# Transactions

**of the**

# Dumfriesshire and Galloway Natural History

**and**

# Antiquarian Society

LXXXVI 2012

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# Antiquarian Society

FOUNDED 20th NOVEMBER, 1862

THIRD SERIES VOLUME LXXXVI

Editors:

ELAINE KENNEDY
FRANCIS TOOLIS

ISSN 0141-1292

2012

DUMFRIES

Published by the Council of the Society

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# CONTENTS

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The Society is grateful to Historic Scotland for a substantial grant towards publication costs of the report, ‘A Burnt Mound and Wooden Posts on the A75 at Derskelpin Farm, Dergoals, Glenluce, 2010’. Dumfries and Galloway Council are thanked for their annual contribution to the Society.

The illustration on the front cover is of the Wamphray cross-slab from the article ‘The Early Church in Dumfriesshire’ by W.G. Collingwood, in Series III Volume XII, (1926) of these *Transactions*. It is discussed afresh by Prof. Richard Bailey in Whithorn Lecture No. 4 (1996).

# THE CRICHTON ROYAL INSTITUTION GARDENS: FROM INCEPTION TO 1933

Jacky Card[1]

*The Truckell Prize is awarded by the Society for the purposes of both commemorating the late A. E. Truckell and his outstanding contribution to local studies in Dumfries and Galloway, and of forging closer links with the Universities of Glasgow and of the West of Scotland on the Crichton Campus, Dumfries. The Prize is awarded annually for the best original research paper by an undergraduate or postgraduate student from the Crichton Campus on a human or natural history topic relating to the geographical area covered by the three former counties of Dumfriesshire, Kirkcudbrightshire and Wigtownshire. In 2011, the Truckell Prize was won by Jacky Card for this paper.*

The Crichton Institution was founded by Elizabeth Crichton in 1839 with a legacy of £100,000 left by her husband, Dr James Crichton, for charitable purposes. The architect, William Burn, the pioneer of the Scots Baronial style, designed a grand building set in 40 acres of grounds (Figure 1) but, due to financial constraints and uncertainty over the success of the venture, only half of the original design was built.

The Institution opened its doors to patients on 4 June 1839 with Dr William Alexander Francis Browne as its first residential physician. Dr Browne had studied 'the moral treatment of the insane' in France under the French pioneers, Esquirol and Pariset.[2] Dr Browne's philosophy stressed that careful attention was needed in the location and construction of asylum buildings. They should provide spacious and aesthetically pleasing accommodation, with pleasant grounds to allow for exercise and the possibility of employment in farming and similar healthy activities.[3] This position, in the newly built Crichton Institution, gave him the opportunity to create a 'moral' environment without the hindrance of inherited procedures and practices.[4] He was a leading advocate in substituting 'moral' for 'physical' restraint and was the first person to introduce a system of occupations and amusements for the patients in any asylum in Scotland: organising a daily regime of exercise in the airing verandas and the grounds.[5] He also arranged employment for patients able to work, either in the grounds or within the institution buildings, to prepare them for leaving the asylum. This philosophy has remained as part of the Crichton Royal Institution's ethos throughout its history.

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1 Member of the Society; jacky.card@btinternet.com.

2 Maureen Park, *Art in Madness, Dr W.A.F. Browne's Collection of Patient Art at Crichton Royal Institution, Dumfries* (Dumfries: Solway Offset Printers, 2010) p.3.

3 Andrew Scull, *The Asylum as Utopia, W.A.F. Browne and the Mid-nineteenth Century Consolidation of Psychiatry, Edited with an introduction by Andrew Scull* (London: Routledge, 1991) pps. xxxvii-xxxviii.

4 Maureen Park, *Art in Madness*, p.2.

5 Dr C. Easterbrook, *The Chronicle of Crichton Royal, 1833-1936* (Dumfries: Courier Press, 1940) p.x.

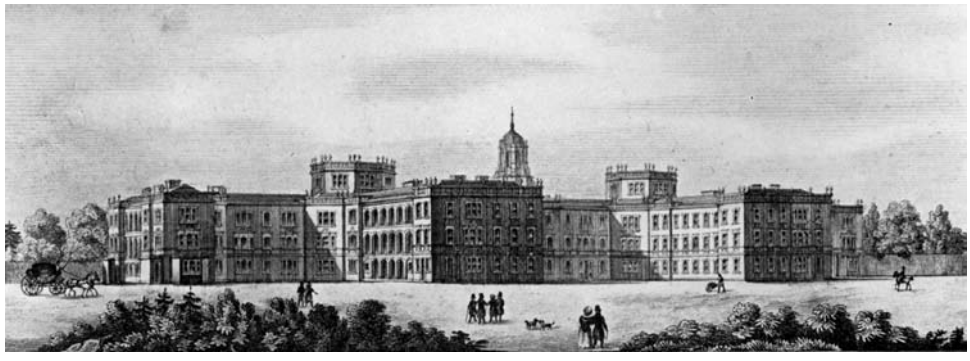

Figure 1. The original design of the south-west frontage of the Crichton Royal Institution.
From *The Chronicle of Crichton Royal 1833-1936* by Dr.C. Easterbrook.

Over the next sixty years further lands and buildings were added to the Institution. All the buildings were placed on slightly raised ground, facing south or west, with views of the Solway and the Galloway hills. All the wards had their own secluded gardens for patients to enjoy the fresh air and fine weather. These were surrounded by hedging usually of beech or rhododendron, though, unusually, a holly hedge was planted around the Hospice when it was built in 1927. The rest of the estate was laid out to 'include gardens and a farm in order to create a wider sphere for physical exertion and means for multiplying pleasurable sensations.'[6] The original boundary wall of the institution was removed in 1891 and replaced by stylish railings. This was to prevent patients from feeling detained or confined and to increase the feeling of tranquility and contentment.[7]

By 1892, the grounds and gardens had become increasingly important, not only as therapy for the patients but also for their produce: therefore, from this year onwards, they had their own heading within the *Annual Report*. The acreage of the Crichton estate had grown in 1884 to 136 acres outside the walls of the Institute and the original 40 acres within the walls.[8] By 1907 this had increased to 764 acres at the Institution and a further 468 acres elsewhere.[9]

During this period, the patients continued to access the gardens and grounds both for pleasure and to work. Dr Browne notes that in a three month period there were: 1,499 walks in the grounds, with one patient having recorded walking 405 miles in total.[10] In 1887, Dr Rutherford notes that occupations and recreations carry on as before with, 'outdoor employment of private patients in the ornamental gardens and grounds "within the walls", and pauper patients in the kitchen gardens and farm "out with the walls."'[11] In 1905, it is noted that, 'the patients in the new detached houses have greater facilities for freedom

6 Maureen Park, *Art in Madness,* p.11.
7 Crichton Royal Institute, *Annual Report 1891* (Dumfries: Courier Press 1892).
8 Dr C. Easterbrook, *The Chronicle of Crichton Royal,* p.182.
9 Dr C. Easterbrook, *The Chronicle of Crichton Royal,* p.307.
10 Maureen Park, *Art in Madness,* p.16.
11 Dr C. Easterbrook, *The Chronicle of Crichton Royal,* p.196.

of movement and the open air life'.[12] In 1915, a visiting Commissioner of Lunacy, upon inspecting the Institution, reports that, 'the outstanding feature of this establishment is that it is regarded as a community. There is a spaciousness and dignity in the arrangement of the grounds and houses. And each house is so placed to get the maximum amount of sunshine. The result is a feeling of restfulness which is an essential condition for the successful treatment of disorders from which the patients may recover.'[13]

In the *Annual Report* for 1910, there is the first mention of one of the main features of the Crichton grounds as they stand today and that is the arboretum. The idea of an arboretum to be formed at the site of the old orchard at the front of Crichton Hall was agreed by the Board but put on hold due to the capital outlay required at that time.[14] In 1911, Mr Joss was employed as head gardener to the Crichton Estate. It was during his term as head gardener that most of the garden was laid out as it stands today. The grounds at that time were more like parklands, with scattered trees and shrubs and gardens attached to each house. Crichton Hall had the largest ornamental garden, whilst the other houses had basic gardens which grew vegetables. In a wider view of gardening, in the last two decades of the nineteenth century, a new landscaping school of thought was led by Mr William Robertson. This school, instead of destroying gardens and making them into parks, turned parks into vast gardens.[15] This can be seen over the next two decades at the Crichton Gardens.

In 1912, another feature of the present gardens was suggested. The head gardener, Mr Joss, submitted a special report to the Board to centralise the main kitchen and flower gardens within the Crichton Hall grounds; to give up the outlying gardens and glass houses and to build a new range of glass houses.[16] This was agreed in principle but was held over for several years due to the financial outlay required at that time. In 1912, the high walled garden at Rosehall became the main orchard for the Institution and was planted with 500 apple trees, raspberry and blackcurrant bushes, so paving the way to create the arboretum in the old orchard.

It is noticeable in the *Annual Reports* and *The Chronicle of Crichton Royal* that from 1908 onwards the growing of produce had become a more important part of the Institution's gardens, with notes on which crops were plentiful and which were not. In 1913, it is even noted that 6,000 bunches of flowers and 2,000 pot plants were grown for the Institute.[17] From 1911-1913, there was very little change in the gardens. The newly built houses of the Institution each had a garden laid out surrounded by hedging. There was a lot of 'beautification' of the grounds by the transplanting of trees and shrubs.

From the start of the First World War in 1914 until the end in 1918, the gardens had very little money spent on them. The centralisation of the vegetable gardens was again

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12 Dr C. Easterbrook, *The Chronicle of Crichton Royal,* p.291.
13 Crichton Royal Institute, *Annual Report 1915* (Dumfries: Courier Press, 1916).
14 Dr C. Easterbrook, *The Chronicle of Crichton Royal,* p.339.
15 Eleanour Sinclair Rohde, *The Story of the Garden* (London: Medici Society, 1932) p.233.
16 Dr C. Easterbrook, *The Chronicle of Crichton Royal,* p.353.
17 Dr C. Easterbrook, *The Chronicle of Crichton Royal,* p.363.

considered in the summer of 1914 but due to the onset of war it was postponed.[18] There was transplanting of shrubs and trees within the garden throughout this period and hampers of fruit and vegetables were sent on a weekly basis to the Navy. From 1917-1919, after a call from the government to grow more food, 1½ acres near Maxwell House was sown with vegetables and several acres of the Crichton Hall grounds were left uncut to produce 14 tons of hay for fodder.[19] In 1917, Sir George Watt, a new member of the Board, suggested what was to become the most famous part of the Crichton gardens, the formation of a rock garden on the sloping grass terrace to the south-west of Crichton Hall. This was provisionally approved by the Board. The centralisation of glass houses was again raised in this year and deferred until after the war.[20]

1918 saw an increase in the vegetables produced in the grounds. A bumper crop of soft fruits had to be sent to the local jam factory due to sugar restrictions. It is not noted if the jam was then sent back to the Institution.

Shortly after the Armistice ending the war, a horse chestnut tree, the 'Victory' or 'Peace' chestnut, was planted on the view point near Crichton Hall, overlooking the Galloway hills (Figure 7). A hexagonal seat was placed around it with the carved inscription, 'This tree commemorates the Victory of the Allies. Great War 1914-1918'.[21] In 1919, Sir George Watt again put the subject of the rock garden to the Board in the form of a long note on 'How to Form a Rock-Garden'. Though this document could not be accessed, research has uncovered a book, *Alpine Plants*, by W.A. Clark F.R.H.S., owned by Sir George Watt (Figure 2), which contains an essay on 'The Small Rock Garden'.[22] This essay has many underlinings on the pertinent points of the forming of a rock garden and may be the source from which he wrote his presentation to the Board. It should be noted that, from the late nineteenth century, with many new alpine plants becoming available, rock gardens were increasingly becoming the vogue. The first one to be established in the United Kingdom was in Kew in 1882.[23]

1919 also saw a radical change in the way the grounds were organised. On the 10th November, a Visiting Director of the Board, Mr Bryce Duncan, inspected the gardens and commented that, 'the garden arrangements seem very disjointed' and suggested that, 'a standing committee for the gardens, which would co-ordinate garden policy should be appointed'.[24] A special gardens committee held a meeting on 14 November 1919, at which it was decided to leave all matters concerning the gardens to the standing committee once it was appointed. However, during this meeting there were disagreements between Sir George Watt and Mr Joss, head gardener, over the size and position of the rock garden. Mr

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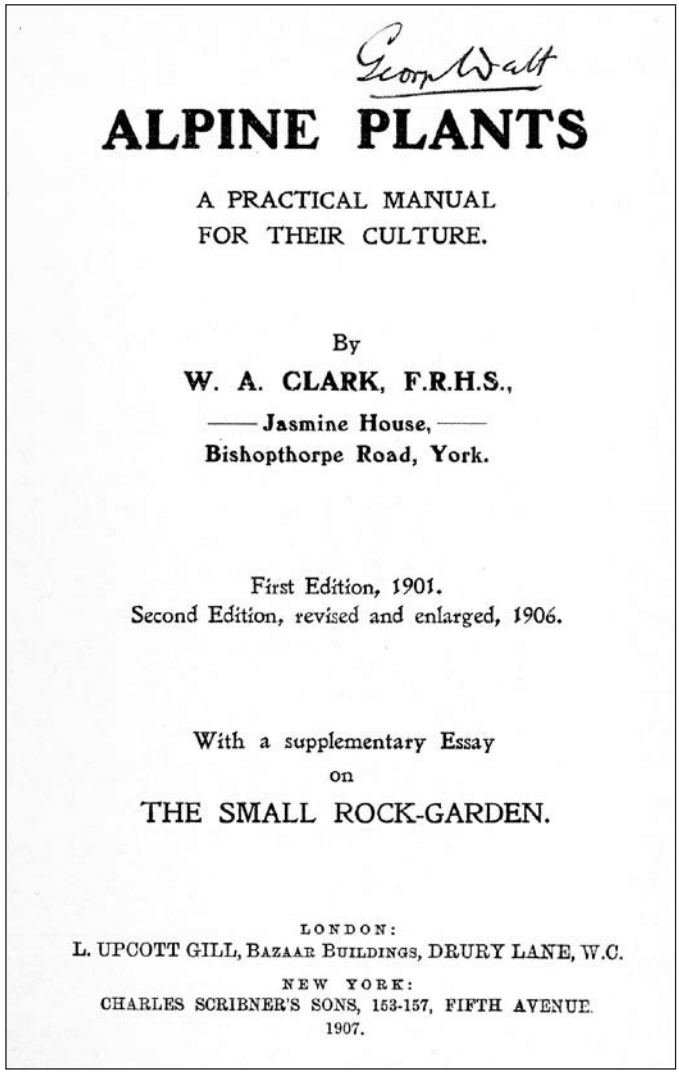
18 Dr C. Easterbrook, *The Chronicle of Crichton Royal,* p.382.
19 Dr C. Easterbrook, *The Chronicle of Crichton Royal,* p.415.
20 Dr C. Easterbrook, *The Chronicle of Crichton Royal,* p.415.
21 Dr C. Easterbrook, *The Chronicle of Crichton Royal* p.427.
22 W. A. Clark, F.R.H.S., *Alpine Plants: A Practical Manual for their Culture,* 2nd Edition (London: Upcott Gill, 1906).
23 Eleanour Sinclair Rohde, *The Story of the Garden,* p.233.
24 Sir George Watt, *Gardens Committee Report* (Dumfries: September 1921) p.8.


Geo. Watt

ALPINE PLANTS

A PRACTICAL MANUAL
FOR THEIR CULTURE.

By
W. A. CLARK, F.R.H.S.,
—— Jasmine House, ——
Bishopthorpe Road, York.

First Edition, 1901.
Second Edition, revised and enlarged, 1906.

With a supplementary Essay
on
THE SMALL ROCK-GARDEN.

LONDON:
L. UPCOTT GILL, Bazaar Buildings, DRURY LANE, W.C.
NEW YORK:
CHARLES SCRIBNER'S SONS, 153-157, FIFTH AVENUE.
1907.

Figure 2. The title page of Sir George Watt's book on Alpine plants.
(Courtesy of the Royal Botanic Gardens, Edinburgh)

Joss suggested a rock garden twice the size of the one that Sir George Watt had originally proposed in 1917, which was to be placed near the old rubbish heap to the side of the recreation ground. Sir George Watt was adamant that this was the wrong place, as it would not only be shaded by trees, but would have to compete with the tree roots for soil nutrients.[25] At the Board meeting on the 20th December, it was agreed to form a Gardens Committee with Mr Gladstone as convener.

25 Sir George Watt, *Gardens Committee Report,* September 1921, pps.8-9.

Figure 3. The garden staff of the Crichton Royal Institution c.1920.
Mr Joss, the head gardener, is in the centre of the front row.
(Courtesy of Dumfries and Galloway Libraries, Information and Archives[26])

In 1920, most of the work in the gardens was centred on the enlargement of recreational grounds and the growing of crops. Sir George Watt took over as convener of the Gardens Committee in 1921, a post which he held till 1923 and again from 1925-1927. In a report to the Board in February 1921, he actively endorses the centralisation of the gardens, providing a description of the varying states of the gardens and glass houses of Midpark, Allanbank and Oakfield, and the main kitchen garden at Crichton Hall. His recommendation was that all the outlying gardens should be closed down and that the gardens should be centralised in one area with a range of new glass houses.[27] In September 1921, Sir George Watt submitted an eight page précis report from the Gardens Committee to the Board. This submission detailed the previous request by Mr Joss to centralise the gardens, identified a site for the new garden and glass houses and set out a time schedule for the work. Part of this schedule reads, 'Winter 1923 – Spring 1925: Site for the new glass houses to be prepared, foundations laid and new glass houses to be built, grounds to be laid out and roses planted. Winter 1925 – Spring 1926: Old orchards closed and converted into arboretum. Site of rock garden prepared and garden built.'[28] All of these projects were finished ahead of this schedule.

The spring of 1922 was cold, but in late May, when the weather warmed up, a wonderful display of blossom was noted, not only in the gardens but in the countryside generally.

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26 Crichton Royal Institution Gardeners 1922, Acc No 1989.020, Dumfries Archive Centre, Dumfries and Galloway NHS Archive.

27 Sir George Watt, *Gardens Committee Report* (Dumfries: February 1921) p.1.

28 Sir George Watt, *Gardens Committee Report,* September 1921, p.5.

Figure 4. The glass houses erected by McKenzie and Moncur in 1923.
From *The Chronicle of Crichton Royal 1833-1936* by Dr C Easterbrook.

From the spring onwards, a suite of garden offices was built behind the site for the proposed new glass houses and then the glass houses themselves were erected.[29] These were built to specified plans prepared by Mr Joss and the Clerk of Works, Mr Flett. They extended 300 feet from north to south, and the V-shaped spans of the roofs with their various sections were oriented east to west (Figure 4). The superstructure was built of teak with Jarrah wood sills to resist decay. The lower edges of the glass panes were rounded convexly so that rainwater ran from the sides down the centre of the panes. Sir George Watt, in his report as convener of the Gardens Committee, sketched the layout of the vegetable gardens, herbaceous borders and the rose beds in front of the glass houses (Figure 5). By the end of that year the glass houses were well stocked with plants.[30] The gardens designed by Sir George Watt were laid out in 1924 and are mentioned in many of the following *Annual Reports* for their colour and floral display.

Figure 5. Crichton Royal 'Main Garden' as designed by Sir George Watt and laid out in 1924, showing the glass houses, vegetable beds, herbaceous borders and rose beds.
From *The Chronicle of Crichton Royal 1833-1936* by Dr C. Easterbrook.

29 Dr C. Easterbrook, *The Chronicle of Crichton Royal,* p.469.
30 Sir George Watt, *Garden Committee Report* (Dumfries: December 1923) p.5.

In June 1923, with the work on the glass houses finished, construction of the rock garden began on the steeply sloping terraces bordering the main drive, to the front of Crichton Hall and was almost completed by the end of that year. It was built under the personal direction of Sir George Watt and Mr Joss and strongly supported by Dr Easterbrook who wanted 'model' gardens to match the 'model' buildings on the site.[31]

Between 600 and 700 tons of red sandstone and conglomerate rock from the old quarry at Maidenbower were used in the construction.[32] Sir George Watt noted in his report at the end of 1923 that there had been a considerable financial saving as 800 tons of rock had been estimated as necessary for the garden construction.[33] He added that there were problems to be confronted: the need to provide specially prepared soil for the rock garden and to obtain sufficient plants to fill it.[34] A start was made, with past and present members of the Board and others contributing plants and seeds for the garden. A consignment of seeds and plants was procured through Sir George Watt from the Royal Botanic Gardens, Edinburgh. A list of 105 packets of various alpine seeds was found in the Dispatch Books at the Royal Botanic Gardens, Edinburgh as being sent to Sir George Watt on 4 June 1923 and it is possible that these were the seeds that he donated to the rock garden.[35]

Messrs Sutton of Reading, seed merchants, donated seeds and Mr Samuel Arnott, Provost of Maxwelltown, gifted an extensive collection of mosses for the grotto to be built in the rock garden.[36] A nursery in the glass houses was prepared for the cuttings, alpine plants and seeds in the summer of 1923, with a view to planting them out in the rock garden the following spring.

In his last report to the board as convener of the Gardens Committee in 1923, Sir George Watt notes that a new gardener should be employed with specialist knowledge of alpines, and placed in charge of the rock garden.[37] Mr Malcolm McDonald was employed at the start of the following year. It is noted in the *Historic Landscape Survey: The Crichton, Dumfries*, published in 1998, that Mr McDonald used the *Hand Lists of Rock Garden and Herbaceous Plants*, compiled by the Royal Botanic Gardens, Kew to select and order plants for the rock garden.[38] This was probably the second edition of this book, published in 1902, as a third edition was not published till 1925.

A list of plants used within the rock garden by Mr McDonald is mentioned in the *Historic Landscape Survey*; however this could not be accessed. An article about the

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31 Dr C. Easterbrook, *Special Reports Vol. I – IV* (Dumfries: Courier Press).
32 Dr C. Easterbrook, *The Chronicle of Crichton Royal,* p.477.
33 Sir George Watt, *Gardens Committee Report*, December 1923, p.2.
34 Sir George Watt, *Gardens Committee Report*, December 1923, p.2.
35 Royal Botanic Gardens, Edinburgh, *Dispatch Book* (Edinburgh: 1922-1925) pps.235-237.
36 Dr C. Easterbrook, *The Chronicle of Crichton Royal,* p.477.
37 Sir George Watt, *Gardens Committee Report,* December 1923, p.4.
38 Land Use Consultants, *Historic Landscape Survey: The Crichton, Dumfries* (Glasgow: Gleniffer House, 1998) p.34.

Crichton rock garden in *The Gardener's Chronicle* of 16 June 1928[39] lists the plants of special note within the rock garden:

Eryngium pandanifolium
Senecio Greyi
Senecio laxiflora
Veronica spp. including V.Hulkeana
Deutzia spp. including D.gracilis var. carminea
Azara microphylla
Cotoneaster spp. including C.horizontalis
Azalea ledifolia
Cistus spp.
Helianthemum spp.
Othonnopsis cheirifolia
Lithospermum intermedium
Linum alpinum
Saxifrage spp. including S.longifolia
Dianthus spp.
Campanula spp.
Gentia spp. including G.lutea
Androsace spp. including A.sarmentosa var.Watkinsii and A.villosa
Geranium spp.
Erigeron spp.
Erodium spp.
Aster Farreri
Potentilla Farreri
Dracocephalum Forrestii
Ramondia spp.
Aethionema spp. including R.pyrenaica
Aethionema spp.including A.Warley Hybrid
Primula spp. including P.burmanica, P.Bulleyana, P.Red Hugh, P.pulverulenta, P.Beesiana, P.japonica, P.secundiflora and P.sikkimensis
Dodecatheon spp. including D.Meadia and D.Jeffreyi
Meconopsis spp. including M.sinuata latifolia and D.brevi-stylis

In the spring of 1924, the rock garden was top dressed with specially prepared soil and over two thousand species and varieties of alpine plants were planted. A grotto with ferns and mosses and an ornamental pond and bog-garden with lilies and other water plants was formed.[40] A rare slow-growing evergreen tree, the Dwarf Weymouth Pine, Pinus strobus 'nana' was planted just above the rock garden, along with several dwarf trees within the rock garden itself.

With many of the rock garden plants being ephemeral in nature, they needed to be constantly restocked. This can be seen from the Dispatch Books of the Royal Botanic Gardens, Edinburgh. An entry for January 1925 shows 190 packets of seeds were sent to Sir George Watt for the Crichton Gardens and in subsequent years, over 133 packets of alpine seeds were sent to the Crichton Royal Institution. In 1925, further seedlings from the nursery were planted in the rock garden which then contained over 2,500 species of plants.[41] Throughout the next eight years, donations of seeds came from Sir George Watt; the Royal Botanic Gardens, Edinburgh; the Lloyd Botanic Gardens, Darjeeling; the Botanical Gardens, Trinidad; and from Sir William Maitland-Heriot, who became convener of the Gardens Committee from 1928 to 1930.[42]

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39 S. Arnott, 'The Rock Garden', *The Gardener's Chronicle*, 16 June 1928; re-published in *The New Moon, or Crichton Royal Institution Literary Register* (Dumfries: July 1928) pps.1-2.
40 Dr C. Easterbrook, *The Chronicle of Crichton Royal*, p.484.
41 Dr C. Easterbrook, *The Chronicle of Crichton Royal,* p.489.
42 Dr C. Easterbrook, *The Chronicle of Crichton Royal,* p.511.

The rock gardens were greatly admired by patients and visitors alike. They inspired many a budding poet to write in the patient's magazine, *The New Moon.* This poem by 'H' appeared in 1931: [43]

> Birds in the Rock Garden.
>
> Birds come flying gaily here,
> To seek its restful charm.
> Drink from the waterfall, where
> They're safe from any harm.
> Up and down its waters seek,
> Cooling drops, and flies, fit
> Eating for their tiny beak,
> Chief of these the blue tit.
>
> Wagtails, robins, warblers, wrens,
> May often here be seen,
> In riotous glee from glens,
> Very far off they've been.
>
> For blooms, and scents, here display,
> All their variety,
> Making such a glad array,
> There's no satiety.

The rock garden continued to evolve over the next few years. In 1926, a propagating house was erected by the glass houses in a space between the boiler house and the garden offices, especially for the cultivation of alpine and other seeds and young cuttings.[44] In the *Annual Reports* and *The Chronicle of Crichton Royal 1833-1936*, the most featured aspect of the 'Garden and Grounds' section is the rock gardens. The *Annual Report* of 1927 notes 'that year by year the rock garden shows a greater wealth of colour and variety'.[45]

In 1927, Sir George Watt retired as Convener of the Gardens Committee. Dr Easterbrook noted that, 'under Sir George's convenership, the gardens have seen the most development in the history of the Institution: and the rock garden, especially, will always be associated with him'.[46] In 1928, Mr Samuel Arnott, a well-known gardening expert, wrote an article in *The Gardeners' Chronicle* entitled 'The Rock Garden' about the rock garden at the Crichton Royal Institution:[47]

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43 H. 'Birds in the Rock Garden', *The New Moon, or Crichton Royal Institution Literary Register,* (Dumfries: April 1931) p.1.

44 Dr C. Easterbrook, *The Chronicle of Crichton Royal,* p.496.

45 Crichton Royal Institute, *Annual Report 1927* (Dumfries: Courier Press, 1928) p.9.

46 Dr C. Easterbrook, *The Chronicle of Crichton Royal,* p.505.

47 S. Arnott, 'The Rock Garden', *The Gardener's Chronicle,* 16 June 1928; re-published in *The New Moon, or Crichton Royal Institution Literary Register* (Dumfries: July 1928) pps.1-2.

The Rock Garden.

The rock garden, which was the main object of the writer's visit at this time, is of great extent. It owes its inception to the advocacy of that eminent botanist, Sir George Watt, one of the Directors, who, during his term of office, devoted much time and thought to its planning. Its construction was carried out under the personal supervision of Mr. Joss, who deserves great credit for its success. Skilful advantage has been taken of the natural lie of the position, which is a sloping bank facing almost south-west; and the rock work has been excellently laid to conform so far as possible, and to harmonise with the natural strata of the rocks of which it is formed. These are great blocks of the old red sandstone which have been quarried on the estate, and which is the general local stone of the district. It harmonises well also with the buildings and the position, and shows up the colours of the plants when in flower, and they appear to revel in this medium.

As is proper with a rock garden of this size, the plants are grown in large masses, and their condition and freedom of flowering reflect much credit upon Mr Joss and his able lieutenant, Mr. M'Donald, who has been in charge of the rock garden since it was constructed about four years ago. The general effect of the rock garden is most pleasing, for the masses of foliage and flowers and the boldness of the stonework, combined with its great extent, render a general view highly impressive. Skilful use has been made of the natural slope in the placing of the rocks, and a delightful feature is made by the provision of flights of rocky steps, leading from one terrace to another, and draped with such subjects as Arenaria montana and A. balearica, and with Thymus Serpyllum lanuginosus. A streamlet flows through part of the garden and supplies a small pond, fringed with Irises and other moisture-loving plants, and the boggy stretches for the moisture-loving Primulas—a great feature of the place.

On entering the garden one is impressed by the bold and generous planting as represented by the great masses and drifts which cover the rocks in a most fascinating way. Its extent admits of the employment of many shrubs and other plants which would be out of place in a smaller one, but which are delightful here. For example, near the top of the bank is a fine group of the noble Eryngium pandanifolium, a plant rarely seen in this district, although it is quite hardy at Crichton Royal. Senecio Greyi and S. laxiflora are very fine, as also are the New Zealand Veronicas, including, among numerous others, a grand plant of V. Hulkeana. Deutzias, such as D. gracilis var. carminea, are superb; Azara microphylla is fine; and various Cotoneasters, especially a grand mass of G. horizontalis, drape the rocks, Azalea ledifolia is delightful, and many other flowering shrubs, such as the Cistuses, are in perfect condition. A great feature of this rock garden is created by the masses of numerous Helianthemums, some in flower and others in bud, and the former glowing with colour in the sun. A large mass of Othonnopsis cheirifolia, now not much seen, is most effective with its glaucous leaves and orange-yellow blooms.

Hanging over the brow of a rock, a drift of Lithospermum intermedium is lovely with its purple-blue flowers, and at the base of a rock the graceful Linum alpinum waves its blue flowers, on slender stems, in the soft breezes. Spires and carpets of beauty are given by the Saxifrages of the various sections, and a good plant of S. longifolia was observed in a chink of the rockwork. The ever popular Dianthuses are plentiful, and Campanulas of the choicest species abound. The glorious Gentians do well, and it was a pleasure to see a fine group of the tall G. lutea in flower. Androsaces are represented by A. sarmentosa var. Watkinsii, A. villosa and others; and hardy Geraniums, Erigerons and Erodiums give masses of colour. Aster Farreri is happy, so is Potentilla Farreri, and Dracocephalum Forrestii apparently

> likes the conditions here. A shaded corner shielded from the sun affords an ideal place for Ramondias and, in addition to the type, the rarer white and pink varieties of R. pyrenaica are in superb condition, while in sunny nooks several Aethionemas, such as A. Warley Hybrid and others, are happy in their situation and surroundings.
>
> A host of other plants call for notice, but considerations of space prevents further details of these. An exception may be made of the Primulas, with two of the allied Dodecatheons; also Meconopsis sinuata latifolia and brevi-stylis, which are cultivated in one of the colonies of Primulas in a moist spot. The Dodecatheons are but little cultivated in the district, and it was a pleasure to see D. Meadia and D. Jeffreyi flourishing and giving a wealth of their Cyclamen-like flowers among the Primulas. The Primulas are worth going to this rock garden to see, and the moisture-lovers are a sight in themselves.
>
> It is, for example, a delight to see the many plants of P. burmanica, varying in shade of colour from seeds, but in superb condition. Mr. M'Donald has secured a good hybrid of P. burmanica and P. Bulleyana, that is intermediate in colour. Masses of P. Red Hugh, P. pulverulenta, P. Beesiana, P. Bulleyana, P. japonica, P. secundiflora and several others thrive happily, while P. sikkimensis sows itself here and there, and the seedlings, flowering as they do in no regular order, add charm to an already beautiful picture.
>
> Such are some of the features of this magnificent rock garden which the writer has seen arise from a grassy bank to a bare rock garden, and now to a happy home for a host of lovely plants that give delight and comfort to many

This is the last real mention of the rock garden in the sources studied. From then on the sections of the *Annual Reports* headed 'Gardens and Grounds' concentrate on the improvements to the recreational areas within the grounds and the amount of produce the gardens have supplied that year.

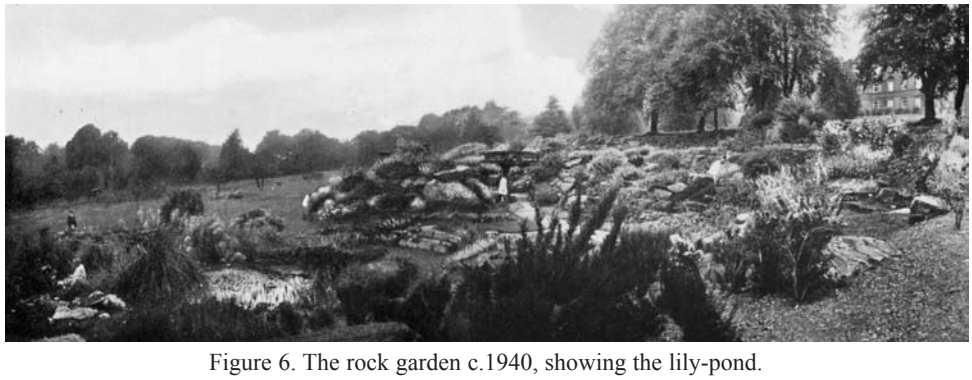

Figure 6. The rock garden c.1940, showing the lily-pond.
From *The Chronicle of Crichton Royal 1833-1936* by Dr C. Easterbrook.

The final feature of the gardens to be designed in this period was the arboretum and shrubbery. In the autumn of 1924, the old orchard, which lay between the rock garden and the Glencaple road, was prepared for the new trees. Many of the old fruit trees were removed, though some of the apple, pear, plum and damson trees were left for their spring blossoms.[48] The arboretum was laid out under the supervision of Sir George Watt, Sir William Maitland-

48 Dr C. Easterbrook, *The Chronicle of Crichton Royal,* p.484.

Heriot and Colonel Dudgeon, in consultation with Professor Wright Smith, curator, and Mr R. L. Harrow, head gardener, of the Royal Botanic Gardens, Edinburgh.[49] Over two hundred species of hybrid and ornamental trees and shrubs, evergreen and deciduous, were chosen for their flowers and foliage.[50] It has not been possible to find the planting list for this work, but a survey of the arboretum undertaken by the head gardener, Mr Carson, in March 1998, published as an unnumbered appendix to the *Historic Landscape Survey: Crichton*, *Dumfries*, identifies all the trees in the arboretum and their ages.[51] From this it can be deduced that the following trees would have been planted when the arboretum was originally lain out:

Betula pendula (Silver Birch)
Hydrangea petiolaris (climbing Hydrangea)
Davidia involucrata (Handkerchief Tree)
Rhododendrons (Mixed hybrids and species)
Catalpa bignonioides (Indian BeanTree)
Aesculus indica 'Ethroblastos' (Indian Horse Chestnut)
Sciadopitys verticillata (Japanese Umbrella Tree)

Retained within the avenues around the arboretum and within it were many specimens of mature trees including:

Tilia x europaea (Common Lime)
Fagus sylvatica 'Purpuea' (Purple Beech)
Fagus sylvatica (Common Beech)
Castanea sativa (Sweet chestnut)
Quercus cerris (Turkey Oak)

In March 1925, the deciduous trees and larger shrubs were planted out in their permanent positions within the arboretum. Climbing shrubs were planted against the remaining fruit trees. The smaller and less hardy plants were temporarily placed in the nursery to await planting in the autumn. In October these were planted out in their permanent positions. Seedling birches were planted to act as shelter for the less hardy species of rhododendrons.[52] Over the next year the trees and shrubs settled into their new positions with some flowering during that summer.

The arboretum remained unaltered until 1930 when Sir William Maitland-Heriot suggested that an area of the arboretum, containing the more delicate rhododendron species with sheltering pear and birch trees, should be extended by one hundred yards in length and varying widths, to form a Wild or Woodland Garden. The area chosen was already

49 Dr C. Easterbrook, *The Chronicle of Crichton Royal,* p.489.
50 Dr C. Easterbrook, *The Chronicle of Crichton Royal,* p.489.
51 W. Carson, Scottish Natural Heritage (SNH), *The Crichton Site Tree Survey*, Arboretum Section (Dumfries:1998).
52 Dr C. Easterbrook, *The Chronicle of Crichton Royal,* p.489.

under-planted with Primula and Meconopsis species.[53] This work was undertaken in the autumn of that year.

There is little further mention of the arboretum and shrubbery in the reports that are available up to 1933. However, Mr Carson's tree survey mentions other unusual trees that were planted in the following nine years:[54]

Prunus 'Kanzan' (Flowering Cherry)
Sorbaria arbaria (a large deciduous shrub)
Davidia involucrate (Handkerchief Tree)
Prunus x yedoensis (Yoshino Cherry)
Cotinus coggygria (Smoke Tree)

It should be noted that there are several trees of special interest which were planted outside the period researched but are still within the arboretum today. These are:

Acer rufinerve (Snake Bark Maple)
Acer griseum (Paperbark Maple)
Liriodendron tulipipfera 'Aureomarginatum' (Variegated Tulip Tree)
Prunus 'Shirotae' (Mount Fuji Cherry)

The arboretum and shrubbery as it looks today is very different from the original design, with less hardy exotic shrubs and trees having been replaced by more common varieties. There is, however, still an element of the original layout and plantings.

Ordnance Survey First (1861), Second (1900) and later (1932) Edition maps[55] highlight the changes that took place in the Crichton Royal Institution's land holdings over the years since its opening in 1839. The acreage was greatly enlarged and there was a move from open parkland to a more structured garden layout. The ethos of patients working and exercising within the grounds remained constant but the grounds became more commercialised during the life of the Institution. However, in the years that followed the period of this research (1839-1933), the grounds continued to be used and enjoyed by many patients and visitors alike.

As a footnote to this history, the Crichton Royal Institution has seen a wide change of use over the last twenty years. Very few of the buildings still house patients, while many buildings are used by businesses and local government. Ironically, after one hundred and eighty years, Elizabeth Crichton's desire to have a university on the site has come to fruition. A large campus containing the University of the West of Scotland and the Dumfries

53 Dr C. Easterbrook, *The Chronicle of Crichton Royal,* p.524.
54 W. Carson, SNH, *The Crichton Site Tree Survey.*
55 Ordnance Survey First Edition, 6in to mile, Dumfriesshire Sheet LV, surveyed 1856, published 1861; Second Edition, 6in to mile, Dumfriesshire Sheet LV.NE, surveyed 1898, published 1900; later edition, 6in to mile, Dumfriesshire Sheet LV.NE, surveyed 1929, published 1932. These can be viewed on-line at http://maps.nls.uk/.

Campus of the University of Glasgow now benefits from her foresight and the excellent facilities of these former asylum buildings. And the lasting legacy of the rock garden, the arboretum and grounds? They continue to offer a calm environment where people can walk freely or sit to enjoy the 'healing space'.

## Bibliography

Arnott, S., 'The Rock Garden', *The Gardener's Chronicle,* 16 June 1928; re-published in *The New Moon, or Crichton Royal Institution Literary Register* (Dumfries: July 1928) pps.1-2.
Carson, W., Scottish Natural Heritage (SNH), *The Crichton Site Tree Survey* (Dumfries:1998).
Clark, W.A., F.R.H.S., *Alpine Plants: A Practical Manual for their Culture*, 2nd. edition (London: Upcott Gill, 1906).
Crichton Royal Institute, *Annual Report 1891* (Dumfries: Courier Press, 1892).
Crichton Royal Institute, *Annual Report 1915* (Dumfries: Courier Press, 1916).
Crichton Royal Institute, *Annual Report 1927* (Dumfries: Courier Press, 1928).
Easterbrook, Dr C., *The Chronicle of Crichton Royal 1833-1936* (Dumfries: Courier Press, 1940).
Easterbrook, Dr C., *Special Reports Vol. I – IV* (Dumfries: Courier Press).
H., 'Birds in the Rock Garden', *The New Moon, or Crichton Royal Institution Literary Register* (Dumfries: April 1931).
Land Use Consultants, *Historic Landscape Survey: The Crichton, Dumfries* (Glasgow: Gleniffer House, 1918).
Park, Maureen, *Art in Madness, Dr W.A.F. Browne's Collection of Patient Art at Crichton Royal Institution, Dumfries* (Dumfries: Solway Offset Printers, 2010).
Royal Botanic Gardens, Edinburgh, *Dispatch Book* (Edinburgh: 1923-1925).
Sinclair Rohde, Eleanour, *The Story of the Garden* (London: Medici Society,1932).
Scull, Andrew, *The Asylum as Utopia, W.A.F. Browne and the Mid-nineteenth Century Consolidation of Psychiatry: Edited with an introduction by Andrew Scull* (London: Routledge, 1991).
Watt, Sir George, *Gardens Committee Report* (Dumfries: February 1921).
Watt, Sir George, *Gardens Committee Report* (Dumfries: September 1921).
Watt, Sir George, *Gardens Committee Report* (Dumfries: December 1923).
Williams, Morag, *History of the Crichton Royal Hospital 1839-1989* (Dumfries: Solway Offset, 1989).

Figure 7. The ‘Peace’ or ‘Victory’ horse chestnut tree.

Figure 8. The Rock Garden in September 2011, showing the pond and Crichton Hall in the background.

# NOTES ON THE OCCURRENCE AND DISTRIBUTION OF COLEOPTERA IN SCOTLAND ASSOCIATED WITH REV.WILLIAM LITTLE

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*The biography of the Rev. William Little (c.1797-1867), incumbent of the parish of Kirkpatrick Juxta, Dumfriesshire from 1842 to 1867, has been described already (Martin, 1996) and some aspects of his activities regarding Coleoptera have been published recently (Hancock, Dobson & Williams, 2009). The present purpose is to collate and assess his contribution to the knowledge of the occurrence and distribution of Scottish Coleoptera as derived from records published by him or in his name. He found the great majority of these beetles, 227 species (c.49%), at Raehills, an estate located 10 miles north-west of Lockerbie, Dumfriesshire.*

## Introduction

Although he only published one paper, which listed 176 species (Little, 1838), other records are credited to him by Stephens (1831-32), Wilson and Duncan (1834), Greville (1837), Walton (1845; 1848; 1851), Murray (1853), Janson (1859) and Fowler (1887-1891) adding many more, to give a final total of c.465. Most of these species have undergone name changes since first published, so here an attempt is made to establish synonymy with the present names, most of which appear in the check-list of Duff (2008). Conventionally, a species is defined by its generic name, its specific name, that of the author who described it and its date of publication. In most accounts, dates tend not to be stated and many early accounts, including some of those here, omit the name of the author too. The names of most of these missing authors have been supplied by later authorities (e.g. Murray) and can be used with confidence. Where a change of genus has occurred these names are enclosed by brackets. In most cases synonymy can be determined from Duff's list or by use of the sources already indicated. Stephens checked most of Little's cabinet and this helped to authenticate records. Many of the records given by Little, or attributed to him by others, are of common species which hardly represent his true contribution to his subject. The following list, therefore, includes only species regarded as of interest or of importance and shows for each species its modern name, its name in the original publication, the locality of capture and the names of those responsible for its publication, indicated here either by their full or by their abbreviated names (e.g. Lit., Mur.) (A complete list is lodged with Dumfries and Galloway Natural History and Antiquarian Society and is available from the editor of these *Transactions*.) It may be noted that, despite the non-availabilty of adequate identification keys and of modern equipment such as stereo-microscopes and electric lighting, much of the work of Little and of other early entomologists stands up to modern scrutiny.

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It is not the purpose of this account to bring data on distribution or frequency of occurrence up to date. That would require a voluminous compendium and would be outdated even before it was published. The interest is in Little's actual contribution and, with few exceptions, the only data are those derived from writers who were alive at his time. These records do not summarise all of Little's activities regarding entomology but only the available data within the Coleoptera. His original cabinet has not been located but some of his specimens exist at the National Museums of Scotland (Edinburgh), the Hunterian Museum (University of Glasgow) and Oxford University Museum.

None of the literature consulted makes any mention of larvae and, in general, it would not be practicable to do so. Those of certain families may be recognised readily but in most cases variations between species and even during the stages in the maturation of species preclude such recognition. In this account only conspicuous forms or those of economic importance are considered. Lengths apply to British species only. *Denotes published records believed to be the first for Scotland. Entries are presented in the following order: Modern name: Old name with author presented in modern format as e.g. in Duff (2008): Locality in Little's day: Comments: Person responsible for publication. [ ] Denotes comments by the present authors.

**Family Dytiscidae**

'Diving Beetles'. Predatory, boat-shaped aquatic adults with elongate larvae. For respiration, adults carry a bubble of air beneath the elytra which has to be renewed from time to time. Larvae obtain air directly from the surface through a specialised area of spiracles. Over 100 British species. Length (adults) 2-35mm.

**Rhantus suturalis* (McL.) as *Colymbetes pulverosus* (Steph.). Forfarshire (Angus) [Only record at the time.In ponds etc.] (Lit.). Length 12mm.

**Liopterus haemorrhoidalis* (F.) as *Colymbetes oblongus* (Ill.). Raehills [In ponds] (Lit.). Length 7.5mm. (Figure 1).

**Hydroporus gyllenhalii* Schiodte. Dalmeny Park (W.Lothian) [In ponds] (Mur.). Length 3.5mm.

*Hydroporus rufifrons* (Mull., O.F.). Dalmeny, rare [In ponds] (Lit.). Length 5mm.

*Stictotarsus 12-pustulatus* (F.) as *Hydroporus 12-pustulatus* F. Raehills and Water of Leith [Running water] (Lit.). Length 5.5mm.

**Family Carabidae**

'Ground Beetles'. Adults and larvae predators, on soil and in leaf litter etc. Adults have long legs and antennae and are usually very active. The larvae are elongate, active and have similar habits to the adults. Over 350 British species. Length 2-28mm.

*Nebria nivalis* (Pk.) as *Helobia nivalis* Pk. Ben Lawers [Montane species] (Lit.). Length 9-11mm.

*Dyschirius nitidus* (Dej.) Dumfriesshire [Maritime] (Mur.). Length 4.6-5.8mm.

*Trechus rubens* (F.) as *Blemus paludosus* (Gyll.) Raehills, very scarce [On banks of ponds and streams. Under plant debris] (Lit.). Length 5.3-6.5mm.

**Asaphidion pallipes* (Duft.) as *Bembidium pallipes* Duft. Banks of the Nith, near Dumfries. [Often associated with bare sand near fresh water] (Lit.). Length 5-6mm.

*Ocys quinquestriatus* (Gyll.) *as Ocys currens* Auct? Dalmeny Park, very scarce [Sandy places at grass roots and in moss] (Lit.). Length 3.9-4.7mm.

**Bembidion saxatile* Gyll. as *Peryphus saxatilis* Gyll. Raehills [Marshes, river-banks, coast] (Lit.). Length 4.3-5.1mm.

**Bembidion mannerheimii* Sahlb. as *B.gilvipes* Stm. var. *mannerheimii* Sahlb. Raehills [Marshes, especially on heaths] (Mur.). Length 2.8-3.4mm.

*Patrobus septentrionis* Dej. as *P. alpinus* Curt. Ben Lawers, near the summit, rare (Lit.). Length 8-10mm.

*Pterostichus aethiops* (Pz.) as *Steropus aethiops* (Pz.) Raehills [In decayed birch. Montane species] (Lit.). Length 8-10mm.

*Pterostichus vernalis* (Pz.) as *Argutor vernalis* (Pz.) Dumfriesshire, rare [In marshes, under stones etc.] (W&D). Length 6-7.5mm.

**Agonum thoreyi* Dej. as *A. pelidnum* sensu Pk. Raehills [Marshes among dead leaves etc.] (Lit.). Length 6-8mm.

*Agonum nigrum* Dej. as *A. atratum* sensu auctt. Dalmeny Park [Marshes] (Lit.). Length 7-9mm.

**Amara similata* (Gyll.) as *A. obsoleta* (Duft.) Raehills, common (Mur.). Length 8-9.5mm.

*Harpalus rubripes* (Duft.). On hills near Innerleithen (Peebleshire), rare [Under stones, sandy or gravelly places] (Lit.). Length 9-10mm. (Figure 2).

C*ymindis vaporariorum* (L.) as *Tarus (= Tarulus) basalis* Gyll.. Ben-na-Muich-duigh (Ben Macdhui, Aberdeenshire) [High hill species] (Lit.). Length 8-10mm.

**Family Helophoridae**

Semi-aquatic forms, found at the edges of water, ditches etc. Recognised by characteristic ridges on thorax. 20 British species. Length 2.8-7.5mm.

**Helophorus porculus* Bed. as *H. rugosus* sensu auctt. Brit. partim. Dumfriesshire, scarce [Inland and on coast] (Mur.). Length 5-5.5mm.

