VII.

THE BLACK TURNPIKE. By CHARLES BRODIE BOOG WATSON, F.S.A.Scot., F.R.S.E.

Did Mary Queen of Scots pass the night, after her surrender at Carberry Hill, in the Black Turnpike?

"Tradition" says that she did. And this seems fairly certain. But it is not generally known that there were *two* Black Turnpikes, one on the north side of the High Street, which vanished long ago; the other on the south side of the street, a view of which is given by Arnot in his *History of Edinburgh*, second edition, 1788, p. 273.

For long this Black Turnpike was accepted as the lodging of the unfortunate Queen, the night after Carberry Hill.

The earliest mention of this tradition which I have seen is in the *Gentleman's Magazine*, 13th February 1788, part 1, p. 312, where we find a letter addressed to the editor—Mr Urban.

"Since the new part of Edinburgh and its communication with the old town has been so far completed as to evince the propriety of making the old part correspond in some degree with the new: a plan has been

formed to continue a spacious street directly southward from the North Bridge to that part of the town where the College or University is intended to be rebuilt, but in order to effect this the ancient Provost's house in Peebles Wynd must necessarily be taken down [Footnote: 'The old house where Q. Mary is said to have lodged is to be pulled down in eight or ten days hence.' Extract of a letter from Edinburgh dated Sept. 20, 1787]. This circumstance together with its being the most ornamental of any house of its time, and being by tradition the house in which Mary Queen of Scots was confined after her surrender at Carberryhill may possibly induce you to preserve an engraving of it in your valuable repository." The engraving is on the page following. The letter goes on to give Maitland's account of the Black Turnpike, extending into a long description of Mary's incarceration, the insolence of the mob, her appeal to their pity, the effect thereof, etc.

This has often been quoted, with no indication of its source.

It is in this narrative that the dimensions of the room, quoted by Chambers, are given, thirteen feet square and eight feet high, evidently taken from the traditional room, then existing and accessible. The letter to the *Magazine* is signed "O.R." and the writer must have sent the sketch reproduced, marking on it A, the wooden galleries, and B, the window of the said little room.

These letters are omitted in the engraving, but are mentioned in the text.

Reference to this article in the *Gentleman's Magazine* is made by William Creech, and may be found in his *Edinburgh Fugitive Pieces*, published in 1815, at page 65. Writing of the changes made in Edinburgh, and specially those due to the building of the South Bridge, he says: "The oldest stone building in Edinburgh was pulled down, where Queen Mary lodged the night after the battle of Carberryhill. It was then the house of Sir Simon Preston of Craigmillar, Lord [*sic*] Provost of Edinburgh." In a footnote he adds, "See an account and plate of this house in the Gentleman's Magazine, about three or four years ago."

Robert Chambers knew the article, and quoted largely from it, without indicating whence he drew the description. He even slightly embroiders it, and puts his seal to it by the weighty words, "This fact is perfectly authentic." [1]

But in the later editions, 1848 and 1868, he makes no reference to the Black Turnpike.

Sir Daniel Wilson, in his *Memorials of Edinburgh in the Olden Time*, 1848, vol. i. p. 79, says: "She was lodged in the Black Turnpike, the town house of Sir Simon Preston." At the foot of page 25 of the second volume, he again calls it "the town house of Sir Simon Preston, Provost

[1] See *Traditions of Edinburgh*, 1825, vol. i. p. 187.

of Edinburgh 1567." He adds, "It was lofty and of great extent, and the tradition of Queen Mary's residence in it had never been lost sight of."

The slightly shaky support which he gives to this statement is a quotation from the *Caledonian Mercury* of 15th May 1788, the year of its demolition, "It may be true what is alleged that Mary was lodged in it in the year 1567."

Both Robert Chambers and Sir Daniel Wilson quote from the reference made to the building by Wm. Maitland, F.R.S., in his *History of Edinburgh*, 1753, p. 187, c. 2. But Maitland makes no reference to any tradition of Mary's being lodged in it.

In his revised edition of the *Memorials* (1891), vol. i. p. 101, Sir Daniel states that "She was lodged in the town house of the Provost, Sir Simon Preston. According to the narrative of Archbishop James Beaton 'thay lugit hir Majestie in the Provest's luging fornent the croce upon the north syd of the gait,' and this is confirmed by old title-deeds which determine its site at the entrance to the Exchange.[1] But tradition had long assigned the Black Turnpike on the south side of the street as the scene of her reception. This ancient building stood to the west of the Tron Kirk, etc."

