responded to their dire circumstances. In 1595, the Presbytery of Haddington proposed the appointment of a minister for:

> "South Preston and ye Panns, east and west and ye haill bounds yairabout, belonging, alsweill to my Lord Newbottle, as to ye laird of Prestoun."[117]

These were the lands belonging to the Kers, the Barons of Prestoungrange, and the Hamiltons. The Presbytery's choice for this ministry was none other than that perennial thorn in the King's side, the Reverend John Davidson.

Davidson was a man with a fervent belief in God and a clear understanding of the implications of individual responsibility. He gave part of his own personal fortune to the establishment of a church and school in Prestonpans. This was a new breed of Scottish Protestant; not a disenchanted cleric, but one whose whole upbringing was steeped in the Protestant faith. He was still a child when the Reformation Parliament of 1560 made its attempt to establish the Protestant faith as Scotland's official religion. Davidson was firmly against royal intervention in the affairs of the Kirk. While the crown was engaged in efforts to establish bishops within the church, Davidson was determined to reject any interference with the 'liberties of Presbyterianism'.[118]

No doubt this appointment contained elements of political expediency. Davidson was outspoken in his condemnation of anything he considered detrimental to the church and he may well have been something of an embarrassment to his more conciliatory colleagues:

> "...preaching against the King, denouncing the nobles as oppressors of their tenantry and condemning the Commons for imitating their vices."[119]

However, it seems that Davidson was not merely sequestered to a country parish to keep him out of trouble. This appointment was something the people welcomed. After Davidson's first sermon in Prestonpans, taking, perhaps significantly, for his text 'the people which sat in darkness saw great light', a 'great multitude' expressed their eagerness for his ministry and in 1596,

Davidson became first minister for the newly established parish in Prestonpans.[120]

After some difficulty with Mark Ker, Lord Newbattle, Davidson gained permission to build a church and manse on lands belonging to the Hamilton family. It is doubtful if Ker had any fondness for John Davidson, who was probably the author of a tract giving an account of the Spanish Blanks episode involving George Ker.[121]

The people had their wish and a godly community was born, under the leadership of a man who was fearless in confronting the King and with a reputation for defending the people against the power of the nobility. With such a recent example of what befell those who were judged to have denied God, it is not surprising that Davidson's parishioners strove to lead a blameless life. Among those listed as participating in the first baptism following Davidson's appointment are the families of Acheson and Wallace.[122] Both of these names appear in the list of prosecuted witches in 1590–91.

In spite of Davidson's apparent enthusiasm for the pursuit of witches during his time at St. Giles, it does appear that his parishioners enjoyed a degree of relief from witchcraft prosecution once their minister was appointed: the 'North Berwick' case continued to rumble on but, as the witch panic gathered momentum elsewhere, by and large the remainder of the 16th century passed peacefully for the people of Prestonpans. Between 1592 and 1600, there were 146 recorded witchcraft cases in Scotland, only two of which were in East Lothian, despite a national panic in 1597 during which an estimated total of 400 cases occurred. It was:

> "another North Berwick – a major panic over treasonable witchcraft that was thought to be directed against the King personally."[123]

Despite his removal from Edinburgh, Davidson continued to irritate the King: in 1601 he was imprisoned in Edinburgh Castle for a day and subsequently confined to the bounds of his parish.[124] In 1603, when the King passed through the parish of Prestonpans on his way to set up permanent court in England, Davidson experienced at first hand the King's ability to bear a grudge. The King was leaving Scotland and John Davidson, now old and frail, would no longer be a source of irritation. The Presbytery entreated the King to allow Davidson the freedom to leave the parish bounds, to which the King

replied, "he may lie and rot there".[125] Davidson died later that same year.

16. THE WITCH HUNT CONTINUES

By the time of the appointment of John Ker, stepson of John Knox, as minister to replace Davidson,[126] it would seem that the power of the church was affirmed in Prestonpans. But unfortunately for the town, it was the church and not the departed King which ensured the continuation of witchcraft persecution into the 17th century. By the 1640s, the Protestant witch hunt was in full force in Prestonpans. In many cases, the imprisonment and examination of suspects took place in Prestonpans itself and the enactment of sentence too, was frequently local.

By this time, much of the local policing of antisocial behaviour had been taken over by the Kirk session and this brief included crimes of witchcraft. John Oswald, minister of Prestonpans between 1646 and 1653, was an investigator in the 1649 case of Jeane Craig, the daughter of Beigs Wallace. Patrick Cook, his successor, is recorded as investigator in the trials of Helen Gibesone in 1661 and Christian Blaikie in 1662. There is no record of the Ker family participating in the witchcraft trials: however, this changed when ownership of Prestoungrange passed into the hands of the Morison family in the first decade of the 17th century.[127] Alexander Morison, later Lord of Sessions, was one of the commissioners in the case against Agnes Kelly in 1678.