**Family Hydrochidae**

A minor group of semi-aquatic species, formerly included within the major family, Hydrophilidae, but with distinctive characters which merit their separation. There are 7 British species, all of the genus *Hydrochus.* Length 2.5-3.5mm.

**Hydrochus crenatus* (F.) Braid Hill Marshes (S. of Edinburgh) very rare [A single specimen] (Lit.). Length 2.2-2.8mm.

**Family Hydrophilidae**

'Water Scavenger Beetles'. Small to large, aquatic or semi-aquatic species often feeding on decomposing vegetation. Larvae carnivorous. 70 British species. Length 1-50mm.

*Cercyon terminatus* (Marsh.) Raehills, Tweed district, rare. [In dung heaps etc.] (Lit.). Length 2mm.

*Cercyon ustulatus* (Preys.) as *C. bimaculatum* Steph. Dalmeny, by shore. [Damp places, in rubbish, decaying wood etc.] (Lit.). Length 3-3.5mm.

**Family Histeridae**

Hard-bodied and shining with elbowed and clubbed antennae. The last two abdominal segments are exposed. Adults and larvae are predacious or found in decaying animals or plants. 50 British species. Length from 0.6-11mm.

**Acritus nigricornis* (Hoffmann. J.) as *Abraeus nigricornis* Pk. Raehills.[In manure, fungi etc.] (Mur.). Length 0.6mm. (Figure 3).

**Atholus duodecimstriatus* (Schr.) as *Hister12-striatus* Schr. Raehills [Vegetable refuse etc.] (Lit.). Length 4-5mm.

**Family Leiodidae**

Oval with antennae clubbed and joint 8 smaller than 7 or 9. Feed on surface or underground fungi. 52 British species. Length 1.3-7mm. (*Leiodes sp.* Figure 4).

**Leiodes badia* (Stm.) Cramond [In moss and dead leaves] (Lit.). Length 1.5-2mm.
*Leiodes ferruginea* (F.). Raehills and Cramond [Rotting wood, leaves etc. and fungi] (Lit.). Length 2-2.3mm.

**Leiodes triepkii* (Schmidt) as *Anisotoma pallens* auctt. Brit. Cramond, Forth and Tay districts, rare [Sandy place near coast] (Mur.). Length 3-4.2mm.

*Colenis immunda* (Stm.) as *Leiodes aciculata* (Steph.) Raehills & Cramond, scarce [By sweep netting, beating etc.] (Lit.). Length 1-1.5mm.

* ? *Colon claviger* Hbst. Dumfriesshire (Mur.)

**Family Scydmaenidae**

Minute species, elongate with dorsal conspicuous setae. [In dung, rotting leaves etc]. Adults and larvae feed on mites. Length 0.7-3mm.

**Neuraphes elongatulus* (Mull. P.W J. & Kunze) as *Scydmaenus elongatulus* (Mull. P.W.J. & Kunze.) Raehills, rare [In moss and by evening sweeping] (Lit.). Length 1.5mm. (Figure 5).

*Stenichnus pusillus* (Mull. P.W.J. & Kunze) as *Scydmaenus pusillas* Mull. P.W.J. & Kunze. Raehills, very rare [In moss, flood debris etc.] (W&D). Length 1.2-1.3mm.

**Family Silphidae**

'Carrion or burying beetles'. Most species occur on carrion or are predacious and one British species is a specialist predator on slugs and snails, killing them with a solution of ammonia stored in an abdominal bladder. There are also a few phytophagous forms. 20 British species. Length 4-30mm.

*Thanatophilus sinuatus* (F.) as *Oiceoptoma sinuatus* F. Corstorphine Hill (Edinburgh) rare. [Now common on carrion. An all-black species with the second stria of the elytra meeting the third in a raised angle] (Lit.). Length 10-12mm. (Figure 6).

**Family Staphylinidae**

'Rove Beetles'. A family with over 20,000 species. They have short elytra with much of the abdomen exposed and elongate antennae. Mainly found in leaf litter etc. Adults and larvae of most species are probably predatory, some however are parasitic on other insects and others feed on fungi or plant remains. These beetles vary greatly in size and form. 994 species in Britain. Length 1-28mm.

*Anthophagus alpinus* (Pk.) Dumfriesshire [A montane species] (Mur.). Length 3-4mm.

*Geodromicus longipes* (Man.) as *Lesteva globulicollis* sensu auctt. Brit. Ben Nevis, rare [A montane species] (St.V). Length 4-5.5mm.

*Proteinus brachypterus* (F.). Raehills [In dung, plant detritus etc.] (St.V). Length 1.5-2mm.

*Proteinus ovalis* Steph. Raehills, rare [In dung, decaying seaweed etc.] (St.V). Length 1.3-3mm.

*Tachinus elongatus* Gyll. Near Jedburgh, rare [In dung, moss etc.] (Lit.). Length 6-8mm.

*Scaphisoma boleti* (Pz.) Dumfriesshire, very rare. [In fungi & rotten wood ] (Mur.).Length 1.7-2mm.

**Stenus nigritulus* Gyll. South of Scotland [Mossy places, haystack refuse etc ]. (Mur.). Length 4mm.

*Rugilus rufipes* Germ. as *R. immunis* Er. Cramond, Solway district, rare. [Moss, haystack refuse etc.] (St.V). Length 5-6mm. (Figure 7).

*Sunius melanocephalus* (F.) *as Lithocharis melanocephalus* F. Raehills and near Dumfries, rare [Moss, haystack refuse etc.] (Mur.). Length c.3mm.

**Cafius fucicola* (Curt.) as *Philonthus fucicola* Curt. Dalmeny [On sea coast, on rotting seaweed] (Mur.). Length 9-10mm.

*Philonthus atratus* (Gr.) as *P. fumigatus* Er. Raehills, rare [Wet places, grass roots etc.] (Mur.). Length 7-8mm.

*Quedius lateralis* (Gr.) as *Microsaurus lateralis* Gr. Dalmeny [In rotting fungi, dead leaves etc.] (Lit.). Length 10-14mm.

**Family Trogidae**

A small family with only three species in Britain. The elytra are roughly sculptured and the antennae are clubbed. Scavengers of animal matter, they frequently occur in bird's nests. Length 5-8mm.

*Trox scaber* (L.) as *T. scabri* L. Jardine Hall (near Lockerbie), very rare (Lit.). Length 5-7mm.

**Family Clambidae**

Rounded forms which can roll up into a ball. Live in rotting vegetation. 9 British species. Length 1-1.3mm.

*Calyptomerus dubius* (Marsh.) as *Clambus enshamensis* (Steph.) Raehills not common [In haystack and flood refuse] (W&D). Length 1-1.3mm. (Figure 8).

**Family Buprestidae**

'Jewel Beetles'. Shining metallic, elongate, boat-shaped with large eyes. Head sunk into thorax and fairly long antennae. 12 species in Britain. Length 2-35mm.

*Agrilus viridis* (L.) as *A. littlei* Curt. Raehills, once numerous in June, very rare [On young trees, especially oak. There is some confusion as to the true synonymy of this species (Duff, 2008). This can be resolved only by examination of the original material]. (Mur.). Length 6-9mm. (Figure. 9).

**Family Elateridae**

Click beetles'. Adults elongate with ventral 'knob and socket' mechanism which enables them to jump with a sharp click and right themselves when inverted. Larvae glossy and elongate. Many are the notorious 'wireworms' which feed on roots and cause serious damage to agricultural crops. 65 British species. Length 2-18mm.

**Oedostethus quadripustulatus* (F.) *as Hypnoidus agricola* Zett. Banks of the Kinnel Water (Dumfriesshire) [In damp grassy places] (Lit.). Length 2.5-3.5mm. (Figure 10).

**Family Dermestidae**

'Larder, carpet and hide beetles'. Very varied, adults rounded to broadly elongate. Larvae, with conspicuous setae, often feed on dried animal matter. Several are pests, and can cause serious damage e.g. to insect collections and woollen textiles such as carpets. 30 species in Britain. Length 1.7-10mm. (*Anthrenus* sp. Figure.11).

**Anthrenus museorum* (L.) as *Anthrenus musaeorum* (L.) Jedburgh [Only record from Scotland in Little's time. Known now as a widespread pest in museums.] (Lit.). Length 1.5-2.5mm.

**Family Anobiidae**

'Wood-worm and Spider beetles'. Parallel-sided or rounded species, adult with head recessed below thorax and with long antennae. Larvae soft-bodied and often c-shaped and with short legs. Many tunnel in timber and some infest dried food stuffs such as biscuits and flour. Woodworm causes serious damage to furniture, plywood etc. 48 species in Britain. Length 1.5-7.5mm.

**Xestobium rufovillosum* (DeG.) as *Anobium tesselatum* F. Raehills 'Death-watch Beetle'. Larva tunnels into timber, especially oak and willow. Causes severe structural damage to beams etc. in old buildings. Adults bang their heads noisily against the wood (possibly a mating call) hence the popular name] (Mur.). Length 5-7mm.

**Stegobium paniceum* (L.) as *Anobium paniceum* L. Cramond ['Biscuit Beetle'. Pest of stored grain products.] (Mur.). Length 2-3mm.

**Family Phloiophilidae**

Short, broad, shining forms. Antennae clubbed. Under bark and rotten wood. One British species.

**Phloiophilus edwardsii* Steph. as *P. cooperi* Steph. Raehills [Under bark and in rotten wood] (Mur.). Length 2.3-2.6mm.

**Family Nitidulidae**

'Sap Beetles'. Broad oval, with clubbed antennae. Some have last two or three segments of abdomen exposed. On flowers, sap and dried fruit. May be pests. 95 species in Britain. Length 1.5-6.5mm.

**Meligethes aeneus* (F.) as *M. nigrinus* (Marsh.) Raehills ['The Bronzed Blossom Beetle'. A pest of cruciferous plants and crops. Adults and larvae feed in flowers causing damage to seed crops. Low populations, however, may assist in pollination] ( Lit.). Length 2.2-2.6 mm.

*Meligethes nigrescens* Steph. as *M. xanthoceros* Steph. Cramond [On various flowers] (Mur.). Length 1.25-2mm.

**Family Phalacridae**

Small, shining and convex. In flowers. 16 British species. Length 1-3 mm.

*Phalacrus corruscus* (Pz.). Dumfriesshire [In flowers] (Mur.). Length 2-3mm.

**Family Cryptophagidae**

A fairly large group of brown to black, parallel-sided or, less frequently, rounded species with clubbed antennae. Essentially fungus feeders, they occur in damp places. Some occur on water plants, others in bee's nests and a few are associated with food stores but are not serious pests. 100 species in Britain. Length 1.3-4.8mm.

**Atomaria linearis* Steph. Raehills ['Pygmy Mangold Beetle'. Can be a serious pest of beet and mangold crops by attacking very young plants, either above or below ground. Also in moss, haystack residues etc.] (Lit.). Length 1.3-1.6mm.

**Family Coccinellidae**

'Ladybirds'. Rounded, often with species specific elytral colour patterns. Most are predatory on aphids etc. and some may exude a noxious defensive fluid when disturbed. Larvae are active and occur with adults. 43 species in Britain. Length 1.2-8mm.

*Scymnus suturalis* Thun. as *S. discoideus* Ill. Dalmeny [On Scots fir, moss and grass] (St. IV). Length 1.7-2mm.

*Chilocorus renipustulatus* (Scriba). Raehills [In woods, hedges etc.] (St.IV). Length 3.5-4.5mm.

**Coccinula quatuordecimpustulata* (L.) as *Coccinella quatuordecimpustulata* L. Raehills [On low plants, oaks and limes etc.] (St.IV). Length 3.5-5mm.

**Tytthaspis sedecimpunctata* (L.) as *Coccinella duodecimpunctata* L. Raehills [Rarely recorded in Scotland] (St.IV). Length 2-2.5mm. (Figure 12).

*Halyzia sedecimguttata* (L.) as *Coccinella sedecimguttata* L. Dalmeny, very rare [On firs, alders and other trees] (St.IV). Length 5-6.5mm.

*Hippodamia tredecimpunctata* (L.) as *Coccinella tredecimpunctata* L. Raehills, rare [In marshy places, on reeds and in flood refuse] (St.IV). Length 4.5-7mm.

**Family Rhipiphoridae**

Elongate, with antennae much thickened towards apex. Very rare [Parasitic in wasp's nests. One British species.

*Metoecus paradoxus* (L.) *as Rhipiphorus paradoxus* L. Barnton Park (Edinburgh). [Rare, a quite distinct species] (Lit.). Length 8-12mm. (Figure 13).

**Family Cerambycidae**

'Long- horn Beetles'. A large group of elongate, often specifically patterned, species. Legs and antennae long, latter in some cases much longer than body. Many have wood-boring larvae which leave oval flight holes on emergence. Often of serious economic importance. 60 species in Britain. Length 6-30mm.

*Alosterna tabacicolor* (DeG.) as *Leptura laevis* F. Mid-Calder, very rare. [On flowers, in woods, hedges etc.] (Lit.). Length 6-8mm.

**Phymatodes testaceus* (L*). As Callidium variabile* (L.). Edinburgh [On coniferous timber] (Lit.). Length 7-15mm. (Figure 14).

**Pogonocherus hispidus* (L.) as *P. pilosus* F. Moffat, rare [Under bark of fruit trees] (Mur.) Length 6-7mm.

*Saperda scalaris* (L.) Dumfriesshire rare [On poplars, aspens, fruit trees etc.] (Dun.) Length 14-16mm.

**Family Chrysomelidae**

'Leaf Beetles'. A large group of varied species. Some of the largest are almost circular or broadly ovate, others are elongate and parallel-sided, often with the thorax abruptly narrower, whereas many of the small ones are elliptical with the hind limbs adapted for jumping ('Flea Beetles'). With very few exceptions they feed on plants, both as adults and larvae. 256 species in Britain. Length 1.5-11mm.

*Cryptocephalus moraei* (L.) Sutherland, rare [In herbage, on *Hypericum* species.] (Lit.). Length 3-5mm.

*Cryptocephalus sexpunctatus* (L.) Raehills, very rare [On hazel and birch] (Lit.). Length 4.5-6.5mm.

*Chrysolina banksi* (F.) as *Chrysomela banksii* F. Ayrshire, very rare [In chalky and sandy places, on grass stems etc.] (Lit.). Length 7-11mm.

*Chrysolina brunsvicensis* (Gr.) as *Chrysomela geminata* (Pk.). Angus, rare [Grassy places] (St.IV). Length 6-7mm.

*Chrysolina hyperici* (Forst.) *as Chrysomela hyperici* Forst. Dalmeny, rare [On *Hypericum* species] (Lit.). Length 6-7mm.

*Chrysolina marginata* (L.) as *Chrysomela marginata* L. Calton Hill (Edinburgh), rare [In sandy and grassy places, especially near water] (St. IV). Length 5-7mm.

*Chrysolina oricalcia* (Mull. O.F.) as *Chrysomela lamina* F. Arthur's Seat (Edinburgh), very rare [In grassy places] (St.IV). Length 6-8mm.

**Gonioctena decemnotata* (Marsh.) as *G. rufipes* (DeG.) Raehills, very rare [On hazel, aspen and willows] (Mur.). Length 5.5-6.5mm.

*Chrysomela populi* (L.) as *Melasoma populi* L. Whim (Peeblesshire), rare [On young poplars and willows] (St. IV). Length 9-11mm. (Figure 15).

**Gonioctena viminalis* (L.) as *Chrysomela decempunctata* L. Raehills [On willows] (St. IV). Length 5.5-7mm.

*Phratora vitellinae* (L.) as *Phaedon vitellinae* L. Cramond [On willows] (St.IV). Length 3.5-4.5mm.

**Galerucella calmariensis* (L.) *as Galeruca calmariensis* L. Raehills [Marshy places, on *Lythrum calmariensis* ] (Mur.). Length 3-4.5mm.

**Galerucella lineola* (F.). Raehills [On willows, especially *Salix viminalis*, also on alders and hazels] (Mur.). Length 4-5mm.

**Pyrrhalta viburni* (Pk.) as *Galerucella viburni* Pk. Raehills [On *Viburnum opulus* ('Guelder Rose') and on *V. lantana*] (Mur.). Length 4.5-6.5mm.

**Phyllotreta nigripes* (F.) as *Altica lepidii* Gyll. Raehills [On crucifers, a typical 'Flea Beetle' with hind femur greatly enlarged to enable jumping. This is one of the *Phyllotreta* species which can cause serious damage to cruciferous crops] (Mur.). Length 2-2.6mm.

**Crepidodera nitidula* (L.) as *Altica nitidula* Steph? Raehills [Only Scottish record. On willows and aspens] (Lit.). Length 3-4.3 mm.

**Mantura matthewsii* (Curt.) as *Cardiapus matthewsii* Curt. Raehills [In chalky places, on *Helianthemum vulgare*] (Mur.). Length 1.8-2.6mm.

**Psylliodes affinis* (Pk.) as *P. exoleta* L. Raehills [The 'Potato Flea Beetle'.On Solanaceae. A minor pest of potato crops] (Mur.). Length 2.2-2.8 mm. (Figure 16).

*Cassida viridis* L . as *C. equestris* F. Raehills, not common [On thistles] (St.IV). Length 7-9mm.

**Family Rhynchitidae**

Phytophagous species, with the mouthparts at the tip of an anterior rostrum. Closely related to the true weevils (Curculionidae) but differing in that the first joint of the antennae is not elongate. The larvae may be in a case made of rolled leaves. 18 species found in Britain. Length 1.4-8mm.

*Involvulus cupreus* (L.) as *Rhynchites cupreus* L. Raehills, very rare. [On mountain ash, apple, sloe] (Lit.). Length 3.5-4.5mm.

*Lasiorhynchites olivacaeus* (Gyll.) as *Rhynchites ophthalmicus* sensu auctt. Brit. non Steph. Raehills [On young birch and hazel] (St.IV). Length 4-6mm.

*Neocoenorrhinus pauxillus* (Germ.) as *Rhynchites pauxillus* Germ. Kirkpatrick Juxta, very rare. [On various Pomaceae, especially medlar and sloe. Also on other trees] (Mur.).Length 2.5-3.5mm.

**Family Apionidae**

A large group of small species. Closely related to weevils and with a rostrum, much varied in length and breadth, on which are placed clubbed, but not geniculate, antennae. Many species are broadened posteriorly and pear-shaped (fancifully resembling tiny elephants). Both adults and the leg-less larvae feed on plants. In Britain there are 87 species. Length 1.3-3.6mm.

**Melanapion minimum* (Hbst.) *as Apion minimum* Hbst. Raehills, very rare [On various species of *Salix*] (Mur.). Length 1.6-1.9mm.

**Oxystoma pomonae* (F.) as *Apion pomonae* F. Dalmeny Park, very rare [On various species of Leguminosae and Hawthorn] (Mur.). Length 2.8-3.5mm. (Figure 17).

*Catapion seniculus* (Kirb.) as *Apion seniculus* Kirb. Cramond, rare [On various species of Clover] (Mur.). Length 1.5-2mm.

**Protapion trifolii* (L.) as *Apion aestivum* (Germ.) Raehills, [On red clover. One of the *Apion* species which can cause serious losses in clover crops by eating the seeds and florets] (Mur.). Length 1.8-2mm.

**Family Erirhinidae**

Very closely related to the weevils but distinguished by characters of the rostrum and legs. 12 species in Britain. Length. 2.5-7.5mm.

*Procas picipes* (Marsh.) Nr. Moffat, very rare. [Amongst moss and decaying vegetation] (Lit.). Length 4-7mm.

*Tournotaris bimaculatus* (F.) as *Notaris bimaculatus* (F.) Banks of the Nith, near. Dumfries. [Maritime, very local] (Lit.). Length 5.5-10mm.

**Family Curculionidae**

'Weevils'. An immense group with over 35,000 species, very diverse in structure, size and habits. They have a rostrum which in some species may be as long as the rest of the body, in others it may be so short that it is scarcely discernable. The antennae are geniculate and clubbed and the larvae lack legs. Essentially a phytophagous group, there are 416 species in Britain. Length 1-10mm (amongst British forms).

**Anthonomus ulmi* (DeG.) Raehills [On elms etc.] (W.& D.). Length 2-3mm.

**Dorytomus majalis* (Pk.). Dumfriesshire, Rare [On catkins of Willows.] (Mur.). Length 1.8-2.2 mm. (Figure 18).

**Dorytomus melanophthalmus* (Pk.) *as D. agnathus* (Boh.) Dumfriesshire. [On Willows] (Mur.). Length 3.5-4mm.

**Dorytomus salicinus* (Gyll.). Dumfriesshire, rare. [On Willows] (Mur.). Length 3-4mm.

**Dorytomus dejeani* Faust *as D. costirostris* (Gyll.) Dumfriesshire and near Edinburgh, [On young aspens and willows] Length 2.5-3.3mm.

**Orchestes calceatus* (Germ.) as *Orchestes scutellaris* (F.) Raehills [Very rare. Some records possibly faulty. On Alder and wild cherry] (Mur.). Length 3-3.5mm.

*Orthochaetes setiger* (Beck.) Ravelstone (Edinburgh) and Roxburghshire, infrequent. [On Ragwort and Docks] (Lit.). Length 2.2-2.5mm.

**Bagous lutulentus* (Gyll.) Forth, Edinburgh, rare [On aquatic plants in marshes] (Mur.). Length 3-4mm.

*Ceutorhynchus typhae* (Hbst.) *as Nedyus floralis* (Pk.). Edinburgh, Kinross, occasional (Lit.). Length 1.5-2mm.

**Coeliodes transversealbofasciatus* (Goez.) (*sic*.) as *Celiodes subrufus* Hbst. Cramond and Raehills, very rare [On young oaks in woods] (Mur.). Length 2.5-3mm.

**Glocianus distinctus* (Bris.) as *Ceutorhynchus marginatus* (Pk.) Raehills [In chalky and sandy places, on herbage. Larva lives in heads of *Hypochaeris maculata*] (Mur.). Length 2.5-3mm.

**Microplontus rugulosus* (Hbst.) as *Ceutorhynchus rugulosus* Hbst. Raehills, rare [In herbage, marshy places] (St.IV ap.). Length 2mm.

*Pelenomus canaliculatus* (Fåhraeus.) as *Litodactylus canaliculatus* Kirby. Raehills, scarce. [On aquatic plants in marshy places] (Mur.). Length 2mm.

*Pelenomus 4-tuberculatus* (F.) as *Litodactylus 4-tuberculatus* F. Raehills [On aquatic plants, in marshy places] (Mur.). Length 2-2.5mm.

**Phloeophagus lignarius* (Marsh.) as *Rhyncolus cylindrirostris* Ol. Raehills, very rare [On decaying elms, oaks, ivy etc.] (Mur.). Length 3-5mm.

*Acalles ptinoides* (Marsh.) Roslin , rare. [In heathy places, on dead firs etc.] (Mur.). Length 2-3mm.

*Kykliocalles roboris* (Curt.) as *Acalles abstersus* Boh. Roslin, very rare. [In hedges, on dead oak twigs etc.] (Mur.). Length 2.5-4mm.

*Strophosoma capitatum* (DeG.) as *Strophosoma rufipes* Steph. Raehills, [On young hazel, oak and broom ] (Lit.). Length 3.5-5.5mm.

*Otiorhynchus ligneus* (Ol.) as *O. scabridus* Kirby. Cramond [In sandy places, under stones etc.] (St.IV). Length 4.5-6.5mm.

*Brachysomus echinatus* (Bons.) as *B. hirsutulus* F. Braehills (*sic*.) (Near Edinburgh), scarce [In herbage, dead leaves etc.] (St.IV). Length 2-3mm.

*Sitona macularius* (Marsh.) as *Sitones crinitus* Hbst. Dalmeny Park, rare [On various legumes] (Mur.). Length 3-4mm.

*Trachyphloeus scabriculus* (L.) as *Trachyphlaeus scabriculus* L. Blackford Hill (Near Edinburgh). [On Ash] (Mur.). Length 2.5-3mm.

*Hypera postica* (Gyll.) as *H. sublineata* Kirb. Cramond. [On various legumes] (Lit.). Length 4-5mm.

*Limobius borealis* (Pk.) as *L. dissimilis* Hbst. Queensferry, very rare. [On *Geranium* and *Ononis*] (Greville) Length 2.5-3mm.

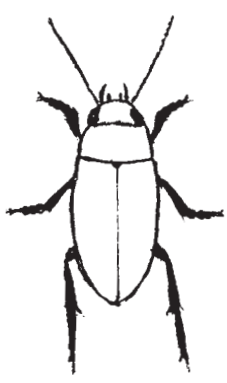
*Cleonis pigra* (Scop.) as *C. sulcirostris* (L.). Sands between Leith and Portobello, rare [Maritime, on thistles] (St .IVap.). Length 10-15mm.

*Magdalis carbonaria* (L.) as *Magdalinus carbonaria* (L.). Raehills, rare. [On birch and hazel] (Mur.). Length 3.5-6mm.

*Magdalis phlegmatica* (Hbst.). Dalmeny Park. [First record c. 1840. Very local northern species, numerous localities, on Scotch Fir] (Walton, 1845). Length 4-5mm.

*Orobitis cyaneus* (L.) Cramond, scarce [On *Orobus* and *Viola*] (St.IVap.). Length 2.5mm.

*Hylastinus obscurus* (Marsh.) as *Hylurgus obscurus* Marsh. Cramond, rare [On broom, furze, clover and *Ononis*] (Dun.). Length 2.5mm.



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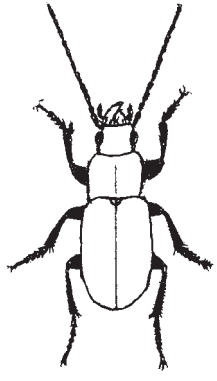

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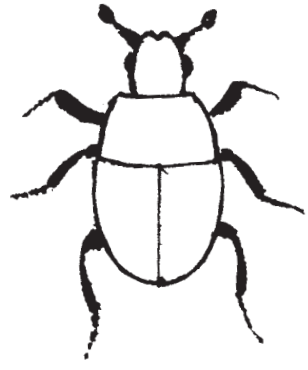

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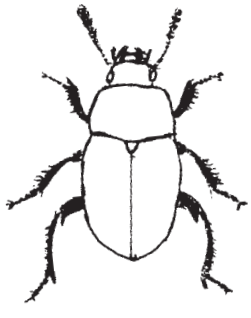

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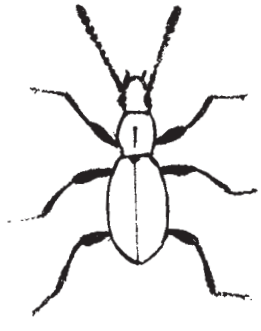

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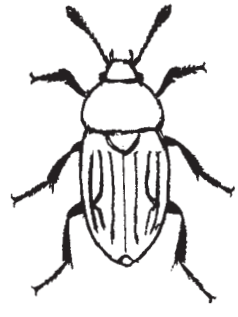

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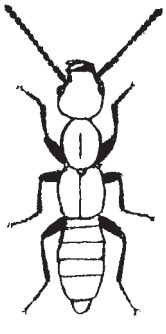


***Figure 7.***

***Figure 8.***

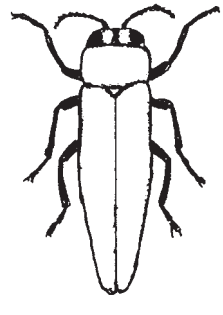


***Figure 9.***

Figure 1. *Liopterus haemorrhoidalis* (F.) Dytiscidae, Diving Beetle. Length 7.5mm.
Figure 2. *Harpalus rubripes* Duft. Carabidae. Ground Beetle. Length 9-10mm.
Figure 3. *Acritus nigricornis* (Hoffmann, J.) Histeridae. Length 0.6mm.
Figure 4. *Leiodes Sp. Leiodidae.* Length 2-3.5mm.
Figure 5. *Neuraphes elongatulus* (Mull. & Kunze) Scydmaenidae. Length 1.5mm.
Figure 6. *Thanatophilus sinuatus* (F.) Silphidae. Length 9-12mm.
Figure 7. *Rugilus rufipes* Germ. Staphylinidae. Rove Beetle. Length 5-6mm.
Figure 8. *Calyptomerus dubius* (Marsh.) Clambidae. Length 1.1-1.6mm.
Figure 9. *Agrilus viridis* (L.) Buprestidae. Jewel Beetle. Length 6-9mm.

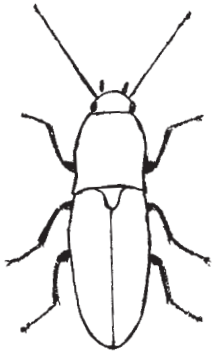
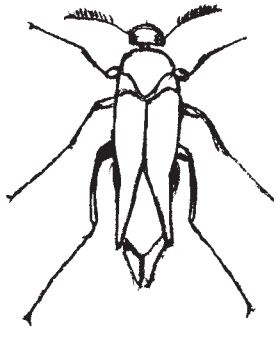


***Figure 10.***

***Figure 11.***

***Figure 12.***



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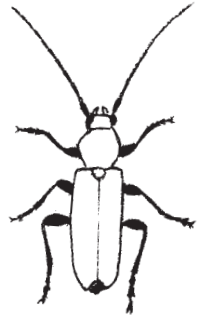

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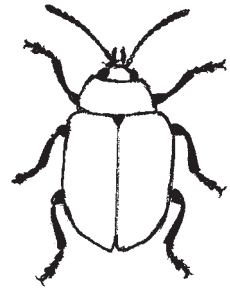

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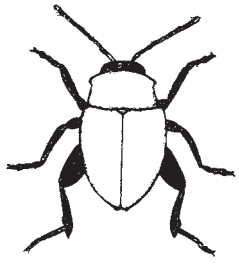

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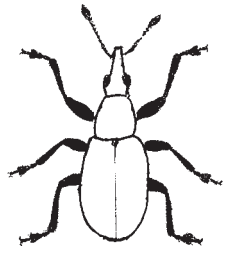

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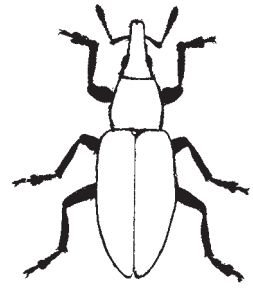

***Figure 18.***

Figure 10. *Oedostethus quadripustulatus* (F.) Elateridae. Click Beetle. Length 3-3.8mm.
Figure 11. *Anthrenus* sp. *Dermestidae.* Length 1.7-3.5mm.
Figure 12. *Tytthasis sedecimpunctata* (L.) Coccinellidae. 16 spot Ladybird. Length 2.5-3mm.
Figure 13. *Metoecus paradoxus* (L). Ripiphoridae. Length 8-12mm.
Figure 14. *Phymatodes testaceus* (L.) Cerambycidae. Length 6-17mm.
Figure 15. *Chrysomela populi* (L.) Chrysomelidae. Length 10-12mm.
Figure 16. *Psylliodes affinis* (Pk.) Chrysomelidae. Potato Flea Beetle. Length 2.2-2.8mm.
Figure 17. *Oxystoma pomonae* F. Apionidae. Length 2.5-3.6mm.
Figure 18. *Dorytomus majalis* (Pk.). Curculionidae. 1.8-2.2mm.

**Acknowledgments**

Thanks are due to the late Mr. James Williams, the former editor of the *Transactions of the Dumfriesshire and Galloway Natural History and Antiquarian Society*, for encouraging studies of the entomological activities of the Rev. William Little. Mr. Williams was co-author of the earlier production: Hancock, E.G., Dobson, R.M. & Williams, J. 2009. 'The Reverend William Little (?1797 - 1867), a Preliminary Account of his Entomological Activities' *Transactions of the Dumfriesshire and Galloway Natural History and Antiquarian Society* 83: 5-16.

**References**

Curtis, J. 1840. 'New species of *Agrilus*'. *Annals of Natural History* 5: 365-366.
Dawson, J.F. 1854. *Geodephaga Britannica*. London.
Duff, A.G. (ed.) 2008. *Checklist of Beetles of the British Isles*. A.G. Duff, Wells.
Duncan, J. 1832. 'Catalogue of coleopterous insects found in the neighbourhood of Edinburgh'. *Memoirs of the Wernerian Natural History Society* 6: 443-538.
Foster, G.N., Bilton, D.T., Routledge, S. & Eyre, M.D. 2008. 'The past and present statuses of *Hydroporus rufifrons* (Muller) (Coleoptera, Dytiscidae) in Great Britain'. *The Coleopterist* 17(1): 51-63.
Fowler, W. W. 1887-1891. *The Coleoptera of the British Islands.* London. (In five volumes: I, 1887; II, 1888; III, 1889; 1V, 1890; V, 1891).
Greville, R.K. 1837. 'Additions to the entomology of the Edinburgh district'. *Magazine of Zoology and Botany* 1: 494-495.
Hancock, E.G., Dobson, R.M. & Williams, J. 2009. 'The Reverend William Little (?1797 - 1867), a Preliminary Account of his Entomological Activities'. *Transactions of the Dumfriesshire and Galloway Natural History and Antiquarian Society* 83: 5-16.
Hardy, J. & Bold, J.G. 1851-1854. 'A catalogue of the insects of Northumberland and Durham drawn up at the request of the Tyneside Naturalist's Field Club'. *Transactions of the Tyneside Naturalists' Field Club*.
Janson, E.W. 1859. 'New British species noticed in 1858'. *Entomologists Annual* 1859: 118-144.
Kenward, H.K. 1990. 'A belated record of *Procas granulicollis* Walton (Col., Curculionidae) from Galloway, with a discussion of the British *Procas* species'. *Entomologists Monthly Magazine* 126: 21-25.
Little, W. 1838. 'Localities of Scottish Coleoptera'. *Magazine of Zoology and Botany* 2: 232-237.
Luff, M.L., 2007. 'The Carabidae (Ground Beetles) of Britain and Ireland', 2nd. Edition. *Handbooks for the Identification of British Insects* 4(2). Royal Entomological Society of London.
Majerus, M.E.N. 1994. *Ladybirds*. Collins, London.
Martin, M. 1996. 'Reverend Wm. Little: incumbent of Kirkpatrick-Juxta, 1841-67'. *Transactions of the Dumfriesshire and Galloway Natural History and Antiquarian Society* 71: 1-4.
Morris, M. G. 1990. 'Orthocerous weevils: Coleoptera: Cuculionoidea (Nemomychidae, Anthribidae, Urodontidae, Attelabidae and Apionidae)'. *Handbooks for the Identification of British Insects* 5(16). Royal Entomological Society of London.
Murray, A. 1853. *Catalogue of the Coleoptera of Scotland*. Blackwood & Sons, Edinburgh.
Sharp, D. 1871-1878. 'The Coleoptera of Scotland' [in 36 parts]. *The Scottish Naturalist* 1: 201-208; to 6: 192.
Stephens, 1831, Illustrations of British Entomology etc. Mandibulata IV (with IV Appendix).
Stephens, 1832-35. Illustrations of British Entomology etc. Mandibulata V.
Walton, J. 1845. 'Notes on the genera of insects *Oxystoma* and *Magdalis'*. *Annals and Magazine of Natural History* 16: 221-227.

Walton, J. 1848. 'Notes on the genera of insects *Pissodes*, *Hypera*, etc., with descriptions of several new species'. *Annals and Magazine of Natural History* 2nd. ser., 1: 295-303.
Walton, J. 1851. 'Notes on the British species of Curculionidae belonging to the genus *Dorytomus* and *Elleschus'*. *Annals and Magazine of Natural History* 2nd. ser., 7: 310-318.
Waterhouse, G.R. 1858. *Catalogue of British Coleoptera*. London.
Wilson, James and Duncan, Rev. James. 1834. *Entomologia Edinensis, a description and history of the insects found in the neighbourhood of Edinburgh*. Coleoptera. William Blackwood, Edinburgh and T. Cadell, London.

# A BURNT MOUND AND WOODEN POSTS ON THE A75 AT DERSKELPIN FARM, DERGOALS, GLENLUCE, 2010

Phil Moore[1] and Ian Suddaby[1]
(With contributions from Ann Clarke[2], Mike Cressey[1], Clare Ellis[2], Mhairi Hastie[1] and Adam Jackson[2])

*A programme of archaeological fieldwork was undertaken in advance of construction work for a short stretch of dual carriageway on the A75 between Newton Stewart and Glenluce. The route comprises areas of improved pasture on drumlins and peat bog within the inter-drumlin basins. Fieldwork included peat coring within these inter-drumlin basins. A bridge and other features on the disused Portpatrick & Castle Douglas Line were recorded during a standing building survey. Other areas of the route were investigated by trial trenches and a burnt mound was discovered. Later excavation revealed that, although neither a hearth nor a trough lay within the excavated area and the site was clearly horizontally truncated, in terms of location, plan morphology, constituent deposits and suggested date, it conformed to others in South-West Scotland and more widely. Two main phases of activity were identified with deposits of burnt stone being either preceded or succeeded by a series of posts, which may represent an early medieval fence line. A single flint flake was recovered. Radiocarbon dating suggests that the burnt mound was probably formed in the later first millennium AD.*

## Introduction

This report presents the results of an excavation undertaken by CFA Archaeology Ltd in winter 2010 prior to the commencing of dual carriageway construction on the A75 between Barlae in the east and Cairntop in the west. This portion of road lies between Newton Stewart and Glenluce (NGR: NX 2530 5924 centre). The site lies at around 90m OD on the margins of a drumlin, around which the road skirts (Figure 1).

Discovered during an archaeological evaluation of the route in 2009 (Suddaby 2009a), this work was undertaken in conjunction with an assessment of the peat (Cressey 2009) and the recording of remains associated with the former London Midland & Scottish Railway, Portpatrick & Castle Douglas Line (Mitchell 2009). None of the investigated areas of peat were judged suitable for pollen analysis, being either of recent date or affected by modern arboriculture. The railway opened in 1861 and closed in 1965, and much of the new carriageway follows the former track bed. Also within the survey area was a short stretch of mineral line leading to a now-disused quarry. Other than the remodelled Blairderry Bridge, no upstanding features remained.

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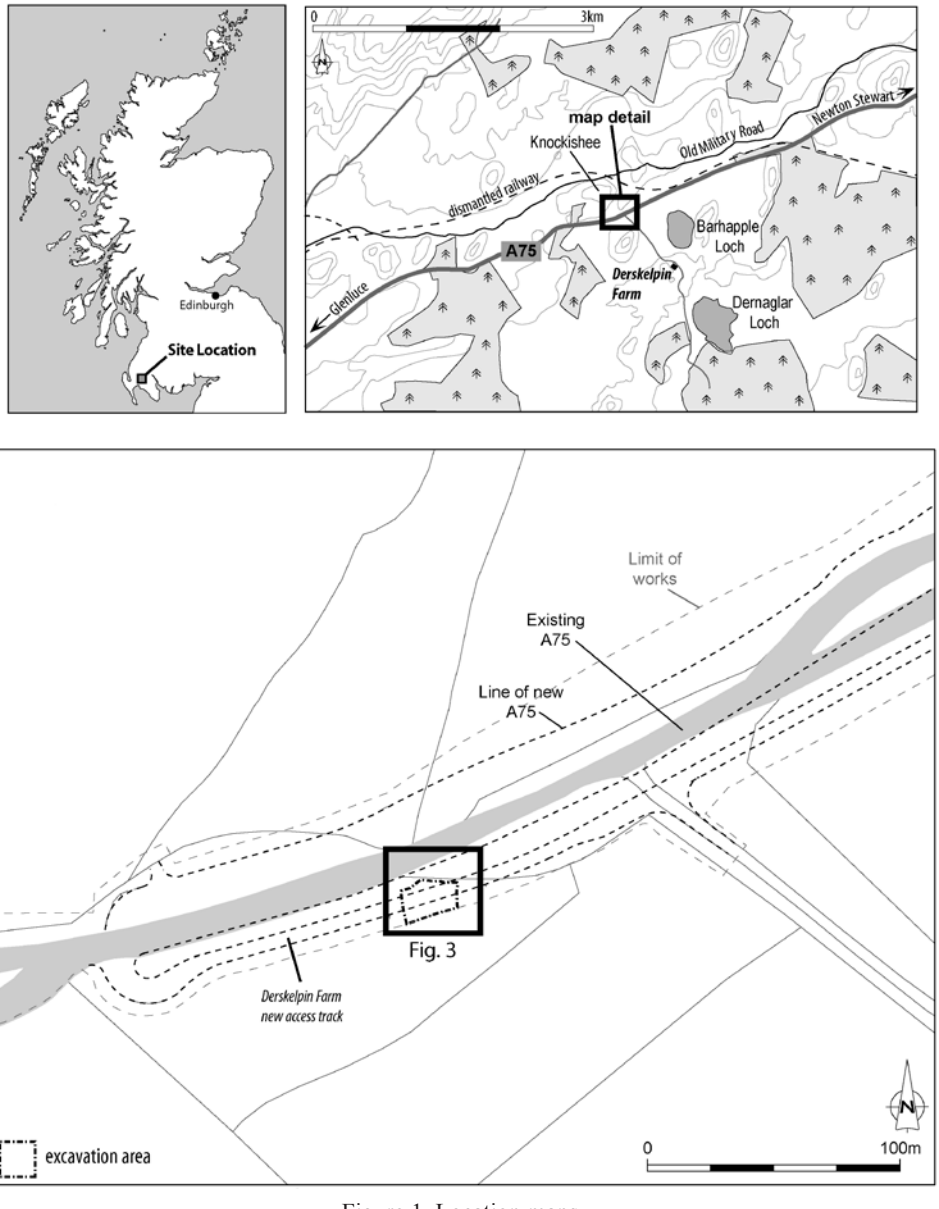


Figure 1. Location maps.

The sole feature of archaeological significance revealed by the evaluation was a spread of heat-affected stone fragments within a silty matrix containing occasional charcoal. This was identified as a probable burnt mound that had been damaged and rendered invisible through time and proximity to the existing road. Following the assessment of mitigation options and strategic agreements, the site was excavated during February 2010 and an interim report produced (Moore 2010).

## The Excavation

The site was located below the level of the existing A75, around 60m to the west of the junction with the former access road to Derskelpin Farm (Figure 1). Surface water from the drumlin to the north passes under the A75 but the many ditches draining the flat bogland into the Dergoals Burn to the south have become blocked and the water pooled in and around the excavation site.

A trench (Figures 2 and 3) was excavated in order to uncover the site within the constraints of vegetation, the width of the Compulsory Purchase Order (CPO) road corridor and existing utility services. Once cleaned and planned, the deposits were removed by hand in slots (Slots 1–8, Figure 3), leaving a number of baulks. This methodology was determined by the waterlogged ground conditions and extremes of weather during the excavation. Slots 1–6a and 8 investigated the burnt mound with Slot 3 also investigating the unburnt stones to the east. Slot 7 investigated a wooden post to the south of both the burnt mound and unburnt stones (Figure 3). Bulk samples were taken from all deposits.

The burnt mound covered an area of 22m by 6m, extending beyond the eastern extent of the trench under the existing roadside embankment. Although the site plan suggests that two distinct deposits of burnt mound material may be present – a small oval area to the west and a larger curving area to the centre and east of the trench – this is likely to be more the result of post-depositional processes including the machine removal of surface deposits than a true reflection of the site.

Figure 2. The site viewed from the east pre-excavation.

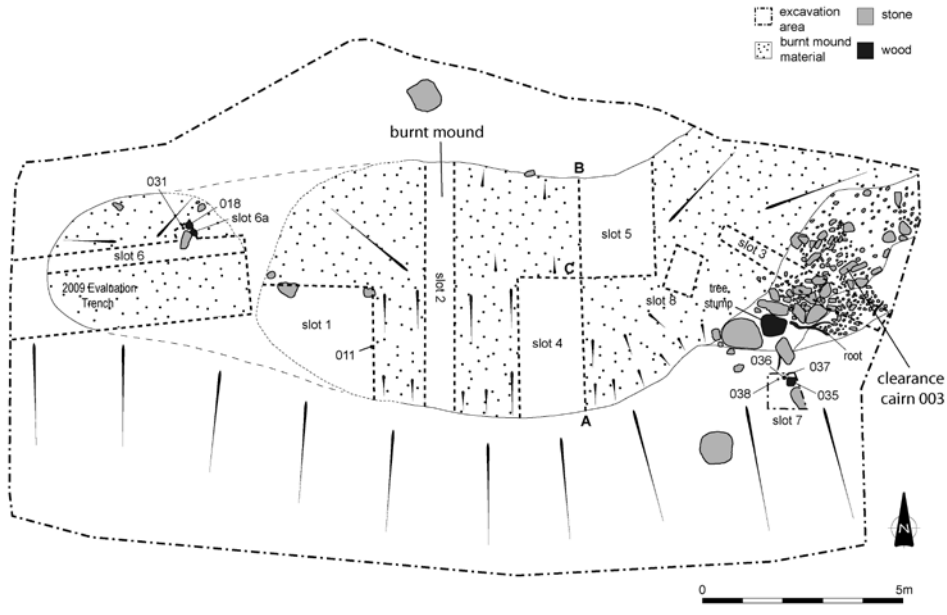


Figure 3. Site plan.

Angular stones in a dark greyish-black, friable silty-clay matrix made up the body of the burnt mound (025/026 on Figure 4). In some slots this was recorded as an upper and a lower layer due to slight differences in the colouration of the soil. The stones themselves showed no changes in size or structure, although the matrix around them changed from pale brown at the base to dark brown at the top in some excavated sections; in others, an almost black lower matrix changed to grey above. The heterogeneous nature of the layers may suggest a change from windblown silt to more stable soils but it may also be related to waterlogging. The only artefact recovered from the site was a worked flint of uncertain date (see Clarke below), recovered from the upper layer (006) in Slot 2. Hazel charcoal fragments from the peaty layer below the burnt mound in Slots 3 and 5 were dated (see 'Radiocarbon Dating' below), and produced results ranging from the late 7th to 9th centuries.

Below the burnt mound material, a layer of silty clay with a variable peaty component, up to 0.2m deep (027 on Figure 4), extended below the stones to the south and east in Slots 1, 4 and 6, and overlay the natural boulder clay. This silty layer was later revealed, through soil micromorphology, to be possibly the product of trampling (see Ellis below). Towards the north and east, the stones were found to lie directly on the subsoil.

Wooden posts (018, 035) and stakes (011, 031, 034, 036–8) were recorded in Slots 1, 6a and 7 (Figure 3). In Slot 1, stake 011 had been driven through the silty peat layer and into the subsoil but was rotted below the interface with the overlying burnt mound. In Slot 6a, post 018 appeared to lie within a post-hole which contained packing stones and which cut

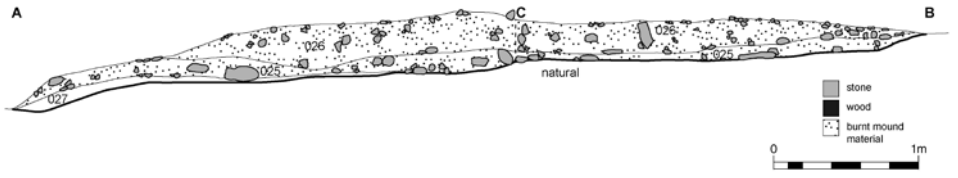


Figure 4. North–south section.

the natural subsoil, and stake 031 was entirely within the subsoil. However, machine contact with the top of the post during site clearance could easily loosen the surrounding deposits and create the impression of a post-hole. The peaty layer above the subsoil appeared to abut the post, but the relationship between the wooden post and the burnt mound was unclear due to waterlogging. Beyond the extent of the burnt mound in Slot 7, stakes 036–8 were closely grouped in natural subsoil against post 035. Together, these posts and stakes formed a rough alignment with a length of 15m. Samples from a wooden stake (031) in Slot 6a and a post in Slot 7 (035) were submitted to SUERC, producing dates in the late 7th–10th centuries (see 'Radiocarbon Dating' below).

Well preserved and undamaged points were present on all of the stakes. Either they pre-date the formation of the burnt mound and were driven into soft sediments or they post-date the burnt mound and must have been located in a prepared hole. Such a hole could have been formed using an iron pole (pinch bar), or by means of a conventional dug post-hole. Overall, the evidence is ambiguous and the sequence of posts and burnt mound cannot be resolved with certainty.

To the east, the burnt mound material was overlain by a group of larger, unburnt stones (003), some 3m wide and over 7m long, which was probably the remains of a clearance cairn (Figure 5). In section, these appeared to underlie burnt mound material and overlie natural subsoil, but could easily have been pressed down through soft deposits to that position by machine. A saw-cut stone of probable post-medieval date (see Jackson below) was recovered from a bulk sample of this deposit and the deposit is assumed to post-date the burnt mound.

Two possible phasing scenarios present themselves. In the first, an early medieval wooden fence was erected to define the margins of cultivated land. Burnt mound material was then dumped around the posts, along with a quantity of burnt grain. In the second, a burnt mound was formed on the margins of cultivated land. These margins were later formalised by the erection of a fence in the early medieval period. In both scenarios, post-medieval field clearance stones complete the sequence. Unfortunately, it is not possible to determine which came first – the fence or the burnt mound – from the available evidence, but the radiocarbon dating suggests that they were broadly contemporary.

Figure 5. The clearance cairn.