At the foot of the page he has a footnote referring to his article in the *Proceedings* of the Society of Antiquaries of Scotland, vol. xxiv.

In vol. ii. p. 34 of the same edition of the *Memorials* we read, "the famous Black Turnpike, assigned by the traditions of a later age as the Town house of Sir Simon Preston, Provost of Edinburgh in 1567, to which Queen Mary was brought by her captors."

We turn to Sir Daniel's article on the Black Turnpike, in vol. xxiv. of the *Proceedings* of the Society of Antiquaries of Scotland, p. 431, 14th April 1890, which contains most interesting quotations, well worth repetition, instancing the words of Du Croc, the French Ambassador, "Voilà les deux armées ensemble qui se retirent en ceste ville de Lislebourgue [Edinburgh] et logèrent la Royne en la maison du Prévost."

He quotes Sir James Melville: "Hir Majeste was that nycht convoyed to Edenbourgh and logit in the midis of the toun in the Provestis loging"; while Archbishop James Beatoun says: "Thay logit hir Majestie in the provest's loging fornent the croce upon the north syd of the gait."

North side, that is definite.

Sir Daniel cites the information contributed by Mr Peter Miller, F.S.A.Scot. (p. 435): "From a careful research in the Registers of Sasines, confirmed by other proofs,[2] it appears that the Prestons of Craigmillar obtained possession of a tenement on the north side of the High Street, from 1423 to 1718."

Mr Miller gives no authority for this statement, and my own study of

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[1] This on the groundless information supplied by Mr Peter Miller.
[2] He gives none.

the charters, protocols, and other records of the city fails to substantiate it. Whatever property the Preston family owned or occupied in the High Street, it is certain that it was another man's house which was occupied by Sir Simon Preston, the Provost, as is proved by the following extract from the Minutes of the Town Council of 29th April 1569: "The quhilk day in presens of the baillies and counsale foresaids comperit Maister David Makgill advocat and componit how that Sir Simon Prestoun of Craigmiller provest for the honour and defence of his office the tyme he was electit thairto at the will and desyre of thair predecessors he tuke the lugeing of umqle George Hendersoun of Fordellis quhilk he now occupeis of mynde to remaine and be amangs them for thair weillis and not his nottheles the heritoure of the said lugeing had callit him befor the baillies for certain birun males [rents overdue] and had obtenit thair decreit thairupoun and therefore willit thame according to thair honors to tak sum ordour with the said heretour tuching the saids males and to gyf him thair anser. The said Maister David being removit the baillies and counsale foresaid after avisement findis and decidis that nowther thay nor thair predecessors hes bean in use of paying of the provests hous male in any time bigane nowther hes thair bene ony af his males payit be thair predecessors before thair entrie in office. And further knawing thair commoun gude thirlit and the gude toun far behynd the hand quhairfor thay can nocht consent for thair tyme to pay ony of the said provest males becaus thay have nowther consuetude nor uthr warrand for thair releif quhilk thay ordaine to be schawn to the said Maister David for his anser." [1]

This shows clearly that when Sir Simon Preston of Craigmillar was promoted to the Provost's chair in August 1565—as the result of a letter sent by the Queen to the Council—(which post he held till Michaelmas 1569) he had *no* house in Edinburgh. In order, therefore, to have a residence in the town and to discharge the duties of his office comfortably and effectively, he hired as a sub-tenant from Master David Makgill, advocate, the house which the said David occupied, namely "the lodging of umquhyle George Henderson of Fordellis, and now owned by his son, James Henderson."

This he did, expecting that the Town Council would hold itself responsible for the rent of the house, seeing that he had taken it for the advantage of the town, rather than for his own.

The Council, however, did not see their way to do so, and the heritor, James Henderson of Fordell, owner of the house, held Mr Makgill responsible and brought the matter before the bailies, who granted a decreet in his favour. Against this, Mr Makgill appealed to the Council,

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[1] This passage was omitted from the Extracts from the Records of the Burgh of Edinburgh issued by the Scottish Burgh Records Society.

evidently hoping that the town would acknowledge the responsibility and satisfy the heritor.