Unlike the previous century, the pattern of witch hunting in Prestonpans was by this time a reflection of national patterns. But once a neighbourhood was established as a locus, it was permanently identified as a potential place of witchcraft activity and Prestonpans, together with Tranent, was firmly established in the national consciousness as a place where witches congregated:

> "Within these general areas there were certain small towns and villages which appear again and again. Tranent and Prestonpans were places which featured both in the first witch-hunt and in all the major hunts...Where there were local memories of actual burnings it was relatively easy to stimulate them again."[128]

Between 31 and 39 persons from the parish of Prestonpans were recorded as being involved in witch trials between 1600 and 1679, the date of the last recorded accusation of witchcraft in the town. Compared with the totals from the 1591 witchcraft trials, this may seem a relatively small number over a period of almost eighty years. However, these figures reflect specific periods of intense witch hunting activity. During the period 1628–29, seventeen people from Prestonpans were tried on charges of witchcraft, almost 50% of the total for the period, twelve in the years 1659–62, a major period of witch hunting across Scotland, then a further four in 1678–79.

The earliest recorded witchcraft trial in Prestonpans in the 17th century was the case of Issobel Griersoune in 1607. Although it is certain that the Grierson family were long established residents of Prestonpans[129] there is no record of whether she was related to the Robert Griersonn who was at the centre of many of the allegations in 1590–91. Issobel was not particularly well off. Her husband is recorded as a working man. She appears to have been a woman of intemperate habits, a dangerous thing at the time, given to colourful cursing and involved in various disputes with her neighbours. She was strangled and burnt on Castle Hill in Edinburgh. David Seton's involvement in the trials of Beigis Tod, first implicated in 1591, but tried and executed in 1608 and Isobell Griersoune in 1607 is the final record of his activities as a hunter of witches. His existence, however, is still recorded in the town of Tranent:

> "To the north of the churchyard of Tranent...stands an old dove-cot...Above the now doorless doorway of the dovecote a tablet of sandstone is still to be seen...now all but effaced by time and the weather, and still bears the name of David Seton, and the date, 1587...On reading the inscription, one remembers with a shudder that this was the name of the deputy bailiff in Tranent...who, in the year 1591, was the prime mover in the crusade against witchcraft."[130]

This inscription is still faintly visible today.

The witchcraft trials of 1628–29 are not recorded in any great detail. However, as well as the Hamilton family, the Johnstones of Elphinstone are also recorded as participating in many of these trials. This family have already been mentioned as close associates of John Knox: a member of this family was

the wife of John Ker, stepson of Knox and minister of Prestonpans parish from 1605 to 1644.[131]

During the period 1658–1662, a number of individuals in Prestonpans were denounced, some of whom appear to have come under suspicion because of James Welsh, a young beggar boy who offered a rich resource for witchcraft investigators with his descriptions of witches, fairies and various magical events and whose childish imaginings foreshadow the future pattern of many witchcraft accusations, including those at Salem in Massachussets in 1692 and the case of Christian Shaw in Paisley in 1697. These young people became involved in witchcraft accusations from a variety of motives: in the case of James Welsh, presumably he was fed and sheltered while his evidence was taken. Christian Shaw may have been ill. The Salem outbreak was, perhaps the most tragic since it appears likely that the trigger for this savage witch hunt was simple boredom:

> "These Salem Village children had little to occupy their time but the drudgery of routine indoor tasks and the strict demands of their Calvinist parents. Activities which stimulated mental or physical excitement were considered sinful by their elders."[132]

The last major local outbreak of witch hunting, in 1678, seems to suggest that the witch frenzy might be abating, since on this occasion it was the accusers, not the accused, who received censure from the law. Church and state seem to be concerned to distance themselves from the violence associated with witch hunting. Catherine Liddel:

> "...exhibited a complaint against Rutherford, baron bailie to Morrison of Prestongrange, and against David Cowan in Tranent, bearing that they had seized upon her, an innocent woman, and had defamed her as a witch, and detained her under restraint as a prisoner; and that the said Cowan had pricked her with his pins in sundry parts of her body, and bled and tortured her most cruelly."[133]

Cowan, it appears, had learned his trade from John Kincaid the witch pricker from Tranent. Rutherford was discharged by the Privy Council with a reproof. David Cowan was sent to prison. The remainder of those involved in this case were an assortment of salters, mariners and others who do not appear to have any official standing, except perhaps William Atcheson, an

officer. The minister of the parish of Prestonpans, James (or possibly John) Buchan, does not appear to have had any involvement with these events, which suggests that the malefactors were acting without community approval as well as legal authority.