**Finds and Environmental Evidence**

*Flint,* by Ann Clarke

An irregular inner flake of light honey-coloured flint with a hinged distal end was found in the burnt mound mound within Slot 2 (001) (L 12mm; W 20mm; Th 5mm). This irregular core-trimming flint flake does not have any dateable characteristics and could be debitage from any prehistoric flint knapping event.

*Architectural Stone,* by Adam Jackson

A single fragmentary piece of architectural stone was recovered following sieving of a bulk sample of context 003, the possible field clearance cairn. Formed from sandstone, it is angular with, along part of one edge, a sharp cut angle that creates a cut-away corner of a type typically associated with window frames/sills or door-jambs. The angled edge has clearly visible marks consistent with use of a mason's saw. It is difficult to posit a date on the basis of a single small fragmentary piece of architectural stone but, if it is indeed a fragment of a window or door frame, then it is probably post-medieval or early modern in date.

*The Stone of the Burnt Mound,* by Mike Cressey

Geological background

The 1925 edition of the Geological Survey one inch to one mile Sheet No 4 for Wigtown shows the underlying bedrock to be greywacke and shales of the Llandovery Series of Silurian age (443 ± 1.5 million years ago). The series includes the Gala Group which is traversed by major fault lines across South-West Scotland (Stone 1996). Locally the greywacke is best described as matrix-rich sandstone with a mixed angular clast assemblage interspersed with friable mud-stones.

The character of the burnt mound

The stone forming the remains of the burnt mound was visually inspected using low-powered microscopy to establish its physical properties and general geological character. The deposit includes occasional large pieces of fire-cracked stone measuring 180mm by 90mm and smaller fragments on average 60mm by 35mm. Smooth edges on samples not affected by thermal shattering attest collection from either stream beds or from glacial till. Surface reddening as a result of heating in a fire is frequent. The stone varies from very fine-grained pale grey sandstone and frequent coarser-grained dark grey/brown clasts with detrital grains of mica, hornblende and feldspars.

*Wood,* by Mike Cressey

Tooled wood

The heavily waterlogged nature of the site has allowed nine wooden objects to survive. Examination of the wood assemblage confirms the presence of seven stakes and two posts of mature trunk-wood (Figure 6). The results confirm that all the stakes were fashioned from *Alnus glutinosa* (alder). The best preserved is stake 038 which is in very good condition. The two large diameter posts were fashioned from *Quercus* sp. (oak) and *Betula* sp. (birch).

In all cases the tooling marks on the stakes have been formed by an axe. The tool used to fell post 035 had a damaged blade which has left a series of linear signatures which are echoed across all the facets left as a result of felling.

All three species would have grown locally and are well represented within the local prehistoric and medieval woodland composition (Tipping 1994). Alder is a wetland species typical of Alder carr and would have thrived along the streams or on the edge of local bogland. Birch is a light-demanding pioneer that can thrive on acid semi-waterlogged ground. Oak is at the apex of Scottish woodland and its presence reflects the availability of this species in the locality.

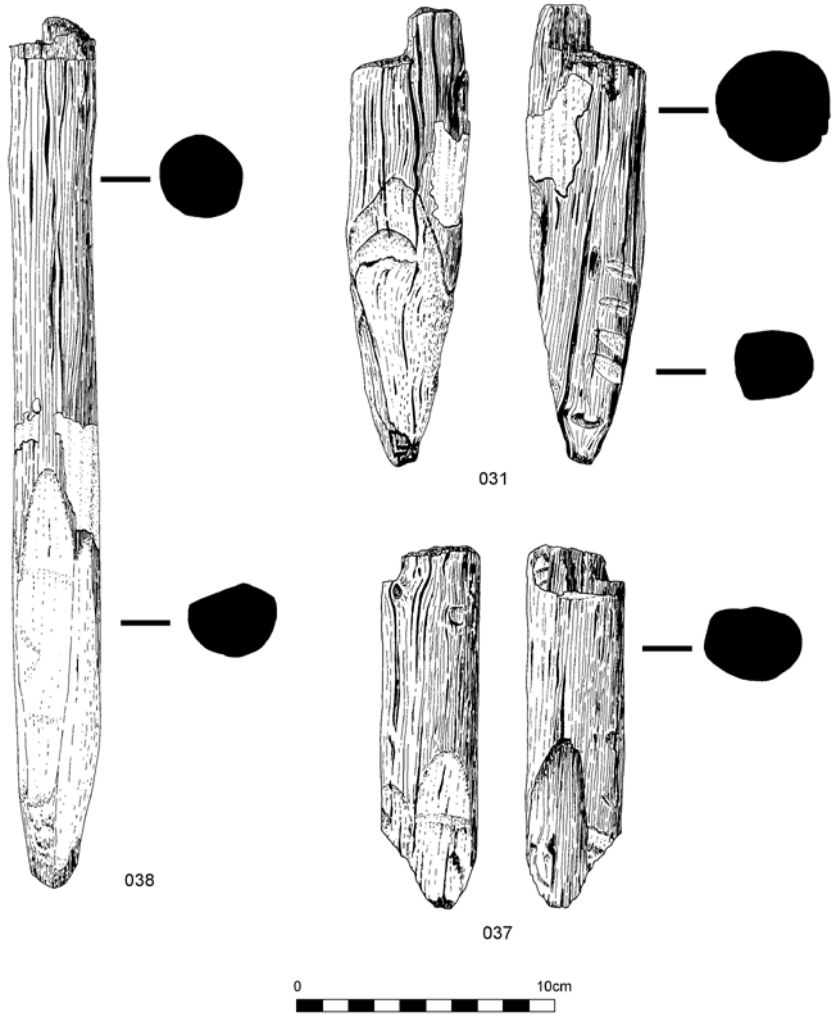


Figure 6. Wooden stakes 031, 037, 038.

## Charcoal

Analysis of the charcoal provides a useful index of the types of wood exploited for fuel and an indication on the composition of the local woodland. The analysis also informed the selection of suitable charcoal for radiocarbon dating.

The charcoal assemblage was dominated by very small (<2mm) amorphous fragments which were not identifiable to species level. The charcoal that could be identified is also amorphous due to processes resulting from continued saturation and abrasion from the surrounding deposits.

Table 1 shows the relative abundance of species within the 4mm fraction. All four species were present both within and below the burnt mound.

| Layer | *Quercus* | | *Corylus* | | *Betula* | | *Salix* | |
|---|---|---|---|---|---|---|---|---|
| | No. IDs | Wt (g) | No. IDs | Wt (g) | No. IDs | Wt (g) | No. IDs | Wt (g) |
| Burnt mound upper | 239 | 51.1 | 94 | 15.6 | 31 | 4.7 | 6 | 0.6 |
| Burnt mound lower | 14 | 1.5 | 27 | 2.8 | 5 | 0.3 | 2 | 0.1 |
| Below burnt mound | 52 | 2.8 | 50 | 2.5 | 5 | 0.6 | 4 | 0.3 |

Table 1. Relative abundance of charcoal from within and below the burnt mound.

Oak (*Quercus* sp.) is the most frequent charcoal present from the burnt mound, followed by hazel (*Corylus avellana*), and would have been common within the local wildwood close to the site. Birch (*Betula*) and willow (*Salix*) are likely to have been as common as oak and hazel, but both are under-represented within this assemblage. Both species are suited to saturated or seasonally flooded land, and stream banks. Based on this evidence, the local woodland close to the site would have included stands of hazel, possibly as an under-storey shrub below oak. Birch would have been established in more open areas and is highly tolerant of the base-poor soils within the study area. Several burnt mounds in Galloway have produced similar species (Table 2).

| Site Name | NGR | NMRS No | Wood Species |
|---|---|---|---|
| Dervaird | NX 224 582 | NX16NE 124 | *Quercus* |
| Auld Taggart 2 | NX 1516 6700 | NX25NW 46 | *Quercus, Betula, Alnus* |
| Auld Taggart 4 | NX 1513 6696 | NX25NW 46 | *Quercus, Betula, Alnus* |
| Cruise 1 | NX 1881 6314 | NX16SE 88 | *Quercus, Betula, Alnus, Salix* |
| Stair Lodge | NX 1771 6686 | NX16NE 124 | *Quercus, Betula, Alnus, Salix, Corylus* |
| Gabsnout Burn | NX 1968 6103 | NX16SE 83 | *Corylus, Quercus* |
| Cleuchbrae | NY 1020 9332 | NY19SW 98 | *Quercus* |
| Blairhall | NX 999 846 | NX98SE 93 | *Quercus, Betula, Alnus, Corylus* |
| Derskelpin | NX 2530 5924 | Not assigned | *Quercus, Betula, Alnus, Salix, Corylus* |

Table 2. Burnt mound sites in Dumfries and Galloway and recorded wood species (after Russell-White 1990, 74; Barber 1990, table 4; Strachan et al 1998, 84).

The site is situated close to the edge of the former Tanieroach Moss (NX 265 596) which has been bisected by the A75 trunk road. In the late prehistoric, and well into the early medieval periods, the area would have been poorly drained and often flooded, with large tracts of peat dominating the local landscape. Alder is not represented in the charcoal assemblage but was used to fashion the wooden stakes (see above). Alder would have been one of the most common species of tree growing along the flooded margins of the bog and shares the same requirements and tolerances as willow.

*Seeds and Nuts,* by Mhairi Hastie

The flots from twenty-six bulk soil samples of approximately 12 litres each were scanned using a binocular microscope and any carbonised cereal grains and other associated charred plant remains were removed and identified.

Only five samples contained cereal remains, four of these from the upper part of the burnt mound, and one from the silty clay layer. In addition, eleven samples from within and below the burnt mound contained low amounts of small, poorly preserved, charred hazelnut shell (*Corylus avellana*).

In all but one sample, the quantity of cereal grain recovered was extremely low with only one poorly preserved grain being recovered from three, and one charred rhizome (underground stem) from the fourth. The exception was a sample recovered from the upper level of the burnt mound in Slot 2. This cereal assemblage was dominated by oat (*Avena* sp., >100 grains) along with occasional grains of hulled barley (*Hordeum* var *vulgare*). In addition, a low quantity of charred weed seeds, including charlock (*Raphanus raphanistrum*), both seed and pod cases (siliqua), and pale persicaria/persicaria (*Chenopodium lapathifolium / persicaria*) were recovered with the cereals, and the majority of hazelnut fragments also came from this sample. Although evidence is so far sparse for the period, such an assemblage would be consistent with an Early Historic date, as barley and oat were both grown (Foster 1996, 56; Alcock 2003, 111).

*Soil Micromorphology,* by Clare Ellis

Four kubiena samples have been analysed from deposits associated with the burnt mound. These were chosen to include the organic silty layer below the burnt mound and the horizon between the burnt mound and underlying layer. The results are summarised below in stratigraphic order from the base upwards. A full report is available in the archive.

Samples 16 and 15 were recovered from the northern end of Slot 2. These included contexts 014 (a natural till-like deposit), 004 (organic silt with wood ash) and 012 (organic-rich silt, almost silty peat). The mixed nature of 004 indicates that it is likely to represent an organic-rich deposit that formed on the underlying till. This deposit has been physically churned, perhaps trampled and mixed with wood ash and eventually levelled and possibly even deliberately spread. Context 012 underlies the burnt mound and appears to have accumulated in situ, under very damp conditions in which occasional lenses and grains of silt were probably washed and/or blown in, while the odd small rounded pebble appears to have been incorporated from the unit below. The very few minute fragments of charcoal are also likely to have been incorporated by runoff and/or the actions of the wind. The decomposition of a large quantity of organic matter is attested in the few fungal spores, fungal hyphae and sclerotia. Sclerotia are commonly found in organic layers associated with mineral horizons, i.e. in the litter layer or the topsoil, but they are also common within peat layers (FitzPatrick 1993).

Sample 20 was recovered from the west-facing section of Slot 5. It contained 023 (the silty layer) and 033 (burnt mound deposit). Context 023 is thought to have accumulated under very similar conditions to 012, but in a location where slightly more charcoal was available to be incorporated, probably through natural processes. The overlying 033 represents a dump of burnt mound and wood ash on top of the organic silt; there is no micromorphological evidence that any burning took place on the surface of 023, rather the survival of a thin, discontinuous linear band of organic matter indicates that the surface vegetation may have been crushed and flattened when the ash was dumped.

Sample 21 was taken from the west-facing section of Slot 1 and contained 002 (the silty layer). This is a silty peat that accumulated in situ; the only anthropic indicators are a very few fragments of charcoal that may have been incorporated by the actions of soil biota and or aeolian processes.

## Radiocarbon Dating

Paired samples of charcoal from two contexts (006, 020) and samples of wood from a stake and a post (031, 035) were submitted for analysis (Table 3). Context 006 consisted of the lower level of burnt mound material in Slot 3, and context 020 was the silty clay underlying the burnt mound in Slot 5. The stake (031) was found in the subsoil below the burnt mound, adjacent to another post which may have been in situ prior to the deposition of the peaty layer below the burnt mound material to the west of the site. The post (035) had no relationship with the burnt mound.

The results from the charcoal, although slightly earlier than those from the stake (but not the post), are not statistically significantly different in a chi-square test. They suggest that the burnt mound was deposited prior to the end of the first millennium AD.

| Context | Sample | Lab Code | Date BP | Material | Delta 13C | Calibrated 1σ | Calibrated 2σ |
|---|---|---|---|---|---|---|---|
| *Charcoal* | | | | | | | |
| 006 | 5A | GU-23508 | 1215±35 | Hazel | -26.7‰ | 770–880AD | 680–900AD |
| 006 | 5B | GU-23509 | 1245±35 | Hazel | -27.3‰ | 680–810AD | 670–880AD |
| 020 | 28A | GU-23510 | 1310±35 | Hazel | -25.1‰ | 660–770AD | 650–780AD |
| 020 | 28B | GU-23511 | 1315±35 | Hazel | -27.5‰ | 650–770AD | 650–780AD |
| *Wood* | | | | | | | |
| 031 | 023 | GU-22226 | 1125±30 | Alder | -28.3‰ | 890–975AD | 810–1000AD |
| 035 | 037 | GU-22227 | 1210±30 | Birch | -28.5‰ | 775–875AD | 690–900AD |

Table 3. AMS C14 Radiocarbon dates from Derskelpin.

## Discussion

Viewed from the slopes of Dirlaughlin Hill to the south, the drumlins of Knock Orr and Knockishee with their improved green fields rise beyond the excavation site on their

interface with the peatlands of the Dergoals Burn in the foreground. Here, the vegetation is characterised by reeds and long grass, with scrubby bushes and isolated trees. At under 100m OD, it lies well within the limits of medieval cultivation. The Derskelpin site has been largely unaffected by recent agriculture and the area around the site was rendered fairly inaccessible once the existing A75 alignment was completed in the mid-19th century. Access by wheeled vehicle is difficult and any dumping of agriculturally derived stones probably predates the mid-19th century and may be either field clearance or wall building material.

It is recognised that only a portion of the Derskelpin site has been excavated. Neither a hearth nor a trough was recorded, and the characteristic burnt mound 'kidney' or 'C' shape was not present, although the site plan could represent a half of this shape. The deposits of heat-shattered stone and ash are not overly mounded in profile and may have slumped to cover a larger area than originally. They have certainly been affected by machine pressure and topsoil clearance.

In summary, the area is, and probably was, very damp. The mound is derived from a dumped deposit of heat-shattered stones containing poorly preserved wood ash and charcoal which in places overlay a semi-wetland vegetation surface. Elsewhere, this had been truncated and the exposed natural subsoil affected by human activity. Although the heating of the stones took place outside the excavated area, the remains appear to represent a portion of a burnt mound. The interface between wet and dry land is a common location for such features and there is no evidence to suggest any importation of burnt mound material from further afield.

Burnt mounds are predominantly dated to the second millennium BC (Bronze Age), although earlier and later dates are known from some regions and literary references attest to their formation continuing into the 16th century AD in Eire (O'Kelly 1954). Their distribution within the British Isles can best be summarised as the extreme north (Shetland, Orkney, Sutherland and Caithness) and a large part of the west (Ireland, Wales, Isle of Man, South-West Scotland, Staffordshire, Warwickshire and the New Forest; Hedges 1975). Recent excavations in Inverness (Cressey & Strachan 2003), Oulmsdale Burn, Sutherland (Haggarty 1990), Carlisle (Neighbour & Johnson 2005), North Uist (Armit & Braby 2002), Arisaig (Suddaby 2009b) and Perth (Suddaby 2008) extend the distribution. A considerable number of burnt mounds have been recorded in the Dumfries and Galloway area (Russell-White 1990; Duncan & Halliday 1997).

In Dumfries and Galloway the majority of burnt mounds known are on upland ground, beyond the upper limit of medieval and later cultivation. This pattern is repeated in the uplands of Clydesdale and Tweeddale (Ward 1992), with burnt mounds often situated alongside streams. On the other hand, development in lowland zones has led to the discovery of otherwise invisible burnt mounds (Strachan et al. 1998) which nevertheless share locational and depositional traits with those in upland ground.

Two Galloway sites have produced radiocarbon dates comparable with Derskelpin. Auld Taggart 2 and Auld Taggart 4 lie in the Upper Luce Valley, c.15km north-west of

Derskelpin at 125–150m OD. The former was dated to 1020–1250 cal AD at 2σ (GU-2416, Russell-White 1990) using charcoal from the burnt mound. The latter (*Ibid.*) has three charcoal dates; from the burnt mound (1160–1280 cal AD at 2σ, GU-2414); a 'hearth' surface (990–1210 cal AD at 2σ, GU-2413); and from beneath the mound (1020–1250 cal AD at 2σ, GU-2417). Further afield, a site to the west of Helmsdale in Sutherland has also been dated to this period: at Craggie Basin, Kildonan (Lowe 1990) a mound was dated to 890–1151 cal AD at 2σ (GU-2483).

Ongoing debate concerning the function of burnt mounds favours their being the remains of cooking places, with food being boiled in the trough using rocks heated in a hearth. Alternative explanations have been offered, such as primitive saunas or sweat-lodges (Barfield & Hodder 1987; cf. O'Drisceoil 1988) and breweries (Peterkin 2007). Sites such as Derskelpin may indeed have been multi-functional (cf. Barber 1990, 101).

## Acknowledgements

The project was commissioned by Historic Scotland on behalf of Transport Scotland. The 2009 fieldwork was directed by Mike Cressey, Stuart Mitchell and Ian Suddaby. The 2010 excavation was directed by Phil Moore, assisted by Andy Bickett, Stephen Digney, Dean Williams and Don Wilson. All are congratulated on their efforts in the face of very bad winter weather and an extremely wet site. The illustrations in this report were prepared by Graeme Carruthers and Shelly Werner. Sue Anderson, Andy Dunwell and Rod McCullagh provided comments on drafts of this report. CFA would like to thank Andrew Black of Transport Scotland, Rod McCullagh of Historic Scotland and Tony Topping of Dumfries & Galloway Council for their assistance during the project. Whilst acknowledgements are due to all of the above, the final responsibility for the form and content of this report lies with the authors and CFA Archaeology Ltd.

Technical reports detailing the work on the A75 project including at Derskelpin Farm have been produced. Copies are lodged with Dumfries and Galloway Council Sites and Monuments Record and RCAHMS. Finds and environmental samples from the site will be allocated through the Treasure Trove system.

## References

Alcock, L. 2003 *Kings and Warriors, Craftsmen and Priests in Northern Britain AD 550–850* (Society of Antiquaries of Scotland, Edinburgh).

Armit, I. and Braby, A. 2002 'Excavation of burnt mound and associated structures at Ceann nan Clachan, North Uist', *PSAS* vol.132, pp.229–258.

Barber, J. 1990 'Scottish burnt mounds: variation on a theme', in Buckley, V. (ed.) *Burnt Offerings: International Contributions to Burnt Mound Archaeology* (Dublin) pp.98-104.

Barfield, L. and Hodder, M. 1987 'Burnt mounds as saunas, and the prehistory of bathing', *Antiquity* vol.61, pp.370–379.

Cressey, M. 2009 *A75 Cairntop to Barlae Dual Carriageway, Dumfries & Galloway, Peat Basin Investigation*, CFA Report No. 1674. Unpublished.

Cressey, M. and Strachan, R. 2003 'The excavation of two burnt mounds and a wooden trough near Beechwood Farm, Inshes, Inverness', *PSAS* vol.133, pp.191–204.
Duncan, J.S. and Halliday, S. 1997 'Paddy's Rickle Bridge to Johnstonebridge, watching brief', *DES 1997*, 25.
FitzPatrick, E. A. 1993 *Soil Microscopy and Micromorphology* (John Wiley & Sons, Chichester).
Foster, S. 1996 *Picts, Gaels and Scots* (Historic Scotland/Batsford, London).
Lowe, C.E. 1990 'Craggie Basin', in Buckley, V. (ed.) *Burnt Offerings: International Contributions to Burnt Mound Archaeology* (Dublin) p.83.
Hedges, J. 1975 'Excavation of two Orcadian burnt mounds at Liddle and Beaquoy', *PSAS* vol.106, pp.39–98.
Haggarty, A. 1990 'Kilearnan Hill', in Buckley, V. (ed.) *Burnt Offerings: International Contributions to Burnt Mound Archaeology* (Dublin) pp.82–83.
Mitchell, S. 2009 *A75 Cairntop to Barlae Dual Carriageway, Dumfries & Galloway, Archaeological Topographical Survey & Standing Building Survey*, CFA Report No. 1672. Unpublished.
Moore, P. 2010 *A75 Cairntop to Barlae Dual Carriageway, Dumfries & Galloway, Derskelpin Burnt Mound Excavation*, CFA Report No. 1755. Unpublished.
Neighbour, T. and Johnson, M. 2005 'A Bronze Age burnt mound in lowland Cumbria: excavations at Garlands Hospital, Carlisle, 1997', *Trans. Cumberland & Westmorland Antiq. Archaeol. Soc.*, vol.5, 11–23.
O'Drisceoil, D.A. 1988 'Burnt mounds: cooking or bathing?', *Antiquity* vol.62, pp.671–680.
O'Kelly, M.J. 1954 'Excavations and experiments in ancient Irish cooking-places', *J. Roy. Soc. Antiq. Ireland* vol.84, pp.105–155.
Peterkin, T. 2007 'Bronze Age brew proves a vintage ale', *Sunday Telegraph*, 13/08/2007.
Russell-White, C. 1990 'The East Rhins of Galloway' in Buckley, V. (ed.) *Burnt Offerings: International Contributions to Burnt Mound Archaeology* (Dublin), pp.70–76.
Stone, P. 1996 *Geology in South-west Scotland, an Excursion Guide* (British Geological Survey, Keyworth).
Strachan, R., Ralston, I. and Finlayson, B. 1998 'Neolithic and later prehistoric structures, and early medieval metal-working at Blairhall Burn, Amisfield, Dumfriesshire', *PSAS* vol.128, pp.55–94.
Suddaby, I. 2008, *Gowrie Quarry, Luncarty, Perthshire Archaeological Evaluation*, CFA Report No. 1480. Unpublished.
Suddaby, I. 2009a *A75 Cairntop to Barlae Dual Carriageway, Dumfries & Galloway, Archaeological Evaluation*, CFA Report No. 1659. Unpublished.
Suddaby, I. 2009b *The Excavation of an Early Bronze Age Burnt Mound at Arisaig, Lochaber, Highland,* SAIR 39 (http://www.sair.org.uk/sair39/).
Tipping, R. 1994 'The form and fate of Scotland's Woodland', *PSAS* vol.124, pp.1–54.
Ward, T. 1992 *Upper Clydesdale Through the Ages* (Biggar Museums).

# THE NAMES OF RHEGED

Andrew Breeze[1]

*The meeting of Dumfriesshire and Galloway Natural History and Antiquarian Society on 2 December 2011 was a very special occasion. The topic for the evening was 'The Names of Rheged' and the speaker, Dr. Andrew Breeze. It was the James Williams Memorial Lecture, held in memory of the Society's much-revered and long-serving editor. During James Williams' editorship of the* Transactions, *Dr. Breeze has published several significant research papers on the place-names of Dumfries and Galloway and he willingly agreed to travel from the University of Navarra in Pamplona, Spain, to deliver the memorial lecture. This article is taken from a transcript of the lecture which he has generously offered for publication.*

This evening we deal with the biggest problem concerning the place-names of Dumfries and Galloway: Rheged, its name and its location, as well as those of battlefields and other places linked with it. It has not been known where Rheged was, or what its name means. But I hope, if you will bear with me, that before we come to an end we shall be wiser on the question.

Let us start by seeing what has been said over the years on Rheged and places in it. Discussion takes us back a surprisingly long way, to at least 1818 and a translation of a poem attributed in the fourteenth-century Book of Taliesin to the sixth-century Rheged bard Taliesin, where the *Gwensteri* mentioned in it was identified as the river Winster, in Westmorland/Cumbria.[2] We shall hear more of that river. In early Victorian Wales it was considered with other forms by Thomas Stephens (1821-75), who combined running a chemist's shop in Merthyr Tudfil with publishing papers on Welsh literature that outdistance much of what appears in the principality even now. He thought that the victory of Gwensteri won by Urien of Rheged, and sung by his bard Taliesin, was that of Gwen Ystrad in another poem, and was somewhere in northern Britain.[3] Commentary then moves to Scotland, where W. F. Skene in the 1860s gallantly translated verse from the Book of Taliesin and others of Wales's Four Ancient Books, and still more boldly attempted to locate places mentioned in them. These include Argoed Llwyfain in one stirring battle-poem by Taliesin, and Gwen Ystrad in another. Skene thought the latter was the Gala valley in East Lothian.[4]

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2 Anon., 'An Ode to Walloc', *Cambrian Register*, iii (1818), 417-22.

3 Thomas Stephens, 'The Poems of Taliesin, vi', *Archaeologia Cambrensis*, xii (1852), 241-58.

4 W. F. Skene, *The Four Ancient Books of Wales* (Edinburgh, 1868), I. 351-2, 343, 346, 363-5, II. 189.

The next step forward was in 1918, when Sir John Morris-Jones of Bangor edited the poems of Taliesin, arguing that they were composed in the Old North during the late seventh century. The poem on Argoed Llwyfain, somewhere in North Britain, tells how Urien of Rheged stood in the way of Fflamddwyn, leader of the English, who had advanced with four columns into the British domains. He had come from Argoed to Arfynydd, insolently demanding hostages from the Britons, who answered with defiance. Urien, lord of Yrechwydd, called on his men to raise their spears and charge the enemy. And so the Britons won a famous victory, leaving behind many a dead Englishman as carrion for the birds. If Rheged, which Urien ruled, was Cumbria and regions north of it, where was Argoed Llwyfain? Morris-Jones explained it as 'place against the wood of lime-trees'. Yet its whereabouts was obscure. As for another battle-poem by Taliesin, on conflict between the Britons of Rheged and the Picts of Scotland, it tells how men of *Prydain* 'advanced in hosts to Gwen Ystrad', where many met their death from the forces of Urien. Thereafter, 'At the gate of the ford I saw blood-stained men laying down their arms before the hoary weirs. They made peace ... with hand on cross on the shingle of Garanwynion. The leaders named their hostages; the waves washed the tails of their horses.' Morris-Jones thought *Gwen Ystrad* might be Wensleydale, Yorkshire. He rejected a link with the Gala Valley, Lothian.[5]

W. J. Watson of Edinburgh, whose work retains its value after nearly a century, in 1926 tackled the observations of Skene and Morris-Jones. Watson maintained against Skene that Rheged, whose leaders fought against the English of Bernicia in the later sixth century, could not have been in the north around Dumbarton, because of 'the fact that Carlisle was situated in it'. He went along with Morris-Jones for the location of Rheged, on which 'the most various views have been held', including places as far south as Lancashire or even Wales. (We now know that older scholars were misled on Rheged-in-Wales by Iolo Morganwg, the eighteenth-century forger.) Watson added that Rheged surely included Dunragit, in the west of Galloway, and quoted poems on Urien's attacks against 'the country of the men of the Clyde' while his son Owain defended cattle 'in the ford of Alclud', that is, by Dumbarton, the old capital of Strathclyde. More dubiously, Watson felt sure that the *echwydd*, which Urien ruled, was the Solway. He referred as well to Taliesin's mention of Goddeu, a British territory, and believed that its name meant 'forest', that it lay north of Rheged, and could be taken as the Selkirk region. Watson regarded Argoed Llwyfain as by the river Levin, near the head of the Solway Firth. (Few have followed him on that.) He rejected Morris-Jones's suggestion that Gwen Ystrad 'White Vale' was Wensleydale, because the battle was by the coast and the enemy were Picts. Wensleydale, known for cheese, was yet no place to moor a navy. In the sixth century the Picts raided Britain down to the Bristol Channel, so that 'what Taliesin describes has all the appearance of a Pictish raid on the Solway coast of Rheged.'[6] In the 1920s, then, opinion tended to place Urien's battles against Angle and Pict on the banks of the Solway.

Some points were made by John Lloyd-Jones, doughty lexicographer. He noted that Aergoed Llwyfain 'Battlewood of Lime-Trees' figures as such in Cynddelw's lament for

5 John Morris-Jones, *Taliesin* (London, 1918), 156, 161, 182.

6 W. J. Watson, *The History of the Celtic Place-Names of Scotland* (Edinburgh, 1926), 129, 155-6, 343-5.

Owain Gwynedd (d. 1170), which shows the form corrupted. But it implies that the Book of Taliesin reading is sound. He rejected Skene's identification of *Gwensteri* as the river Winster in south Cumbria, since one would expect *kat ar wensteri* if one had a hydronym, not *kat yg wensteri*. It did not occur to Lloyd-Jones that a scribe perhaps failed to recognize the form as a river-name, and took it as a territorial one. He would know far less of North British geography than we do. Lloyd-Jones likewise rejected Thomas Stephens's suggestion that *Gwensteri* was *Gwen Ystrad*, describing it as 'annhebygol iawn', but without saying why.[7]

Comment helpful and the reverse follows. The Chadwicks outlined the poems of Taliesin, but were silent on locations.[8] In a book review of 1934, Sir Ifor Williams proved that statements on a Rheged in south-west Wales were inventions of Edward Williams or 'Iolo Morganwg' (1747-1826), the most successful forger even seen in Britain, whose fictions delude Oxford scholars even now.[9] Williams thereafter noted *Regethwys* in later (but still pre-Norman) poems on the semi-legendary hero Llywarch the Old and explained it as 'men of Rheged', on the lines of *Argoedwys* 'men of Argoed', *Cludwys* 'men of the Clyde'.[10] This is important. It proves that *Rheged* refers to a territory, like *Belgium*, not to a people, like *Belgians*.

Sir Idris Bell (1879-1967) of the British Museum said this of Taliesin's poems on Urien and Owain of Rheged. Although they defended it against Angles of Bernicia (= Northumbria, north of the Tees), the 'exact position of Rheged is uncertain, but it probably lay in north-western England.' Bell translated Taliesin's poem on Argoed Llwyfain, where 'Urien, lord of Yrechwydd, cried aloud: "If it is to be a conflict for our kindred, let us raise our lines above the mountain, let us lift up our face above the rim, let us raise our spears above the heads of his men, let us fall upon Fflamddwyn in his hosts, let us slay him and his company!" And before the wood of Llwyfain there was many a corpse; red were the ravens with the blood of men; and the folk who charged … many a year shall the minstrel sing the song of their victory.' Equally virile are verses on aftermath at Gwen Ystrad, with the enemy likewise defeated: 'The leaders appointed their hostages; the waves washed the tails of their horses.'[11]

Sir Ifor Williams also translated Taliesin's poem on Argoed Llwyfain, with Urien's defiance of the English king and the battle's aftermath: '"Let us charge Fflamddwyn in the midst of his host / And kill both him and his companions!" / By the edge of the Elm Wood / There were many corpses. / Ravens reddened before the warriors, / And men rushed forward with their chief.' But Sir Ifor did not speculate on where the 'Elm Wood' was, commenting merely on how 'the battles mentioned are for places we in Wales have never heard of.'[12]

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7 John Lloyd-Jones, *Geirfa Barddoniaeth Gynnar Gymraeg* (Caerdydd, 1931-63), 40, 663.

8 H. M. and Nora Chadwick, *The Growth of Literature: The Ancient Literatures of Europe* (Cambridge, 1932), 39.

9 Ifor Williams, review of B. G. Charles, *Old Norse Relations with Wales, Archaeologia Cambrensis,* lxxxix (1934), 347-50.

10 *Canu Llywarch Hen*, ed. Ifor Williams (Caerdydd, 1935), 15, 129.

11 H. I. Bell, *The Development of Welsh Poetry* (Oxford, 1936), 24, 25.

12 Ifor Williams, *Lectures on Early Welsh Poetry* (Dublin, 1944), 63-5.

Nevertheless, in 1946, Hogg proposed that *Llwyfenydd* in other poems by Taliesin may be the river Lyvennet, near Penrith in Cumbria.[13] His proposal is widely accepted. A 1950s atlas of Welsh history put Rheged across the Roman Wall, running from the Nith to the Eden, although unfortunately spoiling the effect by placing Picts in Galloway.[14] Jackson referred precisely to Rheged as a kingdom in Scotland, south of Strathclyde and 'probably reaching into England far up the Eden valley'. He stated elsewhere that Rheged 'seems to have included Galloway and Cumberland', and that Urien and Owain fought the English of Bernicia, even cornering them for three days on the isle of Lindisfarne. So Rheged must have been a powerful state.[15] Translations of poems by Taliesin were offered by Rachel Bromwich, giving us a glimpse of princely life in this part of the world. In an address to Urien, Taliesin declared 'At home among the men of Rheged he has endowed me with honour and welcome and has bestowed on me mead: the mead of his liberality, with fine lands in plenty, and abundance of gifts and gold, to satisfy my desire', and he ended by proclaiming, 'Usual is it to find about thee the trampling of a host and beer-drinking!' In more pensive mood is Taliesin's elegy on Owain:

> The soul of Owain ab Urien,
> May the Lord have mind to its need.
> The prince of Rheged, whom the green turf covers,
> It was honourable to sing his praise.

He mentions Owain's hosts and how 'His keen-edged spears were like the wings of the dawn!' He speaks also of his fierceness to enemies and largesse to his retainers, saying of the first:

> Owain punished them soundly
> Like a pack of wolves after sheep.
> A fine man in his many-coloured gear
> Who gave horses to his dependants.

On Argoed Llwyfain and Gwen Ystrad, Rachel Bromwich said that their location was uncertain, although Morris-Jones suggested Wensleydale for the latter.[16]

In another paper, Kenneth Jackson called Rheged a kingdom of the Cumbrians, its whereabouts uncertain, though its name has been seen in Dunragit in the Rhinns of Galloway and Rochdale near Manchester, the former being the more generally accepted. In the twelfth century the Welsh bards believed Carlisle was in Rheged. Taliesin's poems to Urien of Rheged call him prince of Catraeth, probably Catterick near Scots Corner; a Welsh chronicle states that he fought Bernicians on the coast of Northumberland. He is linked too with Aeron, perhaps Ayrshire (this is surely correct); Llwyfenydd, perhaps

13 A. H. A. Hogg, 'Llwyfenydd', *Antiquity*, xx (1946), 210-11.
14 William Rees, *An Historical Atlas of Wales* (London, 1951), plate 18.
15 K. H. Jackson, *Language and History in Early Britain* (Edinburgh, 1953), 9, 218.
16 Rachel Bromwich, 'The Character of the Early Welsh Tradition', in *Studies in Early British History*, ed. Nora Chadwick (Cambridge, 1954), 83-136.

the river Lyvennet near Penrith; and Yr Echwydd, its locality unknown. (However, we can now feel certain that it was north Yorkshire.) Urien's domains included the Solway plains and Eden valley; they perhaps stretched over Stanemoor to the vicinity of Catterick. Whether they included Lancashire, Ayrshire, and the Rhinns of Galloway is less certain, but they did not include Strathclyde. He observed on Taliesin's poems to Urien and Owain that they 'do not tell us much about them.' He says of battles named in the poems that 'some if not all were against the English', which ignores Watson's comment that one at least was against the Picts. Jackson added that the English leader nicknamed *Fflamddwyn* 'flame-bearer' and defeated at Argoed Llwyfain cannot be Ida of Bernicia (d. 559), who is too early. However, Jackson did identity another battle of Urien, that of *Brewyn*, as by the Roman fort of *Bremenium* or High Rochester, Northumberland.[17] The British kingdoms of the north were outlined by Sir Thomas Parry, who identified Rheged as 'the present counties of Wigtown and Kirkcudbright', even though twelfth-century bards thought that Carlisle (nowhere near either of them) was in it.[18]

Jackson later noted how the Latin life of St Kentigern, patron of Glasgow, claims that Owain was his father.[19] Sir Thomas Parry in 1962 again stated that Rheged was 'approximately the modern Kirkcudbrightshire'.[20] In a further paper Jackson remarked on how the chiefs of Rheged 'played a prominent part in the resistance to the Angles in the late sixth century' but their realm disappears from our sources after the early seventh. Rheged, somewhat mysteriously, then vanished from history.[21] Jackson yet again summarized what the ninth-century *Historia Brittonum* (formerly attributed to Nennius) says of the rulers of Rheged, on how Urien besieged Theodric of Bernicia in Lindisfarne, but was betrayed by other British chieftains, and how his son Rhun in his old age baptized Edwin of Northumbria in 627.[22] *Historia Brittonum*, somewhat curiously, never mentions Rheged by name. Sir Idris Foster, in a dated and unhelpful publication, thought Taliesin came from Powys, and that his singing to Urien Rheged indicated the freedom with which bards moved about Celtic Britain.[23]

Chieftains or lords of the region figure in the standard edition of genealogies, although the name of Rheged does not appear in texts earlier than one surviving in Oxford, Jesus College, MS 20, of the fourteenth century.[24] At this point we mention the author of *The Lord of the Rings*, who informed Oxford students that Rheged 'was perhaps in Cumberland, though there was another district of the same name in South Wales', where he was duped

17 K. H. Jackson, 'The Britons in Southern Scotland', *Antiquity*, xxix (1955), 77-88.
18 Thomas Parry, *A History of Welsh Literature* (Oxford, 1955), 1-4.
19 K. H. Jackson, 'The Sources for the Life of St Kentigern', in *Studies in the Early British Church*, ed. Nora Chadwick (Cambridge, 1958), 273-357.
20 *The Oxford Book of Welsh Verse*, ed. Thomas Parry (Oxford, 1962), 537.
21 K. H. Jackson, 'Angles and Britons in Northumbria and Cumbria', in *Angles and Britons* (Cardiff, 1963), 60-84.
22 K. H. Jackson, 'On the Northern British Section in Nennius', in *Celt and Saxon*, ed. Nora Chadwick (Cambridge, 1963), 20-62.
23 I. Ll. Foster, 'The Emergence of Wales', in *Prehistoric and Early Wales*, ed. I. Ll. Foster and Glyn Daniel (London, 1965), 213-35.
24 *Early Welsh Genealogical Tracts*, ed. P. C. Bartrum (Cardiff, 1966), 48.

by the fictions of Iolo Morganwg.[25] A standard historical map shows Rheged as stretching from Stranraer to Carlisle.[26] Professor Charles Thomas disputed H. M. Chadwick's view that Rheged stretched as far south as Rochdale in Lancashire, but still gave free rein to notions of 'two fifth-century dioceses, one in western Galloway, the other centred on Carlisle, with the Dumfries Nith as the most likely boundary.'[27] On a like religious note, Bishop Hanson in an excellent book on St Patrick made two points. He disputed Professor John MacQueen's arguments in his book on St Nynia or Ninnian that Rheged included territory on Scotland's east coast. Nobody accepts that. He also, quite rightly, rejected the view (energetically put forward by Charles Thomas) that St Patrick was a native of Rheged. It cannot be so, because Patrick was brought up on a villa with many slaves, and Rheged, in a military zone on Rome's northern frontier, was no place for a villa.[28] (Patrick surely came from near Banwell in Somerset/Avon, in a fertile region which was at once close to Bath and to seas infested by Irish pirates.)

Rheged is discussed at length in Sir Ifor Williams's edition of Taliesin's poems. He quotes Sir John Morris-Jones's edition of 1918, noting his quotation of lines from the twelfth-century bard Hywel ab Owain Gwynedd, where *Caer Lliwelydd* or Carlisle is spoken of as in Rheged. So Welsh tradition at that date placed Rheged in north Cumberland. On Dunragit near Stranraer, he cites Watson for *Reichet* as name of an Irish people near Roscommon. On that basis, *Rheged* might be an Irish name, like that of the Lleyn Peninsula in Gwynedd, where people from Leinster settled. He dismissed any link with Rochdale, where the form is surely English. Williams, who had seen a mountain of speculation on the whereabouts of Urien's battles, also offered the emended reading *A rac Argoet Llwyfein* 'And before Argoed Llwyfain' and information on *Llwyfain* elsewhere in the early poetry. He took *Llwyfenydd* as the name of a region, and agreed with Hogg that it was around the Lyvennet, south of Penrith.[29] Rheged's rulers were briefly mentioned by Jackson in his translation of the *Gododdin*. Of Argoed in the *Gododdin*, elegies on warriors slain in a seventh-century attack on Catterick, Yorkshire, he noted that the form is common in the Celtic world, but that the Geraint commemorated in the verse, who drew 'himself up with the men of Argoed' in battle, may yet have been from the very place mentioned by Taliesin.[30] Poems by Taliesin are conveniently translated by Joseph Clancy. That on Gwen Ystrad begins:

> Catraeth's men are up at daybreak
> For a conquering prince, cattle-raider.
> Urien is he, far-famed chieftain,
> He bridles monarchs and hews them,

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25 *Sir Gawain and the Green Knight*, ed. J. R. R. Tolkien and E. V. Gordon, 2nd edn (Oxford, 1967), 78.

26 *Britain in the Dark Ages*, 2nd edn (Southampton, 1966).

27 Charles Thomas, 'The Evidence from North Britain', in *Christianity in Britain, 300-700*, ed. M. W. Barley and R. P. C. Hanson (Leicester, 1968), 93-121.

28 R. P. C. Hanson, *Saint Patrick* (Oxford, 1968), 12, 113-14.

29 *The Poems of Taliesin*, ed. Ifor Williams (Dublin, 1968), xliv-xliv, xxxvi-lii, 77.

30 K. H. Jackson, *The Gododdin: The Oldest Scottish Poem* (Edinburgh, 1969), 9, 149-50.

Strong in war, true lord of Christians,
Pictland's men, deadly war-bands.
Gwen Ystrad your post, battle-honer:
Neither field nor forest was spared,
Land's bulwark, by the force that came.
Like waves roaring harsh onto shore
I saw savage men in war-bands:
And, after morning's fray, torn flesh.
I saw border-crossing forces dead,
Strong and angry the clamour one heard.
Defending Gwen Ystrad one saw
A thin rampart and lone weary men.
At the ford I saw men stained with blood
Downing arms before a grey-haired lord:
They wished peace, for they found the way barred,
Hands crossed, on the strand, cheeks pallid ...

With more slaughter and sudden death, the poem on Argoed Llwyfain begins:

Saturday morn a great battle there was
From the time the sun rose till it set.
Fflamddwyn came on with four war-bands;
Goddau and Rheged were marshalled in
Dyfwy, from Argoed to Arfynydd ...

After English challenge and British counter-challenge, it ends with routing of the invader, so that:

Before Argoed Llwyfain
There was many a dead man.
Crows were crimsoned from warriors.[31]

But there was more to life in Rheged than the joys of massacring enemies. Charles Thomas speculates on a British bishop of Rheged at Carlisle.[32] Leslie Alcock, another archaeologist, mentions Rheged still more briefly.[33] Professor Mayr-Harting notes, on the basis of marriage of Oswy to the British princess Rhiainfellt, granddaughter of Urien, that the absorption of Rheged by Northumbria may have been peaceful, in contrast to the violent occupation of the Ribble area, as stated by the Latin life of St Wilfred.[34] That would be why we hear so little on Rheged's demise in Welsh sources.

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31 J. P. Clancy, *The Earliest Welsh Poetry* (London, 1970), 24-5, 30-1.
32 Charles Thomas, *Britain and Ireland in Early Christian Times* (London, 1970), 82.
33 Leslie Alcock, *Arthur's Britain* (London, 1971), 321.
34 Henry Mayr-Harting, *The Coming of Christianity to Anglo-Saxon England* (London, 1972), 119.

The collected papers of Sir Ifor Williams include the text of his 1950 lecture at the Cumberland and Westmorland Archaeological and Antiquarian Society's AGM. Since Welsh poetry has the phrase *tra merin reget* 'beyond the sea of Rheged', Williams felt sure that that was the Welsh name of the Solway Firth, and that Carlisle was in it. On derivation, he compared Dyfed in south-west Wales and thought it might mean 'givers of gifts'.[35] In another mode, John Morris's *Age of Arthur*, nominally a history book, but seen by some as a work of fiction, places the Rheged of Taliesin's day at a period when Bernicia, 'tucked away on the north-east coast', was a distant threat to her power. He translated *Argoed Llwyfain* as 'Leven Forest', though it is not a forest but open ground near one, and suggested locations near Bewcastle or Netherby, or in Furness. He thought the first the likeliest, but admitted that it might be none of the three.[36]

Archibald Duncan of Glasgow gives us some dates. Urien was active and attacking his foes between 579 and 586, and was killed by treachery between 586 and 593.[37] Hunter Blair commented on the 'vigorous splendour of this battle poetry', of the English dead after Owain slaughtered them.[38] Elsewhere he mentioned Urien's opposition to English invaders in the later sixth century. But he spoiled the effect with a map that eliminates Rheged and brings Strathclyde down to the Solway Firth.[39] Rachel Bromwich gave a neat summary of references to Rheged. They are almost all in poetry. Urien's land is Rheged; his people are the men and women of Rheged or *Rhegedwys*. He is his country's *glyw* 'lord' and its *diffreidyat* 'defender', as also *llyw Catraeth* 'lord of Catterick'. His son Owain is *udd* 'lord' of Rheged. His being called *gwledig* may suggest that he was commander-in-chief of a coalition of forces. Some families in south-west Wales claimed descent from him.[40] Elsewhere, in the festschrift for Sir Idris Foster, she quoted an allusion to the Idon in Urien's domains as implying control of the Eden valley.[41] Peter Sawyer of Leeds repeats the mantra that Rheged lay on the Solway Firth, though sources for it are of 'doubtful reliability'.[42] James Campbell of Oxford thought that 'the rulers of Rheged and Manau [on the upper Firth of Forth] in the north were descended from those of the peoples who had lived north of the Wall in Roman days', even if we have little information on the origins of these dynasties.[43] Eurys Rowlant doubted that Rheged was mentioned in a poem from a cycle on Llywarch the Old.[44]

Bland repetitions by scholars on Rheged's whereabouts were rudely interrupted in 1988 by Professor Dumville, who doubted what he called the 'usual (but incredible) chronological

35 Ifor Williams, *The Beginnings of Welsh Poetry* (Cardiff, 1972), 82-4.
36 John Morris, *The Age of Arthur* (London, 1973), 232-4.
37 A. A. Duncan, *Scotland: The Making of the Kingdom* (Edinburgh, 1974), 60.
38 P. Hunter Blair, *Northumbria in the Age of Bede* (London, 1976), 33-4.
39 P. Hunter Blair, *An Introduction to Anglo-Saxon England*, 2nd edn (Cambridge, 1977), 41-2.
40 *Trioedd Ynys Prydein*, ed. Rachel Bromwich, 2nd edn (Cardiff, 1978), 516-20.
41 Rachel Bromwich, 'Cynon fab Clydno', in *Astudiaethau ar yr Hengerdd*, ed. Rachel Bromwich and R. Brinley Jones (Caerdydd, 1978), 151-64.
42 P. H. Sawyer, *From Roman Britain to Norman England* (London, 1978), 22, 34.
43 James Campbell, 'The Lost Centuries: 400-600', in *The Anglo-Saxons*, ed. James Campbell (Oxford, 1982), 20-44.
44 Eurys Rolant, '"Wedi Elwch ..."' in *Bardos*, ed. R. Geraint Gruffydd (Caerdydd, 1982), 44-59.

deduction' made from Taliesin's poems, to say nothing of academic nonsense talked about the boundaries of Rheged.[45] Rheged's Rhun and Rhiainfellt are, like Rheged, never mentioned by Bede, though they are by his commentator, Wallace-Hadrill of Oxford.[46] Jenny Rowland notes an Argoed in Powys, Wales, and offers emended *regedwys* 'men of Rheged' in later verses on Urien as saga-hero.[47] Ken Dark, citing Nick Higham, speaks of Rheged as in the Lake District, the sole evidence for its existence being in Welsh poetry. He describes Carlisle as its capital and its people as emerging from the earlier Carvetii.[48] Higham himself perceives Biblical and symbolic meanings in Urien Rheged's siege of Lindisfarne for three days.[49] The new Cambridge dictionary of place-names offers nothing whatever to associate Rochdale with Rheged.[50] Martin Aurell, in an ambitious study, states 'Le nom d'Yvain est celui de l'historique Owein, fils d'Urien, roi du Rheged, au Pays de Galles, qui combat les Angles au VIe siècle', quite unaware that Sir Ifor Williams disproved the last over seventy years before.[51] John Koch places Rheged with a question mark near Carlisle.[52] A Welsh encyclopaedia states with patriotic enthusiasm that Rheged 'comprised the whole of modern Cumbria, an area east of the Pennines including Catterick', and 'Dumfriesshire, Galloway, and possibly Ayrshire.' It also mentions the Rheged Centre (popular with families) at Penrith, Cumbria. Stretching from Ayr to Catterick, Rheged would be a big place.[53] Yet a learned study of Latin writings (not Welsh verse) published at Whithorn makes no reference to it.[54] James Fraser of Edinburgh believes it was even bigger than does the Welsh encyclopaedist. He thinks it included Rochdale in Lancashire/Greater Manchester, even though Sir Ifor Williams ruled that out decades previously. He refers in vague terms as well to Yrechwydd, and observes that the English king 'Fflamddwyn' will be Theodoric in the 570s or the ferocious Athelfrith in the 590s.[55] Another study of Dumfries and Galloway, this time working from archaeology (not Welsh verse), makes no reference at all to Rheged.[56]

Two new discussions of the whole question, by Tim Clarkson and Mike McCarthy, provide the end of our beginning. The first says this. Rheged is never mentioned by this name in English, Irish, or Cambro-Latin sources. Clarkson describes the line of Hywel ab Owain Gwynedd on Rheged and Carlisle as a 'factoid'. (Against him we may yet think that Hywel, of the royal house of Gwynedd, knew more of British tradition than we do,

45 D. N. Dumville, 'Early Welsh Poetry: Problems of Historicity', in *Early Welsh Poetry*, ed. B. F. Roberts (Aberystwyth, 1988), 1-16.
46 J. M. Wallace-Hadrill, *Bede's 'Ecclesiastical History of the English People': A Historical Commentary* (Oxford, 1988), 65, 109.
47 Jenny Rowland, *Early Welsh Saga Poetry* (Cambridge, 1990), 479, 541, 591.
48 K. R. Dark, *Civitas to Kingdom* (London, 1994), 128-9.
49 N. J. Higham, *King Arthur: Myth-Making and History* (London, 2002), 159.
50 *The Cambridge Dictionary of English Place-Names*, ed. Victor Watts (Cambridge, 2004), 503.
51 Martin Aurell, *La Légende du Roi Artur* (Paris, 2007), 273.
52 John Koch, *An Atlas for Celtic Studies* (Oxford, 2007), map 21.3.
53 Anon., 'Rheged', in *The Welsh Academy Encyclopaedia of Wales* (Cardiff, 2008), 744.
54 Fiona Edmonds, *Whithorn's Renown in the Early Medieval Period* (Whithorn, 2009).
55 J. E. Fraser, *From Caledonia to Pictland: Scotland to 795* (Edinburgh, 2009), 127, 130.
56 *St Ninian and the Earliest Christianity in Scotland*, ed. Jane Murray (Oxford, 2009).

especially if Gwenllian, his aunt, wrote the *Four Branches of the Mabinogi*.) Clarkson with more reason criticizes Dunragit's supposed links with the kingdom, where the form may be late and Gaelic. He is sceptical on Sir Ifor Williams' view of *tra merin Rheged* as meaning 'beyond the Solway Firth'. He rightly rejects links between Rheged and Rochdale, and also doubts Sir Ifor Williams's explanation of emended *Idon* as being the Eden, and that of *Llwyfenydd* with the Lyvennet, suggesting that conflict could have been as far north as Peebles, where there is a river Lyne. More positively, he thinks that *Aeron* might be Ayrshire. (This is correct. It cannot be the river Aire of Yorkshire, now with a Norse name.) He concludes that Rheged might just have well have been on the Upper Tweed as on the Eden, Annan, and Nith.[57] Work by Clancy and Koch on Taliesin's poems is cited in a so-called handbook, though disputing their supposed part in Scottish tradition.[58]

Writing as an archaeologist, Mike McCarthy questions Hywel ab Owain Gwynedd's allusion to Carlisle, where later tradition located Arthur's court. (But as Hywel, killed in 1170, had long been dead by the time these romances were written, this need not worry us.) He points out further that archaeology has found no trace of occupation at Carlisle in the post-Roman period. This is a serious point. One notes that Carlisle never figures in the poetry of Taliesin, which would be surprising, if it were Urien's capital. On the other hand, McCarthy accepts that Yrechwydd was surely in north Yorkshire, and that the Aeron is the Ayr and its region. As regards etymology, he notes Ifor Williams' association of the form with Welsh *rheg* 'gift'. He thinks this could as likely be the name of a people as of a territory (though we may reject the former on the grounds of *Rhegedwys* 'people of Rheged'). He accepts the standard views on the Lyvennet, and provides expert information on the rocks and soils of the area, with implications for its early farming and economy.[59] Patrick Sims-Williams writes of Taliesin's poems less as contemporary documents than as possibly much later fragments from sagas.[60] If this were true, it would undermine their value as historical documents. But, like many things said by Professor Sims-Williams, I do not think it is true.

