

II. NOTICES OF THE KERS OF SAMUELSTON, ETC., IN ILLUSTRATION OF
THE PREVIOUS DEEDS. COMMUNICATED BY THOMAS THOMSON,
ESQ., W.S., F.S.A. SCOT.

It will be observed, that as the names of the witnesses in the last of the preceding extracts are given in English, there is some uncertainty respecting the actual meaning of the words "Sir John Knox, his maister." It may, however, be inferred, that the words apply to William Brounefield as being his scholar, and that Knox, with his other pupils, was then residing at Samuelston. If otherwise, it would have been unnecessary for the town-clerk of Haddington to have proceeded thither, as procurator of Lord Home, for the purpose of making the required notarial intimation to William Brounefield of the intended redemption of the lands of Ramylton Law in Berwickshire. It is not improbable that the original document, which might remove this uncertainty, may still be preserved in the charter-room of the Earl of Home at the Hirsell.

From cursory examination of other papers in the charter-room at Tynningham, and other sources, the following information has been extracted, as throwing some light on the history of James Ker, whose name occurs in the above deeds, and also on the Chapel of St Nicolas of Samuelston. In an old inventory of the writs of Samuelston there is noted a contract, entered into on 31st August 1497, between Alexander Lord Home, Chamberlain of Scotland, George Ker of Samuelston, and Marion Sinclair his spouse, formerly spouse of George Home of Wedderburn, making mention that the said Lord Home had then contracted marriage with Nicolas Ker, daughter and apparent heir of George Ker, and that he and his spouse bound themselves to tailzie the lands of Samuelston to the said Lord and his spouse, in sic sort that the said Lord, in case the said George Ker and his spouse *had heirs male*, sould have the superiority, and the said heirs male the heritages, in sic form as the men of law sould devise. This contract was granted under a penalty of £1000, to be paid by the party failing to the party performing, at the sight of the Archbishop of St Andrews.

There is a charter (10th November 1497) in the Great Seal Record,

Lib. xiii., No. 288, to Alexander Lord Home and Nicolas Ker, of the lands of Samuelston, as follows :—

Carta confirmationis Alexandro Domino Home Magno Camerario Regis et Nicholaïæ Ker filiæ Georgii Ker de Samelstoun eius sponsæ in conjuncta infeodatione et hæredibus inter ipsos legitime procreatis seu procreandis super cartam illiùs factam per dictum Georgium Ker de Samwelstoun cum consensu Mariotæ Sinclare ejus sponsæ, de data 29 die Octobris 1497, Testibus Willielmo Sinclare de Northrig et Laurentio Anderson De omnibus et singulis terris de Samwelstoun cum pertinentiis una cum maneriæ fortalicio turre ortis pomariis et molendino earundem et de donatione Capellaniæ Capelli Sancti Nicholai de Samwelstoun jacen. infra Constabulariam de Haddington &c. Tenend. de Rege, &c. apud Edinburgh 10 die Novembris 1497.

In the seventh volume of James Young's Protocol Book, among the Canongate Records, I find an Instrument, by which Patrick Home of Polwarth, as bailie of George Ker of Samuelston, with consent of Marion Sinclair, his wife, gave sasine to John Ker, as attorney for Alexander Lord Home and Nicolas Ker in the said lands, but under reservation of the liferent interest therein of George Ker and Marion Sinclair.

There is another charter by George Lord Home, dated 24 August 1531, in favour of "Janet Home, daughter of umq^{le} Alexander Lord Home his brother german and the heirs male gottin betuixt her & John Hamilton her promised spouse son natural to the Earl of Arran of the lands of Samuelston with the tower manor place & tennandries of ane part thereof set to James Ker in feufarm for vii merks Scots 12 capons 2 carriages 7 dairges yearly lying in the shire of Edinr & Constabulary of Hadington Reserving to Elizabeth Home sister to George Lord Home her liferent." The following receipt by the tenants or feuars of Elizabeth Home Lady Samuelston, is taken from the Protocol Book of Alex. Symson, younger :— "6 April 1542 John Wilson burges of Hadington grantit him to have ressavit fra the Lady Samuelston the sum of thre scoir xviii li. xvi^s gud and usuale monye of Scotland, of quhilk sum he resaivit twenty lib. fra George Ker in Chirnside and viij lib. xvi^s fra Sir William Tod and James Ker in part payment of ane mair sowme avin be the said Lady to