Rutherford and Cowan did not limit their attentions to Catherine Liddel. In 1677 and again in 1678, in company with a different band of men, they had forced their way into the home of Elspeth Chousley and subjected her to the same ordeal as Catherine Liddel. On this occasion, local residents came to her aid, which suggests that by this time, or at least in this case, they had no fear of guilt by association. The malefactors also targeted Agnes Kelly and her servant Marjorie Anderson in an attempt to persuade them to incriminate Elspeth Chousley: this situation appears to have been a little more serious than Catherine Liddel's, since they were faced with a commission including Patrick Brown of Coulston, who was involved as commissioner in a large number of trials, and Alexander Morrison, baron of Prestongrange, whose bailie, Rutherford, was closely involved with the actions against Elspeth Chousley. Catherine Liddel, Elspeth Chousley and Agnes Kelly appear to have been relatively well-to-do: two at least were widows whose estates were their own. Perhaps these episodes were more to do with robbery than with fear of demonic activities.

17. SCOTLAND'S WITCH PANIC ABATES

Up until 1662, large-scale witch panics were the norm, with government commissions for trials being granted with minimal reference to individual circumstances. However, from 1662 onwards, there was a gradual decline in the pursuit of witches. To a large extent, this was the result of a wider process of centralisation of authority. Before this date,

> "in more than 90% of all the trials conducted by local commissioners, the accused were convicted and executed."[134]

However, the national hysteria of 1661–1662, when 664 named witches in four counties were subjected to unauthorised arrests, torture and in many cases execution, (including 'several persons' recorded as burnt at Saltpreston in 1661) seems to have triggered a determination on the part of central government to prevent such illegal activities in the future.

From April 1662 onwards, the conduct of witchcraft trials was passed into the hands of professional legal representation and judgement.[135] The Privy Council expressed disapproval of the fact that:

> "many persons had been seized and tortured as witches, by persons having no warrant for doing so, and who only acted out of envy or covetousness. All such unauthorised proceedings were now forbidden."[136]

The proclamation issued by the Privy Council at this date did not immediately effect a reduction in the numbers of those arrested and tortured on suspicion of witchcraft. However, it did establish the illegality of many of these proceedings.

> "…a caution was given that there must be no torture for the purpose of extorting confession. The judges must act only upon voluntary confessions; and even where these were given, they must see that the accused appeared fully in their right mind."[137]

The system of circuit courts, initially enforced under the rule of Cromwell was continued after the crowning of Charles II in 1660. Commissions required the presence of a justice-depute from Edinburgh, ensuring that their verdicts were subject to central scrutiny.[138] Under this system, the practice of arrest and interrogation based on local 'habit and repute' was clearly no longer a validation for the arrest and torture of witchcraft suspects.

In 1689, the 'Claim of Right' by which Scotland accepted the rule of William of Orange increased the individual's legal protection from torture. Whereas before this, torture was considered a valid means of gaining evidence and extracting a confession, the Claim of Right specified that use of torture without evidence of crime was contrary to the law:

> "The Declaration of the Estates containing the celebrated Claim of Right (April 1689) asserted that 'the imprisoning of persons, without expressing the reasons thereof, and delaying to put them to trial, is contrary to law.' It also pronounced as equally illegal 'the using of torture without evidence in ordinary crimes.'[139]

This would not, however, have made any significant

difference to the fate of the original victims of 1591, since their crime was not merely witchcraft, but treason, and torture was still considered acceptable in such cases. Nor does this increasing centralisation of authority mean that unauthorised witch hunting no longer took place, as can be seen from the 1678 cases in Prestonpans and elsewhere. In 1705, Janet Cornfoot from Pittenweem was tortured, stoned and eventually crushed to death, all without legal authorisation and the last recorded case of execution for witchcraft in Scotland, in Dornoch in 1727, was also carried out without reference to any valid judicial framework.[140]

18. THOU SHALT NOT SUFFER A WITCH TO LIVE

However, these changes in the law and society were still many years distant when James VI inherited the throne of England and was crowned in 1603 as James I of England. James brought with him the attitudes and beliefs formed as a child and developed during his years as Scotland's monarch. His 'Trew Law of Free Monarchies' published in 1603 reiterates the idea of sovereignty divinely granted, the belief which permitted him to interpret any act against that sovereignty as an act of the devil. One of his first acts as King of England was to strengthen the law against witchcraft in his new kingdom. The English Witchcraft Act passed, like the Scottish Act, in 1563, had limited the use of the death penalty to those found guilty of causing death by witchcraft. The Witchcraft Act of 1604 extended the English Act to include death by hanging for anyone attempting to bring about harm to another person through magic. This Act brought a significant increase in executions for witchcraft in England, most particularly during the 1640s.[141]