This concludes our first part. What follows makes new suggestions on Argoed Llwyfain and Gwen Ystrad. First, Argoed Llwyfain and the Lyvennet, which to this day flows through woodland. Now, if the Lyvennet is the 'elm-wood stream', *Coed Llwyfain* is 'elm wood', and *Argoed Llwyfain* the open area near it, it may be that we are dealing with one and the same region, near Penrith. If so, the battle of Argoed Llwyfain may have been in Westmorland/south-east Cumbria. The location has advantages. It puts the battle near a Roman road, vital for swift movement at this date, and near other places known from the early poetry, namely the Derwent (near Keswick) and Rossett (near Ambleside). That would place the battle close to Eamont, scene of another meeting of nations (this time

57 Tim Clarkson, *The Men of the North: The Britons of Southern Scotland* (Edinburgh, 2010), 68-78.

58 Elizabeth Elliott, 'Scottish Writing', in *The Oxford Handbook of Medieval Literature in English*, ed. Elaine Treharne and Greg Walker (Oxford, 2010), 574-93.

59 Mike McCarthy, 'The Kingdom of Rheged: A Landscape Perspective', *Northern History*, xlviii (2011), 9-22.

60 Patrick Sims-Williams, *Irish Influence on Medieval Welsh Literature* (Oxford, 2011), 89-91.

peaceful) with Edgar and Celtic rulers in the later tenth century. Here the Roman road from the south, having crossed Stanmore, reached a major river, a suitable spot for parleying: or for armed conflict. If Argoed Llwyfain and the Lyvennet lay on Rheged's south-east border, Urien would have ruled Cumberland, to say nothing of territories beyond.

As for *Gwen Ystrad*, the form is surely corrupt, 'White Valley' being a scribal misreading. Hence the failure to find it on the map. There is reason to take it as a misreading of *Gwensteri*, the Winster of south Cumbria, known as a place of conflict. We could thus turn on its head what was said by Thomas Stephens in 1852: *Gwensteri* is not a corruption of *Gwen Ystrad*, but 'Gwen Ystrad' of *Gwensteri*, following the normal processes of *lectio facilior*, where an incorrect but easy reading replaces a correct but difficult one; yet still preserving original 'Gwen-', '-st-', and 'r'. We know that the Winster of Westmorland/ south Cumbria, with an estuary and tidal sands, was where Pictish marines attacked Rheged. If 'Gwen Ystrad' is also the Winster, disguised by scribal miscopying, it may explain why Taliesin spoke of warriors as 'Like waves roaring harsh onto shore / I saw savage men in war-bands.' An allusion to the sea makes sense for a battle by salt-marshes. Fighting on the Winster certainly fits 'At the ford I saw men stained with blood/ Downing arms before a grey-haired lord: / They wished peace, for they found the way barred, / Hands crossed, on the strand, cheeks pallid ....' So references to the Winster in one and perhaps two poems, and Argoed Llwyfain located near Penrith, imply that Urien's Pictish and Bernician enemies thought his realm had a soft underbelly; even if Taliesin makes out that it was, rather, a tough old gut.

To these supposed battlefields in south Cumbria may be added a third site mentioned in early poetry, that of Rosedd, perhaps also in the former Westmorland. This might be Rossett, an isolated settlement in Great Langdale, west of Ambleside. There is no need to discuss the point here, since it is argued in detail elsewhere, though it should be mentioned that orthodox opinion explains *Rossett* as Norse for 'horse shieling'. Nevertheless, archaeological research may show that both name and settlement predate the Northmen. Rosedd was famous in early Welsh poetry as a centre of luxury and ceremony. It may figure too in a eulogy of Gwallog, ruler of Elmet (east of Leeds) about the year 600. Gwallog was an aggressive neighbour, who attacked British and English alike:

> He made provocation for York
> A battle around High Rochester through fervour,
> A mighty blaze in his fury.

Gwallog fought as well near Ayr and Bathgate, so that the bard declaims, 'Little did you think of your enemies!' He also fought nearer home:

> A battle on the Winster, subduing the English,
> Spearmen without number.
> A battle by Snow Hill at daybreak,
> Very skilful was Gwrangawn in battle ...

'Snow Hill' conceals a problem. It translates Ifor Williams's emendation of the Book of Taliesin's 'ros terra'. But 'ros terra' may rather be *Rosed*, Rhosedd, or Rossett, the court of a Lakeland ruler detested by Gwallog.[61] Since Rhosedd never appears in poems to Urien, it may have been, not his court, but that of a sub-king or neighbouring king.

What is the upshot of the above? We can end with some firm conclusions. Urien is linked with a region called *Aeron*; this must be the Ayr. It cannot be the river Aire of West Yorkshire, because that has a Norse name meaning 'islands, river of islands', its pre-English name being shown by *Lagentium* 'place upon Blade River's, which is what the Romans called Castleford, Yorkshire.[62] So we know that Urien had power in south-west Scotland. Second, the bards attribute power to him over *Yrechwydd* 'Area by Fresh Water'. Sir Ifor Williams thought it might be the Lake District, with plenty of fresh water (if not too much), where he is hesitantly followed by John Koch. But this makes no sense. The great area of fresh water in the Old North was that on the lower Ouse and Trent, a prodigious marsh that stretched from north of York to south of Gainsborough, sixty miles away in Lincolnshire. We can be sure that Yrechwydd was the area bordering that marsh, and hence equivalent to modern North Yorkshire, including York itself. Yet the power of Urien and his dynasty lay not there nor in Carlisle, which was unoccupied at this date, and is never mentioned by Taliesin. His stronghold may rather have been within the massif of the Cumbrian Hills, near the waters of the Derwent, certainly mentioned in early poetry, and perhaps to the site of Rossett, in a mountain valley of broad meadows below crags.

So we end with three conclusions. First, that Urien's domains were extensive, stretching from York in the south-east to Ayr in the north-west. It was a mighty and powerful domain. Despite the doubts of some, we can reassure members of this society that it really did include the Solway Region. Second, that the centre of his power was Cumbria. So much is suggested by mention of Lyvennet and Winster, and perhaps Rossett, if correctly identified. Despite what is often said, it was not in Carlisle, never mentioned in the poems and unoccupied in his time, although Carlisle lay in his domains. Third, there is still much work to be done on early Welsh poetry. Amongst problems that remain is that of the name of Rheged itself, which seems to mean 'given land'. With further analysis of place-names in our texts, we may hope to make progress on this and other matters.

Finally, the people of Dumfries and Galloway feel proud of their greatest poet, Burns, just as those just south of the border feel proud of *their* poet, Wordsworth. But there were bards here over a thousand years before their time, who chanted praise of princely governors, of their triumphs in battle, of their splendour and largesse. The singing of praise by poets in this part of the world goes back a long way; and is on those notes of tribute that I finish with another, to that expert editor and means of scholarship in others, the late James Williams, of the Dumfriesshire and Galloway Natural History and Antiquarian Society.

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61 Andrew Breeze, 'Early Welsh Poetry and Rossett, Cumbria', *Northern History*, xlix (2012), 129-33.

62 Andrew Breeze, '*Lagentium*, the Roman Name of Castleford', *Transactions of the Yorkshire Dialect Society*, xx/102 (2002), 59-62.

# GAELIC IN GALLOWAY: PART TWO – CONTRACTION

Alistair Livingston[1]

*The end of Gaelic in Galloway is as obscure as its beginnings. It is likely that the survival of Gaelic was intimately bound up with the survival of a distinct Galwegian identity. The persistence of this Galwegian identity was a recurring source of conflict with Scottish kings from David I to David II. Crucially, it led Galloway's Gaelic kindreds to support the Balliols against the Bruces in a struggle for the Scottish crown which lasted from 1286 to 1356, when David II prevailed over Edward Balliol. Even then, it was not until after Archibald Douglas established his lordship of Galloway in 1372 that the power of the Galwegian kindreds was diminished through the plantation of Scots speakers in Galloway. Under the Douglases, Scots began to displace Gaelic as the language of Galloway. By the end of Douglas rule in 1455, the once powerful Galwegian identity had faded into insignificance and the region was peacefully absorbed into Scotland. This acceptance of Scottish identity suggests that Scots had also replaced Gaelic as the language of Galloway.*

In a discussion of George Buchanan's *Rerum Scoticarum Historia* (published in 1582) William Ferguson[2] has drawn attention to a comment by Buchanan that 'a great part of [Galloway] still uses its ancient language.' Accepting Buchanan as an authoritative contemporary source, Ferguson therefore suggests that Gaelic died out in Galloway 'somewhere in the early seventeenth century.' However, if Gaelic had been the language of 'a great part' of Galloway in the late sixteenth century and had only become extinct in the early seventeenth century, the end of Gaelic in Galloway would have been within living memory when Andrew Symson, minister of Kirkinner parish, began compiling his *Large Description of Galloway* in 1684. As an Episcopalian minister, Symson experienced hostility from his mainly Presbyterian parishioners, but was able to rely on the friendship and support of Alexander Stewart, earl of Galloway and David Dunbar of Baldoon.[3] By 1684, Alexander Stewart's family had been established in Galloway for over 400 years and David Dunbar's for over 300 years and so they would have been able to inform Symson if Gaelic had died out in Galloway during their grandfathers' lifetimes.

It could be that Symson failed to ask the right questions and so missed the opportunity to record a significant event in Galloway's history, but since he did observe that the spelling and pronunciation of local surnames had diverged from their original 'Irish' (Gaelic) forms this seems unlikely.[4] An alternative explanation can be found on a close reading of the section of *Rerum Scoticarum Historia* that Ferguson quoted from. Here Buchanan mentions Galloway, along with Cornwall and Wales, in order to advance his theory that the '-wall' of Cornwall, the 'Wal-' of Wales and the 'Gall-'of Galloway all originally signified 'Gaul'.

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1 Member of the Society; 6 Merrick Road, Castle Douglas, DG7 1FD.
2 Ferguson W *The Identity of the Scottish Nation* (Edinburgh, 1998) p.88.
3 Watt J *Dumfries and Galloway a Literary Guide* (Dumfries, 2000) p.321.
4 Symson A *Large Description of Galloway* (Edinburgh, 1823) p.49.

Having discussed Cornwall and Wales, Buchan then turns to Galloway:

> Following the same coast, to the westward, Galloway, Gallovidia, is evidently a word that in both Scots and Welsh signifies Gaul, whether the word be Gallia with the one or Vallia with the other. The English call it Wallowithia. The great part of this country still uses its ancient language. These three nations, [Cornwall, Wales and Galloway] which possess the whole coast of Britain that looks towards Ireland, preserve the indelible marks of Gallic speech and affinity. But it is worthy of particular notice that the ancient Scots divided all the nation who inhabited Britain into two classes, the one they call Gael and the other Galle or Gald, that is according to my interpretation Galaeci and Galli. The Galaeci valued themselves on that name, that is the name of Gael and call their language Galaeic or Gaelic and glory in it as the more polished and elegant. The other, that is the Galle or Gaul, they despise as barbarous in comparison of themselves …[5]

A footnote explains that 'Galaeci' is derived from Galicia in Spain, since Buchanan believed that the Gaels originated with the Gauls of Spain while the Britons or 'Galle' originated with the Gauls of France. Buchanan therefore appears to be claiming that the 'ancient language' of Galloway still used by most of its inhabitants was a form of 'Gaulish' (p-Celtic Brittonic) related to Cornish and Welsh rather than q-Celtic Gaelic. If this is so, then Buchanan cannot be used as a reliable source of information on the survival or otherwise of Gaelic in Galloway into the late sixteenth century.

If Buchanan did mean Gaelic when he referred to the survival of the ancient language of Galloway, his failure to include neighbouring Carrick as a region where Gaelic is also alleged to have survived is puzzling. According to an English military report compiled between 1563 and 1566, the people of Carrick 'for the most part speke the eirishe [Gaelic].'[6] Equally puzzling is the failure of John Knox to mention the survival of Gaelic in Galloway and Carrick. As Knox recorded, in 1562, George Hay preached for a month 'in the kirks of Carrick' and Knox himself preached to 'the common people' in Kyle, Galloway and Nithsdale.[7] If Gaelic was still the language of 'the common people' in these districts, such preaching would have fallen on uncomprehending ears. The absence of a language problem for the Reformation in Galloway and Carrick implies that Gaelic was extinct in both regions by 1562. If it was, then when and how did Gaelic die out in south-west Scotland?

Unfortunately, no documents written in the Gaelic of Galloway have ever been found. Gaelic personal names and Gaelic place names were recorded in documents written in Latin from the twelfth century onwards and in Scots from the end of the fourteenth century onwards. However, such records of Gaelic place and personal names cannot on their own

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5 Aikman J (ed.) *The History of Scotland translated from the Latin of George Buchanan* (Glasgow, 1827) vol.1, p.103.

6 Armstrong R 'Military Report on the Districts of Carrick, Kyle and Cunningham' *Archaeological and Historical Collections Relating to Ayrshire and Galloway* (Edinburgh, 1884) vol. IV, p.17.

7 Knox J *The History of the Reformation of Religion in Scotland* (Glasgow, 1831) p. 275.

reveal how long Gaelic survived in Galloway. The question must, therefore, be approached indirectly by tracing the advance of Scots on the assumption that, as the use of Scots expanded, so the use of Gaelic would have contracted. As will be shown, it is probable that Scots first replaced Gaelic as the language of the upper strata of Galwegian society and then worked its way downwards until even the poorest cottars and crofters became Scots speakers. As the use of Scots came to predominate in the public sphere, the opportunities to use Gaelic would have been reduced to the domestic sphere, before the final stage of 'language death'[8] occurred and Gaelic became extinct in Galloway.

If the Old English speakers of Northumbria had become as well established in south-west Scotland as they were in south-east Scotland, their language might have survived in Galloway. Instead, as discussed in Part One of this study, Gaelic replaced Old English and (despite Buchanan) the indigenous Brittonic as the language of Galloway and south-west Scotland. Then, in the later twelfth century, speakers of what was now Older Scots or Middle English were introduced. Some arrived from Rievaulx in Yorkshire when Dundrennan Abbey was founded by Fergus of Galloway in 1142. Others arrived later and are associated with some, but not all, of the Norman-style mottes which dot the landscape of Galloway. Christopher Tabraham has made a detailed study of the 33 mottes found in the central Stewartry. Of these, Tabraham identified twenty-four as Norman-type and found charter evidence linking eleven of them to non-native (i.e. Older Scots or Middle English speaking) land owners.[9] Potentially, there could have been a spread of Older Scots or Middle English from the motte sites into the surrounding Gaelic speaking countryside which would have left a mark in the form of place name evidence. Unfortunately, although such evidence exists, it is difficult to disentangle place names created during the twelfth and thirteenth centuries from place names with older Northumbrian or Scandinavian origins.

This problem becomes apparent when Tabraham's study of Norman settlement in Galloway is compared with Daphne Brooke's study of Northumbrian settlement in Galloway and Carrick.[10] Brooke found (mainly place name) evidence for Northumbrian settlements in fourteen Stewartry parishes: Anwoth, Balmaghie, Borgue, Buittle, Colvend and Southwick, Girthon, Kells, Kelton, Kirkbean, Kirkcudbright, Parton, Rerrick, Twynholm and Urr. Excluding Kirkbean which was not surveyed by Tabraham; out of the remaining thirteen parishes Tabraham found Norman-style mottes in eleven of them. The exceptions were Balmaghie and Kells where Tabraham identified potential motte sites at Duchrae in Balmaghie and Kenmure in Kells as later medieval sites.

For Balmaghie, Brooke argued that the 'Nederhall in cella de Kirkandres'[11] found in a charter dated circa 1240 is Netherhall in Balmaghie (St. Andrew's) parish and that it was an

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8 Crystal D *Language Death* (Cambridge, 2002) p.79.

9 Tabraham C 'Norman Settlement in Galloway' in Breeze D (ed.) *Studies in Scottish Antiquity* (Edinburgh, 1984) p.120.

10 Brooke D 'Northumbrian Settlement in Galloway and Carrick' *Proceedings of the Society of Antiquaries of Scotland* (1991) vol.121.

11 *The Register of the Priory of St Bees* (Durham and London, 1915) pps.97-8, No.67.

Old English place name implying Northumbrian settlement. However, Oram[12] suggests that the Bernard of Ripley who made the donation to which the charter refers probably gained Kirkandrews through marriage to a daughter of either Robert or William de Campania. If so, then the now lost Nederhall would have been adjacent to the de Campanias' lands of Castleton in Borgue mentioned in a Lindores Abbey charter of 1260.[13] Netherhall in Balmaghie is only 1 km from Threave castle and was part of Threave Grange (later Threave Mains) so would be a Scots place name.

For Kells, Brooke identified Burned island on loch Ken as the location variously named in the *Exchequer Rolls* as Irisbutil, Erysbutil, Arsbutil, Erthbutil and Arthbutil and which contains the Old English place name element *botl.* This was a £6 land granted to John Cairns by James II in 1456,[14] but after 1477, there is no mention of Arsbutil in the *Exchequer Rolls* until 1566 when Yrisubutil is given as 'alias Orchartoun', and this is repeated again in 1592.[15] Orchartoun is Orchardton in Buittle parish and the distinctive round tower-house at Orchardton was built soon after 1456 by John Cairns, who is described as 'of Orchartoun' in January 1468.[16] We can therefore be certain that the Arsbutil granted to John Cairns by James II in 1456 was not in Kells parish but in Buittle parish. This also means that the 'insula Arsa' of Edward Balliol's 1352 charter[17] was probably Threave island on the river Dee not Burned island on loch Ken nor Arsbutil in Buittle.

A possible source of the confusion over the dating of the place names is that most of the twelfth and thirteenth century charters used by both Brooke and Tabraham refer to donations to local churches and chapels. Rather than extensive Northumbrian estates, Brooke's evidence could equally reveal the survival of strategically-sited Northumbrian religious houses. For example, Tabraham notes that Twynholm, as well as possessing a Norman-style motte in the present day village, also possessed a church in 1180 with William fitz Gamel as the landowner circa 1200-1234. This combination of motte, church and charter evidence could indicate a twelfth century origin for Twynholm. Alternatively, recent research by Alan James points to a potential Northumbrian origin as a mynster, a monastic -ham.[18] Kirkcudbright provides an example of Northumbrian religious survival into the twelfth century where 'although the community appears to have been thoroughly Gaelicised in its character, the veneration of Cuthbert continued to play a key part in its spiritual life.'[19]

A much clearer indication that Scots as a language had become established in Galloway by the end of the thirteenth century is revealed in a charter by Edward I to Dundrennan Abbey, recorded at Westminster on 15 October 1305:

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12 Oram R *The Lordship of Galloway* (Edinburgh, 2000) p.229.
13 *Chartulary of the Abbey of Lindores 1195-1479* (Edinburgh, 1903) p. 137, No.CXVIII.
14 *Exchequer Rolls*, vol. VI, p.262.
15 *Exchequer Rolls*, vol. XIX, p.551 and vol. XXII, p.469.
16 *Registrum magni sigilli rerum Scottorum* (Edinburgh, 1882-1914) vol. 2, No. 976, p.202.
17 Beam A *The Balliol Dynasty* (Edinburgh, 2008) p.342, No.71.
18 James A 'Scotland's -ham and -ingham Names' *Journal of Scottish Name Studies* (2010) vol.4 p.117.
19 Oram R *The Lordship of Galloway*, p.171.

> Charter to the Abbot and convent of Dundraynan, of free warren in their demesne lands of Gairstange, Newelathe, Ourelathe, Nethrelathe, Aghengoile, Oure Reraik, Nethre Reraik, Roskerald, Aghencarne, Clonfinaghe, Barlocwod, Barlock, the isle of Estholm, the hospital of Crithe, Kirkpatrick Durand, and Aghenkippe in the county of Dunfres, and Biskeby and Culfaldan in the county of Wigton.[20]

Here, amongst the Gaelic and Scandinavian place names can be found the first examples in Galloway of the Scots affixes Over and Nether. Along with Middle, Meikle and Little, these affixes begin to appear through the division of farms owned by the Douglases in Buittle in the later fourteenth century and then in Kelton, Borgue, Colvend and Southwick, Urr and Kells in the Stewartry and Glasserton in Wigtownshire by 1455. But if Scots had become established in Rerrick by 1305, could it have been present elsewhere? Not necessarily, since as Richard Oram has pointed out 'Despite all the 'Normanised' aspects of their characters, the lords of Galloway were Celtic lords, and it was on their Celtic aristocracy and people that Devorgilla, like Alan, Roland and Uchtred before her, depended for their power and position.'[21]

If the 'power and position' of Galloway's lords depended upon their 'Celtic roots', why did they grant lands to non-Gaelic speakers like the de Morvilles, whose impressive motte still stands in Borgue? The answer might lie in what Archibald Grant described as a 'remarkable document'[22] dated to between 1162 and 1189. This provided that the brethren of the hospital of Lauder should send their ploughs to the lord's smith who 'shall make all the irons of their ploughs and those things of iron which pertain to their ploughs.' This is the first clear evidence for the use of the wooden built, iron tipped and oxen drawn 'old Scots plough' which was to survive until replaced by cast-iron ploughs in the later eighteenth century. The lord referred to in the document[23] was Richard de Morville, whose daughter, Elena or Helen, married Roland (Lachlann) of Galloway circa 1176. The Boreland of Borgue motte was built either by Richard's father Hugh or (more likely) by his brother Hugh circa 1160-1172.[24] If, as Grant suggested, the de Morvilles can be associated with agricultural improvement in Lauder, there may be a similar connection in Galloway. Rather than being introduced primarily for their military skills, the lords of Galloway may have introduced the motte-builders to gain access to their more advanced agricultural knowledge. While this may have risked a dilution of their 'Celtic' (Gaelic) power base, it would have been balanced by a corresponding increase in arable production through the more intensive exploitation of ploughable land. If peaceful conditions had prevailed after Devorgilla's death in 1290, the English orientation of her son John and grandson Edward would probably have seen the gradual loss of Galloway's Gaelic identity and language. Instead, the death of Alexander III in 1286 heralded 86 years of conflict and disruption which only ended with the establishment of the Douglas lordship of Galloway by Archibald the Grim in 1372.

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20 *Calendar of Documents Relating to Scotland*, vol. 2, No.1702.
21 Oram R *The Lordship of Galloway*, p.213.
22 Grant A *Scotland, the Making of a Kingdom* (Edinburgh, 1978) p.310.
23 *Liber St Marie de Dryburgh* (Edinburgh, 1847) p.269.
24 Tabraham C 'Norman Settlement in Galloway' p.98.

These years of conflict had an impact on the linguistic balance of power in Galloway. One consequence was that the links which had existed between Galloway and northern England were broken. Although the final break was not made until 1430, after 1355 the Archbishops of York had no effective influence over the See of Whithorn and in 1368, Holm Cultram Abbey in Cumbria gave up their Galloway lands 'on account of the hostility to the English which had resulted from the recent wars.'[25] The same hostility also contributed to the disappearance of the mainly Cumbrian families who had held lands in the 'Normanised' districts of Galloway. In Wigtownshire, the de Vieuxponts, who acquired Sorbie in the late twelfth century, are last recorded in the late thirteenth century and then 'vanished from the social landscape as effectively as if they had never existed.'[26] In Borgue, the de Campanias seem to have held their lands until 1307 when 'Huwe de Champagne' informed Edward I that the value of his lands had been diminished by the Scottish war. Hugh must have died soon after, since later that year Edward I gave 'Dungal Mac Douyl junior' permission to marry Hugh's daughter and heir.[27] The McDowalls were to remain in possession of Borgue until 1370 when Archibald Douglas granted Borgue to his kinsman James Douglas of Dalkeith.[28] The McDowalls may also have acquired all or part of Kelton, Senwick and Twynholm.[29] More certainly, in 1358, Dougal McDowall was in possession of lands in Colvend and Kirkcarswell in Rerrick. The Kirkcarswell estate included 'Littilgretby' (Gribdae).[30] Tabraham noted a Norman style motte and bailey at West Kirkcarswell.

Richard Oram has suggested that the McDowalls became the leading kindred after Alan of Galloway's death in 1234.[31] If this is correct, it helps to explain the significant role they played in opposition to Robert I and Edward Bruce (who was made lord of Galloway by Robert I circa 1309) until 1313 and then David II after 1332. The McDowalls' continued importance would also have helped to maintain Galloway's distinctive Gaelic identity. For David II, the danger was that the English might, as they had in the past, exploit the Galwegian kindreds' regional loyalty in any future conflict with Scotland. Yet even after 1357, 'royal authority in Galloway remained unconvincing. Until the latter half of the next decade David was unable to raise revenue or hold justice ayres in this region which remained largely under the influence of native kindreds beyond the pale.'[32]

After Edward Balliol's death in January 1364, David considered disposing of the fractious province by granting the lordship of Galloway to John of Gaunt (a younger son of Edward III) as part of a peace treaty with England,[33] but by 1366 the idea had been dropped.

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25 McCulloch A *Galloway a Land Apart* (Edinburgh, 2000) p.195.
26 Oram R *The Lordship of Galloway* p.203.
27 *Calendar of Documents Relating to Scotland*, vol. 2, No.1984, p.527 and No.1905, pps.506-7.
28 Brown M *The Black Douglases*, p.63.
29 *Registrum magni Sigilli*, vol.1, Appendix 2, p.580, No.1006; p.590, No.1147 and p.593, No.1193.
30 *Registrum magni Sigilli*, vol.1, page 63, No.206.
31 Oram R *The Lordship of Galloway*, p.157.
32 Penman M *David II 1329-71* (Edinburgh, 2005) p.208.
33 Penman M *David II*, p.333.

In 1364, David appointed Archibald Douglas, James Douglas' illegitimate son, as warden of the West March, which stretched from Eskdale to the Cree. Presumably it was only after the possibility of John of Gaunt being gifted Galloway was given up that Archibald advanced beyond the 'pale' to take control of eastern Galloway. This was accomplished by September 1369 when David granted Archibald the royal lands between the Nith and the Cree. David had granted Malcolm Fleming Galloway west of the Cree in 1341, as the earldom of Wigtown.[34] However, neither Malcolm nor his grandson Thomas, who succeed him, were able to exercise control over their portion of Galloway.

David II died on 22 February 1371 and almost exactly a year later, Archibald Douglas added western Galloway to the eastern half he already possessed:

> Charter by Thomas Flemyng, Earl of Wygtoun, by which of his own free will, in his great and urgent necessity, and especially on account of the great and grievous enmity that had otherwise arisen between him and the greater native inhabitants of his foresaid earldom, he demits, alienates and sells, for himself and his heirs, to Sir Archebald of Douglas, knight, lord of Galloway on the east side of the water of Crech, all his earldom of Wygtoun aforesaid … For which alienation and sale of the earldom the said Thomas acknowledges to have received in his great and urgent necessity, and for paying his debts in divers places, from Sir Archebald, five hundred pounds sterling, good and legal money, of which he discharges Sir Archebald, his heirs and executors. Dated at Edinburgh, 16 February 1372.[35]

Michael Brown has suggested that Archibald, with his mastery of the Galwegian kindreds, may have supported the 'greater native inhabitants' in their opposition to Thomas Fleming and was probably already in control of Wigtownshire by 1372.[36] Significantly, although later sources claimed that Galloway was 'won in war' by Archibald, there is no contemporary evidence for rebellion or unrest in Galloway during the 1360s.[37] Nor was there any English presence in Galloway, unlike the situation in Annandale, where Lochmaben Castle remained in English hands until 1384. Archibald may have negotiated his takeover of Galloway with the Galwegian kindreds, tempting them with the restoration of the lordship as an alternative to David II's plan to gift Galloway to John of Gaunt.

To develop this suggestion, it should be remembered that even in his late thirties (circa 1358) 'Archibald seemed destined to remain a landless and illegitimate knight, an important but dependent relative of the new Douglas earl [William, first earl of Douglas].' However, by his death forty-two years later, Archibald held unparalleled lands and power in southern Scotland.[38] For the ambitious but landless Archibald, Galloway offered both land and military power. For the Galwegian kindreds, the death of Edward Balliol without an heir in 1364 broke the last tie between Galloway and its 'special lords'. Support for Archibald

34 Penman M *David II,* p.82.
35 Fraser W *The Douglas Book* (Edinburgh, 1885) vol. III, p.396, No.327.
36 Brown M *The Black Douglases,* p.65.
37 Penman M *David II,* p.388.
38 Brown M *The Black Douglases,* p.53.

Douglas's bid to make himself the new lord of a united Galloway may have seemed the best (or least worse) available option. Certainly, once in power, Archibald allowed the McDowalls to retain their lands in Wigtownshire and successfully defended the traditional *leges Galwidiensis* when an attempt was made to suppress them in 1384. The heads of kindreds were able to retain their importance and became 'vital allies', with the McDowalls and McCullochs 'providing men and ships for Douglas military expeditions.'[39]

Although the Douglas lordship may have preserved the territorial integrity of Galloway, ultimately this was at the expense of Galloway's Gaelic identity. The decline in the importance of Gaelic is likely to have begun in August 1388, when Archibald became the third earl of Douglas.[40] Galloway now became only one part of Archibald's extensive landholdings and his castle at Threave became the administrative centre for an already established Scots speaking earldom. Instead of being the majority language of Archibald's territory, Gaelic now became a minority language. As a further consequence, the relative importance of leading native families like the McDowalls, McCullochs and McLellans would have been diminished. Most administrative documents were still written in Latin in the fourteenth century, but in 1393 a document was composed and recorded in Scots for Archibald as earl of Douglas and lord of Galloway concerning the barony of Preston and the 'landis of Mekyl Bregaugh of Bregaughlug and Castlegour' in Buittle.[41] In 1418, Archibald the fourth earl of Douglas, received a complaint from his tenant, William Hay of Lochorwart, concerning his lands of Auchtquhowne (in Mochrum, Wigtownshire) that 'he can noucht gett payt his mails and als thrucht eting of diverse tharby his samyn landis ar gretly skathit' and the earl commanded his officers 'to distress al them that with ettying or ony vthir supprition' had damaged his lands.[42]

Perhaps significantly, William Hay was from Midlothian and the previous tenant of Auchtquowne was Patrick McCulloch who resigned his lands to the earl in 1414,[43] so it is likely that it was Patrick who was subsequently 'distressed' by Archibald's officers. At some point the McCullochs must have regained the lands, since in 1504, Alexander McCulloch had the lands of Mertoune and Auchquonwane made into a barony. The allocation of lands in Galloway to a Scots speaker from Midlothian was not an isolated occurrence. During the late fourteenth and early fifteenth centuries, out of the twenty-eight modern parishes in the Stewartry of Kirkcudbright, Scots speakers acquired lands in twenty-three of them. The remaining five parishes (Rerrick, New Abbey, Kirkpatrick Durham, Tongland and Crossmichael) were Church lands. The Douglas lordship had the most extensive landholdings, but the Herries became significant land owners in the eastern Stewartry and the Gordons in the Glenkens. Out of the seventeen modern parishes in Wigtownshire, with the exception of New and Old Luce, which were owned by Glenluce Abbey, Scots speakers were planted in all the other fifteen parishes.[44] Compared to the late

39 Brown M *The Black Douglases*, p.172.
40 Brown M *The Black Douglases*, p.76.
41 *Registrum Honoris de Morton* (Edinburgh,1853) vol.II, p.190, No.200.
42 Fraser W *The Douglas Book* vol.III, p.412, No.371.
43 Fraser W *The Douglas Book* vol.III, p.410, No.367.
44 Based on analysis of: McKerlie P *Lands and their Owners in Galloway* (Edinburgh, 1877).

twelfth century settlement of Middle English or Older Scots speakers, the introduction of Middle Scots speakers was more extensive and enduring, amounting to a Scots plantation of Galloway.

Taken altogether, the combination of a Scots speaking Douglas lordship, the decline in importance of the native kindreds and the plantation of Scots speakers would prove fatal for the survival of Gaelic in Galloway. An additional factor may have been depopulation and the economic impact of nearly 100 years of civil war. In the 1360s, the rents of the baronies of Buittle and Preston were 'between a half and a quarter of their pre-war levels' and when an accidental fire damaged Sweetheart Abbey in 1381, 'its rents proved insufficient to fund reconstruction because of depopulation of its estates.'[45] Since medieval arable farming was more labour intensive than livestock farming, the impact of depopulation would have been most strongly felt in the 'Normanised' districts of Galloway. Livestock could be driven off and dispersed when threatened by raiders, while stores of grain and cumbersome wooden ploughs could not. If the Gaelic kindreds had specialised in livestock farming, this would have given them an advantage during the civil war years. Once more peaceful conditions prevailed under the Douglas lordship, restoring arable production would have become possible and this had certainly been achieved by 1455. The densest clusters of Douglas lands to be forfeited that year were in the Wigtownshire Machars and the lower Dee valley in the Stewartry. In the Machars, Baldoon, Lybrack, Little Arrow, Arbrack and Kidsdale were arable grange lands and in the Stewartry, Kelton, Threave, Spottes (in Urr) and Senwick (in Borgue) were likewise. The Scots names of Whitepark and Carlingwark farms (Quhitpark and Carlynwerk in 1456) in Kelton suggest that as well as introducing Scots speakers as major tenants, the Douglases also brought in Scots speaking farm workers.

If the Galwegian kindreds were in a relative strong position in the 1360s, does this mean that Gaelic was also in a strong position? This does not necessarily follow. While there may have been an expansion by Gaelic speakers (led by the McDowalls) into the 'Normanised' districts, Galloway's Gaelic community must also have experienced population loss through warfare. With the region's agricultural infrastructure also damaged, it would have taken a prolonged period of peace and the absence of external influences for the Gaelic population to have been able to expand to fill and farm the land available. However, before this recovery could take effect, Scots speakers had firmly established themselves in Galloway. If Gaelic had been able to retain its importance in Galloway, there could have been a shift from Latin to Gaelic rather than Scots in written documents. This occurred on Islay in 1408, where a charter by Donald, lord of the Isles, was written in Gaelic instead of Latin,[46] but unlike Islay, in Galloway, Scots replaced Latin as the public and administrative language and had become the 'language of record' of the baron court of Whithorn by 1438:

> Al that this present letter heris or seis, wit ye us Thomas McIlhauchausy, prior of Quitheren, til haf giffen an inquwist on our baron court of Qwithern of the best and the worthiest thar beand, til Paton McMartyn, of the Schapel of Sanct Molinor

45 Brown M *The Black Douglases*, p.171 and p.185.
46 Caldwell D *Islay The Land of the Lordship* (Edinburgh, 2008) p.121.

> and the croft lian in our land of Culmalow, the qwilk inqwist sworn fand that the said Paton McMartyn was nerest ayr and lachfull to the said Schapell and croft wyth the pertinens and til haf gus in the comon of Culmalow til aegt som and a neit and hir folowaris and a sow and hir brud and a gus and hir brud. In witnes of the qwilk thing at the inqwest of diverse gentil and sundry otheris thar beand we haf set our sel at qwitthern the xi day of the moneth of Juni the year of our Lord m$^{c}$ ccc$^{mo}$ and acht and thirty yer, before thir witnes- Rolland Kenedy, Eben Galnusson and also Eben McGaryl and mony others.[47]

Another way in which Scots spread was through its use in tacks (leases). Where landlord and tenant farmer were both Gaelic speakers, most tacks would have been verbal agreements made in Gaelic, with only the more important tacks recorded in Latin. After the plantation of Galloway with Scots speaking land owners, Scots became the language used for first verbal and then written tacks. In the *Wigtownshire Charters,* there is an example of one such tack written in Scots:

> 1475, April 5 At Edinburgh. Tack (in the vernacular) for a period of 19 years from the date of redemption, by Ochre Makdowle of Logane to Thomas Makelle of Barskeauch, his heirs and assignees, of the 2 ½ merkland called Achagilzan within the lordship of Logane now wadset to the said Thomas by charter and sasine. Witnesses : Mr. Richard Learmonth, parson of ye Hauch, Schir Thomas Fermour vicar of Quhittyngean, Thomas Mondvale, Schir Henry Mondvale chaplain and Robert Marciale N.P. [48]

Another example of a fifteenth century tack 'in vernacular' is dated 9 January 1497. It is also for nineteen years and concerns lands in the barony of Longcastle. It includes the power to remove tenants and cottars.[49] By this time it is unlikely that the tenants and cottars were still Gaelic speakers, but it illustrates how the use of Scots as the language of administration and land management would have familiarised Gaelic speaking tenants and cottars with the use of Scots on an everyday basis. Over the course of as little as two or three generations, the use of Scots in the day to day management of farms would have brought about an initial phase of Scots/Gaelic bilingualism followed by a decline in the use and knowledge of Gaelic.

The advance of Scots would have been fastest in the populous and fertile farmlands closest to the burghs of Whithorn, Wigtown and Kirkcudbright, and around Threave castle. The Scots language of the Wigtown Burgh Court Book 1512-1534 has been analysed by Joanna Bugaj. Bugaj notes that '[the Burgh Court Book] has no passages written in Gaelic or translated into or from Gaelic. There is no mention of interpreters needed for trials or for documents, therefore one may infer that Scots was a well established means of communication, at least at the administrative level in the burgh.' On the morphology (structure) of the south-western dialect of Middle Scots, Bugaj states 'it cannot be said to

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47 *Wigtownshire Charters, Reid* R (ed.) (Edinburgh, 1960) p.32.
48 *Wigtownshire Charters*, p.170, No.149.
49 *Wigtownshire Charters*, p.179, No.167.

exhibit Gaelic influence.'[50] These findings help to clarify the process of language change in Galloway. They imply that it was a top-down, one-way process with Scots speakers in a sufficiently powerful position to impose their language on less powerful (even if more numerous) Gaelic speakers. This lack of Gaelic influence suggests that the south-western Middle Scots dialect had its origins in the plantation of Scots speakers in Galloway begun by David II and completed by the Douglas lords of Galloway. It is also likely that the decline of Gaelic was a rapid rather than a prolonged process, with Gaelic effectively extinct by the mid-fifteenth century.

Could Gaelic have survived for longer in the more remote upland farms? This is a possibility, but although physically remote from the more populous lowlands, once Scots had replaced Gaelic as the everyday language of the lowlands even in the uplands a knowledge of Scots would have become essential. Scots would have been the language used in dealings with landlords and when buying and selling livestock. Although oats and bere (barley) were grown on upland farms, any shortages had to be made up from the surplus produced in the lowlands which was sold through markets, as Symson noted:

> [Minnigaff village] hath a very considerable market every Saturday, frequented by the moormen of Carrick, Monnygaffe, and other moor places, who buy there great quantities of meal and malt, brought thither out of the parishes of Whitherne, Glaston, Sorbie, Mochrum, Kirkinner &c.[51]

While Symson's description of the market at Minnigaff comes from much later, such exchanges between lowland and upland economies were long standing and would have facilitated the spread of Scots. As an earlier example of the integration of upland and lowland economies, amongst the lands forfeited by the ninth earl of Douglas in 1456 were the farms of Over, Nether and Middle Airds (Uvirard, Middilard and Nethirarde), Middle Barskeoch and Nether Barskeoch (Midilbernskeoch and Nethirbernskeoch) in Kells parish in the Glenkens.[52] These represent the takeover and expansion of farms originally created by Gaelic speakers by the new Scots speaking lords of Galloway. However, in his studies of Wigtownshire place names, John McQueen has found possible evidence for the later survival of Gaelic in Penninghame.[53] There is a record from 23 December 1506 of a farm called Mekle Elrick, but on 16 September 1507 the same farm is recorded as Heilrickmore along with Neilrickbeg.[54] Mór means meikle in Gaelic and beag means little. The difficulty with this evidence is that it is exceptional, being the only known example from Galloway of the use of Gaelic mór and beag rather than the Scots meikle and little for the naming of a divided farm. If Gaelic had survived into the later fifteenth or early sixteenth centuries, the use of mór and beag rather than meikle and little in the naming of divided farms would have been more widespread.

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50 Bugaj J *Middle Scots inflectional system in the south-west of Scotland* (Frankfurt, 2004) p.80 and p.172.

51 Symson A *Large Description of Galloway*, p.30.

52 *Exchequer Rolls*, vol. VI, p.345.

53 McQueen J *Place-names of the Wigtownshire Moors and Machars* (Stranraer, 2008) p.128.

54 *Registrum magni Sigilli*, vol.2, p.643, No.3018 and p.669, No.3134.

If it was the absorption of the lordship of Galloway into the Scots dominated earldom of Douglas which brought about the extinction of Gaelic in Galloway, could Gaelic have survived later in neighbouring Carrick? In Carrick, as Hector McQueen has argued, the Kennedy family may have helped to conserve the Gaelic traditions, laws and language of the district into the sixteenth century.[55] A key part of McQueen's argument is that in 1372 Robert II appointed John Kennedy of Dunure to the offices of kenkynoll (head of kin), ballie of Carrick and keeper of loch Doon castle. Significantly, these appointments were made on 1 October 1372. On 7 October 1372, Robert II finally confirmed Archibald Douglas's purchase of Thomas Fleming's lands in Wigtownshire – seven months after the original transaction.[56] Robert II, unlike Thomas Fleming, did not describe Archibald as 'lord of Galloway' in the confirmation charter.

It could have been, as McQueen suggests, John Kennedy who took the initiative following the death of David II 'to push forward a claim, the details of which were hazy even to contemporaries but which no-one, given the demise of the Carricks, was in a position to resist.'[57] Alternatively, given the timing of the awards to John Kennedy, Robert II may have been more interested in countering Archibald Douglas' advance into western Galloway. Before the battle of Neville's Cross in 1346 (where Alan Stewart was killed[58]) John Kennedy had continued the tradition of raiding Galloway from Carrick:

> Bot in Karryk Jhon Kennedy
> Warryid Gallwa sturdily;
> He and Alan Stewart, tha twa
> Oft dyd the Galluays mekill wa;
> (Yht the Balliol all that qwhill
> In Gallwa was at the Byrnt-yle)[59].

The last of the kenkynnol in Carrick was John Kennedy's great-grandson Gilbert, who died in 1479[60] and in Galloway a McDowall resigned as 'hed of kyne in the partis of Galwaye' in 1473.[61] In 1490, the Scottish parliament abolished the last of the traditional laws of Galloway and Carrick since they were 'inconsistent with common law.'[62] While it is possible, as McQueen argues, that Gilbert Kennedy's son Walter was a Gaelic speaker, Walter Kennedy's defence of 'Irisch' (Gaelic) in *The Flyting of Dunbar and Kennedy* is ambiguous:

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55 McQueen H 'The Kin of Kennedy, Kenkynoll and the Common Law' (Edinburgh, 1991).
56 *Registerum magni Sigilli*, vol.1 pps.184-186, Nos.507-510.
57 McQueen H 'The Kin of Kennedy'p.286.
58 Penman M *David II*, p.136.
59 Wyntoun A *The Orygynale Cronykil of Scotland*, Laing D (ed.) (Edinburgh, 1872) vol.II, p.477.
60 McQueen H 'The Kin of Kennedy' p.287.
61 McQueen H 'The Laws of Galloway' (Edinburgh, 1991) p.132.
62 McQueen H 'The Laws of Galloway' p.139.

Thou lufis nane Irisch, elf, I understand,
Bot it suld be all trew Scottis mennis lede;
It was the gud language of this land,
And Scots it causit to multiply and sprede …[63]

In these lines, Kennedy is defending the historic importance of a Gaelic which was once the 'good language of this land' and which should be the language of all true Scots. This is a defence of Gaelic at a national level, not a defence of the particular Gaelic traditions and laws of Carrick and can hardly apply to Galloway where Gaelic traditions and identity were the focus for resistance to the Scots.

It is difficult to bring this study to a neat conclusion since both the beginnings and the end of Gaelic in Galloway remain elusive. The North Channel may well have provided an early bridge over which Irish Gaelic crossed into the Rhinns of Galloway. However, it is unlikely that Gaelic spread very far beyond the Rhinns until the tenth century and the arrival of Gaelic speakers with hybrid Viking/ Gaelic ancestry. The Gall-Ghàidheil, who gave their name to a 'greater Galloway' which embraced most of south-west Scotland, were only one group of these Gaelic speakers. By 1100, Gaelic was firmly established as the language of 'greater Galloway'. During the reign of David I (1124-1153), most of this territory was absorbed into Scotland, apart from the 'lesser Galloway' (which included Carrick) controlled by Fergus of Galloway. Under pressure from the Scots, a distinctive Galwegian identity was forged in this region. Anthony Smith has compiled a list of features which define an ethnic group or *ethnie* – a collective name, a shared history, a distinctive shared culture, association with a specific territory, a sense of solidarity and a common myth of descent.[64] With the possible exception of the last, the people of Fergus' Galloway meet Smith's criteria and the Galwegian *ethnie* survived even the death of Fergus' great-grandson Alan, described as *ri gall-ghaidil,* king of the foreign Gaels, in the *Annals of Ulster*.[65] Alan's great-grandson Edward Balliol was able to draw on the Galwegian kindreds' loyalty to him as their 'special lord' and Balliol's last toe-hold on Scottish soil was in Galloway.