him &c." Then follow the Instrument under the hands of Sir John Knox, before inserted, a Copy Contract between James Ker and Janet Home Lady Samuelston, disposing of James Ker's feu-right to her, which is dated "20 March 1545," and an Instrument of Resignation *ad remanentiam* by James Ker, completing this conveyance to Janet Home Lady Samuelston, his superior. This instrument is dated "18 Decr 1550," and the resignation is made "apud Samuelston in domo seu loco habitationis dicti Jacobi Ker hora circa secunda postmeridie presentibus Roberto Forman Jacobo Skynner Dno. Roberto Douglas et Dno. Willielmo Ogle Capellanis cum diversis aliis." This Instrument was followed by another Instrument under the hands of John Castellan, N.P., dated the penult of Jan^y 1554, whereby the said James Ker in Samuelston ratified the said Resignation, and he did so "*in Capella Sancti Nicholaj de Samuelstoun.*" On 1st April of the following year, 1555, he executed a further Instrument under the hands of the same notary, whereby, providus vir, "Jacobus Ker in Samuelston exoneravit et quitclamavit nobilem mulierem Jonetam Home Dominam de Samuelston ex omnibus et singulis pecuniarum summis rebus et bonis sibi Jacobi per eam promissis et deben pro resignatione *suarum terrarum de Samuelston* in bossis silvis nemoribus edificiis et suis pertinentiis ad remanend in manibus domine sue superioris earundem &c. Acta erant hec apud Samuelston hora circa sexta ante meridiem presentibus Joanne Home de Hutoun-hall Laurencio Home ejus filio naturali Alexandro Castellan et Domino Willielmo Caithank Capellano cum diversis aliis testibus," &c.

From a careful examination of the foregoing deeds, it will be seen that Alexander Lord Home, the Chamberlain of Scotland, acquired the superiority of the lands of Samuelston, and the patronage of the Chapel of St. Nicolas of Samuelston, through his marriage, in 1497, with Nicolas Ker, the daughter and apparent heiress of George Ker of Samuelston and Marion Sinclair his wife, but under reservation of a contingent right to the heritages of Samuelston in favour of any heir-male of George Ker and Marion Sinclair that might be thereafter born of their marriage. The contract containing this condition is to be implemented by both parties, under a penalty of L.1000, to be paid by the *party failing to the party performing*, and the Archbishop of St Andrews is empowered to enforce implement. The Chamberlain and his wife are accordingly

infest in the charter, subject to the reserved liferent of George Ker and his spouse.

The next Charter quoted is in favour of Janet Home, the daughter and heiress of Alexander Lord Home and Nicolas Ker, and her promised spouse, John Hamilton, son natural to the Earl of Arran. It is dated in 1531, and describes Samuelston, with the tower, manor place, &c., as set to James Ker in feu-farm. The inference is that he came into possession of this feu-right as an heir-male of George Ker and Marion Sinclair, under the reserved right contained in the contract of 1497, being born after that date.

There are in the after progress no less than five deeds, to which James Ker is a party, in connection with these lands. The first is a donation by Elizabeth Home, Lady Samuelston, of the non-entry duties of the Ley-acres, with the pertinents which had belonged to the deceased Nicolas Ker, Lady Samuelston, in favour of James Ker, dwelling in Samuelston, and this instrument is in the handwriting of his friend Sir John Knox. Two years later a contract of sale of the feu is entered into between James Ker and Janet Home, Lady Samuelston, which is carried out by three instruments under the hands of two ecclesiastical notaries, a presbyter and clerk of the diocese of St Andrews, by which this feu is reunited with the superiority of Samuelston, in the person of Janet Home, Lady Samuelston.