The King's attitude to witchcraft was clearly expressed not only in his Demonologie, but in the bible which bears his name, the King James version, published in 1611. Although a work of undoubted scholarship and vivid language, it is famous not only for its widespread popularity, but also for its famous – and probably deliberate – mistranslation of the phrase 'thou shalt not suffer a poisoner to live' as, 'thou shalt not suffer a witch to live'.[142]

However, it was not only the publications of the King and the church which fixed the concept of the malevolent witch in popular imagination. The exact publication date of

Shakespeare's Macbeth is not known, but it was certainly at some point close to the early days of King James' arrival in England.

The tale of a kingdom torn apart by the murder of its lawful King, of the unnatural signs and portents which accompany the murder of Duncan, God's ordained monarch and the treasonable sorcery on the part of the witches incorporates all the major themes of the witch panics of the 1590s. References to the ancestry of King James in the character of Banquo make it clear that Shakespeare was linking his work of fiction to the person of the King and the details included within the play clearly reveal the author's familiarity with the description of events contained within 'Newes from Scotland'.[143]

The pursuit of witches did not, however, limit itself to England. By the time James succeeded to the throne of England, colonisation of the eastern seaboard of the American continent had already begun and the witchcraft act of 1604 has been identified as a primary cause of the most famous episode of witch persecution in America, the Salem witch trials of 1692.[144] Although the Protestants of England did not have the rigid social control which allowed witches to be pursued on the scale they were in Scotland, this did not mean they were not aware of the dangers of demonic power and willing to take steps to deal with it: Matthew Hopkins, the most notorious of English witch hunters, was the son of a Puritan clergyman. There were close links between the various Protestant communities in England and Scotland. John Davidson, for example, while exiled from Scotland due to his outspoken criticisms of the government, spent some time with the leaders of the English Puritan communities.[145] The Puritan settlements of New England and Massachusetts incorporated the attitudes and beliefs they had developed in England.

Large scale Protestant immigration to America began in 1620 and the colony at Salem was established only a few years later, in approximately 1626. As in Britain, the crime of witchcraft was punishable by death and from 1650 onwards, a number of cases were recorded in New England, often involving the accusations of children. Cotton Mather, a church minister and son of the colonial ambassador to England, Increase Mather, was closely involved in one case of 1688, publishing a detailed account of the sorcerous practices conducted in particular by one woman, Mary Glover.[146] To some extent, Salem Village represented a meeting of cultures between the European belief in witchcraft and the 'voodoo'

magic known to servants in the village. As with the arrests and trials associated in Scotland with James Welsh, it was young people who were the driving force behind the witch panic, which culminated in 1692 with the arrest of 200 people, and the execution of 24. Although the total number of those executed for witchcraft in America compared to Scotland and England is, relatively speaking, very small, it nonetheless stands as a major example of the savage potential of witch panic: in a single year, 20 people were executed in the tiny community of Salem.[147] It is ironic to consider that the attitudes which drove the witch panics of Scotland and arrived in England with the coronation of King James VI, then travelled thousands of miles to impact upon the communities of those who had left Britain in protest against persecution for their beliefs.

It is interesting to note that once again, a major contributor to our appreciation of the significance of witchcraft persecution is a work of fiction: 'The Crucible' by Arthur Miller. Though written more than 250 years after the events at Salem the play clarifies the reasons why these events should not be forgotten. Its purpose is not so much to tell a story of 17th century America, but to use those events as a warning against contemporary persecution at a time when the 'House Committee on UnAmerican Activities', driven by a panic-fuelled fear of Communism during the 1950s interpreted the refusal of witnesses to speak or to incriminate others as proof of guilt.[148] 'The Crucible' is a warning against complacency, a reminder that what has happened in the past can, in another form, impinge upon the present.