But the Council declined to do so, basing their refusal on two grounds, lack of precedent and want of money to pay the rent, and left Makgill to fight it out with the heritor, as landlord, and the Provost, as sub-tenant.

We see then that the house, or rather the lodging, of Sir Simon Preston was owned by the Hendersons of Fordell, who had let it to Mr David Makgill, advocate, who in his turn had sublet it to Sir Simon. Where was this house?

From Archbishop Beatoun we know that it stood on the north side of the High Street, "fornent the croce."

In the *Diurnal of Occurrents* (Bannatyne Club, p. 115) we read: "Upon the fourtene day of Junii (1567) . . . the quenis majestie . . . come fra Dunbar towart Seytoun and remaynit thair unto the XV day of the said moneth, quhilk wes sonday . . . and quhen sho come to Edinburgh sho wes lugeit in James Hendersones hous of Fordell, being thane the provest of Edinburghis hous quhairin he remaynit [was dwelling] . . . upoun the saxtene day of Junii at 10 houris at evin, our souerane Lady wes convoyit . . . to the Palice of Halyrudhous." [1]

From this we see that the unquestioned Black Turnpike of Mary Queen of Scots was the house *occupied* by the Provost, Sir Symon Preston, owned by James Henderson of Fordell, and let by him to Mr David Makgill, advocate.

From one of Laing's Charters [2] we find that James Henderson of Fordell resigned a tenement on the north side of the High Street, between the tenement of umquhyle Marian Scott and John Gilbert, [3] goldsmith, on the west, the tenement of John Carkettill [3] on the east, the North Loch on the north, [4] to Thomas Henderson, merchant, burgess, and his wife Katherine Henderson.

From another charter [5] we learn that the said tenement was to be held in burgage.

A third charter [6] informs us that James Henderson of Fordell, as heir to his grandfather George Henderson, inherited the tenement which he resigned to Thomas Henderson and his wife Katherine Henderson.

By a later charter [7] James Henderson of Fordell empowers Josua Henderson, writer, to resign in the hands of the Provost and bailies a feu-duty of 130 merks, accruing from the great dwelling-house on the north side of the High Street between the Auld Provost's Close on the east, the

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[1] This important passage is omitted in the extracts from the *Diurnal of Occurrents*, which form part of the contents of vol. xvi. of the Old Edinburgh Club.
[2] No. 831, 16th January 1567–68.   [3] These names occur frequently in the protocols.
[4] Evidently the south boundary was the High Street.
[5] No. 832, 20th January 1567–68.   [6] No. 833, 29th July 1568.
[7] No. 1238, 20th March 1592–93.

North Loch on the north, the neighbours being the heirs of Marion Scott,[1] John Gilbert,[1] John Carkettill of Finglen,[1] and heirs of Thomas Russell; the house being let to Thomas Henryson, merchant, Edinburgh, and his wife, Katherine Henryson. It is now resigned to Robert Henryson, second son of the granter, James Henderson of Fordell, reserving to himself the life rent of the said sum, which is redeemable by payment of a rose noble within St Giles' Kirk. The Hendersons seem to have conveyed the house to Alexander Lauder of Haltoun, whose widow, "Ladie Hatton," occupied it in 1634, when the census for the Annuity Tax was imposed.

The Auld Provost's Close, 189 High Street, disappeared when Cockburn Street was made, *circa* 1859. By that time it was known as the East Fleshmarket Close.

On 3rd July 1588 the Town Council appointed a number of "visiters for ilk quarter of the town to try and oversee the life and conversation of the residents," etc.

John Jackson, from whom Jackson's Close may derive its name, was visiter in "Auld Provost's Close." Next, on the east, came George Carkettill,[1] and then Robert Henryson,[1] in John Corseris Close, which I would identify as Adamson's, alias Caichpell, alias Bull's Close.

A charter granted by Alexander Guthrie, Town Clerk, on 1st February 1634, in favour of James Livingstoun of Beil, is of a tenement formerly of James Henderson of Fordellis, and after him of Thomas Henderson, between the tenement of umquhyle John Carkettill [1] and the Old Provost's Close on the east, and the tenements of John Gilbert,[1] the said James Henderson, and Ramsay of Dalhousie on the west.