Even after 1357, when David II was the unchallenged ruler of Scotland, the Galwegian kindreds were by now so firmly entrenched that David was unable to assert control over Galloway. Taking advantage of the situation, between 1366 and 1372, Archibald Douglas revived the lordship of Galloway, possibly with the help of the Galwegian kindreds. However, after Archibald became earl of Douglas in 1388, the lordship of Galloway became only one part of his extensive land holdings. This shifted the balance of linguistic power in Galloway decisively in favour of Scots. Significantly, in 1455, when James II besieged Threave castle, there was no uprising in defence of the Douglas lordship of Galloway. Ever since the rule of Fergus over 300 years before, Galwegians had supported their 'special lords' and resisted the absorption of Galloway into Scotland. The Gaelic language was a vital part of Galwegian identity, providing continuity with an older past which survived

63 McQueen H 'The Kin of Kennedy' p.279.
64 Smith A *The Ethnic Origin of Nations* (Oxford, 1986) pps.22-31.
65 *Annals of Ulster* (Dublin,1893) vol. II, p. 290.

the death of Edward Balliol. The Douglas lordship preserved the appearance of continuity with Galloway's past, but as Scots displaced Gaelic, the substance of Galwegian identity was lost. By 1455 then, it is likely that the people of Galloway had become Scots in both language and identity, peacefully accepting the loss of the Douglas lordship of Galloway and with it the last symbol of their independent history and separate identity.

**Sources and References**

Aikman J (ed.) *The History of Scotland translated from the latin of George Buchanan* (Glasgow, 1827).
*Annals of Ulster* (Dublin,1893).
Armstrong R 'Military Report on the Districts of Carrick, Kyle and Cunningham' *Archaeological and Historical Collections Relating to Counties of Ayr and Wigton* (Edinburgh, 1884) vol. IV.
Beam A *The Balliol Dynasty* (Edinburgh, 2008).
Breeze D (ed.) *Studies in Scottish Antiquity* (Edinburgh, 1984).
Brooke D 'Northumbrian Settlement in Galloway and Carrick' *Proceedings of the Society of Antiquaries of Scotland* (1991) vol.121.
Brown M *The Black Douglases* (Edinburgh, 2009).
Bugaj J *Middle Scots inflectional system in the south-west of Scotland* (Bern, 2004).
Caldwell D *Islay – the Land of the Lordship* (Edinburgh, 2008).
*Calendar of Documents Relating to Scotland.*
*Chartulary of the Abbey of Lindores 1159-1479* (Edinburgh,1903).
*Chronicon de Lanercost* (Edinburgh, 1839).
Crystal D *Language Death* (Cambridge, 2002).
*Exchequer Rolls of Scotland* (Edinburgh,1878-1908).
James A 'Scotland's -ham and -ingham Names' *Journal of Scottish Name Studies* (2010) vol.4.
McCulloch A *Galloway A Land Apart* (Edinburgh, 2000).
McKerlie P *Lands and their Owners in Galloway* (Edinburgh,1877).
McQueen H 'The Laws of Galloway' in Oram R and Stell G *Galloway Land and Lordship* (Edinburgh, 1991).
McQueen H 'The Kin of Kennedy, Kenkynoll and the Common Law' in Grant A and Stringer K *Medieval Scotland, Crown Lordship and Community* (Edinburgh, 1993).
McQueen J *Place-names of the Wigtownshire Moors and Machars* (Stranraer, 2008).
Ferguson W *The Identity of the Scottish Nation* (Edinburgh, 1998).
Fraser W *The Douglas Book* (Edinburgh, 1885).
Grant A and Stringer K *Medieval Scotland, Crown Lordship and Community* (Edinburgh, 1993).
*Liber St Marie de Dryburgh* (Edinburgh, 1847).
Oram R and Stell G *Galloway Land and Lordship* (Edinburgh, 1991).
Penman M *David II 1329-71* (Edinburgh, 2005).
*Register of the Priory of St Bees* (Durham and London, 1915).
*Registrum Honoris de Morton* (Edinburgh,1853).
*Registrum magni sigilli rerum Scottorum* (Edinburgh, 1882-1914).
Ryrie A *The Age of Reformation* (Harlow, 2009).
Smith A *The Ethnic Origin of Nations* (Oxford, 1986).
Symson A *Large Description of Galloway* (Edinburgh, 1823).
Tabraham C 'Norman Settlement in Galloway' in Breeze D (ed.) *Studies in Scottish Antiquity* (Edinburgh, 1984).
Watt J *Dumfries and Galloway a Literary Guide* (Dumfries, 2000).
*Wigtownshire Charters*, Reid R (ed.) (Edinburgh, 1960).

# MEDIEVAL WOODLAND MANAGEMENT IN SOUTHERN SCOTLAND

John M. Gilbert[1]

*There is documentary evidence for the management of woods in southern Scotland in the medieval period. At Coldingham, from the 12th to the 15th centuries, the abbey managed at least some of its woods by directing cutting to certain areas, by using servants to supervise cutting and in the 15th century, and probably earlier, by enclosing some woods. Kelso Abbey placed an area of woodland in defence in the Monynut area in the 12th century and in Gala and Leader forest pressure on woodland and other resources led to disputes, the settlements of which throw light on woodland management and the possible use of pollarding. The wood banks on Bowden Moor, previously described in these Transactions, may well centre on a dispute in the 12th century over a divided wood and there is evidence from Jedburgh in the 13th century of enclosure of woods and of the use of quick-set hedges either in the 13th century or earlier. Teinds of underwood are also recorded for Teviotdale in the 12th century and point to the harvesting of coppices at that time. In the Bowmont valley in the 12th and 13th centuries Anselm de Mow and then Richard de Lincoln held several woods in their fief of Mow and their grants to Melrose and Kelso abbeys show that in certain instances they tried to manage their woods by limiting cutting to spring and summer and by stipulating a 10 to 15 year rota for cutting wood. Combined with the palynological evidence from the area this all points to a system of coppicing, but coppicing is nowhere mentioned in the sources nor do the sources explain how these arrangements affected common rights or the practices of the local population as a whole. In the South-West the place name Hardgrove points to the existence of coppicing probably as early as the 7th century and in Annandale at Stapleton enclosure of common wood took place in the 13th century. In the 15th century at Woodcockair the Crown had rented the vert of the wood which suggests management and regular cropping of the wood. Between Dalbeattie and Dumfries there is some suggestion that in the later 12th century the lords of Galloway were trying to manage their woods to meet the demands being made on them both for pannage and for fuel. There are no direct descriptions or accounts in the medieval period of the ways in which woods in Scotland were managed and so it is only by a process of deduction, such as this article attempts to carry out, that a cumulative picture begins to emerge.*

In medieval Scotland wood was an essential resource which was used for all sorts of construction ranging from castles and cathedrals, to urban and rural dwellings, to sheep folds and fences. It was also used for weapons, for fuel, for tools and for numerous other agricultural, industrial and domestic uses. Ploughs, mill posts, carts, cups and bowls all required wood as did the processes of tanning, making charcoal and making salt.

The wood put to these uses falls into two basic categories: a) timber used for floors, roofing and big construction and b) smaller wood used for fuel and for constructing fences,

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wattles and agricultural implements. This smaller wood is divided into rods and poles, rods being thinner and more flexible than poles. Rackham has defined rods as under 5cms in diameter and poles as over 5cms in diameter.[2] Wattle fences would use thicker poles for the uprights or stakes and the more flexible rods, also called withies, would be woven between them. Long before the medieval period, systems of woodland management had been developed to ensure a sustainable supply of these resources.[3] In medieval England their use has been studied in some detail by O Rackham[4] and in Scotland with some focus on the medieval period by A Crone, P Quelch, C Smout, R Tipping, F Watson and others.[5]

The basic principle of woodland management comes down to ensuring that after wood has been cut, young wood was able to grow again. When wood was harvested the cutting could take place at ground level, head height or up and down the trunk of a tree, practices known respectively as coppicing, pollarding and shredding. In England, coppicing was the most common method of harvesting wood since shredding and pollarding were more time-consuming given that the wood being cut was well off the ground. No matter where in the tree the wood was cut, steps needed to be taken to ensure that the new growth was not cut or eaten by livestock before it had once again reached the required size. Where a tree is managed by coppicing the base from which the shoots grow is called a stool. If a whole area of wood was cut at one time that is described as clear felling and the coppice shoots would then be left for so many years before being cut again. Medieval rotations or cycles could vary from 6 to 20 years although in England 5 to 8 years was most common.[6] Shoots from a stool do not all grow at the same rate and so sometimes rods and poles of the required size could be selected throughout a wood in a process called draw felling. Under this method rods could be cut annually from the same tract of wood as they reached the required size. Sometimes single shoots on stools were allowed to grow into mature timber trees or standard trees. Timber was taken from the standard trees and the rods and poles were cut from the coppiced stools, the underwood underneath. This kind of wood was called a coppice with standards.

No detailed accounts of the management of medieval woodlands in Scotland have yet been discovered and so the historian must turn to other sources such as medieval charters to look for signs that woods were being managed; signs such as the keeping and reserving of woods; the prevention of the destruction of wood; the existence of banks ditches and fences round woods; the exclusion of animals from woods; penalties for cutting wood; and a cash crop of wood or timber being taken from a wood. Place-names, the physical remains of stools and of wood banks and palynological and archaeological evidence can also contribute to the picture. These types of evidence of woodland management can all be found relating to southern Scotland. This study, based predominantly on documentary sources, will survey the evidence for southern Scotland moving roughly from north-east to south-west.

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2 Edlin 1948, 134-5; Rackham 1979, 59.
3 Armit and Ralston 2003, 41, 45, 47, 48.
4 Rackham 2001.
5 Quelch 1997, 24-34; Tipping 1997 and 2010; Smout 2005, 157-161 and Crone and Watson 2003, 70-71.
6 Rackham 2001, 64.

**Coldingham**

In 1095×1107, Durham Cathedral and Coldingham Priory received various lands in Berwickshire including *Aldcambus, Riston* and *Swinewde* along with their woods (*silva*).[7] Coldingham took steps to ensure that it had the authority and power to manage these woods effectively. In 1153×1162 Malcolm IV granted Coldingham two charters. Firstly, Malcolm specifically granted various woods (*nemus*) to Coldingham including *Ristone et brocholwde et Akesside harwde Denewde et swinewde et churchedenwde*[8] (see Figure 1). All these woods were placed *sub defensione prioris et custodia necnon et monachorum* (in the defence and custody of the prior and monks). If anyone took anything from these woods without permission they would be subject to a £10 forfeiture. This charter then granted the monks warren rights in these woods and in the rest of their lands. Subsequently, Malcolm repeated that no one should interfere with or take anything from their woods (*boscus*) or warren without their permission. If they did so they would be under the king's full forfeiture.[9] William I confirmed these rights to Coldingham in 1165×1171.[10]

It thus appears that Coldingham was making determined efforts to control and manage its woods. The fact that eight woods are specifically named by Malcolm IV – and nine by William I with the addition of Houndwood – argues that the protection of wood was the main focus of these charters rather than control of the hunting of lesser game. The practical implications of placing these woods in defence also begin to emerge in these charters. Both Malcolm and William used these woods to meet the needs of Berwick castle. When the king's men were sent to obtain wood for use in Berwick Castle they had to take wood *ubi ipse vel clientes sui monstraverint* (where he [the prior] or his servants shall indicate). Sixty years later similar constraints were still being applied to a local landholder, David de Quixwood. In the early 1200s, David exchanged all his land in Old Cambus along with the wood (*boscus*) for two bovates in Coldingham itself.[11] Then in 1207×1211 he also quit-claimed to Coldingham all claims which he still had to any rights in Old Cambus:

> *preter quatuor quadrigatas de pelo et virga ad edificandum. Quas ego et heredes mei in bosco prefati prioris et conventus singulis annis habebimus per visum forestariorum suorum ubi ipsi assignare voluerint. Et preter pasturam ad propria averia domus mee in defensis dictis prioris et conventus*[12]

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7 *ND,* no II; *ESC* no. XIX; Duncan 1999, 21. The Latin words used for woods are given in this way in the nominative singular because as will be explained they can have different meanings not conveyed by the simple translation of 'wood'. See Gilbert 2011.

8 This is from an 18th century copy NLS Ms Adv 35.3.8 f145r, hence some modernising of the names – *churchedenwde* for *Kirchedeneswde* as in *RRS* ii, no. 46. *Churchedenwde* has not been located but the use of *kirk* suggests it may have been close to Coldingham. The rental of c.1300 records a wood at Coldingham (*Cold Corr*. p xciv) and the nearby Buskin burn used to be called the Dean Burn. (1st ed, OS 6" map).

9 *RRS* i, no. 189. Although omitted in error from *RRS* i Professor Barrow considered this charter to be genuine. (Barrow 1973 29 note 145).

10 *RRS* ii, no 46.

11 Raine *ND* no. CLXXXI.

12 Raine *ND* no. CLXXXV.

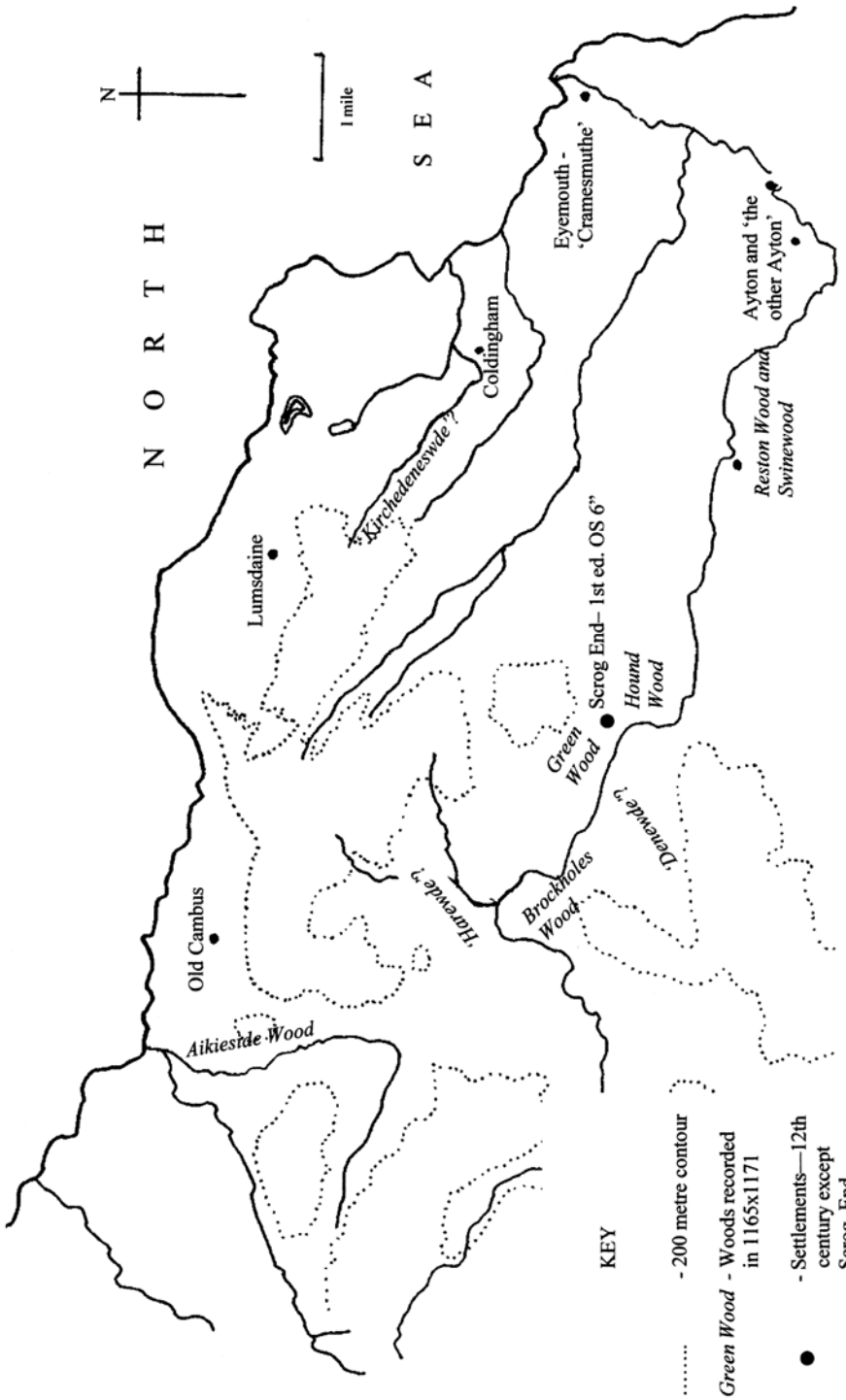


Figure 1. Woods of Coldingham Priory in the 12th century.

> except 4 wagon-loads of poles and rods for building. Which [wagon loads] I and my heirs will have in the wood of the foresaid prior and convent by view of their foresters where they wish to designate. And except pasture for my own beasts of my house in the enclosures of the foresaid prior and convent

The wood for Berwick castle in the 12th century would have included not only timber but also underwood which would have been required for every-day needs such as fuel, equipment and weapons and wattles for hurdles and light construction. In the case of David de Quixwood it is clear that he is collecting underwood, poles and rods from the wood, presumably the wood of Old Cambus, for light construction. The fact that he was collecting 4 wagon-loads each year suggests that the underwood was managed as a renewable resource since he presumably would not have been the only one collecting wagon-loads of wood. The wood being collected was valuable since David, when he surrendered this right in 1222 received 4 merks of silver.[13]

This evidence all suggests that the foresters of Coldingham were supervising a system of coppicing underwood and were determining which woods or parts of woods were to be cut at any one time. Similar arrangements could have been applied to the felling of timber. The foresters would also have had to take steps to ensure animals did not enter in the areas where wood had just been cut and graze on the young shoots. It is worth remembering that, while *sub defensione prioris* means in the defence or protection or the prior, *defensio* also meant physical fencing and such woods may well have been enclosed. Similarly when David de Quixwood reserved his right to graze his beasts *in defensis predicti prioris* this seems to be referring to enclosures or fenced off areas where animals could be excluded. The charter does not state that these areas were in woods but it seems likely that they were.

Throughout the ensuing centuries there are signs that this type of woodland management continued to be exercised by Coldingham Priory. In 1249/50 William, the vicar of Coldingham, had grazed four oxen in the prior's *defensam et warennam* without the prior's permission. The oxen were seized but later returned on condition that if it happened again the oxen would be forfeit or a price of 24s per ox would have to be paid to the prior. What is interesting for the present discussion is that while the document refers to the prohibited location initially as the *defensam et warennam* subsequent references to this location are to the *boscum et warennam*. This quite clearly seems to link enclosure, wood (*boscus*) and control of grazing.[14]

Various signs of management continue to appear in the sources. When in the early 1260s, Prior German let part of the *Akesideburn*, now the Pease Burn, to Patrick earl of Dunbar he stipulated quite clearly that this lease gave him no rights in the prior's wood (*boscus*), presumably the wood of Aikieside. In 1273×1285, Robert Lauder of Auchencrow surrendered his rights in the wood of *Ristunside* except the right to estovers in his

13 Duncan 1975, 315, 363. It seems hard to prove, however, that this figure was meant to equate to a purchase price for twenty years as Professor Duncan suggested.

14 Raine *ND*, no. CXCII.

demesne wood (*de dicto bosco meo dominio*) which presumably was part of the wood of Restonside.[15] The word estovers is more commonly used in England than in Scotland and meant easements in wood for fuel, building, fencing and agricultural equipment. Robert could only take these estovers with the prior's permission and under the supervision of the foresters who presumably were acting as above to protect the wood from over exploitation. In 1276, Coldingham received a renewed boost to its authority to manage woodland when Alexander III granted them free forest rights throughout their lands. This not only let the prior control the hunting of greater game, red deer, roe deer and boar but reaffirmed his right to impose a £10 fine on those who cut wood without his permission. This was a fine clearly aimed at landholders, such as the earls of Dunbar, rather than husbandmen, cottars and neyfs.

Although Coldingham may have been struggling to 'husband resources which it was simultaneously exploiting to the point of exhaustion'[16] their woodland management was having some success, although there were difficulties. The business side of matters is reflected in the rental of Coldingham's lands for c.1300 which records woods at Coldingham, Swinewood and Old Cambus[17] and shows that these woods were valued and measured and that wood from them was sold. However, at this time there clearly had been problems.[18] Forty acres of wood at Swinewood were not valued. The quantity of wood and waste (*bosci et vasti*) in Old Cambus was not known and the wood from Coldingham could not be sold. This presumably reflects the impact of passing armies in 1296-7 that may have cut wood indiscriminately. The woods did recover and are well attested in the 15th century. Before then, however, a shortage of timber was being felt, perhaps exacerbated by the wars of the first half of the 14th century and perhaps also by deterioration in the climate. Coldingham was having to buy large numbers of boards at Berwick and ship them up the coast to Eyemouth. 4,060 boards were imported between 1351 and 1355, mainly for repairing the roof of the church at Coldingham.[19] Such high demand could not be met locally and Coldingham continued to buy imported timber at Berwick throughout the 14th century. Nonetheless, the success of Coldingham's efforts can be seen in the fact that at least four of their woods, Aikieside, Brockholes *Harewde* and *Denewde*, continued to provide wood up to and including the 15th century.

In 1427, William Douglas, earl of Angus, quitclaimed to Coldingham his rights in the:

> *terris et boscis de Brokholes, harewod et Denewod….Ita videlicet quod nec nos praedictus Willielmus nec heredes…aliquod jus vel clameum in terris seu boscis antedictis tempore clause vel aperto exigere vel vendicare poterimus in futurum*.[20]

15 *Ibid.* no. CCCCXVIII.
16 Duncan 1975, 415.
17 *Cold. Corr*. pp xciv, xcv, xcviii, xcix.
18 Duncan 1975, 342.
19 *Cold. Corr.* pp xxiii-xxix.
20 *Ibid*. 100.

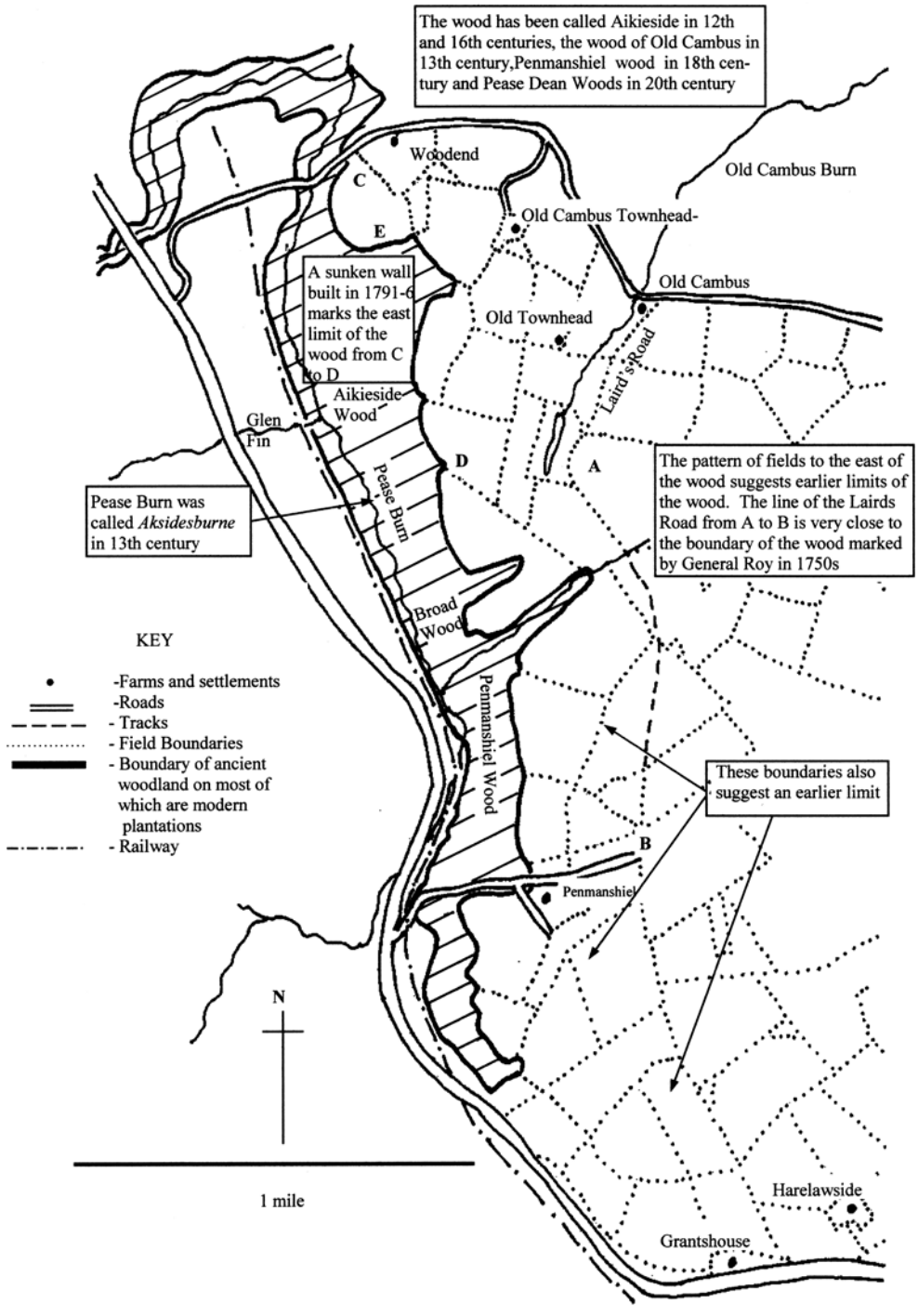


Figure 2. Aikieside Wood.

> the lands and woods of Brockholes, 'Harewood' and 'Deanwood'. So that the foresaid William and his heirs will not be able in future to demand or assume any right or claim in the foresaid lands or woods in closed or open time

Closed or open time refers to the practice of closing off certain parts of a wood from grazing to allow the underwood to regrow, a sure sign that coppicing was taking place

Coldingham did also try to deal with the shortage of timber in their woods, because in 1429/30 when the prior of Durham let the lands of Brockholes, *Denewod* and *Heruode* to a Thomas Atkinson for 15 years, Thomas was allowed easements of fuel in the woods from fallen and dead wood for 15 years but without waste of *whik wod whilke may serve for tymbre* (quick wood [ i.e. growing wood] which could serve for timber.) This probably meant that good quality wood or wood that had been specially earmarked to become timber was not to be cut. Thomas was also forbidden to have swine or goats in the lands and woods and both he and his wife were entrusted with the keeping of the woods, the warren and the game. The conditions of the lease also let Thomas have timber for building and repairing new houses and for agricultural implements such as ploughs and harrows but this could only be taken with the prior's permission under supervision of his servants and only if such timber could be found in the wood.[21] These conditions were clearly aimed at protecting the underwood and the timber. The underwood was not to be used by Thomas for fuel and was not to be damaged by grazing of goats or pigs. Growing wood which could serve as timber in future was to be allowed to grow and trees that already had grown to timber, if there were any, could only be used with permission.

In 1444, similar conditions also appeared in the 40-year lease of Old Cambus to Alexander Home of Dunglass. Alexander and his men were not to cut growing wood or underwood (*boscum vel subboscum*) without the permission and direction of the prior.[22] Similarly, in the wood of Old Cambus, the prior's permission was required if they wished to cut timber, if any could be found, to build or repair houses. Timber, therefore, was still in short supply. In the 15th century the stipulation of such arrangements in leases was the way in which lords seem to have tried to bring about improvements in their estates and similar examples for woodland can be found for Coupar Angus and Arbroath abbeys. In this case, the control of cutting underwood, closed and open times, protection of growing wood which could become timber, looking for trees of a suitable size for timber, all point to coppicing with standards. While they do not prove that this system of woodland management was in operation they are all compatible with such a system.

Of the four woods mentioned in the 15th century, only Old Cambus or Aikieside wood[23] and Brockholes wood have survived into the modern period. Houndwood, however, is also marked on the 1st edition of the OS 6-inch map though there is no record of it after the 12th century. Old coppice trees can still be seen in those parts of Brockholes wood,

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21 *Cold. Corr.* 104.

22 *Ibid*. 150.

23 Note that this is not the wood of 'Aikesyid' mentioned in Smout 2005, 159 which was held by George Lauder of the Bass.

Houndwood, and Aikieside wood which have not been planted with conifers.[24] Aikieside wood was managed by the lairds of Dunglass in the 18th century and c.1750, General Roy's map marked a wood to the east of the Pease Burn surrounded by a red line, presumably signifying a recognisable boundary bank, wall or fence (see Figure 2). In the 1790s the *Old Statistical Account of Scotland* for Cockburnspath parish mentions that there were 100 acres of natural wood in Penmanshiel Wood. Natural wood is defined here as wood that 'has sprung as a stock shoots from natural wood cut over' and so it appears that this wood was still being coppiced. On the modern map the wood of Old Cambus or Aikieside is called Penmanshiel Wood. In fact the names probably apply to different parts of the wood as shown on Figure 2. The present-day wood has the sinuous outline that is typical of an old wood which has been eaten into by agriculture.[25] Looking at the field boundaries to the east of the wood it is possible to guess at previous bounds of the wood before sections were assarted. Along part of the eastern boundary of the wood there is a 'sunk wall' marked on the 1st edition of the OS 6-inch map and much of it survives. It is built like a ha-ha. The outer 'ditch' at point E on Figure 2 is approximately 2.10m (7ft) across and the bank is 3.8m to 4.25m (12ft to 14ft) wide and 1.3m (4ft) high with stone walling on the outer and inner faces. This may be the sunken fence with stones which is recorded in the *Garden Labour Account Books* of Sir James Hall of Dunglass between 1791 and 1796 but there is some confusion because various dykes were being built in the Old Cambus area at this time and they were given various names such as 'sunk fence', 'Galloway dyke', 'Galloway sunk fence dyke' and 'Galloway hedge'. The 'sunk fence' referred to in November 1791 somewhere in Old Cambus may be the sunk wall round the wood but it could also refer to a 'double dyke' or 'Galloway dyke' recorded in 1792 as being built at Hogs Law.[26] More promising perhaps is the 'sunk fence', 'sunk dyke' or 'stone dyke' being built at Aikieside in 1796.[27] The existing bank has had revetting on its inner and outer faces and matches neither contemporary nor modern descriptions of a Galloway Dyke.[28] It is, nonetheless, very likely that the surviving wall was built in the 1790s and the 'sunk' nature of large sections of the wall does fit the 18th century better than the medieval period.

The oaks in this wood were cut during the First World War and since then the wood has been regularly replanted with conifers although the stumps of 'great old oaks' have been noticed.[29]

**Innerwick/Monynut**

Similar elements of woodland management can also be seen in the area between the Bothwell and Monynut rivers in north Berwickshire which was part of the Fitz Alans' holding of Innerwick. In 1190, Alan fitz Walter confirmed an agreement made between

24 Based on visits in 2011 and 2012, but the author cannot tell how old the trees are.
25 Rackham 2001, 113.
26 NAS, GD206/5/160.
27 NAS, GD206/5/161.
28 *Inform – Information for Traditional Building Onwers,* (Historic Scotland); Loudon 1825, i, 443.
29 Smith 1999, 151, 245-6.

Kelso Abbey and three of his tenants[30] concerning the *terra et nemore et pastura territorii de Innerwic* (land, woodland and pasture of the territory of Innerwick) which they rented to Kelso for 3 years for 20s *per annum*. This land lay between the Bothwell and Monynut rivers, areas A and B on Figure 3. The monks of Kelso held land immediately to the west. They were developing their sheep farming in the area and received the right to build sheilings and sheep folds. They were also granted the right to take easements from the wood (*de bosco*) but they could not sell anything from the wood apart from heath and heather (*bruere*). The toun of Spartleton could also share in the easements but under the abbey's control. Since this was in the territory of Innerwick these could have been common lands or at least lands where common rights were exercised and the men of that toun probably also had similar rights. The easements were defined here as wood for building and for fuel. It is possible that *boscus* was being used here not to mean a place, but in the sense of underwood as a material, in which case Kelso would have been allowed to collect rods and poles for fuel and building from underwood anywhere in the woodland (*nemus*). In either case the demand for underwood thus created would need to have been managed. Consequently, the monks were allowed to put in defence one part of the woodland (*nemus*) for their easements. They were also entitled, if they wished, to appoint a forester to keep the whole woodland.

Since the monks were allowed to place one part of the woodland in defence this very much sounds like one area being set aside for coppicing where animals could be fenced out rather than an area for pollarding. Their forester had authority over the whole woodland and so presumably the areas fenced off could have varied but this is not made clear. Assuming the monks of Kelso took up this option their reserved wood may have been in area B in Figure 3. In 1185×1203 Robert Kent one of Alan's tenants tried to lease areas A and B to Melrose Abbey seemingly terminating Kelso's grant within 5 years of the grant being made.[31] The right to put part of the wood in defence was not included. Whether or not Melrose gained the lease of this land at this time – and a charter in the Kelso register suggests Kelso would have opposed this termination of their lease[32] – in 1233×1258 Kelso resigned their common rights in the moor of Innerwick,[33] presumably their rights in areas A and B, in exchange for full possession of area B which Walter II fitz Alan then granted to Kelso in free alms in 1236×41.[34] Given that when Kelso's lease of A and B ended they only received B in free alms and gave up their common rights elsewhere it could be that they kept the more valuable area and that it was here, in area B, that they had placed parts of the woodland in defence.

Such uncertainties over the lease cannot have made it easy to manage woodland in the area successfully. Possible overuse of the area with the men of Innerwick, Spartleton, Melrose Abbey and Kelso Abbey all having rights to pasture and wood there, and the absence of references to woodland management in the later 13th century argue that the wood may well have been overexploited.

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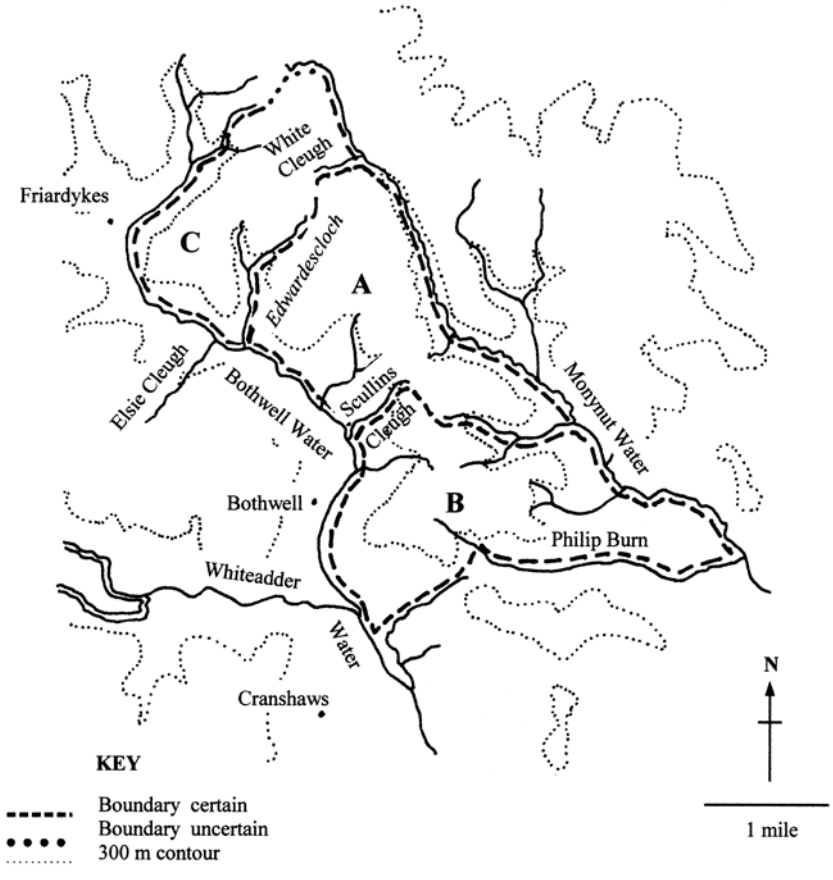
30 *Kelso Lib.* no. 248.
31 *Melr. Lib.* no. 59. Also mentioned in Fawcett and Oram 2004, 223.
32 *Kelso Lib.* no. 258.
33 *Melr. Lib.* no. 143.
34 *Kelso Lib.* no. 247.




**A & B** *c*1178 x 1185: Rented to Kelso Abbey by 4 knights of Alan fitz Walter (*Kelso Lib.* nos 249, 250, 255, 257)
1185 x 1203: Robert Kent, one of Alan's tenants tried to let this land to Melrose Abbey. (*Melr Lib.* no. 59)
1190–1223: Length of 33 year lease confirmed to Kelso in 1190 (*Kelso Lib.* nos. 248, 260)

**B** 1236 x 1241: Walter II fitz Alan granted this land to Kelso in free alms. Kelso resigned its common rights elsewhere. (*Kelso Lib.* no. 247)

**C** 1196: Melrose Abbey held meadow under 'Brunrig' from knights of Alan Fitz Walter
1211 x 1215: Walter II fitz Alan confirmed this grant from the common pasture of Innerwick. He also gave them land surrounded by ditches made by the brothers, perhaps still remembered in Friardykes. (*Melr. Lib.* nos. 62, 60, 61)

Figure 3. The territory of Innerwick.

**Gala and Leader**

The area of royal forest between the rivers Gala and Leader and north of the Tweed has been well studied[35] but the best overview of what was happening there is Fawcett and Oram's study in *Melrose Abbey*.[36] Development and assarting of the woodlands had already started prior to the 12th century to judge by 'leah' names in the area. Anglo-Saxon 'leah' means a clearing in a wood[37] and survives in names such as *Caddysleya,* Kedslie (RXB [Roxburghshire] NT552405)[38] and *Cumbesley,* Colmslie (RXB NT511396)[39] which are recorded in the mid-12th century. These names could have been given to these clearings any time after the 7th century. Although one cannot tell from the names alone exactly when these clearings were made it was probably prior to the 12th century. By that time the area was being exploited by Melrose and Dryburgh abbeys, the tenants of the king, the bishops of St Andrews and the Morville lords of Lauderdale. In a pattern very reminiscent of what was happening at Rievalux, another Cistercian abbey in Yorkshire, conflicts of interest soon arose.[40] Melrose had disputes with Dryburgh Abbey prior to c.1160; with Richard de Morville prior to 1180; with the men of Wedale prior to 1184; and with Patrick, earl of Dunbar, prior to 1208. In addition through much of the 12th century Melrose Abbey had a dispute with Kelso Abbey over lands to the south of Melrose on Bowden Moor.[41]

The well-known dispute between Richard de Morville and Melrose Abbey in the mid-12th century appears to give some possible evidence that pollarding was used as a system of woodland management at this time. This dispute, at the centre of which were rights to wood, pasture and hunting, was the subject of an agreement in 1180.[42]

Richard de Morville gave up his rights to wood and pasture in Gala and Leader except in Threepwood (RXB [Roxburghshire] NT511428) where he could still cut wood but not graze animals. Game could still graze and he could still hunt anywhere in the royal forest including Threepwood. The monks of Melrose held the rest of the wood (*nemus*) between Gala and Leader and they could use it as they wished but they were not allowed to grant or sell anything from it. In other words, they could not cut wood and sell it for profit. Presumably because Richard had tried to limit grazing in woods it was stated specifically that within the woodland (*nemus*) of Threepwood and between Gala and Leader the monks could graze their animals within and outwith the wood (*boscus*).

At this point it is necessary to explain that in the 12th and 13th centuries, *boscus* and *nemus* often but not always had different meanings. Sometimes it is only the context that can help us to decide which meaning is appropriate. *Nemus* was generally used to describe a wider

35 Gilbert 1979, 250-253; Gilbert 1983, 4-15; Duncan 1975, 365, 420.
36 Fawcett and Oram 2004, 213-221.
37 Gelling 1984, 198; Rackham 2001, 46.
38 *Dryb. Lib.* p.lxix; Barrow 1999, no.204.
39 *Dryb. Lib.* no. 113.
40 Jamroziak 2005, 120-8.
41 Fawcett and Oram, 2004, 212-4; Hamilton 2010, 156-9.
42 *RRS* ii, 236.

area of woodland which contained trees, glades, open heath, clearings and underwood, the kind of area that has been described as wood pasture. *Boscus*, on the other hand, meant the smaller, more closely managed wood, very often but not always coppiced, which produced underwood and sometimes timber. Grazing was also common within a *boscus*, though it would be restricted at certain times.[43] *Boscus* could also mean the material, underwood. In Gala and Leader while the whole area is described as woodland (*nemus*) various woods (*boscus*) existed within it.

Limits were also placed on what buildings the monks could erect and Richard was not allowed to construct sheilings, lodges or fences (*sepes*) in Threepwood or elsewhere or to carry out any other manual works. *Sepes* is often translated as a fence but in the north of England it meant a bank with a hedge on the top, which could be used to protect areas of young coppice from grazing animals.[44] It is significant that Threepwood is specifically mentioned in relation to this ban. Combined with the stress that the monks could graze animals within the wood (*boscus*) of Threepwood it sounds very much as if Richard had been putting up banks and/or fences to protect the wood (*boscus*) from grazing. He might have been erecting banks or fences to aid his hunting but that would have applied to the whole of the forest, and yet Threepwood was specifically mentioned. The only right which Richard had which was unique to Threepwood was the right to the wood. If Richard had been trying to protect woods by putting *sepes* round them it does sound as if he had been coppicing the woods. He was, however, no longer able to build banks and fences and so he could not have been able to protect any young tree growth from the abbey's grazing. Perhaps this argues that if Richard still tried to manage the wood he would have had to do so by pollarding.

Each party appointed foresters to look after their interests. Richard's forester focussed on the game and Melrose Abbey's forester focussed on the wood and pasture. However, either forester could bring to court anyone causing damage or injury to the monks' wood (*boscus*), pasture or flocks and if found guilty they would pay a fine called *trigild.* The nature of the damage is not defined nor is there any reference to damage to the wood in Threepwood.

Pasture and woodland management also figured to a large extent in the dispute over Sorrowlessfield (RXB NT567369) on the south-east bounds of Gala and Leader forest. The earl of Dunbar was trying to infiltrate the grazing of the monks of Melrose and the monks were probably trying to break some of the pasture land into agriculture. No doubt banks and enclosures were also being constructed in the pasture and so limiting its use.[45] Finally, in 1208, Patrick earl of Dunbar granted Melrose Abbey pasture in and outside the wood (*in bosco et extra boscum*).[46] This time the monks were not allowed to build folds or cowsheds or *sepes* in the pasture and Earl Patrick reserved to himself the wood and the trees (*salvo comiti et heredibus suis boscho tam in arboribus*). Again the wood was clearly

43 Gilbert 2011, 38-41, 43.
44 *Lanercost Cartulary*, 21 and no. 28.
45 Hamilton 2010, 156-9.
46 *Melr. Lib.,* nos. 101, 102.

part of the pasture. Since no fences could be built or grown on the pasture it is likely that this meant that no fences could be built in the wood which points to the use of pollarding as a means of managing wood. Were it not for the limitation on fences and hedges this would sound exactly like a coppice with standard trees growing amongst it. However, given the predominance of grazing in the area it was more probably an area of standard trees with grazing amongst them and any rods or poles which did grow on pollards or elsewhere was reserved to Earl Patrick.

**Banks, Ditches, Fences and Hedges.**

As we have seen an essential part of woodland management was to protect young shoots from grazing animals. Consequently, woods could be surrounded by banks with external ditches to keep out animals. Such banks might be combined with a hedge or a fence. In central England, Professor Rackham has found that wood banks from later periods are less massive than earlier banks and more acute in profile.[47] The bank and ditch of an earlier medieval boundary bank could be at least 7.6m (25ft) in total width. Rackham found that ancient wood boundaries were either sinuous, travelling in a series of curves or zig-zags, with abrupt corners at intervals. These outer banks helped to mark ownership of a wood, but could also protect coppices within a wood. Internal banks to keep animals out of a recently cut coppice had to be temporary since animals would be allowed to graze in the coppice again after 6 or 7 years or so.[48] Such temporary barriers could be made by constructing wattle fences. In Scotland such systems are well recorded in the later 16th and in the 17th century.[49]

In the medieval period there is some evidence relating to wood banks and internal divisions in Scotland which suggests that some form of coppicing rather than pollarding was in operation. In 1147×51 David I granted Jedburgh:

> *animalium pascua prope nemora mea et ligna silvarum vel materiem ad sua necessaria ubi ego praeter illum locum qui vocatur quikege….*[50]
>
> pasture for animals around my woods and fuel logs from the woods or necessary timber for themselves from those places where [I cut logs and timber] except that place which is called ‘Quick Hedge’…

Earl Henry’s confirmation gives the name as *Quikhege* which means a quick hedge or living hedge[51] and the Anglo-Saxon *cwichege* is used in England in the 8th century.[52] These quick-

47 Rackham 2001, 114-8.
48 Smout 2005, 243; Muir 2005, 19.
49 Lindsay 1980, 278-9; Smout 2005, 158-161.
50 Barrow 1999, nos. 174, 175.
51 Williamson 1942, 88.
52 Rackham 1986, 185.

set hedges were grown, cut and bent to intertwine and so become impenetrable barriers.[53] This practice is known as layering, pleaching or plashing and that may be the origin of this place-name at some point between the 8th and the 12th centuries. The fact that Jedburgh Abbey could not graze animals or cut wood in this part of the woodland argues that in the 12th century if not earlier it was a protected wood or coppice.

In France this practice gave rise to the place-name, Plessis, a place with a plashed hedge.[54] It is, therefore, intriguing to find in the sheriff's accounts for Jedburgh in 1288-90 a reference to the foggage of *Plessis* which was to be deducted from the sum the sheriff had to pay to the exchequer. Normally this foggage which was probably collected for winter grazing should have raised £5 3s 4d.[55] It is impossible to know if *Quikhege* and *Plessis* were the same place but clearly this method of fencing or hedging had been used and may still have been used to protect areas of woodland. It is, therefore, tempting to argue that the foggage of *Plessis* might have been reduced because it could not be collected as pasture was forbidden since the wood or underwood had recently been cut. However, this is perhaps reading too much into the evidence, as the existence of the place-name in the 13th century does not mean that the quickset hedge was still there and although Q*uikhege* was clearly wooded it is only by inference that one can say that *Plessis* was wooded.

The sheriff's account also recorded that he had to pay £5 16s 2d for building 900 perticates or 3 to 4 miles (4-5½kms) of ditch and hedge (*fosse et haye*) round the woodland and meadows (*tam circa nemus quam circa prata*) of Jedburgh. *Fossa* can be translated as ditch and bank. While technically it meant a ditch, the upcast of the ditch would form a bank on the top of which the hedge would be grown. This was not the hunting park which is mentioned earlier in the account but it must have looked very like that. This bank and hedge was presumably constructed to prevent overgrazing of the pasture and to ensure that the only animals that had a right to be there, or whose owners had paid hergbage or foggage, actually grazed there. Such control of grazing in woodland also suggests that coppicing was occurring. The sheriff's account also refers to the sale of dead wood and the use of the land of 'Sueney' to carry timber to the castle. The whole tenor of this entry in the exchequer rolls relating to Jedburgh in the late 13th century is one of active woodland management.

There are also examples of banks surviving which, it has been argued, are wood banks. The earthworks on Bowden Moor to the south of Melrose are considered to be wood banks belonging to the early 16th century on the basis that the *Old Statistical Account for Scotland* [*OSAS*] entry for Holydean Parish in Roxburghshire records that 'Much of Bowden Moor was enclosed for wood in about 1500'.[56] In fact the *OSAS* describes a dry stone dyke 6 to 7 feet (1.8 to 2.1m) high which enclosed about 500 acres (202 hectares or 0.8 square miles) on the farm of Holydean and which was reputed to be 300 years old. The *OSAS* also states that an old lease called this 'the great deer park of Haliedean' and it was once full of

53 Muir 2005, 70 and Map 73; Rackham 2001, 185.
54 Rackham, 2001, 185.
55 *ER* i, 43-4.
56 Barber 1999, 75-6, 114-7, 134-6.

trees. The description of this wall does not match the earthworks on Bowden moor and the place names of Holydean Wood and Wood Burn lie to the south of Holydean itself which suggests that this enclosed deer park with woodlands was not in the same areas as the surviving earthworks. Consequently the quotation from the *OSAS* is not sufficient evidence to identify the Bowden Moor earthworks as wood banks (see Figure 4).