It is no accident that the Columbus Centre for the study of the dynamics of persecution and extermination took as its two major area of study both the program of Jewish extermination in Nazi Germany and the European witchcraft persecution of the 16th and 17th centuries.[149]

19. AFTERMATH

In 1736, amendments to the Witchcraft Act reduced penalties to imprisonment or a fine. This Act took the stance that witchcraft was non-existent and its implementation was reserved for those who sought to profit from faking such abilities. This does not mean to say, however, that belief in witchcraft could be eradicated by statute:

"People growing up in Caithness and Sutherland in the

> 1870s 'all believed in the reality of witchcraft' because they all personally knew witches."[150]

Belief in witchcraft has persisted throughout the years since the witch panics of the 16th and 17th centuries and indeed in recent years, has gained ground, as is evident from the numerous 'wiccan' sites accessible through the internet. In Acheson's Haven itself, as late as the 1920s, a woman who could cure warts was considered to be a witch of the healing variety.[151]

A comparison between various areas of Scotland reveals that East Lothian, and Prestonpans in particular, suffered more from witchcraft persecution than any other location in Scotland, with the largest recorded number of accusations for any town, even much larger settlements such as Aberdeen.[152] It is clear that, acknowledged or not, these events are deeply embedded in the national consciousness. A junior school history of Scotland, published in 1854, gives the following account:

> "…it was alleged that, in conjunction with certain witches, he [Bothwell] had modelled a waxen image of the King, which was afterwards held before a slow fire with the intent that, as it melted away, James should grow sick and die. He was further accused of preparing a very potent poison from the skins of adders and toads, with an essence extracted from the head of a young foal, and which was to be so placed that it might fall on the King's head, a single drop being sufficient to destroy life."[153]

Despite changes in the law, the spectre of witchcraft continued to haunt British society: In 1944, Helen Duncan from Callander was convicted under the Witchcraft Act of 1736, a trial which generated interest throughout the United Kingdom, including the involvement of the Prime Minister, Winston Churchill. Although this act specified witchcraft as a practice of charlatans, it was used in this case because the authorities feared her clairvoyant powers enabled her to predict details of wartime movement of shipping. She spent nine months in prison. Not until 1951 was the Witchcraft Act finally repealed when Sir Winston Churchill was once again in office at 10 Downing Street.

Helen Duncan of Callander.
The last person convicted under the Witchcraft Act

Absolute Pardon

FINDINGS OF THE BARONS COURTS

On 27th July 2004 in the Trinity Session of our Baron Courts of Prestoungrange and Dolphinstoun we *pronounce* the following interlocutor [EII. 53. 2004 P&D. 02]:

Finds in Fact:

1) That it appears that a gross miscarriage of justice was inflicted upon many persons convicted of 'conjuration or sorcery' within the jurisdiction of the Baron Courts of Prestoungrange and Dolphinstoun and executed for the same before the enactment of *The Witchcraft Act 1735*.
2) THAT before the enactment of *The Witchcraft Act, 1735*, thousands of people through out Scotland and their cats, were executed for 'conjuration or sorcery' under the Statute 1603, 1 Jac. I, c. 12, upon legally insufficient 'spectral evidence' under Scots Law: That is to say, the 'voices' or actions of 'spirits' given as 'evidence' of the 'guilt' of the accused.
3) THAT those persons condemned for witchcraft within the jurisdiction of the Baron Courts of Prestoungrange and Dolphinstoun were convicted on the basis of 'spectral evidence', that is to say, the 'voices' or actions of 'spirits' given as 'evidence' of the 'guilt' of the accused.
4) THAT this gave rise to a situation of waging private vendettas by accusing one's enemies of witchcraft.
5) THAT all those persons and their cats were convicted of 'conjuration or sorcery' within the jurisdiction of the Baron Courts of Prestoungrange and Dolphinstoun and executed for the same were convicted on the basis of legally insufficient "spectral evidence" and were probably the victims of personal vendettas by personal enemies who alleged the commission of 'Witchcraft' solely as a means to getting rid of the accused.

Finds in Law:

1) THAT 'spectral evidence', consisting of the 'voices' or 'actions' of evil spirits, is impossible to prove or to disprove in a court of law; nor is it possible for the accused to cross-examine the 'spirit' concerned: One is convicted upon the very making of such charges without any possibility of offering a defence against such 'spectral evidence'.
2) That, at the least, the verdict of "Not Proven" should have been rendered in all cases and situation where those accused of witchcraft were convicted on the basis of legally insufficient 'spectral evidence'.
3) That all those persons and their cats convicted of 'conjuration or sorcery' within the jurisdiction of the Baron Courts of Prestoungrange and Dolphinstoun and executed for the same were wrongly convicted upon the basis of "spectral evidence" legally insufficient under Scots law to sustain a conviction.

HELD:

1) The Baron Courts of Prestoungrange and Dolphinstoun rule that weightily and sufficient grounds of both fact and law exist for vacating the conviction of all those persons and their cats who were convicted of 'conjuration or sorcery' within the jurisdiction of the Baron Courts of Prestoungrange and Dolphinstoun and executed for the same before the enactment of *The Witchcraft Act 1735*: In all cases such convictions were based upon 'spectral evidence' legally insufficient under Scots law to sustain a conviction. In all such cases the verdict of "Not Proven" ought to have been rendered by the Baron Courts of the day.

