

	<p><u>Johanna Hepburn, nun, 1476 [probably the nun who later became prioress, 1495-1517]</u></p>	
<p>1476 23 Feb. and 12 Sept.</p>	<p>Volume II of Eila Williamson’s thesis consists of a calendar of the individual Scottish supplications to Rome for her period. These include two relating to a nun called “Johanna Hepburn, legitimate daughter of lord Hepburn ... [who] was suffering from an eye disease and required dispensation for the furtherance of her career as a nun.” (Williamson, vol. 1, p. 157) One supplication was for <i>habilitatio</i> (23 February 1476), and one for <i>dispensatio</i> (12 September 1476). Details of the Papal Bull granting Johanna her dispensation are given in volume 13 of the <i>Calendar of Papal Registers Relating to Great Britain and Ireland</i>.</p> <p>The supplications by James [III], king of Scots, are in favour of Johanna Hepburn, “<i>legitime et naturalis</i>” daughter of Patrick Hepburn, lord of ‘Halys’, who is a professed nun of the monastery of ‘Hodynton’. Johanna “is in her twentieth year and suffers from some disease of an eye caused by measles (<i>morbilorum</i>) by reason of which she can scarcely see with that eye, [the supplication asks] that notwithstanding this disease, since she is sound in character and doctrine (<i>cum moribus et doctrina sit imbuta</i>), she might be promoted to whatsoever dignity of her order, even priorship, and to hold the same for life”.</p> <p>The Papal Bull (12 September 1476) grants her dispensation “at her own petition and that of James king of Scots, to be able to receive and retain any abbatial dignity, conventual prioress-ship or provostship of the said Order, notwithstanding the said defects of age and sight, etc.”.</p> <p>I’m not clear what the precise distinction between a supplication for <i>habilitatio</i> and a supplication for <i>dispensation</i> was, or why both were necessary. In the course of discussing the various categories of supplications made to Rome, Williamson talks about: <i>dispensatio</i> “including the seeking of dispensations to hold incompatible benefices or to hold benefices notwithstanding the supplicant's defect of birth”. Elsewhere <i>Habilitatio</i> is defined as a “grace absolving all disability or canonical disqualification” (p. viii, <i>Calendar of Scottish Supplications to Rome 1437 – 1447</i>, ed. A.I. Dunlop and D. MacLauchlan).</p>	<p>Eila Williamson thesis, ‘Scottish Benefices and Clergy during the Pontificate of Sixtus IV (1471 – 84): the evidence in the <i>Registra Supplicationum</i>’, vol. II (seen online): supplication for <i>habilitatio</i>, p. 418 (citing <i>Registra</i>: 329, 734,300v); supplication for <i>dispensation</i>, p. 438 (citing <i>Registra</i>: 386, 742,166-166v).</p> <p><i>Calendar of Papal Registers Relating to Great Britain and Ireland</i>: vol. 13, 1471 – 1484, ed. J.A. Twemlow, HMSO, London 1955 (seen online) pp.221 -224 (citing ‘Vatican Regesta 665: 1475- 1476’, Bullarum Diversum Tom VI)</p>
<p>1531</p>	<p><u>School at the nunnery</u></p> <p>When Sir William Sinclair of Herdmanston died at Candlemas 1530/1, Robert Galbraith, “the philosopher and lawyer”*, acquired the wardship of Hirdmanston, On 22 August 1531 Galbraith and Sinclair’s widow, Beatrix Renton, appeared before the Lords of Council, when Galbraith asked that his contract and appointment be registered in their books. The terms of the contract relating to the wardship, agreed between himself and Beatrix, include how much he was to pay her per annum during the ward, while he was in possession of the place, mains, mills, and rest of the lands and lordship of Herdmanston, in satisfaction of her rights of conjunct fee and terce. They also lay out the position of certain land at Saltoun, to be held by Beatrix’s son John in time to come.</p> <p>Further entries in the Acts of the Lords of Council, dated 9 November 1531, concern a dispute over the custody of Margaret and Elizabeth Sinclair, William and Beatrix’s daughters.</p>	<p>CS 5/43, Acts of the Lords of Council, fols. 32 f, 66 f + v, 67v (9 November 1531) (volume has been filmed, so only available as electronic copy)</p> <p>*Durkan, <i>Scottish Schools and Schoolmasters 1560 – 1633</i>, Scottish History Soc. series 5, vol. 19., p. 20 (available online)</p>