In the "Annuity Roll" of 1634 [2] we find this same James Livingstone, of the Bed chamber (spouse of Agnes Nasmyth), on the west side of the Old Provost's Close.

Reference to this is made in a protocol of George Home, of 4th February 1730.

In the division of the town into six parishes, made 24th December 1641, the North Parish extended from William Reid's Close [3] down the north side of the High Street to the Laird of Haltoun's house, called the *Black Turnpike.* The North-east Parish extended from Haltoun's house down the north side of the High Street to the Netherbow, etc.

In the Annuity Roll, 1634, Lady Haltoun appears as owner and occupant of a house on the north side of the High Street, just east of Adamson's, or Bull's, Close, due north of the Salt Tron.

In a later division of the town into six parishes, 5th December 1656, the second division of the North Parish begins as in 24th December 1641,

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[1] These names occur frequently in the protocols dealing with this locality.
[2] Old Edinburgh Club, vol. xiii. p. 111.
[3] Alias Lower Baxters' Close, obliterated by Bank Street.

at Wm. Reid's house, and extends to Jackson's Close.   [Wm. Reid's Close, later Lower Baxters' Close.]   The third and fourth divisions begin at Jackson's Close, and follow the lines of 24th December 1641.   This suggests that the Laird of Haltoun's house was on the west side of Jackson's Close.

Again in the division of the town into six parishes, 9th November 1662, the North Parish extends from William Reid's Close down the north side of the High Street to the Laird of Halton's house, called the BLACK TURNPIKE or DAVID McGILL's land.   The North-east Parish extends from the Laird of Haltoun's house, or David McGill's land, down the north side of the High Street to the Netherbow, etc.

It seems quite clear that Sir Simon Preston, on entering office as Provost, took a sublease from David McGill, advocate, of a house on the north side of the High Street, owned by James Henderson of Fordell.   A tenement on the north side of the High Street, on the west side of the Old Provost's Close, was at one time owned by James Henderson of Fordel, and after him by Thomas Henderson, merchant, burgess.   Later it was acquired by James Livingston of Beil, and was by him disponed to Sir James Carmichael of that Ilk, Treasurer to His Majesty the King, as recorded by Alexander Guthrie, vol. vi., 16th August 1637.   Sir James conveyed the tenement to his wife, Dame Agnes Wilkinson, and to their son Daniel (Alexander Guthrie, vol. vi., 4th January 1641).   From various charters it is clear that the property of the Hendersons of Fordell lay on both sides of the Old Provost's Close.

It is perhaps worth noticing that Gordon of Rothiemay, in his view of Edinburgh in 1647, shows only one turnpike tower on the north side of the High Street, directly north of the Salt Tron,[1] which is at least suggestive of the BLACK TURNPIKE of Henderson of Fordel—of David Macgill—of Sir Simon Preston—of Mary Queen of Scots.

Have we then actually a tiny view of the very building?[2]

Mr John and Mr David Mackgill, sons to umquhyle Mr James Mackgill, Clerk Register, were admitted "ordinar" advocates, 20th December 1580. Mr David, King's advocate, 1582, died 1596; he was created Lord of Session, as Lord Nisbet, 27th June 1582.

It is rather interesting to learn that the tenement on the west side of the Old Provost's Close, occupied by the above-mentioned Sir James Carmichael of that Ilk, His Majesty's Treasurer depute, sometime of James Henderson of Fordell, contained a hall, three rooms, a kitchen, a pantry, and two "museola,"[3] which I understand to be writing or business rooms, within the inner room.

[1] Weighing machine—beam and scales.

[2] One apparent difficulty in this identification is Beatoun's statement that the Provost's lodging was fornent the cross.

[3] This is a diminutive of *museum*, a study, and must mean a small study.   The word occurs occasionally in the descriptions given in the protocols of the accommodation contained in a dwelling-house.

Such is the description given in the protocol of Alexander Guthrie, vol. vi., 16th August 1637.

Which room served as the prison for fallen royalty?

If conjecture, or rather inference, be allowed, surely we must recognise that of the *two* Black Turnpikes, Mary spent her first night as a captive in that which stood at what is now the head of Cockburn Street, that in process of time this house was demolished, and that the identification of the scene of Mary's Captivity in THE BLACK TURNPIKE flitted across the street to the then surviving Black Turnpike, and stuck to it.