2) Accordingly, the Baron Courts of Prestoungrange and Dolphinstoun grant an Absolute Pardon to those persons convicted of 'conjuration or sorcery' within their jurisdiction before the enactment of *The Witchcraft Act 1735* as well as to the cats concerned.

3) Furthermore, the Baron Courts order that this most unfortunate carriage of justice inflicted upon such persons and their cats be remembered: (i) in murals to be painted in the baronies depicting their plight; (ii) by an historical record being published that both recounts their alleged crimes and punishments and records such Absolute Pardon; and that (iii) the tragic events involved be re-enacted each year on Hallow-e'en and from time to time as a living reminder of this earlier process of justice in Scotland.

In Remembrance

Margaret Aitchesoun	1590T	Ewfame McCalzean (Euphemia McLean)	1590T
Masie Aitchesoun	1590T	Catherine McGill	1590T
Agnes Aird	1661	Gilbert McGill	1590T
Marjorie Andersone	1678B	Johnne McGill	1590T
Margaret Auchinmoutie	1661	Barbara Mathie	1628B
Marioun Bailzie (Baillie)	1590T	Wife of George Moitis	1590T
Christian Blaikie	1661	Wife of Nichol Murray	1590T
Meg Bogtoun	1590T	Ane Nairn	1591T
Janet Boyd	1628B	Jonett Nicolsoun	1590T
Bessie Broune (Brown)	1590T	Marioun Nicolsoun	1590T
Thomas Brounhill (Brownhill)	1590T	Margaret Oliver	1628B
Wife of the above	1590T	Marie Patersoune	1590T
Duncan Buchquhannan	1590T	Portar of Seton, wife	1590T
Margaret Butter	1661	Helen Cuhyrte (White)	1590T
Martha Butter	1659	Alexander Cuhytelaw (Whitelaw)	1590T
Jonett Campbell	1590T	Wife of John Ramsay	1590T
Elspeth Cheuslie	1679	Marion Ranking	1590T
Thomas Cockburn	1590T	Janet Reid	1628B
Marioun Congilton	1590T	Bessie Riddell	1628B
Bessie Cowane	1590T	Margaret Ridpeth	1628B
Beatrix Cuthbertson	1628B	Donald Robinson	1590T
Janet Darlig	1628B	Anny Rycheson	1590T
Agnes Dempstar	1628B	Daughters of Agnes Sampsoun	1590T
Gelie Duncan	1591T	Agnes Sampsoun	1590T
Catherine Duncane	1590T	Marioune Schaw	1590T
Thomas Fean	1591T	Ane Simson	1591T
John Fian or Fiene	1590T	Wife of Smythe	1590T
Jonett Gall	1590T	Elizabeth Steven	1629
Malie Geddie	1590T	Jonett Straitton	1590T
Helen Gibesone (Gibson)	1661	Janet Strauchane (Strachan)	1628B
Johnne Gordon	1590T	Margrett Thomson	1590T
Catherene Gray	1590T	Bessie Thomsoune	1590T
Jonnett Gray	1661	Katherine Wallace	1590T
Robert Griersoune	1591T	Charles Wat	1591T
Issobell Griersoune	1607	Bessie Wrycht (Wright)	1590T
Issobell Gylloun	1590T	Margaret Young	1628B
Margaret Hall	1661		
Agnes Kelly	1678		
Cristian Kerington	1590T		
Helene Lauder	1590T	**Notes**	
Issobell Lauder	1590T	B = Tried by local commission ordered by the Privy Council or the Committee of Estates acting for Parliament	
Agnes Liddell	1628B		
Katherine Liddell	1678 (Acquitted on caution)		
Jonett Logan	1590T	T = Treason and witchcraft	

20. AT LAST A PARDON WAS GRANTED

In July 2004 the Barons Courts of Prestoungrange and Dolphinstoun issued their Pardon, four months before their right to exercise such an option was removed from Scotland's remaining Barons Courts by Act of Parliament. This Pardon was similar in intent to the General Court Resolve issued at Salem, Massachusetts in August 1957, absolving those accused of witchcraft of any guilt.[154] Since many of those tried and executed in Prestonpans were also found guilty of treason, a crime which can only be tried by Higher Courts, the Barons Courts also petitioned the Crown personally for a review of these cases in the hope of a further Pardon from Her Majesty. It was alas referred to Her Ministers who indicated only the most extraordinary quantum of research could enable the matter to be considered and that even then there was no precedent for successful outcome.