However in 1120×1124 David I granted Selkirk Abbey the touns of Melrose, Midlem, Bowden and Eildon along with the right to use the woods (*in bosco et in plano*). He specifically mentioned that the woods could be used for both building material and for fuel.[57] Subsequently, in 1128 Selkirk Abbey was moved to Kelso, and when Melrose Abbey was founded in 1136, the touns of Melrose and Eildon were taken from Kelso and given to Melrose Abbey.[58] Even though David I clearly defined the bounds of Melrose and Eildon with Bowden there were disputes between the abbeys over these bounds. Rights to wood may have been at the route of the problem. In 1189×1195 (possibly 1193), William I confirmed the property of Kelso Abbey and ordered that Kelso should hold the land disputed with Melrose. The bounds were to be those set by David I. In addition he made it quite clear that this decision was final. There were to be no further pleas brought to him about the bounds either of the land or of the wood (*de terra sive de bosco*).[59]

Nothing daunted, it presumably was Melrose who restarted the dispute since they had lost the disputed land and wood. The dispute became somewhat intractable. According to the *Melrose Chronicle* the papal legate John de Salerno heard the dispute when he visited Melrose in 1202. He stayed for 50 days, made promises to both parties and then departed with presents of gold and horses 'having done no good to either of the disputants'.[60] William I was also at Melrose and he knocked heads together, telling the abbots that an inquest into the bounds would be held and they would have to abide by its findings.[61] In 1204, the abbots went to Selkirk and William gave them the result of the inquest.[62] The disputed land was to belong to Kelso and the bounds were clearly described. In exchange Kelso granted Melrose some land at Primside near Yetholm.

The boundary given in 1204 confirmed the boundary set by David I and is now basically the boundary between the parishes of Melrose and Bowden.[63] It is not a particularly obvious line geographically and one can see how dispute arose over it (see Figure 4). To the east of the Eildons, the boundary is described as running north from the Glenburnie Burn – *Akedene* in 1204 – to the cross beside the green ditch, and along the green ditch to another cross above the Sprouston Burn. The boundary then went over the middle Eildon on the summit of which David I had a bank and ditch made. The boundary descended the Eildons to the west towards *Derebley* and then went through a divided wood (*nemus scissum*) and

57 *Barrow 1999, no.* 14.
58 *Ibid*., no 120.
59 *RRS* , i, no. 367.
60 *Chron. Melrose*, p [51] under the year MCCII; Fawcett and Oram 2004, 212.
61 *Kelso. Lib*. no. 19.
62 *Melr. Lib.* no. 146; *RRS* ii, no 440; Barrow 1973, 207-8.
63 *Melr. Lib.* no. 145; *RRS*, ii, no. 367 at p 364; Lyle 1969, 65-71.

by crosses, ditches and oaks marked with crosses to Cauldshiels Loch and so to the Tweed. Here perhaps is the nub of the problem. David I had had to divide a wood between Melrose and Kelso. In a copy of William's decision in the *Liber de Melros* the very first part of the decision which they record is:

> *quod terra illa unde controversia fuit fuit monachorum de Kelchou et esse debuit de iure per divisas illas per quas monachi de Kelchou asserebant terram illam suam esse scilicet per nemus quod scissum fuit inter domos illas per regem David avum suum et per superficiem medii montis in cuius summitate fecit fossas fieri…*[64]
>
> that the land from which the argument arose belonged to the monks of Kelso and ought to belong to them by right by those bounds through which the monks of Kelso were claiming that land to be theirs namely by the woodland which was divided between the abbeys by David his (William I's) uncle and by the surface of the middle hill on the top of which he had ditches made…

The divided woodland, therefore, was central to the dispute. There seems to be every indication that Melrose had not been happy with David I's division of the wood and had tried to encroach on Kelso's part of the woodland (*nemus*) and of the pasture of the Eildon Hills.

Turning to the earthworks (see Figure 4), it is possible to interpret them in the light of this dispute. The earthworks have been carefully studied by RCAHMS in 1945 and 1967, and in 1982 by Historic Scotland and AOC Archaeology.[65] The earthworks all lie to the south of the parish boundary and so the first possibility is that they represent Melrose's attempts to encroach on Kelso's land and wood. Only one bank has its ditch on the north side (no. 223). The rest all have their ditches on the southerly side of the bank and so they could have been intended to keep out the animals of Kelso and their men. Earthworks nos. 44, 224 and 231 could represent major advances or withdrawals by Melrose. Perhaps they were pushed back from these around the time of William's ruling of c.1193. The other earthworks could represent interim stages in this process or boundary banks round particular sections of woodland. Interestingly, earthwork no. 231 runs south-west along the parish boundary and so this may be a nod by Melrose towards doing what the king wanted in 1193. It may also be a survival of the original division of David I.

Alternatively, after 1204 the banks may have been constructed by Kelso and their men as boundary banks on an ever-receding woodland as they pushed arable and grazing into it. The concave outline of the woodlands on the 1st edition of the OS 6-inch map which is the basis for the areas presently categorised as ancient woodland suggests bites being taken out of the woodland for arable or grazing interrupted by the surviving fingers of woodland in Haxel Cleuch, Rhymers Glen and Blackcock Cleuch.

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64 *Melr. Lib.* no. 145.

65 Barber 1999, 76, 140; RCAHMS *Roxburghshire* 1956, 73; Canmore – Bowden Moor – ID 55759.

Although there is a lot of speculation here it seems very likely that these earthworks are boundary banks of woods and woodland related to the dispute between Melrose and Kelso abbeys as suggested by RCAHMS in 1956. In 1945, RCAHMS considered that the earthworks had comprised ditches 2.7m to 4m wide (8ft to 12ft) and banks 3.3m to 5m wide (10ft to 15ft). Although less survived at the time of Historic Scotland's survey, prior to 1982 they still recorded rounded banks and U shaped ditches. In other words the banks and ditches matched the profile of earlier medieval wood banks found in central and eastern England.[66]

## Teviotdale and Teinds

In 1124×30/1, although David may not yet have launched the whole system of teinds which created the parish system[67] he granted the church of St John in Roxburgh Castle a teind of his underwood (*virgultum*) from Teviotdale.[68] Teinds were collected from the produce of land, from things which renewed themselves. In 1242×9, one of the statutes of a council of the Scottish church held between 1242 and 1249[69] states that teinds should be collected from everything which renews itself including '*silva cedua*'.[70] '*Silve cedua*' or cut wood was defined by a council in London in 1344 as wood which regrows from the trunk or the roots of a tree after cutting.[71] This would cover coppicing, shredding and pollarding. A Statute of Edward III stated that trees over 20 years old were not titheable showing that underwood was tithed but timber was not.[72] If David could grant a teind of his underwood, this implies that it was being managed, probably by coppicing. *Virgultum,* therefore, in David's charter referred to the woods or coppices which were producing a crop of underwood. This corresponds to its use in England and in Ireland[73] and this was presumably the meaning that David used in 1124×1128 in his charter to the church of Holy Trinity in Great Paxton in Huntingdonshire.[74] The location of these woods and coppices in Teviotdale is not known but an area of wood on the royal demesne like *Quikhege* in Jedburgh is probably an example.

## Mow in the Bowmont Valley

In the medieval period and earlier the Bowmont valley was a highly developed area. It has been studied from various points of view and we have a more complete picture of this

66 Rackham 2001, 114-5.
67 Duncan 1975, 298.
68 Barrow 1999, no. 42.
69 Watt 2000, 61-70.
70 *Statuta Ecclesiae Scoticanae* ii, p 21.
71 Dowden 1910, 167.
72 Rackham 2001, 10.
73 Gilbert 2011, 38.
74 Barrow 1999, no. 28; *RRS* i, no. 7.

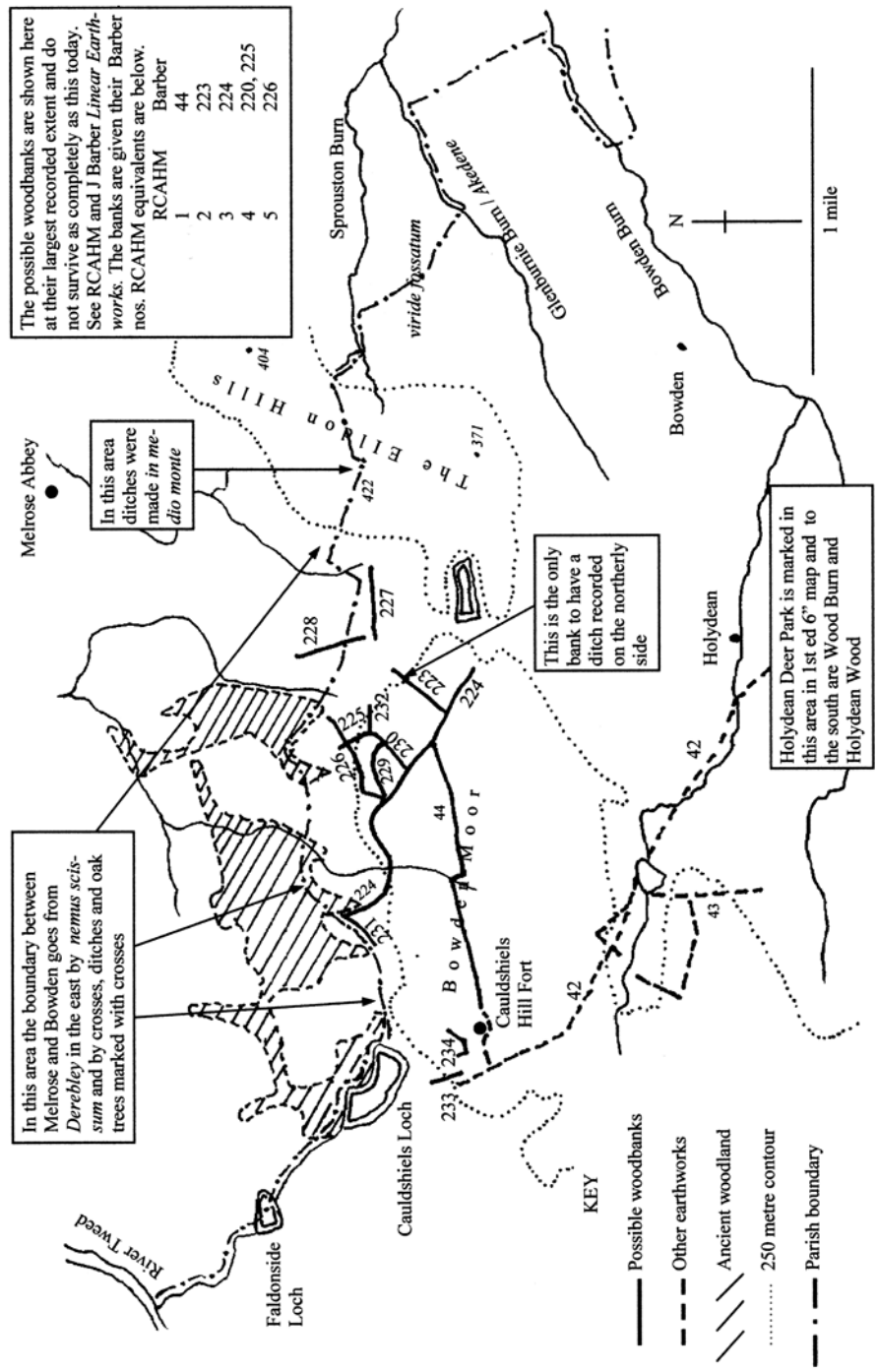


Figure 4. Bowden Moor, banks and boundaries.

valley than of many other areas.[75] It is also here that there is an intriguing and well-known grant made by Richard de Lincoln in 1250/1 to Kelso Abbey of the right to take wood to make and repair sheepfolds in Mow. Professor Duncan has told the story of the two big landowners in the area: Eschina de London, married to Walter I fitz Alan, and Anselm of Mow. They gradually granted to the abbeys of Melrose and Kelso more and more land and rights, pastures to graze, land to plough, freedom of access, and freedom to place sheepfolds. They and their heirs tried to retain some control over the monks' activities by preventing them from pasturing sheep in certain areas at certain times and by controlling the grazing of cattle, but eventually it was the abbeys' wishes that predominated. Given the developed nature of this area, wood must have been in demand and steps would have been needed to prevent its destruction.

It is fortunate that the upper Bowmont valley has been the subject of an excellent detailed palynological study by R Tipping.[76] Consequently, it is possible to obtain a picture of woods in the area prior to the appearance of medieval charters. Tipping chose sample sites to characterise the various landscape elements of the valley, namely the upland tributary valleys, the low level plateaux up to 160m and the higher level plateaux with the summit ridge of the Cheviots. What emerges is that in the first millennium BC woods in this area were dominated by birch, hazel, alder and willow. Almost no oak trees were left by this time and there is no suggestion that trees providing large timbers were growing in the valley.[77] Birch wood did expand up to 50AD and since hazel did not expand correspondingly as would be expected the birch may have been protected against grazing or may even have been purposely grown. Between 570AD and 1000AD trees on the low plateaux were gradually removed, probably by grazing pressures. In the valleys, birch woods may have been planted and managed as at Sourhope from 700AD to 875AD. Birch could have been grown for timber and for underwood .[78] The particular woods identified by Tipping's sampling were at Swindon Hill and at Sourhope (see Figure 5). He points out that these were on poorer soils or close to wetlands and peat, land not so good for farming. There was no major regrowth of trees in the upper Bowmont as has been found elsewhere at this time and agricultural expansion was maintained. This may well be associated with the Anglian advance and settlement in this area in the 7th and 8th centuries.[79]As a result it would not be surprising if woods in this area were managed at this time, since the Anglo-Saxons did practice coppicing.[80] At the start of the medieval period, therefore, there were in the valleys, scattered woods of ash or birch, in ungrazed ravines or in smaller managed woods with some shrubs of hazel, hawthorn and willow, as at Sourhope.[81] On the low plateaux, as at Swindon, there was some new growth of alder, birch and willow, probably protected from grazing. The alder/birch woods were probably fairly scrubby. There were

75 Duncan 1975, 417-9; Tipping 2010, 190-203; Dixon 2003, 56; Barrow 1973, 260-1.
76 Tipping 2010.
77 *Ibid*. 187.
78 *Ibid*. 187.
79 *Ibid*. 189.
80 Rackham 2001, 45.
81 Tipping 2011, 80.

no oak trees in the valley[82] and protected and managed woods were still found on soils less suited for agriculture.

The two main landholding families in the 12th and 13th centuries each held several parts of Mow as their own fief or holding.[83] They both, however, had tenants in the vill of Mow. A vill or toun would have consisted of several peasant holdings each of which would comprise a house and a small piece of land for peasant cultivation[84] and in this region of Scotland a vill would probably have looked quite like a village.[85] Associated with a vill or toun would have been the land or territory needed to support that township, i.e. arable, meadow, pasture, peat and wood or rights to wood. Therefore, when Anselm de Mow referred to woodland (*nemus*) in his fief of Mow he was probably referring not to one wood but several scattered throughout his fief since he held woods in Mow, Mowhaugh and Elisheugh (see Figure 5 and Table 2). His wood or *nemus* in the territory of Mow probably lay on the Attonburn since that is probably where the vill of Mow lay. The fact that this wood is described as being in the territory of Mow suggests that the tenants of Mow were allowed common rights in the wood. The other landholder in the area, Eschina de London, in c.1193×95, granted the chaplain of Mow, and other men of Kelso living on the church's land in Mow, easements of wood along with her men of Mow[86]. Since two landholders were granting common rights in woods in the vill of Mow each must have had a wood or part of a wood in their control. It was Anselm who in 1164×1196 granted Kelso Abbey the right to take wood for sheep folds from the woods in his fief; and in c.1300 it was probably one of these woods which was referred to in Kelso Abbey's rental of Mow in the Attonburn section of the rental and which was described as the *boscum ad del scrogges* (the wood at some scrogs).

There was also a wood at *Persouth* – the name still survives in Percy Law – where in 1233×49 Kelso could take material for ploughs and for fencing and hurdles (*walluras*). A third wood lay near Mowhaugh, which Anselm described as my wood (*boscus*) because it was in his demesne, not granted out nor in the territory of a toun. Melrose Abbey, in 1165×96, was granted as much underwood as one horse could carry from his wood each year between Easter and 8th September. Kelso Abbey, in c.1193×95, held land at Elisheugh and the pertinents included *in bosco*. This gave them the right to use any woods on the land of Elisheugh . There would have been other woods which have not entered the written record, such as those recorded from pollen evidence at Swindon Hill and Sourhope. There was, therefore, in the upper Bowmont valley a pattern of scattered woods which were exploited by the men of the local landholders and by the abbeys and their men. There is no mention of timber. Given the demands on these woods and given the evidence from palynology for management before 1100 it would have been very surprising if serious attempts had not been made to ensure a continuing supply of underwood in the medieval period

82 Tipping 2011, 191.
83 In Table 2, the table of Bowmont Woods and Woodlands, the different families are identified.
84 Duncan 1975, 311.
85 Dixon 2003, 56.
86 For sources relating to Mow and brief extracts from them see Table 2.

Although almost any tree could be used for fencing[87] it is worth considering the qualities of the various trees found in the upper Bowmont valley. Based on the palynological evidence ash and birch may have been the main species in these woods but there was also hazel, alder and willow. Ash coppices freely and can be grown for timber.[88] It can supply large underwood and so would be useful for tools, shafts and frames of vehicles. It could, therefore, be used for making and repairing ploughs. Ash poles, however, do not make

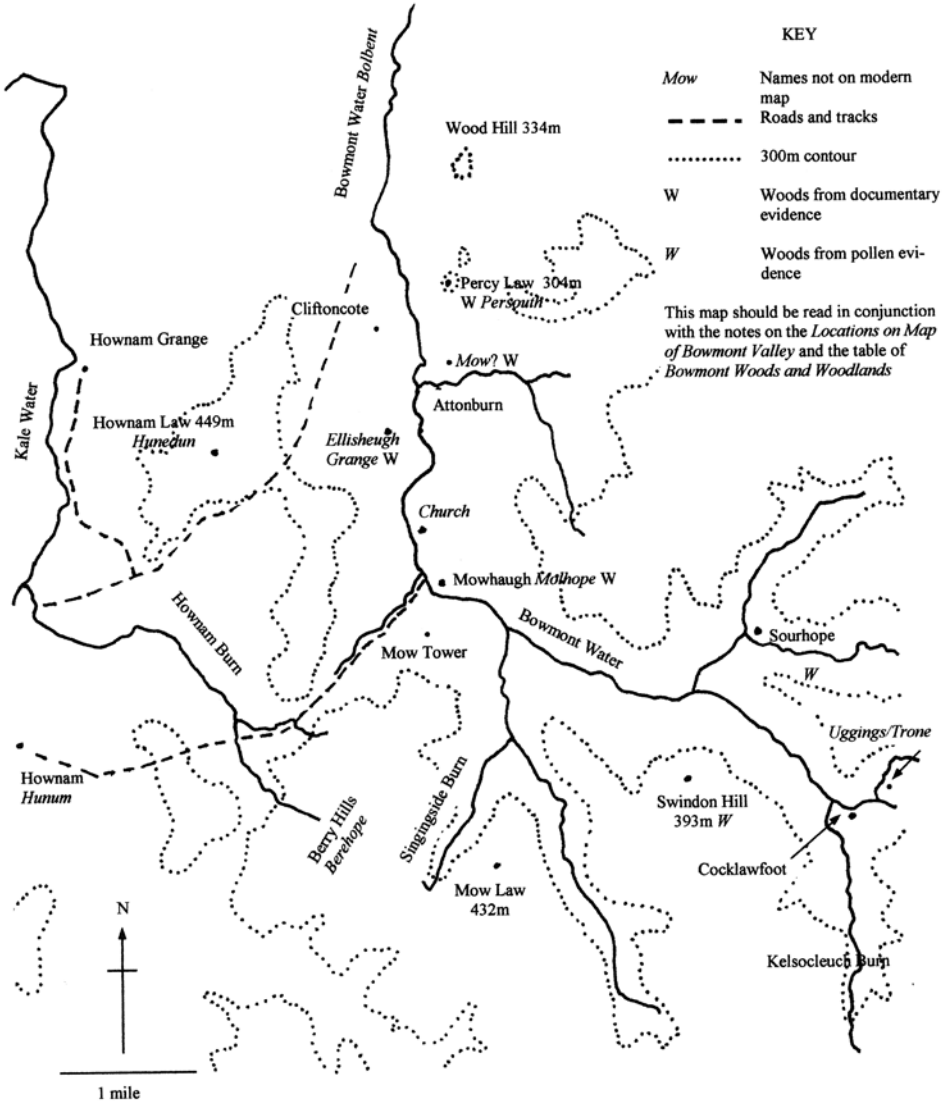


Figure 5. Bowmont Valley in the 12th and 13th centuries.

87 Rackham 2001, 66
88 Rackham 1980, 206.

good fence stakes since they rot.[89] Birch, which is quick growing, also coppices and can produce both timber and underwood suitable for buildings, fences and farm implements. It also produces good brushwood.[90] In the later 18th century and in the 19th century coppice cycles of 20 to 30 years were applied to birch in Scotland.[91] Hazel and alder both coppice well. Hazel is frequently used for wattle work[92] and is best coppiced on a short rotation of 12 to 15 years or less.[93] It was calculated in the mid-20th century in England that 1 acre of hazel coppice could produce 10,000 rods per annum or 300 sheep hurdles.[94] Alder coppices freely but produces only small timbers.[95] It grows well in wet soils, as does willow, which can be cut after 2 years to produce flexible rods or osiers for basket weaving.

| LOCATIONS ON THE MAP OF BOWMONT VALLEY | |
|---|---|
| **Mow** | It had been suggested that the toun or vill of Mow lay beside the Tower of Mow[96] but P Dixon has suggested a site to the north of the steading at Attonburn where footings of cottages have been found.[97] The name of the burn is given as *Aldetuneburne*, the old town burn, in 1233×1249 which also points to this being the site of the old town of Mow.[98] The site at Attonburn also fits the surviving documentary evidence well since the boundary between the lands of Melrose on the south side of Howmnam Law and the lands of the church of Mow is given as the road from *Hunedun* to Mow. *Hunedun* refers to Hownam Law and Hownam Grange[99] and the lands of the church of Mow were at Elisheugh.[100] A road running to Mow Tower would not fit these bounds. However a road running along the line of the existing track from Hownam Mains to Cliftoncote would fit and that would correspond with Mow being on the Attonburn. |
| ***Mollhope*** | Recognised as Mowhaugh. The track which goes from Hownam village to Mowhaugh may well be on the line of the *Herdstrete que dividit terram de molle et de hunum* since *Hunum* was the vill or town of Hownam.[101] |

89 Edlin 1956, 180
90 Rackham 1980, 312.
91 Lindsay 1974, 362, 364.
92 Rackham 1980, 206.
93 Rackham 1980, 206; Lindsay 1974, 362; Hiley 1954, 172.
94 Hiley 1954, 172
95 Rackham 1980, 305.
96 OS *Name Book* 1859 in Camnore NT82SW in www.canmore.rcahms.gov.uk consulted on 9/7/2011
97 Dixon 2003, 56.
98 *Kelso Lib.* no. 150.
99 *OPS* i, 423; *RRS* ii no. 72.
100 *Kelso Lib.* no 176 (1139 × 1152); *Melr. Lib.* nos 137 (*c*1175 × 1190 based on date of royal confirmation *RRS* ii no. 240) and 135 (*ante* 1185 perhaps 1170s based on death of Robert Avenel and his tenure of justiciarship of Lothian: *RRS* ii, 487 and Barrow 1973, 137).
101 *Melr. Lib.* no 135.

| | |
|---|---|
| ***Persouth*** | Related to Percy Hill and could be lands and settlement on its lower slopes. |
| Elisheugh | Given as site of the grange of Kelso by P Dixon.[102] |
| ***Berehope*** | Tipping suggested that *Berehope* lay near the Craik Moor/Mow Law plateau.[103] The name may survive in the Berry Hills in this area. In addition in the rental of the lands of Kelso abbey in c.1300 the pasture of *Berehope* is mentioned in the *Senegideside* section of the Mow rental. *Senegideside* presumably survives in the Singingside Burn suggesting that *Berehope* was in that area.[104] |
| ***Ugginges*** | This was one of the lands which Melrose held in the fief of Mow. They also held land on the south side of Hownam Law[105] a peatery between Mowhaugh, *Berehope* and *Herdstrete*,[106] the land of *Hungerigge* in the territory of Mow, the meadow of *Holmede* below *Ederedesete*,[107] lands in the territory of Mow at Attonburn[108] as well as the lands of *Ugginges*. The name does not appear in the record until the settlement in 1309[109] of a dispute which Melrose had with Kelso before 1269 about the payment of tithes on lands which Melrose had received after the Cistercian exemption on tithes was lifted in 1215.[110] In 1606 it is recorded that the lands of *Ugginges* included various lands in the area of Cocklaw and Sourhope.[111] RCAHMS have identified the remains of a medieval farm on the banks of the Cheviot Burn as the site of the *Ugginges* or one of its farms called *Trone*.[112] |
| ***Hethou*** | So far not identified - although *Origines Parochiales* considered it to be some of the lands which Henry of Mow gave to Kelso in 1186×1214/1198 along with the lands of the church and that it was in the territory of Mow.[113] |

Table 1. Locations on the map of Bowmont Valley.

102 Dixon 2003, 56.
103 Tipping 2010, 195.
104 *Kelso Lib.* no. 458.
105 *Melr. Lib.* nos 135, 137.
106 *Melr. Lib.* nos 136, 137.
107 *Melr Lib.* nos. 139, 294.
108 *Melr. Lib.* no. 345.
109 *Melr. Lib.* no. 428.
110 *OPS* i, 415 and n 10.
111 *OPS* i, 425; Morton 1832, 282.
112 RCAHMS *Roxburghshire* , i, no. 58, p 73; *Canmore* NT81NE 10.
113 *OPS*, i, 419; *Kelso Lib*. nos 175, 178.

| BOWMONT WOODS AND WOODLANDS | | | | |
|---|---|---|---|---|
| **Holding** | **Date** | **Evidence of woods** | **Grantor and Grantee[114]** | **Source** |
| **Fee of Mow** | 1164×1196 | … *pastura per totam terram meam de Molle tam in bosco quam in plano tam in Berhope quam extra* …' From 24th June to 1st August 'utentur *pastura in Mollehope et alibi ubique in bosco et plano ... Accipient de nemore meo que neccessaria sunt ad caulas predictis ovibus faciendas* (pasture on all my land of Mow both in wood and in plain, both in *Berehope* and outwith … From 24th June to 1st August [when cattle probably used the grazings[115]] they may use the pasture in Mowhaugh and anywhere else in wood and plain … They may receive from my woodland necessary material to make folds for the foresaid sheep) | Anselm de Mow (a) to Kelso Abbey | *Kelso Lib.* no. 152. Also in no. 153 |
| | 1180×1196 | Repeated by Anselm of Mow referring to – *'nemore Anselmi'* | | *Kelso Lib.* no. 155 |
| | 1180×1203 | *...pasturam feudi nostri de Molle. Qua pastura utentur in bosco et plano tam in berehop et molhope quam extra et ubique in eodem feodo ... Et de nemore predicti feudi accipient singulis annis que necessaria fuerint ad caulas ovibus suis faciendis* (pasture of our fee of Mow. Which pasture they may use in wood and plain both in *Berehope* and in Mowhaugh and without and wherever in the same fee … And from the woodland of the foresaid fee they may receive each year necessary material to make folds for their sheep | Richard de Lincoln and Matilda heir of Anselm (a) to Kelso Abbey | *Kelso Lib.* no. 158 |

114 The letters (a) and (b) are used to distinguish members of the two main families.
115 Duncan 1975, 418.

| | | | | |
|---|---|---|---|---|
| | 1250/1 | *... pastura feodi mei de Molle. Qua pastura utentur in bosco et plano tam in berhope et mollehope quam extra et ubicumque voluerint in dicto feodo ... et de nemore predicti feodi mei accipient ... que neccessaria fuerint ad caulas ovibus suis faciendas ... sine vastamento et destructione ipsius nemoris et cum facte fuerint caule dictis ovibus sufficientes quam diu ille caule rationabiliter durare poterunt non accipient aliquid de dicto nemore antequam iterum necesse habeant caulas ovium suarum facere et reparare et tunc accipient sufficienter secundum rationem necessaria sine superfluitate de dicto nemore per visum servientis mei. Et sciendum quod hiis primis viginti vel triginta annis quousque dictum nemus melius recreverit et in meliori statu fuerit nichil de ipso nemore accipient sed caulas ovibus suis si voluerint interim de suo providebunt.* (For translation see text of article.) | Richard de Lincoln son of Richard de Lincoln (a) to Kelso Abbey | *Kelso Lib.* no. 149 |
| **Vill and territory of Mow, Attonburn** | 1185/6 | *... homines eorum in ipsa villa de Molla super terram ecclesie manentes habeant communem pasturam cum rationabili instauramento et cetera aisiamenta in bosco in plano et in focali ... cum hominibus meis de Molle* (their men in the same vill of Mow staying on the land of the church shall have common pasture for a reasonable number of animals and other easements in wood and in plain and in fuel … with my men of Mow) | Eschina de London (b) to Kelso Abbey | *Kelso Lib.* no. 146 |

| | | | | |
|---|---|---|---|---|
| | c.1193 and *ante* 1195 | *... totam terram et pratum et nemus in territorio de Molle quod est ab orientali parte de Ernbrandesdene scilicet a divisis terre monachorum de Mailros ... totam videlicet terram omnino et nemus et pratum quod est a divisis istis ad orientem usque in divisas terre ecclesie de Molle et sursum versus Hunedun ...* (all the land and meadow and woodland in the territory of Mow which is on the eastern part of *Ernbrandesdene* namely from the bounds of the land of the monks of Melrose … Namely all the land completely and the woodland and meadow which is from these bounds in(?) the east and the bounds of the land of the church of Mow [to the west?] and up towards Hownam Law) | Anselm de Mow (a) to Kelso Abbey | *Kelso Lib.* no. 154 |
| | c.1193 and *ante* 1196 | *totam terram et pratum et nemus in territorio de Molle ab orientali parte de Ernbrandesdene a divisis terre monachorum de Mailros ... Totam scilicet terram et nemus et pratum a divisis istis ad orientem usque in divisas terre ecclesie de Molle et sursum versus hunedune ...'* (all the land and meadow and woodland in the territory of Mow from the eastern side of *Enrbrandesdene* from the bounds of the land of the monks of Melrose … Namely all the land and woodland and meadow from these bounds in the east to the bounds of the land of the church of Mow and up towards Hownam Law) | Richard de Lincoln (a) to Kelso Abbey | *Kelso Lib.* no. 177 |
| | c.1198 | *... homines eorum in villa de Molle manentes habeant communia aisiamenta in pastura in bosco in focali ... cum hominibus meis de Molle'* (their men staying in Mow shall have common easements in pasture in wood and in fuel … with my men of Mow) | Henry of Mow (b) to Kelso Abbey | *Kelso Lib.* no. 178 |

| | | | | |
|---|---|---|---|---|
| | *ante* 1279 | *... terram que fuit amicie de capella in villa de Mol ... cum nativis eorum sequelis et catallis cum boscis et aliis pertinenciis ... tenendo dicto Willelmo ... in boscis moris molendinis aquis* (the land which belonged to *Amicie* of the chapel in the vill of Mow … with neyfs, their followings [family?] and chattels, with woods and other pertinents … William will hold [it] in woods, moors, mills and waters) | John de Vescy to William de Sprouston chaplain | *Melr. Lib.* no. 345 |
| | 1279 | *... totam terram suam quam de me tenent in villa de molle in forestam . Quare firmiter prohibeo ne quis in eadem terra sine eorum licencia secet aut venetur ...* (all their land which they held from me in the vill of Mow in forest. Whereby I firmly forbid anyone in that land to cut or hunt without their permission) | John de Vescy to William de Sprouston chaplain | *Melr. Lib.* no. 346 |
| | c.1300 | *Apud Molle habebunt apud altonburn ... Et habebunt in bosco ad del scrogges stac et slac pro ovibus firmandis et virgas pro reparatione carucarum suarum.'* (At Mow they will have at Attonburn … And they will have in the wood at some scrogs *stac* and *slac* to secure their sheep and rods to repair their ploughs) | Rental | *Kelso Lib.* no. 458 |
| **Mowhaugh** | 1164×1196 | As in first entry for fee of Mow - Mollehope | Anselm de Mow(a) to Kelso Abbey | *Kelso Lib.* no. 152 |
| | before confirmation of 1165×1196 below | *...in bosco meo de molope buschiam quantum potest unus equus portare singulis annis a pascha usque ad nativitatem...* (in my wood of Mowhaugh as much underwood as one horse can carry each year from Easter to?) | Anselm of Whitton (Mow) (a) to Melrose Abbey | *Melr. Lib.* no. 135 |

| | | | | |
|---|---|---|---|---|
| | 1165×1196 | *...in bosco meo de molope buschiam quantum equus unus potest portare usque ad grangiam suam de Hunedun singulis annis a pascha usque ad Nativitatem Sancta marie* (in my wood of Mowhaugh as much underwood as one horse could carry to their grange of Hownam each year from Easter to 8 September) | Richard of Lincoln (a) to Melrose Abbey | *Melr. Lib.* no. 136 |
| **Elisheugh** | c.1193 and *ante* 1195 | Following on from vill of Mow entry for c.1193 – ... *Et totum Hulecheshov in bosco et plano et pasture...* (And the whole of Ellisheugh in wood and plain and pasture) | Anselm de Mow (a) to Kelso Abbey | *Kelso Lib.* no. 154 |
| | c.1193 and *ante* 1196 | Following on from vill of Mow entry for c.1193 – ... *Et totum Hulocheshou in bosco et plano et pasture* ... (And the whole of Ellisheugh in wood and plain and pasture) | Richard de Lincoln (a) to Kelso Abbey | *Kelso Lib.* no. 177 |
| **Cocklawfoot etc.** | 1236 | *... terram suam de Molle in perpetuum habeant in liberum forestum. Quare firmiter prohibemus ne quis in dicta terra sua secet aut venetur* ... (They shall hold their land of Mow in perpetuity in free forest. Whereby we firmly forbid anyone to cut or hunt in the said land) | Alexander II to Melrose Abbey | *Melr. Lib.* no. 299 |
| ***Hethou*** | Later 12th century | Bounds of *Hethou* include – *sicut boscus et terra harabilis junguntur super halreberghe* (just as the wood and the arable land join above *halreberghe*) | Eschina de Mow (b) to Kelso abbey | *Kelso Lib.* no. 175 |
| ***Persouth*** | 1237×1249 | *Et accipient de Persouth ea que sunt neccessaria ad carucas suas et ad walluras faciendas* (And they shall receive from *Persouth* necessary material to make their ploughs and hurdles)<br>This is repeated several times. | Cecilia de Mow (b) to Kelso Abbey | *Kelso Lib.* no. 157. Also in nos. 148, 150, 164 |

Table 2. Bowmont woods and woodlands.

Given the importance of pasture in this area some form of pollarding could have been used to manage these woods but since it is harder to harvest pollards, coppicing was probably also used. Coppicing can take place formally or informally. It has been suggested elsewhere in Scotland that coppicing may have been carried out on a 'more casual, opportunistic' basis than the more formal coppicing which occurred in England.[116] There is also the idea that it is not necessary to form coppices artificially when woodlands occur on steep slopes or ravines because there is no need for fencing in such areas as grazing pressure on such steep slopes is slight. The existence of woods in such areas is suggested by Tipping and it is also suggested across the border for the Cumbrian fells and moors.[117] Such woods could have been grazed mainly in the winter when the growth of coppice shoots is not palatable. People would have cut where and what they wanted without worrying about renewal of the resource since shoots regularly re-appeared.[118] However, neglect of enclosure, continual grazing and unplanned cropping would eventually destroy the wood or reduce it to scrub depending on the intensity of the grazing and cropping. Given the amount of grazing in the Mow area, control of grazing either by enclosure or by careful herding and planned coppicing would have been required for the woods to have survived as long as they did. Some evidence of this more careful management can be seen in the documentary evidence.

The above grant by Anselm of Mow in 1165×96 of wood from Mowhaugh shows some form of management in operation. The time when wood could be cut was limited to spring and summer and finished on 8th September presumably to allow new shoots to become established before the winter. In addition it is worth noting that while the grant seems to read that only one horse-load of wood could be cut, that is not what the source actually says. It says that Melrose Abbey was granted as much as a horse could carry during the spring and summer. Melrose could not use a cart nor could they use several horses on any one trip but a horse could be making several journeys throughout this time.

In 1180×1203 Anselm of Mow's son Richard de Lincoln granted Kelso freedom to take whatever they needed for sheep and cattle folds from the woodlands in his fief each year. By 1250/1 Richard's son, also Richard, was not happy with this presumably because the wood was being overused and the management was too casual. Richard, therefore, granted them that:

> *de nemore predicti feodi mei accipient ministri dictorum monachorum ea que neccessaria fuerint ad caulas ovibus suis faciendas. Ita sic quod de hoc faciant per visum servientis mei rationabiliter sine vastamento et destructione ipsius nemoris et cum facte fuerint caule dictis ovibus sufficientes quam diu ille caule rationabiliter durare poterunt non accipient aliquid de dicto nemore antequam iterum necesse habeant caulas ovium suarum facere et reparare et tunc accipient sufficienter secundum rationem necessaria sine superfluitate de dicto nemore per visum servientis mei. Et sciendum quod hiis primis viginti vel triginta annis*

116 Crone and Watson 2003, 71.
117 Winchester 2000, 124.
118 Edlin 1956, 104.

*quousque dictum nemus melius recreverit et in meliori statu fuerit nichil de ipso nemore accipient sed caulas ovibus suis si voluerint interim de suo providebunt. Oves autem eorum iacebunt in dicto feodo in caulis vel extra caulas sicut monachi voluerint.*[119]

the servants of the said monks shall receive from the woodland of the foresaid fee [Mow] necessary material to make folds for their sheep. They may do this from this woodland reasonably by view of my servant without waste or destruction of the same woodland and when they have made sufficient folds for their sheep, for as long as these folds are reasonably able to last they shall not receive anything from the said woodland before it is again necessary to make and repair folds and then they shall receive sufficiently and according to reason what is necessary and without extra from the said woodland by view of my servant. Know that in these first 20 to 30 years until the said woodland regrows well and is in a better state they shall receive nothing from the same woodland. But if they wish in the meantime folds for their sheep they will provide from their own [resources]. Their sheep may lie in the said fief in or out of folds as the monks wish.

The monks were told that they could take what they needed for their folds from the woodland (*nemus*) of his fee provided there was no waste or destruction and under view of Richard's servant. This servant may have been a forester or a bailiff. In 1198×1214 a tenant called a forester was living in the area.[120] Once they had taken what they needed for their folds they could take nothing else for as long as the folds could reasonably last. Then they could take what they needed to repair the folds, again without waste and under view of Richard's servant. They had, therefore, been granted wood to build the folds and, after a reasonable time, wood to repair them. The grant then explains that for these first twenty or thirty years the monks could take nothing from the wood until the wood had regrown and was in a better state. In other words they could not take their wood for repairs till it had regrown. Kelso had previously had the right to take wood annually but now the frequency of cutting would depend on the regrowth of the wood. It is hard to say how long this cycle would be, but the way the regulations were expressed suggests that there could be a first cutting for building and then a second cutting for building and repairs within twenty to thirty years. Then, one assumes, the 20 to 30 year cycle would begin again. The wood, therefore, would have ten to fifteen years to regrow between cuttings. If it regrew more quickly, wood presumably could have been cut more frequently. In the absence of any mention of enclosure of woods, given the use of *nemus* and given the suitability of pollarding for areas where pasture was a priority one cannot say definitely that this was a system of coppicing but it seems very like it. The wood used for sheep folds would have been the underwood which was used to construct wattle fences or hurdles and which could be most easily produced by coppicing. A coppice cycle of 10 to 15 years would have allowed ash, birch, hazel, alder and willow to grow to suitable sizes for such uses. The presence of Richard's servant would probably have been required to ensure that only wood of the right sizes or wood from certain areas was cut. The use of *boscus* to describe the

119 *Kelso Lib.* no. 149.
120 *Kelso Lib.* no. 147.

woods of Mowhaugh and the use of the word scrogs (see below) also suggests coppicing rather than pollarding.

After 1251, therefore, the monks' use of the wood of Mow was strictly controlled. They could not take wood for any other needs such as fuel or wattles for houses or for agricultural implements. Richard de Lincoln held at least 3 woods in his fee of Mow and so it is possible the regulations were applied to each wood individually. Kelso might have taken wood from Mowhaugh one year to start the 10 to 15 year cycle there and then 5 years later have taken wood from the woods in the territory of Mow to start the cycle in that area. However the documents do not explain exactly how the system operated.

In c.1300 the Attonburn entry in the Kelso rental records that the monks of Kelso had the right to cut *stac* and *slac* to secure their sheep and to repair their ploughs *in bosco ad del scrogges*. Thus the rights which Kelso already held from Richard de Lincoln were augmented with the right to take poles to repair ploughs. *Stac* and *slac* meant the stakes and flexible rods needed to make wattle fencing.[121] The phrase 'at some scrogs' was probably meant to identify from which part of the wood the rods and poles were to be cut. Although in west Scotland in the 18th century *scroggs* was used to mean low pollards or high stools – a meaning which would fit here – it was by then more commonly synonymous with coppice.[122] Examples of these low pollards have been identified at Loch Katrine by P Quelch and C Mills dating to the 17th and 18th centuries.[123] *DOST* [*Dictionary of the Older Scottish Tongue*] defines *scrog*(*g*) as brushwood, scrub or thickets of bushes and small trees, exactly what a coppice would look like. In this instance there is no way of telling whether the coppice stools were at ground level or higher, like low pollards, but the probable prior existence of Anglian practices in this area would argue for low level coppice stools. The fact that this coppice could be described as scrogs shows that it contained no standard timber trees. This was not coppice with standards as was common in medieval England.

It is hard to say how effective this management of the woods was. By the 13th century there was obviously concern about shortages of underwood and Richard de Lincoln had tried to deal with that. Similar concern may be reflected in two forest grants relating to this area. In 1236, Melrose Abbey received their lands in free forest with the right to control hunting and wood-cutting.[124] Melrose held two sizeable pieces of land, one on the south and east of Hownam Law[125] and the other in the hills and valleys round Cocklawfoot and Sourhope, the *Ugginges,* as well as other smaller holdings like *Hungerig,* the meadow called *Hollemedu,* and lands in Attonburn and a peatery near *Berehope* (see Table 1). While the main value of the forest grant might have been to keep hunts off their pasture, meadows and arable, the control of wood-cutting would have been invaluable. When John de Vescy,

121 Gilbert 2011, 49-50.
122 Sansum 2004, 127 note 8.
123 Mills C M, Quelch P & Stewart M (2009) *Tree forms, tree-rings and documented history around Bealach nam Bo, Loch Katrine*. Executive summary of report for Forestry Commission. At http://dendrochronicle.co.uk/?page %20id=37 [consulted on 1st July 2012].
124 *Melr. Lib.* no. 299.
125 *Ibid.* nos. 135-8.

in 1279, granted William Sprouston, chaplain, forest rights on his lands in the vill of Mow in Attonburn the land was so small that there seems every likelihood that it was the control of wood-cutting rather than of hunting which mattered. Woods clearly survived throughout the 12th and 13th centuries and so their management was meeting with some success. While the trees known to have grown there such as ash and birch can produce timber there is a complete lack of any references to timber in the sources. The pollen evidence shows that timber trees were rare in the valley in the medieval period but it has to be remembered that this apparent decline of woodland may simply imply that pollarding and coppicing were in operation since these practices reduced the flowering of trees and consequently their production of pollen.[126] Woodland did not survive after c.1400 when scrubby alder/birch woodland was cleared on Swindon Hill although a species of impoverished scrub still grew in the upper valley[127] This certainly gives the impression that by this time the woods had suffered because of unmanaged exploitation, informal coppicing, the failure to control grazing and perhaps also because of changes in the climate.

It must be remembered that the monks of Melrose and Kelso and their men did not inhabit Mow in a vacuum. Richard de Lincoln was trying to ensure the monks of Kelso and their men used his woods in a sustainable manner and it would seem that the monks of Melrose were doing the same. What is not clear is the extent to which other tenants and men of Richard or of other lay landholders in the area were being controlled in a similar fashion. One of the other landholders in the area, Eschina de London, in 1185/6, had granted Kelso's tenants living on church land in Mow the same easements in wood and plain and fuel as her men in Mow. This might suggest that both sets of tenants would be treated similarly, presumably using the woods for their regular needs, but there is no evidence for any management of the woods in her hands. When Richard limited Kelso's use of his woods and set up his 10 to 15 year cycle one wonders what happened to his other tenants. Given the variety of uses to which wood was put it seems very unlikely that they would not be allowed to use any wood in his fee for 10 to 15 years. One can also envisage problems arising if Kelso's men moved into a coppice, clear felled it and left nothing for other tenants or cottars in the area. One can only speculate that Kelso's men were precluded from using woods where other tenants exercised common rights.

The picture must inevitably be incomplete but the study of the upper Bowmont valley shows an area where woodlands had already been managed and protected from grazing prior to 1100. Despite favourable climatic conditions and the increase in pastoral farming, the demands placed on woodland resources seem to have led to growing difficulty in obtaining wood, resulting in attempts to enforce more careful coppicing of woods in the area by at least one landholder. These measures had some success, but by the end of the 14th century, perhaps as a result of climate change, over-exploitation and ineffective management only scrubby woods remained. Such scrubby woods could still be coppiced but no timber trees survived.

126 Armit and Ralston 2003, 41.
127 Tipping 2010, 200.

**The South-West**

Lower Annandale to the west of the River Annan appears to have been a well-wooded area, since many place-names in the area relate to clearings. Old English *ryding* meant a clearing[128] and it appears in names such as Spittalridding Hill (DMF [Dumfriesshire] NY 185686) and Belridden (DMF NY 102690) which were both first recorded in Bleau's map[129], and in the lost *Batemanridding* near Kinmount, first recorded after 1271.[130] Old English place-name elements probably started to arrive in the 7th century when Northumbrian influence was strong in the region. Of these elements *grafa* which is found in *Hardgrafe,* Hardgrove (DMF NY113740) between Kinmount and Dalton was used by the Anglo-Saxons to describe the coppices which they found on their arrival in England. The name *Hardgrafe*, first recorded in 1443, could mean either boundary coppice or wood coppice[131] and demonstrates that there was coppicing of wood in this area at the date when the name was formed. Early evidence of coppicing also comes from pollen analysis from the site at Over Rig in Eskdale, where in the early 11th century there may have been some management of hazel perhaps by coppicing with the use of hedges to exclude animals.[132]

In the area to the west of the Annan, clearing continued as place-names incorporating Norse *þveit* show.[133] Murraythwaite (DMF NY 127726) and Twathats (DMF NY 108701) are both first recorded in 1304[134] Several other names incorporating the *þveit* element are recorded in the Kinmount area although all are now lost: *Brakanepheit* in 1194×1214,[135] *Blindethuayt* and *Holthuayt* c.1218[136] and *Harthwat* in 1426.[137] These names could have appeared from the 9th century onwards and Nicolaisen argues that the *þveit* element could have been active for centuries after the arrival of the first Scandinavian settlers.[138]

In the 12th and 13th centuries the Bruces, perhaps because they held Annandale with forest rights which enabled them to control clearing of woodland, granted several charters which specifically conveyed the right to assart in various places around Kinmount.[139] Two of the grants clearly mention the practice of placing banks, ditches and fences round the assarts to protect the fields and meadows from unwanted grazing by animals whether wild or domesticated. Surviving assart banks have been studied by P Dixon at Southdean in the forest of Jedburgh, at Liddesdale, and in Annandale at Cowburn on the Corrie Water to the north east of Lockerbie.[140] The enclosure of assarts did not relate directly to management

128 Gelling and Cole 2000, 244.
129 Williamson 1942, 87.
130 Fraser *Annandale* i, 7 no. 11.
131 Williamson 1942, 87; *Hist. Mss. Comm. (1897), 45;* Gelling and Cole 2000, 221, 226-30.
132 Smout 1997, 66-7.
133 Gilbert 2011, 54.
134 Williamson 1942, 117.
135 Fraser *Annandale* i, 1 no 2.
136 *Ibid*. 5 no 7.
137 *RMS* ii, no 71.
138 Nicolaisen 2001, 135.
139 Fraser *Annandale* i, no 2 (1194×1214), no 7 (c1218), no. 11 ( post 1271).
140 Dixon 1997, 348.

of woodland but the existence of clearing place-names, along with forest rights and a coppice place-name shows that, while woods were being removed, attempts were being made to preserve some of them for various reasons, as a habitat for deer or as a source of underwood. At Stapleton to the east of Annan before 1245 Robert Bruce gave up the common rights of his men in the wood and granted Robert Crosby the right to enclose the wood (*boscus*).[141] The use of the word *boscus* which is linked to underwood and the enclosure of the wood clearly points to animals being kept out of the wood when the coppice shoots were young. The common rights of the men would have included grazing as well as wood-cutting for various purposes. Bruce here was prioritising the management of the wood over the common rights of his men perhaps suggesting the two were not compatible. The Bruces were familiar with coppicing in an English context both with their involvement with Hatfield Forest in Essex after 1252[142], and with Eskdale in the north of England, where Peter II Bruce, in 1223, was familiar with the practice of keeping animals out of enclosed woods.[143]

In the 13th century a variety of evidence has shown that the oakwoods at Old Caerlaverock Castle were manipulated to enhance timber production producing quicker growing timber and better quality trees. Grazing may also have been controlled in these woods.[144] In the 14th century little documentary evidence of woodland management has survived from this area, the only possible example being when Richard de 'Culnehath' was granted the lands of *Kelliewod* in 1324 by Robert I *salvis nobis et heredibuis nostris boscis viridi et venatione eiusdem terre*[145] (excepting for us and our heirs the woods vert and venison of that land). The use of both *boscis* and *viridi* seems somewhat superfluous since vert, when used in the phrase 'vert and venison' included all the vegetation of a forest and this suggests that *boscis* may be used in the sense of managed underwood rather than just in the general sense of woodland. Moreover, the name *Kelliewod* probably contains the Gaelic element *coille* which farther west in Galloway may have meant a managed wood. M Ansell has studied the distribution of these names, which could have been formed anytime between 900 and 1700, when Gaelic was spoken in Galloway. *Coille* names tend to occupy the coastal plain, the more fertile land, and may therefore represent larger more closely managed woods protected against the advance of grazing or agriculture.[146]

By the 15th century the forest of Dalton had emerged within the forest of Annandale, an example of the process seen elsewhere in Scotland whereby the large hunting reserves of the 12th century had been reduced to a series of smaller more manageable reserves.[147] In the 15th century the crown had been collecting rent from Cocklicks (DMF NY 119689) and *Pyhillis*, which is presumably Phyllis (DMF NY 137718) which lay in the forest

141 Fraser *Annandale* i, 5 no 8.
142 Rackham 1993, 70.
143 *Cart. Gyseburne* 102, no ccxx.
144 Davies 2003, 13.
145 *RMS* i, app 2 no 307 and note 7.
146 Ansell 2006, 4.
147 Gilbert 1979, 170.

of Dalton, for the herbage of their woods (*nemus*).[148] Herbage was a charge for grazing animals which could apply to the summer grass.[149] In 1452 these lands were alienated and so the exchequer rolls record the loss of £4 13s 4d which should have been collected for three terms between 1452 and 1454. At Woodcockair (DMF NY 165724) the crown collected rent from the foggage, a payment originally for winter pasture but which could by this time mean pasture in general.[150] By 1452-4 the rent was held by James Corry but the exchequer rolls still recorded it as rent for *fogagii de Wodcokare et le weyrd nemoris ejusdem* (foggage of Woodcockair and the vert of the same wood).[151] In 1457-8 the *vastam fogagii de Wodcokkare et le Verd dicti nemoris* (waste of the foggage of Woodcockair and the vert of the said woodland) is recorded.[152] While these entries could be referring to rent for the foggage of two places, Woodcockair and the Green wood, it is much more likely that the rent was being collected both for the foggage of the wood of Woodcockair and also for the vert of the same wood. If the vert or growing wood was rented out this suggests that the wood was managed to produce a regular crop of underwood. Vert or green wood was by this time being protected by parliament and it meant all growing wood. By 1464-5 John Maxwell, the royal steward of Annandale, was the keeper of the wood (*nemoris*) for which office he was paid with the rent of the foggage and of the vert.[153] By 1502/3 Simon Carruthers of Mouswald had been charged with the 'keeping of the wod and forest of Wodcokkar'[154] and he was authorised to appoint factors and servants to assist in this task.

