



**HAWICK COMMON GOOD FUND
SUB-COMMITTEE
TO BE HELD ON TUESDAY,
16 AUGUST, 2016**

**Please find attached urgent Item in respect of the
agenda for the above meeting**

	<p>(a) Urgent Item - The upcoming 250th anniversary of the last Perambulation of the boundaries of Hawick's full Common (Pages 1 - 2)</p> <p>To consider letter from Mr Scott. (Copy attached).</p>	
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The upcoming 250th anniversary of the last perambulation of the boundaries of Hawick's full Common

The legal proceedings that led to the Division of Hawick Common in 1776 lasted more than a decade. In 1765 opinion was sought from advocate James Montgomery over what the Town could legally do with the Common in order to use the land more profitably. The initial advice was favourable to the Town, suggesting that the Common belonged solely to the heirs of those named in the existing Burgh Charter of 1537. However, as time went on things became much more complicated. In 1767, the agents of the Duke of Buccleuch (then a minor, and so difficult to blame individually!) raised an action in the Court of Session regarding rights on Hawick's Common, suggesting a division of the land. In October of that year a group appointed jointly by the "pursuers" and "defenders" in the case walked around the edges of the Common to decide precisely on where the boundaries were, the description being entered into the legal record; six witnesses were specifically charged with making sure that the boundaries were walked correctly, these men being agreed by both sides as people familiar with the Common for most of their lives.

This was probably the last time that the full boundaries of Hawick's Common were perambulated. A decade later the Town would lose approximately 30% of the area of its Common. This was highly controversial at the time, being extremely unpopular with some of the townspeople, while others understood that it meant that the rights of the Town for the remaining 70% had been clarified. Parts of the Common could then be feued to raise revenue in Hawick, helping the Town to undertake improvements. Nevertheless, the feeling remained among many townspeople that Hawick had been robbed of a large part of its traditional Common lands.

The 250th anniversary of this perambulation will be on 14th October 2017. The description of the boundaries is reproduced in full in Craig & Laing's "Hawick Tradition of 1514" (and shown on the map contained in that volume, drawn up by J.P. Alison). The full party that met on 14th October 1767 consisted of: Robert Scott, Chamberlain to the Duke of Buccleuch and Thomas Waugh, Writer in Jedburgh, representing the "pursuers"; Walter Ruecastle, baker and William Elliot, baker, Magistrates of Hawick, plus John Gledstains, Writer in Hawick and Robert Elliot, Writer in Edinburgh, representing the Town; and the 6 witnesses, William Aitken, cooper in Hawick, John Aitken, cooper in Hawick, Robert Crozier, workman in Hawick, Andrew Thomson, workman in Hawick, James Miller, gardener in Hawick, and William Oliver, workman in Hawick.

Would it be possible to consider recreating this walk 250 years later, on some date close to 14th October 2017? It would be a historic moment for Hawick, and a reminder of the former extent of our Common. I know that the 1514 Club have undertaken walks around the Common in the past, but never (to my knowledge) a walk around the *original* boundaries. Surely some members of that Club (and indeed other relevant organisations in Hawick) would be interested in such an event.

Of course walking the *exact* boundaries would probably be too much of a challenge (e.g., considering the small deviation that a corner of the Common used to take across the Slitrig!), but nevertheless, it should be possible to make a reasonable compromise to the old boundaries. Perhaps we could imagine placing symbolic markers at particular points (something impermanent and biodegradable I would suggest), and perhaps stopping at important points for recitations and the like. There are also potential issues with getting permission from neighbouring landowners, but I doubt that they are insurmountable.

Let me know if you think this idea is interesting and please feel free to forward this letter to anyone you think might be keen to get involved.

Douglas Scott

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