The Pardon for witchcraft issued by the Barons Courts of Prestoungrange and Dolphinston in 2004 lists eighty-one names.[155] It could be argued that the Pardon is a case of 'too little, too late': these events are over four hundred years distant in time and little, if any interest remained in the fate of these people. However, this was not the case. The event at the Prestoungrange Gothenburg on October 31st 2004, when Roy Pugh, author of 'The Deil's Ain', delivered copies of the Pardon to local named descendant families, made it very clear indeed that residents of Prestonpans still wished to honour the memory of those who suffered. The local Pardon ceremony attracted press and tv interest around the world: particularly in America, Australia and New Zealand, where many Scottish emigrants have made their homes. Links for the future have been forged with Salem in Massachusetts USA. The history of working people is rarely recorded and the modern-day residents of Prestonpans clearly welcomed a rare opportunity for recognition of themselves and their ancestors. The name descendants were content in the context of such global awareness to agree that no further steps should be taken by the Barons Courts to secure the long overdue Pardon for Treason.

The Barons Courts not only resolved to Grant their Pardon however. They specifically required that each

succeeding October 31st, Hallowe'en, should be a Remembrance Day in Prestonpans for the 81 Witches. Murals have since been painted and dramatic re-enactments of the period have been created. And this historical study was commissioned by Prestoungrange University Press quite specifically so that visitors to Prestonpans [who are being specifically encouraged to come] can take away a comprehensive and respectful version of these tragic times.

* * *

It is very easy for all of us to acknowledge and rail against the crimes that others perpetrate against humanity, but it is an altogether different thing to acknowledge that such inhumanity can occur within one's own community. The Pardon granted already stands as a distinctive memorial to those who lost their lives. But it must surely act forever as a warning that no-one amongst us can confidently state that they would never participate in such a process of persecution. The Kirk was right: there were indeed demons loose in their Godly state. Sadly, these demons were not supernatural – they were man-made, and still dwell amongst us.

Pardon ceremony

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ACKNOWLEDGEMENTS

I am deeply indebted to the 'The Survey of Scottish Witchcraft', Goodacre, J, Martin, L, Miller, J, Yeoman, L, http://www.arts.ed.ac.uk/witches/, accessed September 2004–February 2005 for statistical material and most particularly for information on the commissioners and investigators involved in trials associated with the people of Prestonpans. Unless stated otherwise, the names of individuals and statistical information have been taken from this survey.

I am also grateful for the invaluable survey of historical context and contemporary documents published by Normand and Roberts in 'Witchcraft in Early Modern Scotland: James VI's Demonology and the North Berwick Witches'.

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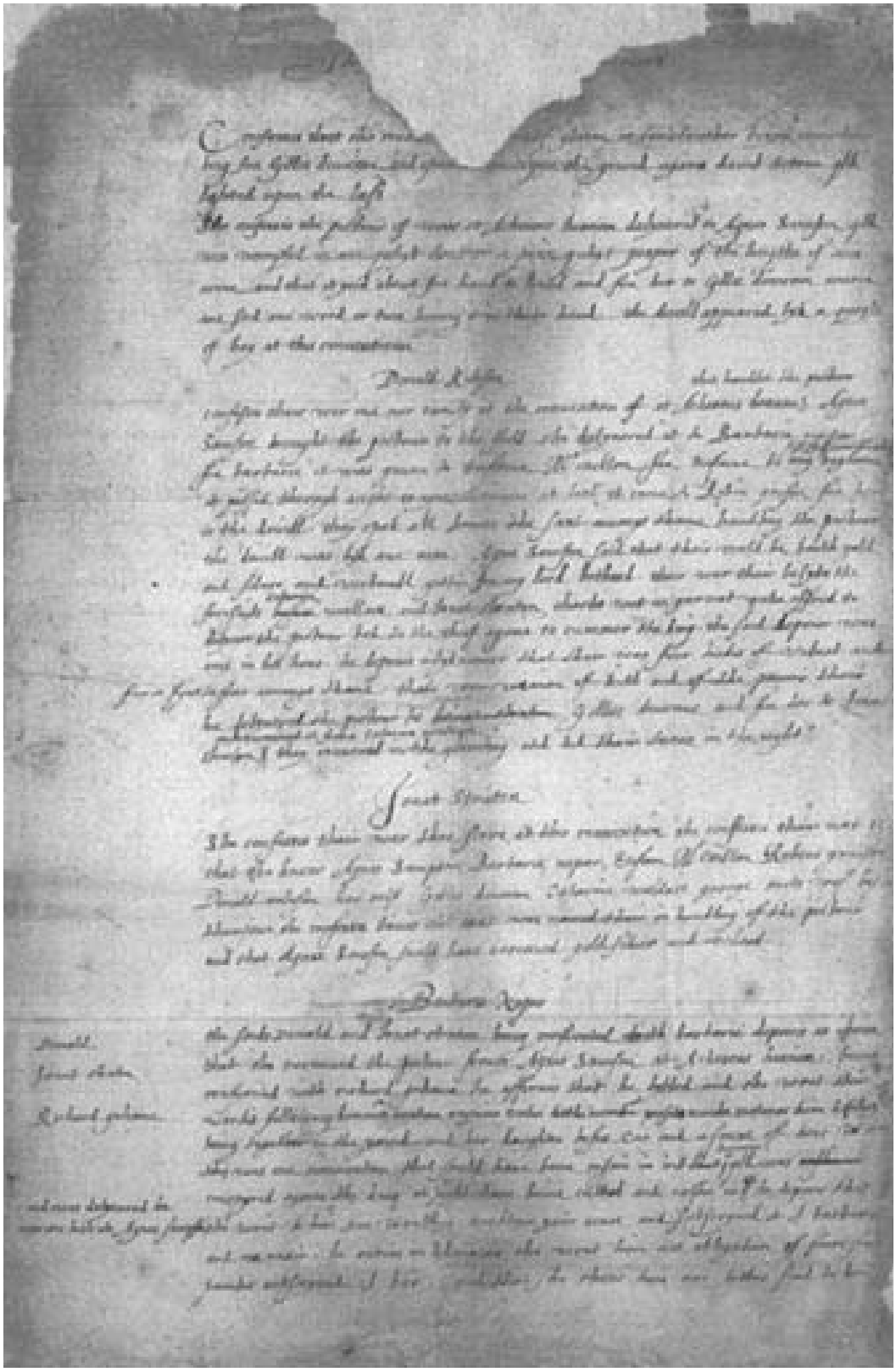