Moving west to the area between Dalbeattie and Dumfries, signs of woodland management in the documentary evidence can again be found in the 12th century when these lands were held by the lords of Galloway, who were aware that their woodlands were a valuable resource whose use was worth paying for. They may not have been granted forest rights by the Scots crown but they were certainly exercising such rights over their estates in the 12th and 13th centuries.

In 1161×70, Uhtred granted Holm Cultram Abbey the toun of Kirkgunzeon and with it pasture for their pigs in his demesne woods (*per omnes silvas meas de dominico meo*) free of the pannage dues which others had to pay.[155] But in 1161×74 in time of pannage in the autumn, Uhtred did not want Holm Cultram or Dundrennan abbeys to let their pigs enter his demesne woods between Kirkgunzeon and the Nith. They had to find their pannage elsewhere.[156] Good mast years were not predictable and so Uhtred would be ensuring that he raised as much revenue as possible, especially in the good years. Not only does this show the importance of pigs to the economy in this area[157], it also shows that Uhtred's

148 *ER* v, 669.
149 Gilbert 1979, 108-9.
150 *Ibid*. 108-9.
151 *ER* v, 669.
152 *Ibid*. vi, 446.
153 *Ibid*. vii, 310.
154 *RSS* i, 912.
155 Stringer 2000(a), 214, no. 7.
156 *Holm Cultram Reg.* no. 133.
157 Oram 2000, 251-2.

woods had plenty of timber trees of oak or beech since it is on the mast of beech and oak that pigs grazed. Beech trees take 80 years to produce mast and oak trees take 50 years or more to produce acorns in any quantity.[158] Only a wood of mature trees would provide enough mast or acorns to feed herds of pigs, especially since crops of acorns and mast vary from year to year. Roland, Uhtred's son, in c.1176×c.1185, confirmed this grant but also granted Holm Cultram easements in his woods (*nemora*) of Preston and Loch Kindar for timber, logs for fuel and other necessary materials.[159]

The use of *silva* and *nemus* to describe these woods suggests woodland with timber trees and open space for grazing but *nemus* can contain smaller managed woods.[160] It does seem likely that if Holm Cultram was allowed to collect fuel and timber from the woods of Preston and Loch Kindar there would need to have been some form of management if these woods were to survive. These hints of management become stronger when in 1190×96, *boscus* is used to describe the woods from which Holm Cultram was allowed to take wood for a saltpan at Southerness and for fisheries on the Solway coast.[161] By c.1200, there were at least 8 saltpans on the Solway between Dalbeattie and Dumfries with at least 3 at Preston and 2 at Loch Kindar, with easements in the woods of Preston and Loch Kindar.[162] When Uhtred of Galloway referred to woods in this area his charters used the word *nemus* or *silva*[163] and in c.1176×c.1185 Roland, his son, did likewise referring specifically to the *nemus* of Preston and Loch Kindar. But on two occasions thereafter Roland describes these woods as *boscus.*[164] This seems to suggest that faced with increasing demands on these woods for fuel for salt pans and equipment for fisheries as well as other uses, Roland was trying to manage the underwood in them. Consequently, they were called *boscus* and not *nemus*. The evidence, however, is not conclusive because in c.1185x1196 in a grant to the Priory of St Bees in Cumberland, Roland referred to the wood of Preston as *nemus* and granted permission to cut timber *per totum boscum meum dominicum.*[165] All one can say is that although the use of the Latin words did vary there was a need to manage the woods close to the saltpans and the use of *boscus* may reflect that need.

## Conclusions

Although the documentary sources give no clear description of coppicing, the cumulative picture emerging from the sources is that woods were being managed both by coppicing and pollarding. Directions as to where to cut wood, limiting cutting to spring and summer, allowing 10 to 15 years for wood to regrow, placing woods in defence, excluding livestock,

158 Rackham 2001, 26; Freethy 1991, 45, 46.
159 Stringer 2000(a), 217 no. 15.
160 Gilbert 2012, 44, 46.
161 Stringer 2000(a), 220 no. 23.
162 Stringer 2000 (b), 151.
163 *Ibid*. 214 no 7, *RRS* ii., 88; *Holy. Lib.* no 73.
164 *Melr. Lib.* no. 65 ( c1176×1196); *Kelso Lib.* no. 254 (1196×1200); Stringer 2000(a), 220 no. 23 (c1190×1196).
165 *Reg. S Bega* no 62; Stringer 2000(a), 219 no.21.

enclosing woods and the use *boscus* can all be found in southern Scotland in the 12th and 13th centuries and all point to coppicing being used to manage woods. Indeed, given the earlier evidence from pollen analysis, from place names and from archaeology[166] it would be most surprising if coppicing were not taking place. However, in some areas the prohibition placed on building banks points to the use of pollarding.

The documentary evidence which survives relates to major landholders and so the picture we have is of their actions. They had sufficient power and authority to try to enforce management of their woodlands, but not always successfully. It is interesting that in this picture, although the evidence is largely from monastic cartularies, lay estates such as those of Richard de Lincoln, the Bruces and the lords of Galloway do emerge as areas where woodland management was encouraged. Although there is little reference to the king's actions on royal demesne the references we have to tithing coppice wood in Teviotdale in the 12th century, to protecting woods at Jedburgh in the 13th century and to renting wood in Dalton forest in the 15th century point to an awareness of the financial value of woodlands. References to banning the giving and selling of wood and stressing to abbeys that they could cut wood only for their own uses imply that selling of wood did occur. There are no records of such sales and no accounts of woodland management but some lords both lay and ecclesiastical seem to have been aware of the value of wood as a crop.

It is, however, important to keep matters in perspective. The fact remains that there is no direct reference to coppicing in the south of Scotland in the medieval period such as there is in the north of England. In 1281, John duke of Brittany granted Jervaux Abbey the right in his forest of Wensleydale *scindere quandam portionem de bosco suo et illam portionem vendere aut in ferre comburere*[167] (to cut a certain portion of their wood and to sell that portion or to use it to smelt iron). Again in 1291 Walter of Faucunbert granted *decimam ... silvarum suarum ceduarum quae recrescunt*[168] (a tithe of their coppice wood which regrows). In Scotland the above conclusions are all based on interpretation of the written evidence. While palynology and archaeology can undoubtedly add more to this picture the references to woodland management in documentary sources are limited. In contexts where it might be expected nothing is said. It is also worth stressing that while the present author has no doubt that coppicing was taking place in southern Scotland only in a few instances might this have gone beyond selective cutting to a more formal rotation. The signs of a more formal system come from the direction of cutting as at Coldingham, the enclosure or fencing of woods as at Innerwick, Jedburgh and Stapleton and from the rotation at Mow and the wood banks on Bowden Moor. In many other places where woods or *boscus* existed as sources of underwood with some form of management it may well have been more informal coppicing which was taking place, with selective cutting to meet needs as they arose and with an awareness that livestock must be herded out of woods for a few years to protect new shoots, or else only allowed to graze in small numbers. In the medieval period the argument for coppicing, whether formal or informal, is based on implication rather than hard evidence. The same is true for pollarding with only Gala

166 *C*rone and Watson 2003, 61.
167 Dugdale *Monasticon* v, 575 no. XVII.
168 Cart. Gyseburne no. CCXVII.

and Leader forest being an area where the evidence goes slightly further than the stage of logical deduction.

## Abbreviations and Bibliography


| | |
|---|---|
| Ansell 2006 | M. Ansell, 'Place-Name Evidence for Woodland and Hunting in Galloway and Carrick' *Scottish Woodland History Discussion Group Notes,* XI, (2006) on www.nwdg.org.uk. |
| Armit and Ralston 2003 | I Armit and I Ralston, 'The Coming of Iron 1000BC to AD 500' in Smout, 2003 40-59. |
| Barber 1999 | J. Barber, 'The Linear Earthworks of Southern Scotland' *TDGNAS* Vol. 73, pps. 63–164 (1999). |
| Barrow 1973 | G. W. S. Barrow, *The Kingdom of the Scots*, (London 1973). |
| Barrow 1999 | G. W. S. Barrow, (ed.), *Charters of David I*, (Woodbridge, 1999). |
| Canmore | www.canmore.rcahms.gov.uk - Web site of the Royal Commission on Ancient and Historical Monuments for Scotland. |
| *Cart. Gyseburne* | *Cartularium Prioratus de Gyseburne* 2 vols. (Surtees Society 1889 and 1891). |
| *Cold. Corr*. | *The Correspondence, Inventories, Account Rolls and Law Proceedings of the Priory of Coldingham*, J. Raine, (ed.), (Surtees Society, London 1841). |
| Crone and Watson 2003 | A Crone and F Watson, 'Sufficiency to Scarcity: Medieval Scotland, 500–1600' in Smout 2003 60–82. |
| Crosby 2007 | A. G. Crosby, (ed.), *Of Names and Places: Selected Writings of Mary Higham,* (English Place-Name Society, 2007). |
| Davies 2003 | 'The Oakwoods at Old Caerlaverock Castle Dumfriesshire: Pollen Evidence for Management from the Thirteenth Century' *Scottish Woodland History Discussion Group Notes,* VIII, (2003) on www.nwdg.org.uk. |
| Dixon 2003 | P. Dixon, *Medieval or Later Rural Settlement in Scotland: 10 Years On* (Historic Scotland, Edinburgh 2003). |
| *DOST* | *Dictionary of the Older Scottish Tongue* ed W Craigie and others 1937–2001. |
| Dowden 1910 | J. Dowden, *The Medieval Church in Scotland* (Glasgow 1910). |
| *Dryb. Lib.* | *Liber S. Marie de Dryburgh*, (Bannatyne Club 1847). |
| Dugdale *Monasticon* | Sir William Dugdale, *Monasticon Anglicanum,* J. Caley and H. Ellis (eds) (1846). |
| Duncan 1975 | A. A. M. Duncan, *Scotland The Making of the Kingdom* (Edinburgh 1975). |
| Duncan 1999 | A. A. M. Duncan, 'Yes, the Earliest Scottish Charters', *Scottish Historical Review*, LXXVIII (1999) pp 1-38. |
| Edlin 1948 | H. L. Edlin, *Forestry and Woodland Life* (London 1948). |
| Edlin 1956 | H. L. Edlin, *Trees Woods and Man* (London 1956). |

| | |
|---|---|
| *ER* | *The Exchequer Rolls of Scotland*, (eds) J. Stuart and others, (Edinburgh 1878–1908). |
| *ESC* | *Early Scottish Charters prior to 1153*, A. C. Lawrie (ed) (1905). |
| Fawcett and Oram 2004 | R. Fawcett and R, Oram, *Melrose Abbey* (Stroud 2004). |
| Fraser, *Annandale* | W. Fraser, *The Annandale Family Book* (Edinburgh 1894). |
| Gelling 1984 | M. Gelling, *Place-Names in the Landscape* (London 1984). |
| Gelling and Cole 2000 | M. Gelling and A. Cole, *The Landscape of Place-Name* (Stamford 2000). |
| Gilbert 1983 | J. Gilbert, 'The Monastic Record of a Border Landscape 1136 to 1236', *Scottish Geographical Magazine*, 99 (1983) 4-15. |
| Gilbert 1979 | J. M. Gilbert, *Hunting and Hunting Reserves in Medieval Scotland* (Edinburgh 1979). |
| Gilbert 2011 | J. M. Gilbert, 'Place-Names and Managed Woods in Medieval Scotland' *Journal of Scottish Name Studies* v (2011) 35-56. |
| Hamilton 2010 | E. Hamilton*, Mighty Subjects, The Dunbar Earls in Scotland c.1072 – 1289* (Edinburgh 2010). |
| *Hist. Mss. Comm.* | *Reports of the Royal Commission on Historical Manuscripts* (London 1870 - ). |
| Jamroziak 2005 | E. Jamroziak*, Rievaulx Abbey and it Social Conte*xt (Turnhout 2005). |
| Hiley 1954 | W. E. Hiley, *Woodland Management* (London 1954). |
| *Kelso Lib.* | *Liber S Marie de Calchou* (Bannatyne Club 1846). |
| *Lanercost Cartulary* | *The Lanercost Cartulary,* J. M. Todd (ed.), (Surtees Society 1997). |
| Lindsay 1974 | J. M. Lindsay, 'The Use of Woodland in Argyllshire and Perthshire between 1650 and 1850' 2 vols, unpublished PhD thesis (University of Edinburgh 1974). |
| Lindsay 1980 | J. M. Lindsay, 'The Commercial Use of Woodland and Coppice Management' in M. L. Parry and T. R. Slater (eds*.) The Making of the Scottish Countryside* (London 1980) pp 271-291. |
| Loudon 1825 | John C Loudon, *An Encyclopaedia of Agriculture,* (1825). |
| Lyle 1969 | E. B. Lyle, 'A Reconsideration of the Place-Names in Thomas the Rhymer' *Scottish Studies*, xiii part 1 (1969) 65-71. |
| *Melr. Lib.* | *Liber Sancte Marie de Melros* (Bannatyne Club 1837). |
| *Moray Reg.* | *Registrum Episcopatus Moraviensis* (Bannatyne Club 1853). |
| Muir 2005 | R. Muir, *Ancient Trees Living Landscapes* (Stroud 2005). |
| NAS | National Archives of Scotland. |
| *ND* | Appendix to J. Raine *The History and Antiquities of North Durham* (London, 1852). |
| Nicoclaisen 2001 | W. H. F. Nicolaisen, *Scottish Place-Names* (Edinburgh 2001). |
| NLS | National Library of Scotland. |
| *OPS* | *Origines Parochiales Scotiae* (Bannatyne Club 1851-5). |
| Oram 2011 | R. Oram, *Domination and Lordship Scotland 1070–1230* (Edinburgh 2011). |
| *OSAS* | *Old Statistical Account of Scotland,* J. Sinclair of Ulbster (ed.) (Edinburgh 1791-9). |

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|---|---|
| Quelch 1997 | P Quelch, 'Ancient Trees in Scotland' in Smout 1997 24-39. |
| Rackham 2001 | O. Rackham, *Trees and Woodland in the British Landscape* (London 2001). |
| Rackham 2006 | O. Rackham, *Woodlands* (London 2006). |
| RCAHMS *Roxburgh* | *An Inventory of the Ancient and Historical Monuments of Roxburghshire* (Edinburgh 1956). |
| *Reg. S Bega* | *Registrum Prioratus de Sancta Bega* (Surtees Society 1915). |
| *RMS* | *Registrum Magni Sigilli Regum Scottorum* (eds) J. M. Thomson and others (Edinburgh 1882–1914). |
| *RRS* i | *Regesta Regum Scottorum*, i, *The Acts of Malcolm IV* G. W. S. Barrow (ed.) (Edinburgh 1960). |
| *RRS* ii | *Regesta Regum Scottorum*, ii, *The Acts of William I* G. W. S. Barrow (ed.) (Edinburgh 1971). |
| *RSS* | *Registrum Secreti Sigilli Regum Scottorum*, (eds.) M Livingstone and others (Edinburgh 1908-). |
| Sansum 2004 | P. A. Sansum, 'Historical Resource Use and Ecological Change in Semi-Natural Woodland: Western Oakwoods in Argyll Scotland', unpublished PhD thesis (Stirling University 2004). |
| *Statuta Ecclesiae Scoticanae* | *Statuta Ecclesiae Scoticanae* (Bannatyne Club 1866). |
| Smout 1997 | T. C. Smout (ed.), *Scottish Woodland History* (Edinburgh 1997). |
| Smout 2003 | T.C. Smout (ed.), *People and Woods in Scotland* (Edinburgh 2003). |
| Smout 2005 | T. C. Smout, Alan R MacDonald and Fiona Watson*, A History of the Native Woodlands of Scotland* (Edinburgh 2005). |
| Stringer 2000(a) | K. J. Stringer, 'Acts of Lordship: The Records of the Lords of Galloway to 1234' in T. Brotherstone and D. Ditchburn (eds) *Freedom and Authority* (East Linton 2003) 235-274. |
| Stringer 2000(b) | K. J. Stringer, 'Reformed Monasticism and Celtic Scotland: Galloway, c.1140-c.1240' in E. J. Cowan and R. A. McDonald (eds) *Alba, Celtic Scotland in the Medieval Era* (East Linton 2000) 127-165. |
| Taylor 2006 | S. Taylor, 'Wood and Tree Place-Names', *Scottish Woodland History Discussion Group; Notes* XI (2006) on www.nwdg.org.uk. |
| Taylor 2009 | S. Taylor with G. Markus, *Place-Names of Fife*, iii, (Donington 2009). |
| Taylor 2010 | S. Taylor with G Markus, *Place-Names of Fife*, iv, (Donington 2011). |
| Tipping 1997 | R. Tipping, 'Medieval Woodland History from the Scottish Southern Uplands: Fine Spatial-scale Pollen Data from a small Woodland Hollow' in Smout 1997 52-75. |
| Tipping 2011 | R. Tipping, *Bowmont, An Environmental History of the Bowmont Valley and the Northern Cheviot Hills, 10,000BC–AD2000* (Society of Antiquaries Monograph, Edinburgh 2010). |
| Watt 2000 | D. E. R. Watt, *Medieval church Councils in Scotland* (Edinburgh 2000). |
| Williamson 1942 | M. G. Williamson, 'The Non-Celtic Place-Names of the Scottish Border Counties', unpublished PhD thesis (Edinburgh 1942) on www.spns.org.uk accessed 5/6/2011. |
| Winchester 2000 | J. L. Winchester, *The Harvest of the Hills* (Edinburgh 2000). |

# HAIRSTANES OF CRAIGS – A FAMILY COME AND GONE

Alex Maxwell Findlater[1]

*The family of Hairstanes rose to prominence as burgesses of Dumfries in the later 1500s, only to die out in the male line in the mid-1700s when four sisters inherited. In 1739 they sold the family properties, Over and Nether Kelwood and Bourlands. The family took their designation from the lands of Over Kelwood, but used the name 'of Craigs', that being the house on the property. In Edgar's History of Dumfries (1915) which R C Reid edited, there is a long note, no 30, on Kelwood and its owners and at the end of the volume a pedigree of Hairstanes is included. Unfortunately, the descent as deduced by Reid is not correct in some details, although one must pay tribute to his scholarship. Only two of the four sisters, Isabella and Elizabeth, appear to have had issue. Elizabeth married William Maxwell of Preston and was the mother of two daughters; Mary, wife of William Gordon, 17th Earl of Sutherland; and Willielma wife of John Campbell, Lord Glenorchy. Lady Glenorchy died without issue, so it is probable that the surviving genes of the family rest with the Sutherlands.*

When Lady Sutherland died on 6 June 1766, and her husband fifteen days later, in Bath, the heralds duly arranged for the funeral, including shields of arms of her sixteen quarters. The record of this is in the Funeral Escutcheons series in the Lyon Office[2] and a copy is shown as Figure 1. The top row of four shields represents the grandparents of her father, while the next row represents the mothers of those grandparents. The same system applies to the lower pair of rows, which represents the ancestry of her mother. Not all the names are correct in the lower row for her father, and there are some fictitious arms, doubtless created by the heralds to ensure a full house. This funeral escutcheon is of value in determining the genealogy.

Apart from this source, there are some records of the family in the Craigdarroch Papers, with which family the Hairstanes intermarried twice. Notice is taken of the family in *A History of the Douglas Family of Morton* by Percy Adams (1921), for which he received much help from R C Reid. Finally, A Cameron Smith, in an unpublished paper held in the Ewart Library, deals with the family of Maxwell of Carnsalloch, which also intermarried twice with the Hairstanes.

The first generation of which we can be certain was born about 1575, and most probably were the children of John Hairstanes, admitted merchant burgess of Dumfries on 18 March 1561. It is likely that he was the son of another John, admitted burgess on 19 November 1506, as is shown in the Reid pedigree in Edgar's History. In this generation of c.1575

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2 I am grateful to Anthony Maxwell for bringing this document to my attention. The term Funeral Escutcheon is used in the Lyon Office records for either ancestor pedigrees or depictions of arms laid out as this one.

we have Matthew and John, whom we shall be obliged to call John I to avoid confusion. John I and his wife Jonat Baitie (Janet Beattie) were wine merchants, or perhaps rather inn-keepers, as Janet seems to have been actively involved in the business[3]; they were married in 1598.[4]

Matthew seems the more prosperous of the two and on 15 January 1610 had a royal grant of the 23 merks of Middlebie, with the gift of the church and the tithes. In the charter[5] he is described as, *pedissequo regine et sue majestatis servo cubiculario*, footman of the queen and servant in the chamber of his majesty, and the reason is given as, *pro servitio sibi et regine impenso*, for great service rendered to him (the king) and the queen[6]. This was in 1610, and would mean that he had moved to London with the Royal Court. Reid notes that he sold these lands to Lord Maxwell who conveyed them to his natural son John Maxwell, thus of Middlebie.

In 1612 he was able to buy[7] Over Kelwood or Craigs from Alexander Gledstanes, son of George Gladstanes Archbishop of St Andrews. In the registration of the charter he is described as *assecle sanctoris cubiculi regine*, steward ordainer of the queen's chamber. On 8 July 1619, as Matheus Hairstanes de Craigis, he resigned Over Kelwood, which was then confirmed jointly to him and his wife, Elizabeth Gladstanes, perhaps as a consequence of their recent marriage. At this time or earlier the same year, judging by the birthdates of their daughters, he married Elizabeth Gledstanes, who was the daughter of the very Alexander Gledstanes from whom he had bought Over Kelwood. He did not marry Anna Fergusson as shown in Reid's pedigree, which notes his first wife as Anna Fergusson (of Craigdarroch); it is clear from the dates (see below) that Anna married his namesake three generations later. The baptismal entries for his daughters show Isobel baptised 20 March 1608, without the mother's name, and two daughters both by Elizabeth Gledstanes (called Elspet in the register), Elizabeth baptized 11 January 1620 and Agnes baptized 17 September 1623. Given the period between Isobel and the later two daughters, Isobel was probably by an earlier wife.

The two daughters by Elizabeth Gledstanes were baptized at Dumfries, so he had probably moved back to Scotland, perhaps as a consequence of his marriage. On 14 January 1628, having no surviving wife or issue, Matthew of Craigs transmitted Over Kelwood to his nephew John II,[8] son of John I and Janet; he died in May 1628. He had passed the property earlier in the year to his nephew, rather than allowing it to descend to his brother,

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3 *Edgar's History of Dumfries*, R C Reid (1915), Appendix B, 3, Wine Duties, on pp 270/1.

4 Herbert Cunninghame's Protocol Book, 10 October 1598, from the Reid pedigree.

5 RMS vii 219.

6 I am grateful to Mrs Rosemary Bigwood for drawing my attention to this and the later descriptions.

7 RMS vii 678, registered 23 June 1612, *reddendum jura et servitia debita et consueta*, as rent/return, the rights and service due and customary, indicating probably that this service was owed to the superior.

8 RMS viii 1188, Matthew is described as *patruus*, paternal uncle, and reserves to himself the life rent. John's brother James is named as heir of tailzie, failing issue of John.

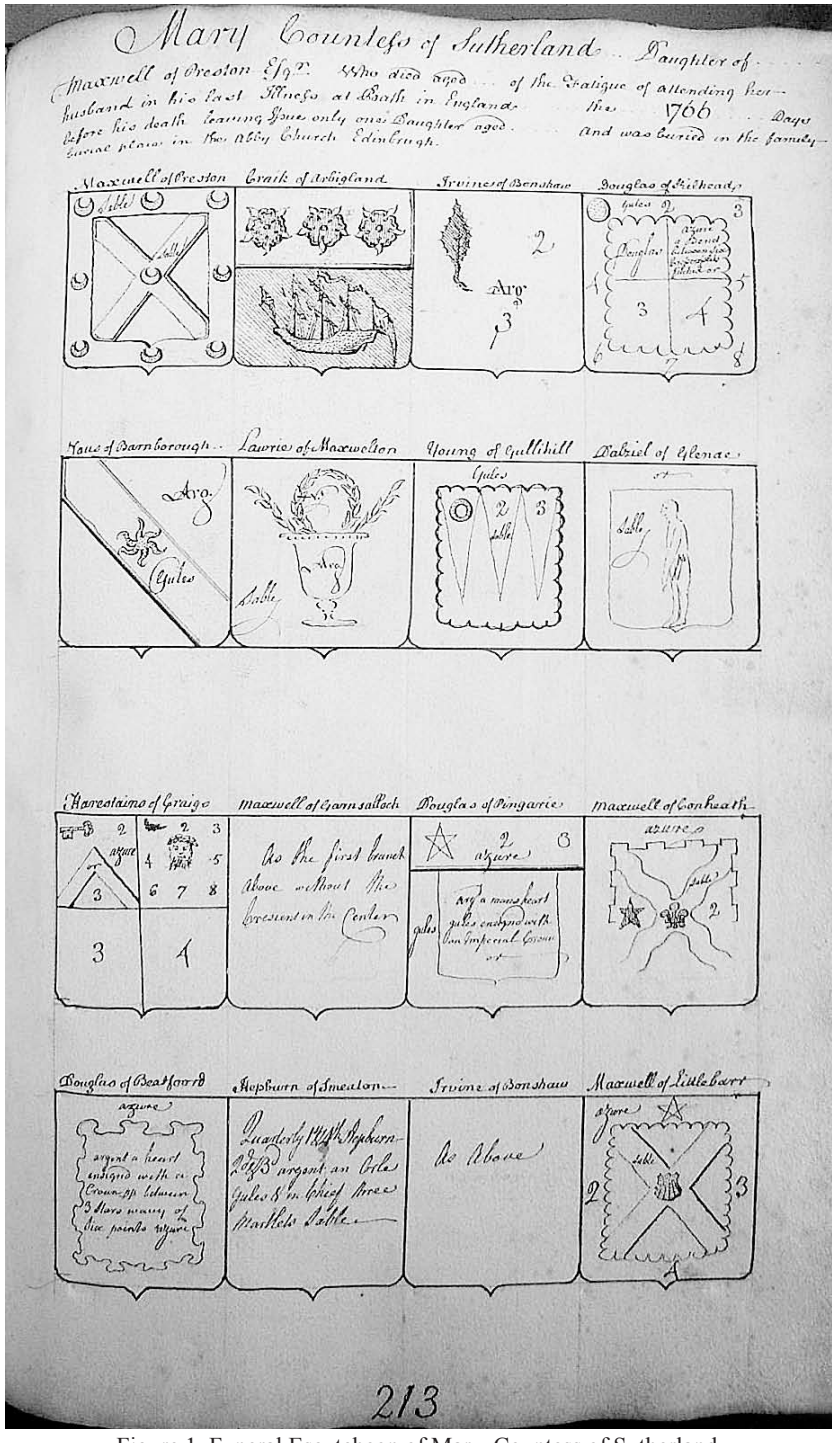


Figure 1. Funeral Escutcheon of Mary, Countess of Sutherland.

possibly to avoid two fines on entry. However, on his death *'Johannes Hairstanis, senior, Burgensis de Dumfreis'* was retoured heir of Matthew, *fratris*, on 9 December 1629 in an annual rent of 400 merks from the £20 lands of Duncow, indicating that his daughters were all dead by then and had no issue. John I was also retoured on the same day heir to Elizabeth, daughter of his brother, *filiae fratris*, which would indicate that her sisters were also dead, without issue.

In 1635, John II, now of Craigs, the son of John I and Janet Beattie, also acquired Nether Kelwood from John Earl of Annandale,[9] so reuniting the two halves of the property. John II had, before 1623, married Agnes Gledstanes, the sister of his aunt Elizabeth, further cementing the family relationship. They had a son, Matthew II, who was baptised on 22 April 1624 and evidently, as will be shown below, another son, John III. Of Matthew II nothing more is known, although Reid took him to be the Matthew retoured heir of John Hairstanes of Craigs in 1686. It will be shown later that this was the younger Matthew III, the grandson of John II and Agnes Gledstanes. It is likely that the Elizabeth Hairstaines married to John Sharp on 30 September 1647 was a sister of John and Matthew, as in the marriage record her father is shown as John. Her son was John Sharpe of Hoddom.

John III can only be proved to be the son of John II by the gift to John IV of non-entry. It seem likely that John II had died by 1670, for there is a deed of transfer between John Hairstanes the younger of Craigs (John IV) and his mother, Agnes Douglas, on 11 November 1678,[10] by which he gives to her the gift under Privy Seal dated 7 April 1670 of ward and non-entry of lands belonging to deceased John Hairstaines of Craigs (father of John IV) or deceased John Hairstaines of Craigs, his father (grandfather of John IV). The first mentioned here as deceased is John III, husband of Agnes, who was probably recently dead in 1670, while the latter is John II.

In the Funeral Escutcheon the marriages are shown as in Figure 2, i.e. John Hairstanes of Craigs has quarterly Hairstanes and Gledstanes. Clearly he is descended from the marriage of a Hairstanes and a Gledstanes, and the only such marriage which produced issue was that of John II and Agnes Gledstanes. Futhermore, he is 'of Craigs' and so the senior descendant of that marriage. We can now explore the further generations to establish that they also fit this pedigree from the Funeral Escutcheon.

John III married Agnes daughter of Alexander Douglas of Baitford on 6 August 1659, which is evidenced by their marriage contract[11] in the Craigdarroch Papers. Agnes married secondly, Robert Fergusson of Craigdarroch, and she is recorded as his wife and relict of John Hairstanes of Craigs on 23 November 1677, when she assigned Baitford to him.[12]

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9 RMS ix 440.

10 NRS, GD77/154, Disposition by John Harstaines of Craigs to Agnes Dowglas, his mother, of gift under Privy Seal dated 7 April 1670 of ward and non-entry of lands belonging to deceased John Hairstaines of Craigs, or deceased John Hairstaines of Craigs, his father.

11 NRS, GD77/174/9, [Part] Marriage Contract between John Hairstoune [Hairstanes], younger of Craigis [Craigs], and Agnes Douglas, daughter of Alexander Douglas of Baitfurd, WS.

12 NRS, GD77/153, Instrument of resignation by Agnes Dowglas, relict of John Herstanes of Craigs, and now spouse of Robert Fergussone of Craigdarroch, of lands of Baitford, Auchinhosswans [Auchenhessnane], and Kirklands of Tynrone in parishes of Penpont and Tynrone and sheriffdom of Dumfreis, in favour of herself and said Robert, whereon sasine was given.

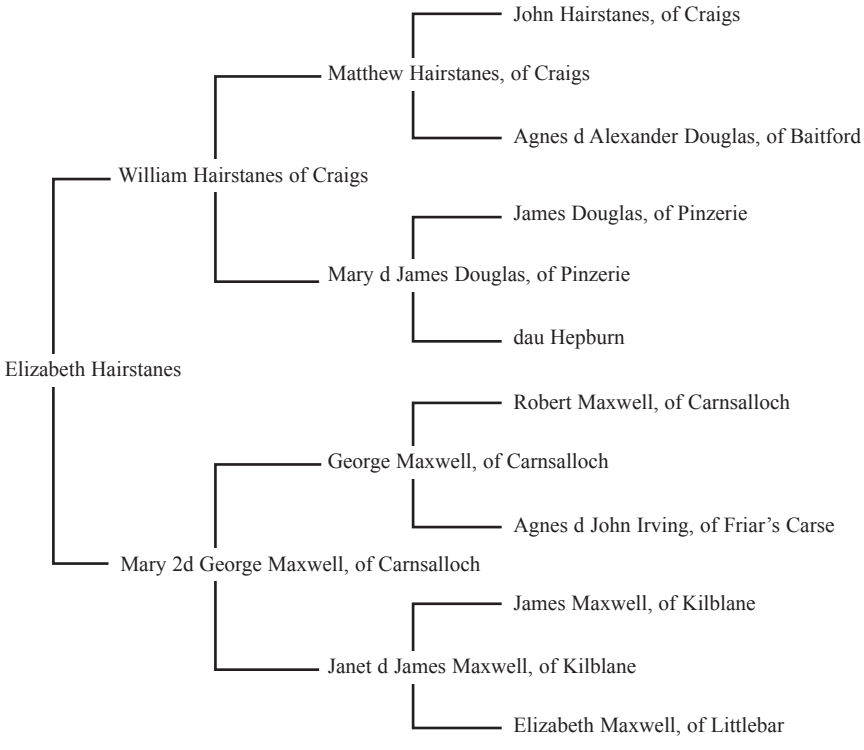


Figure 2. Marriages as shown in the lower half of the Funeral Escutcheon (Figure 1).

Baitford then passed to their son, Robert Fergusson, who died without issue and then to his sister, Agnes Fergusson, who married Colonel Thomas Dalziel, third son of Sir Robert Dalziel of Glenae.

John IV was the son and heir of John III, but he died young and evidently without issue, as Matthew was retoured heir to John III in 1686. Matthew Hairstanes, brother of John the younger of Craigs, delivered up the Testament Dative, i.e. the summary of assets and liabilities, of John Hairstanes younger of Craigs (John IV) in 1688.

In the testament dative, recorded on a folio headed 1688, the date of death of John is twice missing and three X-like marks fill each space. In the margin is written 'Testament umquhile Jon Hairstanes younger of Craigs decerned/delivered Marche 5 1688.' R C Reid took this to be the date of death, while it seems to me that the other evidence makes that unlikely. The actual letters of the doubtful word are rather abbreviated, viz 'de?d', the final 'd' having a long ascender which curves right over towards the doubtful letter, so indicating an abbreviation. The full text of the Testament Dative is as follows:[13]

13 NRS, CC5/6/7 – Dumfries Commissary Court. I am grateful to Mrs Rosemary Bigwood for transcribing this, and for her helpful discussion of the points which it raises.

Testament umquhile Jon Hairstanes younger of Craigs decerned Marche 5 1688.

The testament dative and inventar of the sowmes of money and debts quhilks wer justly addebted and restand awand to umquhile Jon Hairstanes younger of Craigs the tyme of his decease quha deceist in the monthe of …. (blank) jmvjc four score … (blank) years ffaithfullie made & given up be Mathew Hairstanes only lawful brother and executor dative decerned to the said defunct and that be decreit of ye Commissary Principal of the Commissariot of Dumfries as the samen of the date the … day of …. jmvic four score ….(blank) years in manner underwritten in itself mair fullie proports.

Item there was justly addebted and restand awand to the said defunct the tyme of his decease foirsaid be the aires and representatives of the deceased Robert Dowglas of Baitfoord/Beatfoord the sowme of twa thousand three hundreth and fourtie merks Scots money inde[14] in pounds ane thousand five hundred and sextie pound.
Summa of the inventar - jmvclx

Folowes the debts owand be the deid
Item the said defunct the tyme of his deceas forsaid wes justly awand and addebted to Jon Muir Writer to His Majesty's Signet for the composition of the said Johne Hairstanes his ward of marriage payd to Thomas Gledstones of Craig [presumably as superior[15]] as assigney constitute be James Niclesone writer in Edinburgh donator yrto and under whose bond was granted to the said Johne Muir the sowme of twa thousand awght hundreth merks inde[14] in pounds one thousand awght hundreth sextie sex punds thirteen sh. 4d. Scots
Summa debts be the deceased – jmviijclxvi 13sh. iiijd.
Sic debita excedunt bona.

William Charteris commissar Cautioner Jon Mcnaught merchant.

Clearly, this John cannot be any other than the son of John Hairstanes of Craigs, who married Agnes Douglas of Baitford in 1659, and whose non-entry was given to his widow in 1670, as noted above. It is not possible that his brother, Matthew, was a half-brother, as presumed by R C Reid, who I suspect had not read the testament. Their father, John, probably died in 1669 or 1670, as is deduced from the gift of non-entry in 1670, and the fact that Agnes Douglas, when she marries Robert Fergusson, is called "relict of John Herstanes of Craigs" (see Footnote 12), so they must on this evidence be full brothers.

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14 Latin 'inde', literally thence; here the equivalent of 'inde est', meaning 'from which [we may call it] so many pounds.'

15 This suggests that the Hairstanes were feuars of Over Kelwood, i.e. they did not hold it directly from the Crown (see Footnote 7). This evidence might help to untangle the descent of the Gledstanes of that Ilk.

Robert Fergusson of Craigdarroch made his testament[16] on 8 December 1682 and appointed Matthew III Hairstanes as one of his executors, noted there as, 'Mathew Hairstaines of Craigs (after his majority)'. Given that Matthew was called 'of Craigs' in 1682, and was retoured heir in 1686, we might think that his brother had died before 1682, but that the Testament Dative was not given up until 1688. There is a baptism of John Hairstanes on 10 December 1661, born 12 October, but it is unclear when Matthew III was born, other than that he was under age in 1682 and presumably of age in 1686.

That he was chosen as executor, rather than his elder brother John, would probably be because he had married Anna, Robert Fergusson's daughter by his second wife Elizabeth Grier. According to Clan Fergusson records they had a son, John, who died young. Anna herself must not have lived long, for by 1686, Matthew Hairstanes of Craigs was baptising children by his wife, Mary daughter of James Douglas of Pinzerie, who was Agnes Douglas' first cousin, Pinzerie and Baitford being brothers. Indeed, the pedigree deduced from the Funeral Escutcheon corroborates this, showing that John III has as his wife a Douglas of Baitford, and his son Matthew III's wife is shown as a Douglas of Pinzerie.

Matthew III probably died in 1698, as his son William was retoured his heir on 10 January 1699. Matthew III and Mary Douglas had many children, unsurprisingly including a Matthew who was baptised on 16 December 1689. These are shown on R C Reid's pedigree, but there is no further record of them. After Matthew III's death, Mary Douglas married George Maxwell of Carnsalloch in 1705, as his second wife.

William was baptized on 11 July 1687, was served heir in 1699, and married, in 1708, Mary Maxwell, unsurprisingly of Carnsalloch, the second daughter, by his first wife, of George, the second husband of Mary Douglas, and was admitted burgess on 5 September 1720. The Funeral Escutcheon again confirms this marriage.

William and Mary Maxwell had at least six children; Agnes, 1711; Matthew, 1712; Isabella; Winifred; Mary; and Elizabeth, 1717. Agnes and Matthew died young; Isabella married Mr John Mathison, Minister at Edinburgh, and left two children, Captain John Mathison of HMS Panther and Jean, who married W Corrie, merchant in Dumfries. I have not explored these descendants.

In 1735, William gave the lands of Over Kelwood, Nether Kelwood and Bourlands to Mary, Elizabeth, Isabella and Winifred, his daughters, reserving the life rent for his wife, Mary Maxwell.[17] It was on 17 August 1739 that the four surviving sisters sold Craigs to the Duke of Queensberry.[18]

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16 Printed in *A History of the Douglas Family of Morton* by Percy Adams (1921), Appendix B, no 69, p749.

17 Registered Dumfries 17 June 1738.

18 NRS, SIG1/84/6, Signature of the lands of Over Kelwood etc granted to Elizabeth Hairstanes, Isobel Hairstanes, Mary Hairstanes and Winifred Hairstanes, 13 Feb 1738, showing that they sold the lands very soon, presumably on the death of their surviving parent.

Winifred and Mary died unmarried, but Elizabeth married William Maxwell of Preston in 1739. William Maxwell of Preston was a cadet of Carnsalloch, his father Homer or Aymer of Newlands being the third son of Robert Maxwell of Carnsalloch by Agnes Irving of Friar's Carse. His mother was Marion, daughter of John Craik of Stewarton, who is wrongly called James on William's monument, which is in Kirkbean churchyard (to the left, behind the church, as it is approached.) This error also shows Elizabeth's hazy knowledge of her husband's pedigree. Hence his arms are the same as Maxwell of Carnsalloch, but with a crescent on the saltire.

As already recounted they had two daughters, Mary and Willielma, who was born posthumously, as Maxwell of Preston died on 16 April 1741. Elizabeth Hairstanes must have been influenced by the prevailing fashion for latinate names for girls and so named the younger daughter after her father using a feminine version of the Latin, Willielmus. Elizabeth Hairstanes was married, as late as 26 August 1753, to Charles Erskine of Tinwald, which estate they purchased. She lived on to die as late as 24 October 1806. Erskine was a brother of Sir John Erskine of Alva, 3rd baronet, ancestor of the earls of Rosslyn, and was himself Justice Clerk and MP for Dumfries between 1722 and 1741. He was Solicitor General in 1725, King's Advocate in 1737, a Lord of Session as Lord Tinwald in 1742, Lord Justice Clerk in 1748, so a man of some consequence. He died on 5 April 1763. A son of his first marriage, James Erskine of Barjarg and Alva, was also a Lord of Session as Lord Barjarg.

After the death of Maxwell of Preston, Elizabeth took her baby daughters to Edinburgh, where, using her own money, and with a somewhat small allowance from the estate of her late husband, they were brought up.

Mary married William Gordon, 17th Earl of Sutherland, on 14 April 1761. In 1766, they went to take the waters in Bath, where the earl took a fever, which his wife caught; she died on 1 June 1766. He died on 16 June, leaving an infant child, Elizabeth, who became the celebrated Countess Duchess of Sutherland. Their remains were taken to Scotland and they lay in state at Holyrood House and were buried in the Abbey there on 9 August 1766. No doubt her distressed mother was responsible for informing the heralds so accurately of the Countess's ancestors on her side; it is unfortunate but perhaps not surprising that some errors were made on the father's side.

Willielma married John Campbell, Lord Glenorchy, heir apparent of the third earl of Breadalbane on 26 September 1761 at St George's, Hanover Square, London. He died in his father's lifetime without issue on 14 November 1771. Willielma was known for her piety and charity. She did not remarry and died on 17 July 1786 in George Square, Edinburgh, long preceding her mother. Wikipedia summarizes her life thus: [19]

> In 1765, while recovering from illness, she came under the influence of the sister of Rowland Hill (the evangelical Anglican preacher), and experienced a religious conversion. Particularly after her husband's death in 1771, she devoted herself and her wealth to furthering evangelical causes, becoming an influential figure in Scottish Church affairs.

19 http://en.wikipedia.org/wiki/Willielma_Campbell.

She held evangelistic services in her Edinburgh home open to both rich and poor, and also established several chapels in both Scotland and England. She influenced many to enter the ministry.

As early as 1770, encouraged by Alexander Webster, she set up a chapel in Edinburgh. What was unusual for the time was the ecumenical nature of the enterprise, in that the intention was that Presbyterian, Episcopalian and Methodist ministers would be invited to preach. In 1773, Lady Glenorchy renovated the chapel in Strathfillan, Perthshire and, under the auspices of the Scottish SPCK, provided an endowment for a minister and two regional missionaries in that region.

Another chapel, bearing her name, was opened in Edinburgh in 1774. This time, however, it was intended solely for the Church of Scotland. The chapel was intended to serve as an independent place of worship for those who could not be accommodated within the existing parish church buildings, and included a school. It became a bastion of Evangelical Protestantism for the next seventy years. The hymn writer Horatius Bonar grew up in it (indeed his brother was the Session Clerk).

Further chapels were constructed in England during her travels in the last ten years of her life. These were in Exmouth (1777), Carlisle (1781), Matlock (1785), Bristol (1786), and Workington (1786).

Despite the ecumenical nature of her first chapel, Lady Glenorchy retained her Calvinist leanings. In the year the chapel opened, Lady Glenorchy met with John Wesley, who attempted to persuade to join his Methodist movement, but without success. Indeed shortly after this, her chapel was closed to Methodists, in response to the refusal of some Church of Scotland ministers to preach in it.

To ensure that her favoured evangelical enterprises would flourish, she left much of her £30,000 estate to her chapels, to the Scottish SPCK, and to a fund for educating young ministers.

## Abbreviations

| | | |
|---|---|---|
| **RMS** | | Registrum magni Sigilli (Register of the Great Seal). |
| **NRS** | | National Records of Scotland: |
| | **GD77** | Papers of the Fergusson family of Craigdarroch, Dumfriesshire. |
| | **CC** | Register of Testaments. |
| | **SIG** | Original drafts in the vernacular of Deeds destined for the Register of the Great or Privy Seals. |

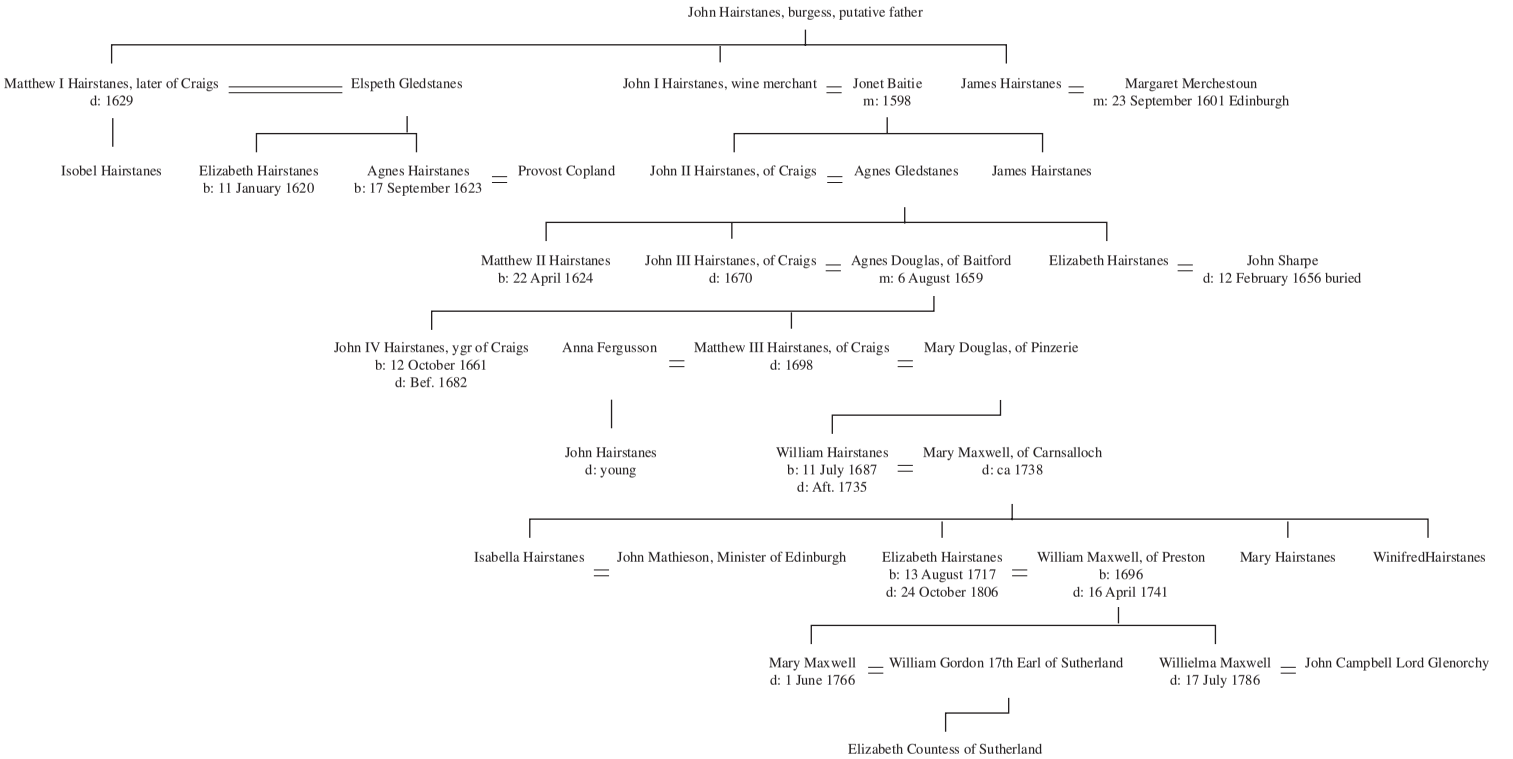


Figure 3. Hairstanes pedigree.

