

# FINALE

[AFTER A ~~TWENTY~~ MINUTE BREAK]

*too long  
only 5 mins*

*[Curtains open. The serjeant admits the assyse and moves centre stage]*

**Serjeand:** All rise for his grace Sir Alexander Morrison of Prestoungrange and Maister Patrick Broune. This assyse is now in final session.

*[Serjeand returns to the accused who are still held by the lockman]*

**Sir Alex:** This assyse has heard of the misdemeanours of the accused Agnes Kelly and Marjory Anderson. The assyse has taken great care of the pertinent points and the blasphemy of the accused who admitted that they renounced their baptisms and that their mortal souls have been in grave danger for many years. That danger hath allowed the Devil to enter them and cause them to commit the evils of which they are rightly accused. At no time did Agnes Kelly and Marjory Anderson make attempt to restore their souls to the Kirk and therefore our Lord God. This alone damns them. The assyse has taken due notice of the witnesses testimonies and depositions. The assyse which has been legally constituted by His Majesty King Charles the Second, his Privy Council in Edinburgh toon has considered the testimonies of the witnesses called to give evidence against the accused. The assyse has been at pains to establish that the confessions of the accused were not brought from them under torture. All who have testified against the accused came freely and of their own accord to this assyse.

Having duly considered the testimonies of seven persons that have suffered at the hands of the accused, together with the testaments of Maister Buchan, Minister of this Parish and Maister David Cowan, pricker who had found the Devil's marks upon their bodies, the assyse concludes that the accused are guilty of the charges laid against them. Furthermore, I remind ye that in the time of our Gracious Sovereign, James Sixth of Scotland, he of blessed memory, witches at North Berwick were known to have caused a storm by throwing upon the waters a dead cat and stones. These witches were dealt with according to the law. Now, the accused shall approach the bench to hear the verdict of this assyse. I now call upon the doomster to read out the verdict and the sentence.

**Doomster:** This assyse hae reached a decision upon the accused. Agnes Kelly and Marjory Anderson, ye have baith been declarit guilty of the charges laid against ye, namely, being in paction with the Devil, using witchcrafts, sorcery, incantations and charms upon diverse residents and indwellers of the parish o' Prestonpans. This assyse finds ye guilty of these charges and other devilish practices offensive tae God, scandalous to the true religion and hurtful to the good and Christian subjects in the parish of Prestonpans. The judge, His Grace Sir Alexander Morrison of Prestoungrange ordaines that ye, Agnes Kelly and Marjory Anderson be taken be the Lockman tae the foreshore of Prestonpans, this being the site of the Baronial

Court for the dispensing of justice to all wrongdoers dwelling in the parish. The lockman shall carry ye there, where ye shall be strangled to the dead, your bodies thereafter burnt to ashes.

**Sir Alex:**

Let the record show that the goods and gear of the accused shall be forfeit to the parish and sold by public roup, the money thus obtained shall be expended upon the expenses of this assyse, the costs of keeping the accused in the kirk and in the tolbooth in the weeks afore this trial. The money obtained shall be dispensed in payment of sending a man on horseback to Edinburgh for to obtain the Privy Coouncil's warrant to try the condemned; for to pay the watchers in the kirk for eight days and nights; for the fee of the pricker, David Cowan; for food and drink consumed be the condemned for ten days and nights within the Tolbuith; and in compensation to Mistress Spence for the loss of her chickens and Mistress Johnston for the loss of her horse. Also, there shall be drinksiller for the lockman, as is the custom. Now

*[Martha Simpson stands up]*

*she's already standing.*

**Simpson:** Beggin' yer pardon, sir. Micht Ah say a word?

**Sir Alex:** Ye may, but make it brief, Mistress Simpson.

**Simpson:** Weel, sir, there is still the maitter o' the debt o' saxpence owin' me be Agnes Kelly for ane boll o' oats.

**Sir Alex:** Ye shall be paid the sum. Maister Martin, pray enter the debt that it be settled. Now Maister Broune, shall ye sum up and address the guilty parties?

*[Broune stands and faces Kelly and Anderson]*

**Broune:** Do ye repent of the wickedness ye have wrought upon the good parishioners of Prestonpans? Mistress Kelly, ye may answer first as befits your station.

**Kelly:** Thou hast willed it that Ah sall dee. So be it, for Ah'm auld an' weary o' this sair life. Bot sall ye no' spare the lass, for she is bot young an' has a' her life afore her, a lass of but twenty summers.