From High Court records 1581/82 [sic] – 1591/92?

From High Court records [Scotland]

Confesses that she rec[?eived pie]ces of glass at Foulstruther beside Ormiston Bridge fra Gillie Duncan and spread [?the]m upon the ground against David Seton, which lighted upon the lass.
She confesses the picture of wax at Acheson's Haven delivered to Agnes Sampson, which was wambled [rolled] in a white clout or a piece white paper of the length of an arm, and that it gaid about fra hand to hand and fra her to Gillie Duncan. Every one said a word or two, having it in their hand. The devil appeared like a quoyle [bundle] of hay at this convention.

Donald Robson
Confesses there were more nor twenty at the convention at Acheson's Haven that handled the picture. Agnes Sampson brought the picture to the field; she delivered it to Barbara Napier. Fra Barbara it was given to Euphame MacCalzean; fra Euphamie to Meg Begtoun of Spilmersford. It passed through eight or nine women. At last it came to Robin Grierson; fra him to the devil. They spake all 'James the Sixth' amongst them handling the picture. The devil was like a man. Agnes Sampson said that there would be both gold and silver and victual gotten fra my Lord Bothwell. There were there besides the forsaid, Catherine Wallace and Janet Stratton, Charles Wat in Garvet, who offered to deliver the picture back to the thief again to cummer [trouble] the king. The said deponer [deponent, Robson] was once in his house. He depones in like manner that there was four hoods of velvet and four or five taftas [taffeta gowns] amongst them [meaning that there were four rich women there]. There were women of Leith and of 'Pans there. He delivered the picture to Geillis Duncan and fra her to Janet Stratton and received it from Catherine Wallace. They convened in the gloaming [evening twilight] and did their turn in the night.

Janet Stratton
She confesses there were three score at this convention.
She confesses there were thirteen that she knew: Agnes Sampson, Barbara Napier, Euphame MacCalzean, Robert Grierson, Donald Robson, herself, Geillis Duncan, Catherine Wallace, George Mott's wife, Bessie Thomson. She confesses 'James the Sixth' was named there in handling of the picture and that Agnes Sampson should have received gold, silver and wheat.

Barbara Napier
The said Donald and Janet Stratton being confroned with Barbara, depones as above that she received the picture from Agnes Sampson at Acheson's Haven.
Being confronted with Richard Graham he affirms that he dited [dictated] and she wrote these words following: 'Hominum aratum regnum valui kethi imundum prosita munda metanas dium sipilus' being together in the yard, and her daughter Bessie Car and a son of hers with her. This was a conjuration that should have been cast into that liquor which was conspired against the king. It should have been cutted and cast in and was delivered by Marion Loch to Agnes Sampson. He depones that she wrote to him a writing eighteen year since and subscrived it 'I Barbarie' and no more. He avows in like manner she wrote him an obligation of four score pounds subscrived 'I Bar'. And that she showed him a letter sent to her…