	<p>After William's death, Galbraith, as 'tutor testamentar' to the girls, who were then under the age of 12, placed them "at the scule within the abbay of Hadingtoun and ther wes kepit in his ?mater and at his command and sustenit upoun his expensis in all things efferand to ther estat".</p> <p>At some point before 9 November, their mother, Beatrix, Lady Herdmanston, her new husband, William Crichton of Drylaw, and their 'complices' illegally removed Margaret and Elizabeth from the nunnery and took them to Drylaw, subsequently refusing to return them to Galbraith's governance and keeping. The Lords of Council decreed that the girls "sall be restorit deliverit and reponit again within the said abbay of Hadingtoun" "thair to remane at the scule and for Instructing of thaim in Vertew apoun the said Maister Robertis as tutor forsaid expensis"</p>	
<p>1544 April [24?]</p>	<p>The Treasurer's accounts include entries for the cost of material and the making up of clothes for "his gracis [Arran's] douchter Gene Hammiltoun, at hir departing to the abbay of Haddingtoun".</p> <p>It seems likely that Jean was being sent to school at the nunnery. She would then have been of a similar age to the young Sinclair girls. The author of the Introduction to vol. 8 of the <i>Treasurer's Accounts</i> says "she was one of the younger children and cannot have been very old in 1544; she was not married to the Earl of Eglinton for ten years after this". Arran's eldest lawful daughter, Barbara, was born circa 1533. Jean certainly still had not reached the age of 12 by 10 July 1546, the date of the contract relating to her intended marriage to Gilbert, Master of Cassillis, which was to take place "as soon as they are of lawful age" (GD 25/1/475).</p>	<p><i>Treas. Accts.</i>, vol. 8, p. 281-2 (entry n.d., but appears immed't after one for 24 April one)</p>
<p>1546 1 Oct.</p>	<p><u>1546 attack on prioress by 40 people, on abbey land</u></p> <p>Court date in the act book is 1546 26 Oct. The case was heard by the commissary Sir Andrew Myll, at the petition of [the prioress Elizabeth] Hepburne.</p> <p>Elizabeth Hepburne, prioress of the monastery of Haddington, and Mr ("magister") Thomas Kincragy, procurator fiscal, sued 28 named people [see below] for damages/compensation.</p> <p>On 1 October 1546, 40 people, at least 30 of them or thereabouts armed in warlike manner ("bodyn in feir of weir") with "jakkis", spears, swords and 9 or 10 pieces of "artailzerye" [presumably handguns], with premeditated felony in mind, as it appeared in court, likely determined on killing the said dame Elizabeth and her servants, a violent, cruel and audacious invasion and violent assault being intended on the said dame Elizabeth, ?in the religious habit of the nuns visiting her said lands in Adamflat, lying in a part of the said monastery of Haddington, attacked her and her servants and farmers/husbandmen ["colonos"] and chiefly did outrageous injury to the person of the lady prioress, beating her with a lance and a spear on the breast, the shoulder and other different parts of her body, wounding her and throwing her down on the ground many times.</p> <p>The act book mentions the sentence of excommunication [?previously passed?] and further punishment in the form of amercements/fines [?to be?] levied from their goods and in money payments, for the premeditated violence and the hamesucken*.</p> <p>I think it says their decision will be given on Thursday at 8 [o'clock?]</p> <p>At the end of the entry, the act book names the parties as George Hepburne, Mr (magister) Patrick Hepburne and John Gibsoun and "procuratoribus Wilsoun et Hay per mandatum productum et dicta priorissa et procuratore fischale". [I think</p>	<p>Forbes, J.H. ed., <i>Liber officialis Sancti Andree: curie metropolitane Sancti Andree in Scotia sententiarum in causis consistorialibus que extant</i>, Abbotsford Club, 25 (1845), pp. 154-6. (seen online)</p>

	<p>Wilson and Hay were proctors representing the guilty parties. In this context 'per mandatum productum' presumably mean appearing by command of the court]</p> <p>*<i>D.O.S.L.</i> 'hamesucken': in Scots law "(the offence of committing) a premeditated assault upon a person in his own house or dwelling place ... formerly a capital offence".</p> <p>The <i>Liber officialis Sancti Andree</i>, edited by Forbes, is a compilation of cases appearing in a number of church act books. The hamesucken case is taken from an act book of the Archdeaconry of Lothian, 1546-48 (CH 5/2/3, fol. 7) held at the National Records of Scotland. (They record this as an act book of the official principal of St Andrews, but Forbes's attribution is borne out by Simon Ollivant, the author of <i>The Court of the Official in Pre-Reformation Scotland</i>, who says the National Records calendar entry is incorrect.)</p> <p>Forbes says this volume seems to be the rough minute book of the court, a lot of it being in an illegible and very contracted hand. It "generally contains only notings of the cases that came before the Official, and the steps of procedure in them, with rarely a rude draft of a judgement or sentence". The <i>Liber</i> only includes a few cases from this particular act book.</p>	
	<p>The following are named as being sued for compensation/damages in the hamesucken case.</p> <p>Adamsoun, Sir (dominus) James Allane, John Andersoun, John Artht, John [poss a version of Airth?] Bagbe, Adam Brok, Alexander Broun, James Brounehill, Adam Brounehill, John Brovnehill [sic], Thomas Criste, Archibald Criste, Richard Cuke, John Gibsone, John Gibsoun, Phillip, son of Phillip Gibsoun Gilzeame, John [?Guilliam; ?Gilzeam/Gilzam/Gilzain] Harkas, James Hepburne, George Hepburne, Mr (magister) Patrick Howesoun, Gabriel Hwm, John Moffett, George Pettecruse, John Rof, John Schorthous, Richard Smytht, William Thomsoun, Bernard Towris, George, of Inuerleytht*</p> <p>* Sir George Towers of Inverleith succeeded his father Sir James (who succeeded his father, Alexander, in 1525) in 1544. There were "extensive Towers properties in Inverleith and Edinburgh". Garleton Noble/East Garleton was not</p>	

	the main residence. (<i>Garleton Castle: Southwest Lodge, Athelstaneford, East Lothian</i> , Dec. 2011- March 2012, Connolly Heritage Consultancy (available online))	
1567[8] 16 Feb.	<p><u>Identity of last prioress, Isobel Hepburn</u></p> <p>Document refers to “Patrik Hepburne of Quhytecastell hir bruther and chalmerlane”.</p>	CS 7/40, fol. 389d (Court of Session: Register of Acts and Decrees, 1 st Series, Scott’s Office)