**Broune:** Ye should have thought upon that afore ye made of her your accomplice in evil. Have ye aught else to say?

**Kelly:** Ah sall presently appear afore God who art a greater judge than thee, or thou, Sir Alexander Morrison o' Prestoungrange. A lee may damn ma soul, so ah wad not say a lee tae him that is on most high Ah am clear o' witchcraft. The folk o' this toon are mair set gainst witchcraft than ony other wickedness here. An' there be muckle o' it i' this parish. The meenister Maister Buchan kens whit Ah mean. There is muckle corruption and wrang-daeing amang the burgh council. Bot that profits me and mine naught. If aince a person be callit witch, tis hard tae get aff the accusation o' it, the given name o' witch. Ah am nae witch. Ah am a wummin that is ill used for Ah am weak and hae nae man tae speak up for me. Forasmuch as it may please God, Ah –

*[Broune cuts her short angrily]*

**Broune:** This assyse has heard overmuch of your evil tongue, woman. Ye have confessed enough to damn yoursel thrice. Ye have said naught of your repentance of the wickedness ye have caused upon the witnesses that stand here to testify to that wickedness. Ye served the Devil and there is an end to it. Now, I call upon your servant, Marjory Anderson to repent of her wickedness.

**Anderson:** Ah hae naught tae say to ye, sir. Ma mistress has sayed it a'. If it is the Lord's will that ah be taen frae this earth afore ma time, then so be it. Ah am nae feared tae meet ma maker, for when Ah meet wi' him, surely Ah sall meet wi' ma beloved mither. Bot this ah say to ye gathered togidder this day. Ye are a' sinners. Some are mair sinners than uthers. Them that hae siller and guid claes for the wearin'. The lairds and meenisters that are set above humble folk sall no' escape the Lord's justice. Ye are a' gaun intae the earth in time, yir wealth sall not save ye. The Lord God on high sees whit ye dae an' he will tak ye in his ain time. Ah gae tae ma death in hope o' seein' ma mither, she that Ah loved.

**Sir Alex:** Let the record state the words of the accused. Let them also state that Agnes Kelly and Marjory Anderson made no repentance of their crimes. This assyse is terminate. May God have mercy upon the souls of Agnes Kelly and Marjory Morrison, who shall presently be execute.


*[Sir Alex leads the assyse from stage. Serjeand moves centre stage]*

**Serjeand:** This assyse is terminate. May all here gathered go in peace, that justice is served upon this day.

*[Curtains close]*

**Roy Pugh:** Ladies and gentlemen, may I say a few words on this trial. The records state that these women, Agnes Kelly and Marjory Anderson were executed. The fact is confirmed by Lord Fountainhall's Historic Notices of that time. The entry in his account appears in volume Five page 189 which records that

'Two witches confessed at Salt Preston or Prestonpan upon ane address, the councell [The Privy Council] granted a commission to Prestoungrange, Seton of St Germans and Colstoun (for the Duke of Lauderdale [then the Secretary of State for Scotland] excluded Maister John Preston, as one inclined to burn too many witches to try and judge these witches who had confessed, but not those whom they delated [or informed upon as other witches and blackened their characters], thir twa, on their own confession, no wayes extorted under physical torture were burnt.' The fact that the prejudiced John Preston was excluded from the trial is proof that the Privy Council were concerned enough to ensure that justice was done by those it considered less prejudiced than rednecks like Preston.



Thus we see a reluctance to burn witches; the Privy Council in Edinburgh was by 1678 becoming uneasy about the so-called existence of witches, so much so that it sanctioned proper juries in courts to decide upon the guilt or innocence of the accused. A trial in Prestonpans which followed that of Agnes Kelly and Marjory Anderson in the same year acquitted the suspect. That trial concerned Katherine Liddell of Prestonpans. She challenged her accusers and surprisingly, the court found in her favour. This was on the grounds that she had not given her consent to be tortured – which she was- and that the witchpricker David Cowan of Winton was a proven charlatan and cheat. The Privy Council found Katherine Lidell not guilty although they released her on caution and and bail of 500 merks in the event that she might be accused in future of offences of witchcraft. Sense at last was beginning to prevail

Ladies and gentlemen, I wish to thank you for coming here today to witness an unfair and biased trial against two women who lived in Prestonpans 327 years ago. I earnestly hope that we shall never see the like of that trial again. To end this reconstruction, on the evening of Sunday 30th October, there shall be a formal end to this trial held outside the Gothernburg. I leave it to your own discretion whether you may care to attend the final ceremony. Meanwhile, I thank you for coming along today to witness the trial of two women in Prestonpans who were never witches but only people who were victims of their own personalities, their attempts to survive in the face of the prejudices of their time. Goodnight. May the god you believe in see you safely home.