From these instruments it is evident that James Ker had his usual dwellinghouse at Samuelston, and Sir John Knox also resided there in 1543, otherwise it would not have been necessary for the town-clerk of Haddington to have made the notarial intimation to Knox's pupil, William Brounfield, at that village. In 1540 and 1542, on the two occasions when Sir J. Knox acted for or as a joint referee with James Ker at Haddington, he may have been a resident at Samuelston as well as James Ker.

The name of the Reformer's mother was Sinclair, and if the above inference is correct, Marion Sinclair was the mother of James Ker, and as one of the witnesses to the contract of 29th October 1497, in favour of Alexander Lord Home and Nicolas Ker, was named Wm. Sinclair of Northrig—all of these may have been members of the same family. The name is not unusual in the Records of Haddington, but the apparent intimacy between Sir John Knox and James Ker leads me to think that

they were connected, and that the former may have taken refuge in this secluded village, with his mother's relatives, for some years previous to his joining the ranks of the Reformers.

These conjectures may be established or disproved, by a more careful examination of the ancient titles and papers of the adjoining properties; and other documents in which Knox's name may occur, may possibly be discovered in the charter-rooms of Tyninghame, Yester, or The Hirsell.

MONDAY, 15th February 1858.

COSMO INNES, Esq., Vice-President, in the Chair.

The following Gentlemen were elected Fellows of the Society:—

R. M. SMITH, Esq., Merchant, Leith.

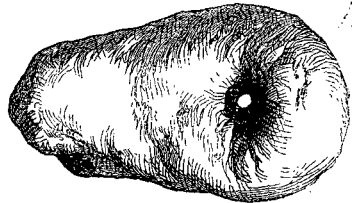
JAMES STARKE, Esq., Advocate, late one of the Judges of the Supreme Court of Ceylon.

Mr Chalmers of Aldbar exhibited various portions of a necklace of jet or cannel coal, found in a stone cist at Pitkeneddy. Mr Jervise's communication (see p. 78) gives an account of its discovery.

The Donations laid on the table included the following:—

Portions of Human Bones found in a Stone Cist at Lundin, near Largo, Fifeshire. By Mrs DUNDAS DURHAM of Largo.

A Hammer-shaped mass of hard Clay, dug up in the Orchard Park at Montblairy. By ALEXANDER MORISON, Esq. of Bognie. This hammer has a perforation through one extremity (see annexed drawing); it measures $5\frac{1}{2}$ inches in length, $3\frac{1}{2}$ inches in thickness across its perforated extremity, and four inches in depth across its side. Another, also formed of clay, was found in the same field: they were described in a previous communication to the Society. (See pages 347 and 368, vol. ii. of "Proceed-



ings.") No relics exactly similar in character to these hammers have, so far as we are aware, been previously observed.

The "Gaud," or Iron Rod, Chain, and Fetter-Locks, to which convicts under sentence of death were in use to be fastened in the Old Tolbooth and Prison of Edinburgh. By the EDINBURGH COUNTY PRISON BOARD.

Smithsonian Contributions to Knowledge, Vol. IX. 4to. By the SMITHSONIAN INSTITUTION, Washington, U.S.A., 1857.

Transactions of the Architectural Institute of Scotland, Vol. V., Part I., 1855-6. By the INSTITUTE.

A Satirical Medal in copper of the time of George II. By ANDREW RICHARDSON, Esq., Gatehouse-of-Fleet. *Obverse*, legend, "THE GENEROUS DUKE OF ARGYLE;" *Exergue*, "NO PENTIONER." Argyle, arrayed in his ducal robes, is seen standing leaning with his left arm on a column, on which rests his coronet; behind him a military trophy. *Reverse*, legend, "MAKE ROOM FOR SIR ROBERT;" *Exergue*, "NO EXCISE." Walpole is seen with a rope round his neck, dragged by the devil into (hell) the mouth of a monster.—This medal was probably struck in 1740 or 1741. Argyle "surrendered all his places" in 1740, and the motion for the dismissal of Walpole was made in 1741.

An Iron Oil Lamp, or Crusie, with hook for suspension. By Mr WM. BOYD, New Scone.

The following Communications were then read:—