# Epilogue

ROY PUGH

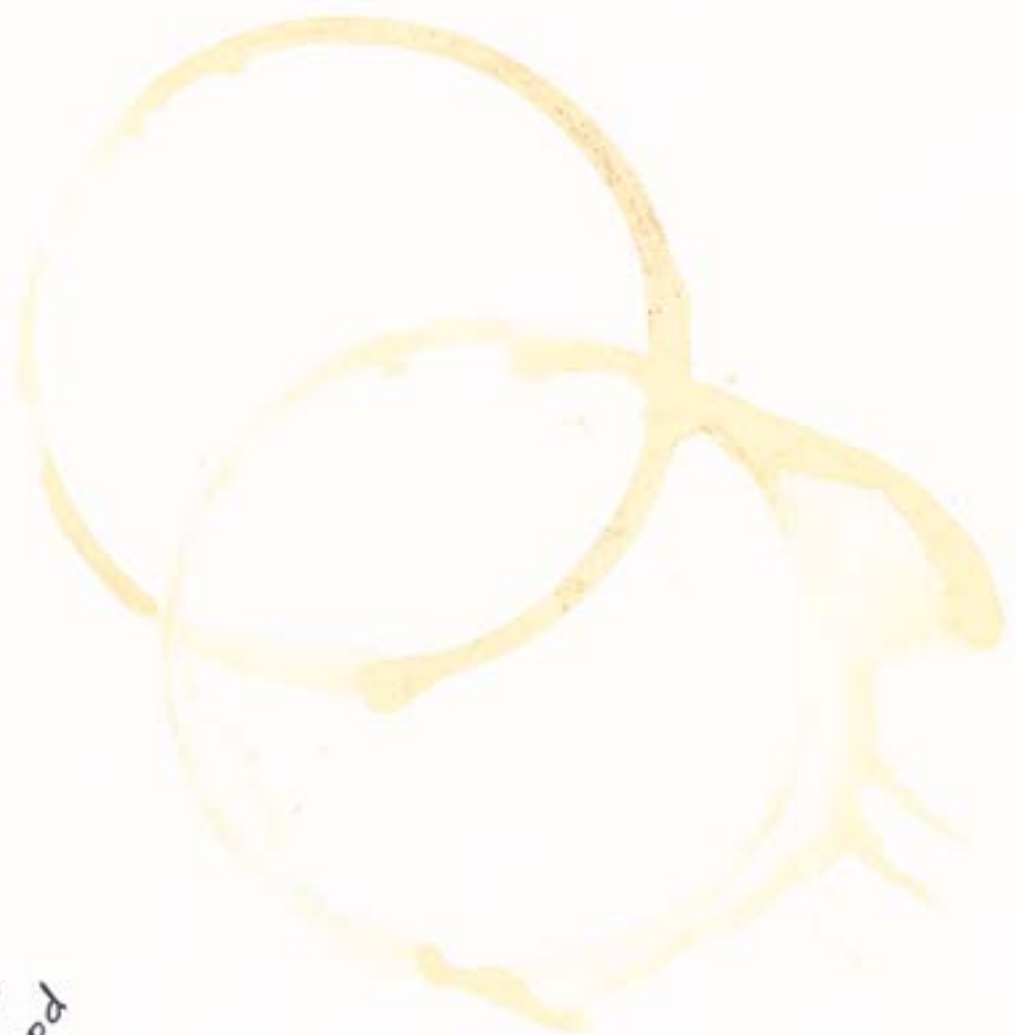
We know that these two unfortunate women were executed as is confirmed in Lord Fountainhall's historic notices of 1678 (Volume V page 189) which states the following:

'Two witches confessed at Salt Preston [Prestonpans], upon ane address, the councill granted a commission to Prestoungrange, St Germaines and Colstoun (for the Duke of Lauderdale [Secretary of State for Scotland] excluded Mr John Preston, as one inclined to burn too many witches) to try and judge these witches, who had confessed, but not those whom they delated [informed upon as other witches] and blackened [their characters]. Thir two, on their confession, no wayes extorted [under physical torture] were burnt.'

In that same year, Katherine Liddell of Prestonpans was indicted for witchcraft but challenged her accusers and surprisingly, the prosecution found in her favour on the grounds that she had not given her consent to be tortured – which had occurred on the orders of the Magistrates and that the witchpricker David Cowan of Winton was a proven cheat. The privy council found in Katherine Liddell's favour although she was released on caution and bail of 500 merks in the event of future accusations being brought against her. Sense was at last beginning to prevail.

Ladies and gentlemen, thank you for coming along this evening to witness an unfair and biased trial which took place in your community 327 years ago. I earnestly hope that we shall never see its like again. Goodnight. May whatever god you believe in see you safely home

Phone back  
the vet  
re: fish  
😊



wrap  
tea  
cheese  
cat food  
cigs.

Published by Prestoungrange University Press  
227/ 229 High Street, Prestonpans, East Lothian, Scotland EH32 9BE  
Ph 01875 819922

for The Prestoungrange Arts Festival  
[www.prestoungrange.org](http://www.prestoungrange.org)