# OLD MAPS AND ROADS IN NITHSDALE: WITH PARTICULAR REFERENCE TO DURISDEER

Martin Allen[1]

## 1. Early Maps

The earliest extant map of the area is that of Timothy Pont, c.1590, of which a tidied-up version appeared in Blaeu's atlas some 60 years later in 1654[2]. No roads are shown on either; Pont's method was evidently to follow the main rivers and their tributaries while indicating the positions of the settlements in and around their respective valleys. The burns joining the Nith on its east side (Mennock, Enterkin, Carron, Cample) are shown as approximately and unrealistically parallel.

## 2. Roy's Map

### *1. General*

The earliest reasonably accurate map of mainland Scotland, with roads, is that of William Roy, the son of an estate factor, who must have demonstrated enough mathematical flair and cartographic ability after leaving Lanark Grammar School to be entrusted at the age of twenty with the task of mapping the Highlands. Working initially on his own, but later with six groups of assistants, each of six men, Roy set about this huge project in 1747, two years after the Duke of Cumberland's defeat of the Jacobite uprising at Culloden. To consolidate his victory, Cumberland needed to impose strong government on the Highlands, which involved the building of roads, construction and manning of forts – and possession of reliable maps.

The success of Roy's work in the Highlands led to a further commission: to augment what he had already achieved by mapping the rest of the Scottish mainland. Primitive though his instruments may have been by modern standards, in one respect he was two centuries ahead of his time: while the surveyors of those two centuries divided the mile into eight furlongs, each of ten 22-yard chains, Roy abandoned those units in favour of a decimal scale of one inch to 1,000 yards, so that a tenth of an inch on the map represents 100 yards on the ground.

The map is drawn and lettered freehand. Relief is shown by broad lines of hatching which vary in tone, darkest for the steepest slopes; woodland by small blobs; cultivated land by thin parallel lines representing furrows. Although Roy's own handwriting is evident on some sections of the map, the parts covering the area discussed here are lettered by other

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1 Durisdeer Schoolhouse, Thornhill, Dumfriesshire DG3 5BQ.

2 These and all the other pre-modern maps discussed in this article can be viewed free of charge on the National Library of Scotland website, http://maps.nls.uk.

hands. Durisdeer appears as Diodier, while the hill to the north of the village, Wether Hill on modern maps, is shown as Girning Hill, perhaps the contribution of a local airing a grievance arising from too-frequent climbing of its slopes in the course of his work.

Not many farms are shown by name. In the Durisdeer area Roy shows Hapland, Muiryhill, Coshogle, Ingleston, Dalveen, Enterkinfoot and Kirkbride (to restrict ourselves to locations east of the Nith, and to ignore spelling variations), but others such as Enoch and Castlehill are absent although named on Blaeu's map of a century earlier. This is understandable, since the purpose of Roy's survey was military. He was not required to name every farm; more important were the lie of the land and the roads by which troops might be moved swiftly about the country.

*2. Dumfries to Sanquhar via Penpont*

Roads, in the 18th century, avoided river valleys, poorly drained in some places and too steep in others: most of the present road that follows the Nith from Dumfries to Sanquhar and beyond (A76) and the one leaving that road to follow the Carron valley (A702) were then non-existent. Just north of what is now the old bridge at Newbridge (NX 949791)[3] the road divided, the left fork joining the course of the present B729 for Moniaive, the right named as 'Road from Dumfries to E[dinburgh] by Drumlanrigg' [*sic*]. The first half-mile of that road still exists as a public road as far as Birkhall (NX 941803), where it becomes a farm track. For the next six miles or so, only parts of it can be traced as farm lanes or field boundaries. It seems to have crossed the Laggan Burn north of Kilroy (NX 917834) to join the present Class B road at Burnhead (NX 916844), then followed the course of the present road from there to Penpont. At Penpont it took a sharp right turn, its course for the next mile, to another Burnhead (NX 861954), followed by the modern A702. At Burnhead the A702 turns sharply right to cross the Nith Bridge below Thornhill while the older road goes straight on through the hamlet, then swings north to approach Drumlanrig by the present-day minor road.

Beyond Drumlanrig, the road continued northward as the 'Road to Sanquhar' and still exists as a minor road on the west side of the Nith; however, where the modern road turns west beyond Crairiehill (NS 854036) to join another road, the old road followed the curve of the river to rejoin the modern road at Burnmouth (NS 839051). It then followed the south-west bank of the river to a ford at or near the site of Glenairlie Bridge (NS 835056); from there a road which is now the A76 followed the north-east side of the river to Sanquhar. The ford was perhaps disused in Roy's time, for the road on the south-west side continued to Eliock Bridge (NS 804083) – or more probably an earlier bridge on the same site – where it joined the road on the north-east side.

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3 The modern map used in this research is the Ordnance Survey 1/25,000 Pathfinder series. Grid references prefixed NX occur on Sheets 529 (Dumfries), 517 (Dunscore & Ae) and 505 (Thornhill), those prefixed NS on sheet 494 (Mennock & Durisdeer). This series, published before 2000, is now superseded by the Explorer edition of which Sheets 321 and 329 cover the area under discussion.

*3. Nunholm Road and its Continuation*

Another road out of Dumfries deserves a mention, if only because the traces it has left are very much more than one would expect of a road shown on Roy's map by the faint single line indicating one of little importance. Leaving the centre of Dumfries by the Edinburgh Road, it then continued by Nunholm Road. At the junction the Edinburgh Road turns to the right while Nunholm Road goes straight on: as at Burnhead, where the modern A702 turns, a minor road continuing the line of a more important road is often a sign of the greater age of the continuous line. Nunholm Road is a cul-de-sac, ending at a riverside parking area. Here the Nith was crossed by a ford, and although the ford no longer exists this is still a significant crossing point: a high bridge carries the Dumfries Bypass over the river, and the railway crosses by another bridge nearby. The onward course of the road, north of the river, can be seen clearly and is still a public road, running north-westwards to cross the A76 at NX 929832, near Gateside of Isle. Half a mile further on, at Kilroy, it joined the road already described. It is likely that this road, with its often-impassable ford of the Nith, fell into disuse with the building of the bridge over the Cluden, which is known to have existed in the 1670s but was then in disrepair[4]. Roy shows it as 'New Bridge', and the name Newbridge survives as that of the adjoining village.

*4. Dumfries to Thornhill and Beyond*

To reach Durisdeer, the 18th-century traveller would have used yet a third road out of Dumfries. Roy's map shows the junction of the present Edinburgh and Moffat roads, now on the outskirts of the town, but then in open country. From that point the continuing road, now A701, is marked 'Road from Drumfries [then the usual spelling] to Moffat'. As now, a side road led off heading for Kirkton, but the junction was closer to Dalscone (NX 983782) than the present junction at Heathhall. A trace of this earlier route appears on the modern map as a farm lane approaching Riggfoot (NX 978797) along a succession of field boundaries and continuing in the same general line past Carnsalloch to the present-day road junction at The Mount (NX 975809) which seems to have been the site of the then village of Kirkmaho [*sic*; the parish is still Kirkmahoe], some way south of the present-day village of Kirkton. Our road continued as the minor road to Carzield (NX 967820, Careel on Roy's map) and then immediately divided, to reunite at The Roads (Dalswinton Roads on the modern map, NX 940843). The farm-name Gateside (NX 963837) suggests that this is where the eastern branch from Carzield – its course not apparent from the modern map – joined the line of the present-day road. We have already met Gateside of Isle: the name Gateside occurs frequently at present or past road junctions, perhaps where there were toll gates.

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4 It was then the responsibility of the Commissioners of Supply, who in 1670 found it (and the Scar bridge, NX 840944) to be in urgent need of repair. In 1710 the Cluden bridge was described as 'ruinous', but work on it was 'considerably advanced' three years later. (Extracts from the minutes of the Commissioners of Supply, quoted in James Robertson, *The Public Roads and Bridges in Dumfriesshire 1650-1820*, (Wigtown: G.C. Book Publishers Ltd.) 1993, pp 27ff.) The bridge was rebuilt in 1758 (*Ibid*., p 142), and still exists, although since 1977 the A76 has used a newer bridge nearby.

From Carzield, the western branch joined the course of the minor road to the junction at NX 962824, where a farm lane continues the line of the minor road for a very short distance before taking a sharp left turn to Bellholm (NX 960821). At the bend, a gate leads into the field west of the junction. This field has been divided, too recently for the new fence to be shown on the modern map. The part of the field north-east of the dividing fence is now a young broadleaf plantation, and the fence itself, although new, seems to mark the onward course of the old road – the change from pasture to plantation dictated, here as elsewhere, by the stony nature of land where a road once existed. Between here and Dalswinton Roads are other field boundaries that could mark the course of the road: at The Tooks (NX 954829) and west of Dalswinton Old House (NX 943841), where the field boundary is continued as a present-day private road leading, via a junction, to Dalswinton Roads.

From Dalswinton Roads, where the roads running east and west of Dalswinton House joined, the road passed north-east of Bankhead (NX 934847), possibly crossing the Bankhead farm road at the point where two blocked gateways through the dry-stone dykes face each other across it at, or near, the 49-metre spot-height (NX 934850). It may seem fanciful to assume that the presence of relatively modern gateways indicates the passage of an ancient road; but the decision to site the gateways at that position could have been based on the presence of a hard surface, a useful legacy of the ancient road. The modern map shows sites of Roman forts in the field north-west of the farm lane; the old road probably passed or went through these before crossing the line of the modern road west of Dalswinton Village, then perhaps to be traced by following existing lanes and tracks through Glenfoot (NX 930855) and Low Auldgirth (NX 917868, confusingly named, as the village of Auldgirth is considerably lower). From there its course is shown by a track running north from the farmstead and following field boundaries; on one of these is a large mound, shown on the modern map by a small circle (NX 914874), which may be another Roman site.

The road then crossed the Clauchrie Burn, which here flows through a deep cleuch. Its south side is precipitous, and no path down to the burn can be found, but there must have been one, since the modern map shows footbridges at NX 912875, the probable site of an earlier ford. There were two footbridges, one now unusable, the other non-existent, found by approaching the burn from the north side. On that side, after a steep climb from the ford, the course of the road can be traced following old dry-stone dykes through the woodland. It then crosses a grass field to Cairn Farm and follows the modern road for a hundred yards or so to a sharp bend, where a track leaves the road. This is probably where the ancient road left the modern one, but it seems from Roy's map to have taken a lower course than the modern track, perhaps passing the Roman fortlet at NX 902884 before descending to cross the stream called The Lake some way south of Stepends (NX 901887), as Roy shows.

There was no Nith bridge at Auldgirth; in the whole distance between Dumfries and Sanquhar, 26 miles by the modern road, the only bridges over the Nith were those at Eliock and Drumlanrig. There were, however, ferries, indicated by names such as Boatrig (NX 923857), Boatcroft (NX 885902), Boatford (NX 865954) and the road called Boat Brae, leading down to the river from Thornhill.

The section from Stepends to Thornhill is still in use as a minor road, with a bridge where the Cample Burn was previously crossed by a ford. The road is described here as 'from Sanquhar to Dumfries', presumably by way of Drumlanrig Bridge (NX 859998), as Roy shows no other connecting road. Our road cut through present-day Thornhill (then a mere roadside hamlet), then paralleled the A76, passing through Waterside Mains (NX 870970). It continued through the wood north of the farm, then forded a small stream and ran along the west side of the field boundaries to the hamlet of Morton Mill (NX 868976). Its course can be seen plainly as a terrace following the contour line in the field on the south side of the hamlet. Crossing the present-day road, it continues as a track leading to the back of the disused corn mill, its level raised to allow corn to be unloaded into an upper storey of the mill. Formerly it would have descended to make an oblique crossing of the Carron Water.

Crossing the burn by the nearby footbridge it can be seen that the road continued as the one running northwards from Carronfoot (NX 867980) which itself continues as a track through Carronfoot Plantation to Moss-side, where the road followed the course of the present-day approach to the group of buildings at NX 869984. These were formerly associated with a fulling mill; the house there is still called Waulkmill. From there it continued to Holestane (NX 872999), a short section traceable as a track along the east edge of Lowriesknowe Plantation. From Holestane northwards it is now a farm lane, and where the lane ends it crosses a field without trace, but can again be picked up as a well-defined track through a forestry plantation leading to a steep descent to the Column Burn. Beyond the burn it climbs to leave the woodland where only a heap of stones marks the site of the original High Enoch, some 350 yards up the slope behind the house now bearing that name (NS 879010). From there it headed north-east to the sharp bend in the modern road just south of Drumcruilton (NS 882022), crossing the course of the railway and discernible in the track through and alongside Meadow Plantation (NS 882018).

Roy's surveyors wrongly labelled Drumcruilton 'Drumcork', although Pont's and Bleau's maps of a century and more earlier had named it correctly as 'Drumcruyil', 'ton' being a recent addition. The real Drumcork at NX 882971 is correctly named on both Roy's and the earlier maps.

*5. The Road to Durisdeer and its Continuation*

A short distance before Drumcruilton a branch road must have led off to Durisdeer, crossing the Carron by a ford near the present bridge at NS 887024. The track heading north-east from Durisdeer, named Well Path on modern maps but locally known as the Wall Path, is labelled by Roy 'The Roman Road from Dumfries to Elvanfoot', implying that it continues the line of a road approaching Durisdeer from the south-west, even though Roy does not show it. The present-day Wall Path keeps to the south-east side of the Kirk Burn, but Roy has it crossing that burn to run beside the Roman fort at NS 902049, returning to its present course at the watershed which is now the county boundary.

Anyone approaching Drumcruilton from the south will notice that the line of the modern road seems to continue through the front gate of the farm, while the road itself veers to

the left. It is not uncommon for an old road to be diverted round a farmstead and then to resume its original line, which might appear to be the case here, but is not. As the modern map shows, this is not a diversion but a change of direction, and the modern road follows its new course through the crossroads at Muiryhill (NS 875035), which is also the course of the road shown by Roy. A possible explanation of the change of direction, with another road seeming to go straight on and represented by the front drive of Drumcruilton, is that this was the junction referred to above, and that the Drumcruilton drive was the beginning of the road to Durisdeer. Cutting through the site of the present farmhouse, it would have crossed the fields north of and opposite Ankerdyne Cottage (NS 885023) to a point about 150 yards NNE of the bridge, where the Carron Water could be forded. From the ford, the road would have run beside the Kirk Burn for a short distance before joining the course of the modern road, passing to the left side of a hillock which the modern road avoids by passing to its right.

The fact that at Drumcruilton this road goes straight on, while the modern road changes direction, suggests that the road to Durisdeer was originally the more important, and Roman in origin if not even older. Much of the road we have described, from Dumfries to the neighbourhood of Drumcruilton and on through Durisdeer, is of Roman or earlier origin and is the continuation of a road from a port at the mouth of the Nith, guarded by the fort on Ward Law (NX 024669) and approaching Dumfries by the road from Bankend. In the area traversed by the road north of Dumfries there is no lack of Roman sites; a fort at Carzield (NX 969818); a camp less than a mile away at West Gallaberry (NX 963827); and numerous forts and camps around Dalswinton with another camp on the opposite side of the river near Ellisland (NS 929843). This is believed to be the highest point to which the Nith was navigable at high tide in Roman times, hence the concentration of activity in the area. Further north, Roman sites become less frequent. The fortlets near Durisdeer and Stepends have already been mentioned, and other Roman sites are located at Carronbridge (NX 869979) and near Drumlanrig (NX 855991). To quote Tom Lehrer's song 'The Elements' out of context, 'there may be many others, but they haven't been *discarvard'*.

*6. Northward from Drumcruilton*

Beyond the Muiryhill crossroads, Roy's road continued northwards, now under tarmac for the first mile to the Inglestone turning (NS 874046). Roy marks 'Muir Gate' a few hundred yards beyond Muiryhill, probably at the point where the dry-stone dyke ends. After the Inglestone turning a farm track follows the onward course of Roy's road, here described as 'Road over Entrican to Edinburgh', and now signposted as the Enterkin Path, a walking route to Wanlockhead. Half a mile beyond the Inglestone turning, the track skirts the plantation called Chapel Belt, where the modern map shows a junction with a side track (NS 875055) running alongside the north-west side of the plantation, turning sharply to follow its north-east side and finally leading to Chapel Farm. On Roy's map this path makes no sharp turn but continues in the same generally northern direction, roughly parallel with the 'road over Entrican' but at a lower level, to Dalveen (NS 884069). Its approach to Dalveen is still evident on the ground, shown on the modern map as a track alongside field boundaries. From Dalveen it followed the Carron valley to Upper Dalveen (NS 901082), at first on the right side of the burn and then crossing, perhaps to become

the present-day track linking Upper Dalveen with the modern road. From Upper Dalveen the path climbed steeply to join the course of the modern road, leaving it at the county boundary to reach Troloss (NS 915082) and following the line of a still-existing track to join the Roman road at NS 926079.

The path between the Dalveens (both named 'Delvin' by Roy) was known as the Dalveen Pass, now the name of the section of modern road (A702) which bypasses the Dalveens and avoids the steep climb by a gradual ascent of the hillside on the east side of the valley. There is evidence for the existence of the original Dalveen Pass in the late 17th century, a time of religious unrest leading at times to open warfare between upholders of Presbyterianism and Charles II's agents seeking to impose English-style episcopal government. Squads of dragoons, helped by well-rewarded informers, were employed to round up the dissenters, known as Covenanters, and especially the leaders among them. One of these, Daniel McMichael, lived at Blairfoot, near Burn Farm (NX 904983), some two miles from Thornhill. Blairfoot no longer exists, but unlike Burn is shown by name on Roy's map. In January 1685, McMichael is believed to have been ill in bed, with friends gathered round his bedside. Warned of the approach of a large party of dragoons, they split into two groups, one making for the hills to decoy the dragoons while the other carried McMichael, wrapped in his blankets, in the direction of Durisdeer. Roy does not show the route they took, presumably that of the present-day Land Rover track which passes the Kettleton Reservoir waterworks to climb to Kettletonhead and then descends to join the public road beside Durisdeer cemetery.

Undeceived, the dragoons also divided. McMichael took refuge under the overhanging bank of a burn, where he was discovered, taken to Durisdeer and confined there overnight. The next day he was marched to Dalveen on the first stage of a journey that would have taken him by way of the Dalveen Pass to Troloss, from there to the dragoons' camp at Crawford, and on to Edinburgh to stand trial. However, by the time he reached Dalveen he could barely stand, let alone march, and was killed by musket-fire on the order of the dragoons' captain[5].

The route from Durisdeer to Dalveen would almost certainly have crossed the Muir Cleuch by the ford just above Muircleuch Farm (NS 885051), and the line of the A702 where it is now joined by the Dalveen farm lane, which, as the modern map shows, continues the line of field boundaries on the opposite side of the road.

To return to Roy's 'road over Entrican to Edinburgh', a short distance beyond the Dalveen turning it becomes a mere path, indicated by a single line instead of the double line used for routes that were more important or, perhaps, better suited to wheeled transport, and is labelled simply (in a different hand) 'Entriken Path'. It led to Wanlockhead and Leadhills, and on to Biggar. Both Leadhills (then a sizeable town, its name inscribed in capitals) and Wanlockhead were then engaged in mining and smelting lead, and unless the finished product was transported by packhorses it must have been removed by the only apparent road in the area, from Leadhills to Elvanfoot.

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5 Based on the admittedly partisan account by Robert Simpson in *Traditions of the Covenanters*, new edition (Edinburgh: Gall and Inglis) c1890, pp 104-9.

### 3. Crawford's Map of Dumfriesshire, 1804

Crawford's map, at a scale of one inch to a mile, is engraved, with printed lettering, and indicates relief by fine-lined hatching, heavier on south- and east-facing slopes as if to represent the landscape as lit by the setting sun of summer. Woodland is shown by little trees, close-packed or slightly scattered. The best or most important roads are indicated by double lines, less important ones by double pecked lines. The main road northward from Dumfries is now virtually the same as the present A76; the back road from Stepends to Thornhill is not shown, although it still exists as a minor road. The ancient road which forded the Nith at the bottom of Nunholm Road is shown, but appears to terminate at Gateside of Isle, where it meets the A76, although its continuation likewise still exists. The road from Kirkmahoe to Auldgirth follows the modern route, skirting the north-east side of the grounds of Dalswinton House; the alternative route passing between Dalswinton House and the river is not shown.

Thornhill already has the essence of its modern street-plan, with Drumlanrig Street extending northwards from the rectangle which it forms with West Morton Street, Townhead Street and New Street. From the junction of the last two, as now, Boat Brae runs down to the Nith Bridge and on to Burnhead. Gill Road, officially a part of the A702, which runs from the foot of Boat Brae to the northern end of Drumlanrig Street, is shown as a faint double line, and an even fainter line seems to represent the road that now runs from Gill Road to join the A76 opposite Langmyre Mains; but there is no trace of the earlier southern approach to the town by the southward continuation of Townhead Street.

By this time, the ford at Morton Mill had been replaced by the bridge at Carronbridge. It seems that the building of that bridge did not lead immediately to adoption of the modern route from Thornhill, as the road shown by Crawford passes close to Waterside, some 400 yards west of the modern road. In section 2.4[6] we mentioned a ford at the point where Roy's road left the wood north of Waterside. Immediately to the north of the ford (NX 870974) there is evidence of a junction: while the original road continued north-westwards towards Morton Mill, a gentle slope up to the field north of the ford seems to be the beginning of a road that would have led directly to Carronbridge.

At Carronbridge, the road to Durisdeer is shown as leaving the main road a very short distance north of the bridge, passing the Waulkmill and following Roy's route to Drumcruilton, where, as Roy failed to show, it divided. Crawford's map does not distinguish between fords and bridges, but his placing of the Durisdeer road's crossing of the Carron Water immediately below its confluence with the Kirk Burn (NS 885025) seems to indicate that if Crawford's information was up to date the ford mentioned in section 2.5[7] was still in use. Beyond Durisdeer the Wall Path is shown as keeping to the south-east side of the Kirk

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6 'It continued through the wood north of the farm, then forded a small stream and ran along the west side of the field boundaries to the hamlet of Morton Mill (NX 868976).' See section 2.4 above.

7 'A short distance before Drumcruilton a branch road must have led off to Durisdeer, crossing the Carron by a ford near the present bridge at NS 887024.' See section 2.5 above.

Burn, as it still does, instead of crossing over to adjoin the Roman camp. The other branch from Drumcruilton is not shown as continuing to Muiryhill to become the Enterkin Path but takes a lower route to cross the Carron just above Durisdeermill, which is not marked. From that point onward its route seems to be that of the modern road.

In the 1790s, shortly before publication of Crawford's map, ministers' descriptions of their parishes were collected in *The Statistical Account of Scotland*. Two of these mention the road between Thornhill and Sanquhar, shown on the map as virtually the modern A76. 'Just now,' wrote the minister of Kirkconnel (admittedly, beyond Sanquhar), 'the great turnpike road, on the line between Carlisle and Glasgow, is nearing completed. It runs along the face of the hills on the north side of this parish ...'[8], implying that here it was on the course not of the A76 but of the minor road which now (2012) gives access to an opencast coalmine. Before the mine was excavated this road continued as a track, eventually to become the minor road which joins the A76 just north of New Cumnock railway station.

The Durisdeer minister (The Revd John McKill, who held the living from 1771 to 1794) suggested that 'A road from the village of Durisdeer would connect the Wallpath road with the new turnpike to Sanquhar and the west country [...] A bridge over Nith, even though it were constructed of timber, would be of material advantage; and it might be easily erected, below Auchenbreath [now Auchenbraith, at NS 860039], where the river is confined on each side by solid rock.'[9] A bridge there would have been useful to McKill himself, helping him to maintain contact with parishioners on the west side of the Nith. It is now spanned there by a steel cable which formerly supported an aerial ropeway. This was often used for just that purpose in the early years of his ministry by the late Revd J.W. Scott, minister of Durisdeer parish from 1953 to his death in 2009.

Crawford marks and names several farms or houses which no longer exist, some of whose sites have defied attempts to locate them. Upper Gate, a little way south of Drumcruilton, may have been in what is now the Meadow Plantation (NS 882018). A little way north of Stanebutt (NS 884056) and across the Carron was Collinnie, Colen on Roy's map, whose name, if nothing else, survives as that of a hill (NS 878066). Crawhill was on the Enterkin Path, perhaps at the point where Roy had another path diverging to the Dalveens. Cloich was on the then-new Dalveen Pass road, apparently at NS 890069, and Tackholm lay between Breconside (NS 836024) and Crairieknowe (NS 841038).

## 4. Ainslie's Map of 1821

Ainslie's map of southern Scotland is printed at the smaller scale of three miles to the inch, with no indications of land use. All the roads and paths shown on the map are indicated by unbroken double lines, one line thicker than the other in the case of roads that were more

8 *The Statistical Account of Scotland Vol. 4 (Dumfriesshire)*, reprint edited by Donald J. Withrington and Ian R. Grant (Wakefield: EP Publishing Limited) 1978, p 288.

9 *Ibid*., pp 155-6.

important or of better quality than others, for example the road passing through Thornhill and continuing to Sanquhar, which is virtually the modern A76. The courses of roads are smoothed so that they appear as sweeping curves. Upper Gate, not Drumcruilton, is shown as being at the junction of the roads to Muiryhill and Durisdeer, and the map shows another junction just before where the Durisdeer road crosses the Carron, presumably at the present-day Ankerdyne Cottage junction (NS 885022), with a high-quality road running northwards along the west side of that river.

In 1812, James Singer recorded that '... a new turnpike is begun from Carronbridge, in the district of Nithsdale, to go through the mountains to Elvanfoot'[10]. It might be expected that the 'new turnpike' would have taken the approximate course of the modern A702, leaving Carronbridge on the east side of the Carron and bridging it twice between there and Durisdeermill; but the better-class road shown on Ainslie's map of nine years later starts at the Ankerdyne Cottage junction and crosses the Carron only once, by a ford north of Durisdeermill. It is not known when the present bridges were built; perhaps shortage of funds caused postponement of construction of the parts of the turnpike that would cross them.

From its start to the present Durisdeer Schoolhouse junction (NS 882035) the course of this road seems to be that of the modern A702. From there it would have crossed what is now the lower part of the Schoolhouse garden to reappear in the field behind the house, where a small stream, too insignificant to appear on any map, runs through marshland with only one convenient crossing-place where gentle slopes run down to a firm stream-bed. A few yards beyond this obvious ford, the road entered the strip of woodland on the east side of the field. A small dip in the field, adjacent to the woodland fence but not extending through it, is probably an old road-stone quarry opening directly on to the road, which at this point must therefore have run along the top (western) edge of the wood, shown as woodland on the modern map but not on any of the early ones discussed here. Further on it descended to a fairly level shelf between a steep slope on the one hand and marshland on the other, fording another stream half-way through the wood and emerging at its northern end (NS 884040). Its exact course is hard to trace, as the wood is thickly planted with conifers and progress is impeded by many that have fallen.

Plantations covering the courses of old roads are not uncommon[11], this being perhaps an appropriate use of land rendered unsuitable for agriculture by the remains of the stony surface of the road and of the dykes that may have enclosed it. One is reminded of Kipling's 'Way through the Woods':

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10 James Singer, *General View of the Agriculture, State of Property and Improvements in the County of Dumfries* (Edinburgh: James Valentine & Company) 1812, p 409.

11 Another example is the woodland north of Waterside Mains (See section 2.4 above, '… passing through Waterside Mains (NX 870970). It continued through the wood north of the farm …').

They shut the road through the woods
Seventy years ago.
Weather and rain have undone it again,
And now you would never know
There was once a road through the woods
Before they planted the trees...

Here, though, we are concerned with a road abandoned more than a century and a half ago, more than twice as long ago as the road through the gentler countryside of Sussex in Kipling's time.

From the wood, the road continued along (and sometimes high above) the west bank of the Carron, through what is now pasture land. A packhorse bridge, still existing and shown as 'footbridge' on the modern map, gave access to Durisdeermill and was its means of communication with the wider world; there was almost certainly also a road from there to Durisdeer Village, though not shown on this map, and another, perhaps between Castlehill (NS 888041) and the village, taking a different course to that of the present road. The Carron ford was just north of the present bridge on the access road to Eastside Farm (NS 883044), the road then rejoining the course of the present A702.

**5. Thomson's Atlas of Scotland, 1828**

The map of Dumfriesshire printed in Thomson's atlas is an updated version of Crawford's 1804 map, on the same one-inch scale – indeed, the inscription reads 'surveyed by Crawford & Son' – with neater hatching, giving the impression of hills as isolated features rising from a plain. The map shows a road following a slightly curved course from Druidhill Mill (NS 815000) to Ballaggan (NS 832013), continuing northward to pass to the east of Breconside but keeping to the west side of the Mar Burn, crossing the Burnsands Burn just after passing to the east of Crairieknowe (NS 841038) and following the west bank of that burn to Burnmouth (NS 839051). Thomson also shows the modern minor road, which parallels the older road on the opposite (east) side of the Mar and Burnside burns; the two joined at Burnmouth. He does not show the road from Drumlanrig to Crairiehill (NS 854036), which evidently existed then, since, as we have seen[12], it appears on Roy's map and still exists today.

On the east side of the Nith, this map is the first to show the road running from the Schoolhouse junction to the Muiryhill crossroads and on to Enterkinfoot.

12 See section 2.2, where this road is described. 'Beyond Drumlanrig, the road continued northward as the 'Road to Sanquhar' and still exists as a minor road on the west side of the Nith; however, where the modern road turns west beyond Crairiehill (NS 854036) to join another road, the old road followed the curve of the river to re-join the modern road at Burnmouth (NS 839051).'

**6. Ordnance Survey 1st Edition Six-inch and 25-inch Maps**

The coming of the Glasgow & South Western Railway was a possible cause of some of the apparently new features on these maps, for which the Durisdeer area was surveyed in 1857, only seven years after construction of the line was completed. We do not know to what extent Crawford & Son relied on their earlier survey to prepare their contribution to Thomson's atlas, or how much information they and Ainslie took from earlier maps, so it cannot be assumed that developments shown for the first time on these Ordnance Survey sheets were in fact recent.

The pattern of roads shown on these maps is virtually the same as exists today. It is tempting to see the re-routing of the road between Carronbridge and the Dalveen Pass, the present A702, as consequent on the building of the railway: possible, but unlikely. The old road, as we have seen, left Carronbridge by the Waulkmill[13], passing Holestane, crossing the Column Burn, climbing to the original High Enoch and continuing to a junction at or near Drumcruilton. By 1857, the course of that road was interrupted between High Enoch and Drumcruilton by the railway. A bridge would have been possible, as the railway there runs through a deep cutting; but no bridge was built, and even with the railway bridged, there would still have been the formidable obstacle of the deep Column Burn cleuch; so it seems probable that when the railway was planned the old road had already been superseded.

As at present, the road northwards from Carronbridge is shown to diverge from the Thornhill-Sanquhar road south of the bridge that gives the village its name, to cross from east to west of the Carron at Holestane Bridge (NS 874000), to pass under the northernmost arch of the viaduct which carries the railway across the Carron valley, and to re-cross to east of the Carron at Cardingmill Bridge (NS 883037). The name of that bridge suggests that it was built well before the Ordnance Survey conducted their operations in the area, at a time when a carding mill existed. The Ordnance Survey shows now non-existent Cardingmill Cottage (divided into two parts at the 1861 census and housing the families of a ploughman and a dry-stone dyker) on what is now woodland between the bridge and the then school – but no mill. The bridge is half a mile south of the ford it replaced, built where the Carron runs through a narrow gorge.

Besides the evidence of this former carding mill, at Durisdeermill the six-inch map shows both a corn mill and a turning mill. The author of the report on Durisdeer in the 1790s stated that there were then three mills in his parish, but gave no further details[14]; one of these may have been the corn mill at Enterkinfoot, shown on the 6-inch Ordnance Survey sheet and powered by the Enterkin Burn. In the 1790s the Carron had driven three mills in the neighbouring parish of Morton – apparently separate ones for oats, barley and 'lint', the Scots word for flax[15] – but the Ordnance Survey shows only two mills on the Carron in that

13 The waulkmill is shown on the 25-inch map but has since been demolished, leaving no trace above ground. I am grateful to Mr H. Du Boulay for showing me its site and those of the associated waterways.

14 *Statistical Account* (*op.cit*. p 156).

15 *Ibid*., p 423.

parish, the corn mill at Morton Mill and an adjoining sawmill, still functioning although no longer water-powered. In addition, almost every farm – Castlehill, Chapel, Coshogle, Drumcruilton, Eastside, Gateslack, Muircleuch, Nether Dalveen (now simply Dalveen), Ryehill (now Thrushlands, a private house), and others west of the Nith – had a mill dam, fed by a small stream, probably for crushing grain for animal feed.

On the road between the schoolhouse junction and Enterkinfoot, the 6-inch sheet shows two houses no longer in existence. Muirfoot was at approximately NS 869033, on the west side of the road, at the slight bend about 100 yards past the Mar Strand crossing. Braehead (NS 864034) was at the top of the field adjoining the west side of the road as it begins its descent to Enterkinfoot. Durisdeer Schoolhouse had not yet been built: the plot on which it stands was sold by the then Duke of Buccleuch to the Durisdeer School Board in 1904 for £30, with the stipulation that the house to be built on it should be worth at least £200[16].

Two of the three schools shown on the sheet have been converted into houses: the former Enterkinfoot School is now Enterkinfoot Schoolhouse, the former Durisdeer School now Carronside. The third, at Birleyhill (NS 843013) is shown as 'disused' on the modern map and is now a ruin. The house now called Carronglen is shown on the 6-inch sheet as Lochside. Brigend, beside the Cardingmill Bridge, was then Castlehill Cottage. Ankerdyne Cottage was Drumcruilton Cottages, shown as a semi-detached with small plots on the opposite side of the road. Langknowe (NS 875026), Stanebutt (NS 884056) and Woodhead (NS 853052) are now in ruins, as is Cottonhouse (NS 889045), shown on the 6-inch sheet as Coltonhouse. Tunnel Cottage (NS 869029), shown but not named on the modern map, is also a ruin. The post office at Durisdeermill was closed some time before publication of the modern map and is now a private house, as is the former Free Church at Durisdeer village.

We can identify the site of Tackholm. Re-named Taeholm on the Ordnance Survey sheets, it was at NS 839029, where the Taeholm Burn (still so called) cuts off the north-west corner of a field. Tackholm or Taeholm was in the small triangle so formed and was occupied by a female farm worker at the 1861 census, which gives yet a third spelling, 'Tacholm'. The track that passes it is part of the old road between Ballaggan and Burnmouth, mentioned in section 5.[17]

## 7. Conclusion

It is appropriate to finish by mentioning the social changes in and around Durisdeer that are illustrated by these historic maps. The paucity of cultivation on Roy's map seems to suggest that most of the land shown was common grazing, but it is likely that by the mid-18th century the enclosure of formerly common land – and with it, dispossession of peasant farmers –

16 Deed of Sale, 1904, copy in the author's possession.

17 See section 5. 'The map shows a road following a slightly curved course from Druidhill Mill (NS 815000) to Ballaggan (NS 832013), continuing northward to pass to the east of Breconside …'.

was well under way. Earlier in the century this had generated widespread opposition in Kirkcudbrightshire, with systematic destruction of dykes, intervention of dragoons and an armed stand-off in the hills above Ringford. Duncow Common in Dumfriesshire was enclosed in much the same way, divided into huge 'parks' by ruler-straight dykes, some more than a mile long and taking no account of the lie of the land: these can be seen on the modern map in the grid square NX 9687 and those adjoining.

Enclosure in Durisdeer Parish seems to have taken place on a more humane scale by a landlord better regarded than those of Kirkcudbrightshire. In a lengthy footnote to his contribution to the *Statistical Account*, the minister of Sanquhar parish listed the roads built at the expense of 'the late Duke of Queensberry', who had been the principal landowner in both parishes. To the list is added this comment: 'These, among many other instances of his patriotic spirit, endear his memory to this part of the country, and are illustrious examples worthy [of] the imitation of all great and good men'.[18]

The 'late Duke' was the 3rd Duke of Queensberry. On his death in 1778 the next duke was a cousin, and on that duke's death in 1810 the title passed to another cousin who was already the 3rd Duke of Buccleuch. He died two years later, and his successor held those titles only briefly, dying in 1819. He was succeeded by the 5th Duke of Buccleuch (and 7th of Queensberry), who lived until 1884 and was no doubt responsible for the considerable improvements to farms in Durisdeer Parish, where many farmhouses were rebuilt in the 1820s and 1830s, some to the stylish plans of the renowned architect William Burn, others more modestly by the equally well-known Walter Newall. On at least four of the estate farms the house was built by Burn while the steading is to Newall's design. The many mill dams on Durisdeer farms may date from the same period, as further evidence of that Duke's interest in farm improvements.

The story of Durisdeer since publication of the first Ordnance Survey maps is a familiar one, of small farms swallowed up by bigger ones and their houses, if left standing, no longer inhabited by farmers. Likewise very few of the former farm cottages still house farm workers. Buccleuch Estates Limited, its board chaired by the present Duke, now relies on the shooting industry to supplement its income from farm rents: Chapel has become a gundog breeding centre, Inglestone houses a game manager, as did Muiryhill until recently, and keepers live in the cottages. Hapland was recently sold with a much-reduced acreage. At Dalveen, the grand house built by a former Duke for a farmer expected to live as a gentleman is now a children's home; the land and steading are let separately with the single-storey former shepherd's cottage described as a 'two-bedroom farmhouse'.

Modern roads and modern road transport are responsible for many of the changes. It has to be remembered that the roads shown on the early Ordnance Survey maps were not strips of smooth tarmac, and that there were no motor vehicles to use them: as a local resident[19] told me, even in the 1920s when his parents moved into the area the roads were stony tracks – 'like the Wall Path' as he described them. Of the nine mill dams on local farms,

18 *Statistical Account* (*op.cit*., p 481).
19 My thanks to Mr Will Sharpe for this information.

only one (at Coshogle) appears on the modern map, and it no longer holds water. Farmers no longer crush their own corn: animal feed comes from far away by lorry, and other lorries convey livestock to distant markets or slaughterhouses. Children are no longer taught in the parish: a bus takes them to and from schools in Thornhill. The shooting industry depends on modern roads to bring its clients in their 4x4s from far and wide. Modern transport, the decline in rural employment and the consequent availability of redundant farmhouses and cottages have resulted in an influx of retired people, some living in houses which were their holiday homes before their retirement.

The railway was, of course, the height of modernity when the first Ordnance Survey maps appeared, but when cars and lorries became widely available after World War II, Carronbridge Station became redundant, and was closed in 1953. Thirteen years later the stations serving Thornhill and Sanquhar fell to the Beeching Axe, though Sanquhar has now re-opened as an unstaffed halt and is well-used. There is currently talk of re-opening Thornhill, which lies a mile outside the town along a country road and is therefore unlikely to be as popular as Sanquhar Station, which has the advantage of being within the built-up area of the town it serves. In the 1920s, a Thornhill garage proprietor advertised 'motor bus meets all trains',[20] but revival of such a service is unlikely now that Parkway-type stations answer better to travellers' needs[21]. In the present writer's opinion a more suitable site than that of the old station would be at or near Closeburn, where the railway runs close to the A76: a station there would be on a regular bus route and would also be more easily accessible by car.

Finally, the changes that have affected the Carron. The early Ordnance Survey maps provide evidence that this small river once powered no fewer than six mills: a corn mill and a turning mill at Durisdeermill, a carding mill nearby, a fulling mill and a sawmill at Carronbridge, and Morton Mill itself, which probably ground grains of all kinds including linseed, despite the 1790s assertion of separate mills for oats, barley and 'lint'. The carding and fulling mills contributed to the processing of wool, clearly an important industry in the area, and the turning mill was probably for the related manufacture of bobbins.

All the mills are now gone, and the Carron continues to flow gently, like Burns's 'Sweet Afton' (another tributary of the Nith), but not too gently for its power to be harnessed! Where there were mills there could be water turbines, providing electricity for homes in the area and generating a surplus for sale to the National Grid. An idea for the future?

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20 From a 1925 Trades Directory quoted in *Through the Lens: Glimpses of old Thornhill and District* (Dumfries: Dumfries and Galloway Libraries) 1997, p 18.

21 The name of Bristol Parkway Station derives from a nearby road, not from the large station car-park which enables travellers to leave their cars there and continue by train. The apt name Parkway is now used of other stations situated outside or on the edge of centres of population and likewise providing for 'park-and-ride' passengers.

# CORRUPTION, REGIONALISM AND LEGAL PRACTICE IN EIGHTEENTH-CENTURY SCOTLAND: THE RISE AND FALL OF DAVID ARMSTRONG, ADVOCATE

John Finlay[1]

*The career of David Armstrong was unusual by the standards of the eighteenth-century Scottish bar but at its height it presents a picture that was in some ways a signpost for the future development of the legal profession. Financial problems, consequent to the collapse of the Ayr Bank, reveal the importance to him of his local Dumfries connections and also led him into a scandal by which his career was cut short. This article examines that scandal and draws from Armstrong's career a number of conclusions about the nature of contemporary legal practice in Scotland that have a wider resonance for the history of the profession generally during the long eighteenth century.*

## Introduction

> The respondent flatters himself, that he has had the honour and happiness to possess the good opinion, from the highest to the lowest within the walls of this Court, from his early youth, for a period of near forty years. He can also appeal to that country which gave him birth, and to every individual of his acquaintance through the world (excepting those interested in the present question), if they ever knew, or heard of his ever being concerned in, or the abettor of any wrong, or low or dirty action, from his cradle to this hour.[2]
>
> David Armstrong, 1784

Thus begins the most important defence which the advocate David Armstrong was ever called upon to make.[3] Unlike his contemporary, the advocate and biographer James Boswell, Armstrong, despite being sheriff-depute of Dumfries, has largely been lost to history. Yet the evidence suggests he was one of the most successful lawyers of his time, eclipsing at

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1 School of Law, Stair Building, University of Glasgow, Glasgow G12 8QQ.

2 Advocates' Library Session Papers, [ALSP], *Answers for Mr David Armstrong, Advocate To The Petition and Complaint of Ilay Campbell, Esq. his Majesty's Advocate, for his Majesty's Interest*, 12 Jun. 1784, Hermand collection, vol. 83. The author would like to thank the Keeper of the Advocates' Library for permission to use and quote from the session papers, and the staff there for their kind assistance. He would also like to thank Kenneth Campbell, advocate, for taking the time to read and comment upon a draft. The author, of course, remains responsible for any errors that remain.

3 The principal papers concerning Armstrong's case relied on in this article have been found in two collections in the Advocates' Library. The first is the *Information for Richard Thomson of Crowdieknows against Mess. Douglas, Heron, and Company, and others, Creditors of Mr David Armstrong, Advocate*, 7 Jul. 1785, Miscellaneous Collection, series 7, vol. 6 (1785-6); the second source, which contains a larger amount of material, is the Hermand Collection, vol. 83.

the bar not only Boswell but gaining sufficient business to rank alongside such formidable advocates as Andrew Crosbie, John MacLaurin and even the young Robert Blair.[4] His career reveals much about the state of legal practice in eighteenth-century Scotland. What follows is based largely on private family papers and material which is preserved in the Advocates' Library.[5] The legal papers include detailed testimony which demonstrates that the margin between success and failure — ultimately perhaps between promotion to the bench in Scotland's central civil court and utter ruin — might be very slim indeed.

Little is known of David Armstrong's early life. A contemporary diary records that he was the son of William Armstrong, 'who had been a Pedlar at Reading in his youth & acquired wealth'.[6] William had certainly done well enough in trade to earn the means to pay the apprentice fee required by the Annan writer, John Carlyle, and his son was duly set to train as a writer (that is, as a legal agent or attorney).[7] Carlyle may have been young David's uncle, since the last testament of a William Armstrong who died in 1748 (if this was indeed David's father) records that his widow was named Mary Carlyle.[8] David is likely to have undertaken a three-year apprenticeship, at the end of which he began practice as a writer.[9] His background and professional prospects were respectable enough for him to marry Margaret Buncle whose father, Edward, was a Presbyterian minister.[10]

Working professionally as a local writer was an unusual beginning for an advocate in

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4 On Crosbie, see W. McDowall, *History of the Burgh of Dumfries* (Edinburgh, 1867), p. 687; F. Miller, 'Andrew Crosbie, advocate, a reputed original of Paulus Pleydell in "Guy Mannering"' (1921) *Transactions of the Dumfriesshire and Galloway Natural History & Antiquarian Society*, 11-32. Crosbie was also from Dumfriesshire, but, unlike MacLaurin (Lord Dreghorn) and Blair (Lord President Avonton), he was never promoted to the bench. Scott is said to have taken the highly able Crosbie as his inspiration for Paulus Pleydell.

5 I wish to record my gratitude to Mr John Lowe and Mrs Mary Ritchie for information relative to 'The Diary of Thomas Beatty, Muckeldale, Ewes, Langholm'. A transcript of this source exists in the Ewart Library in Dumfries. The diary kept by Beattie (1736-1827) covers the period 1788-1821.

6 'Diary of Thomas Beattie of Langholm'.

7 Annan lies on the Solway Firth, to the south-east of Dumfries. Dumfries itself, of course, is about 70 miles from Edinburgh as the crow flies. The total fee charged to Robert Gordon in 1772 for his three-year apprenticeship in Dumfries was a fairly modest 300 merks Scots (£25 sterling): ALSP, *The Petition of Robert Gordon, Writer in Dumfries*, 18 Jun. 1785, Miscellaneous collection, series vii, vol. 6, p.1. When his son Francis became a notary in 1765, Carlyle was described as being a writer in Middlebie, which is about 6 miles north-east of Annan: National Records of Scotland [NRS] (formerly the National Archives of Scotland), Admission Register of Notaries public, NP2/29, fo. 77v. For this entry, see J. Finlay, ed., *The Admission Register of Notaries Public in Scotland*, 1700-1799 (2 vols, Scottish Record Society, 2012), I, no. 1717. Henceforth, *ARNP*.

8 NRS, Commissary court of Dumfries, CC6/13 fo. 378.

9 David did not become a notary public. In 1789, however, John Armstrong, son of David Armstrong 'writer in Dumfries', did become a notary although it is not known whether there was a family connection: Finlay, ed., *ARNP,* II, no. 2591.

10 Edward Buncle had been called, somewhat controversially, to serve the nearby parish of Lochmaben in 1723: NRS, Records of the General Assembly of the Church of Scotland, CH1/2/47 fos. 233, 246, 258, 259.

the eighteenth century, although many intending advocates probably spent some of their time attached to a writer, just as in England a number of barristers began their training with attorneys.[11] As the judge Lord Kames later recollected, in his youth the idea was current that 'the best education for a Lawyer was to be some years in a Writer's Chamber'.[12] But it is impossible to know how prevalent the practice actually was. It was one thing to spend time with a writer — Kames thought this unprofitable since it largely entailed running errands and copying out legal styles — and quite another to qualify and practise as one, as Armstrong did, and thereby to be defined as a member of that branch of the profession. A generation before Armstrong, Kames had spent two years in the Edinburgh chamber of a writer named Dickson, a family neighbour from Berwickshire, but he was not apprenticed to him.[13] It was a chance meeting during this time with Lord President Dalrymple that supposedly made Kames determined to study with a view to entering the bar. Armstrong, on the other hand, hailed from remote Dumfriesshire and apparently came to Edinburgh when he was already a fully-fledged writer and law agent.[14]

At the time when Armstrong was undertaking his training in Annan, the tradition of Scots advocates travelling abroad for an education in Roman law was beginning to come to an end.[15] Kames, who entered the Faculty of Advocates in 1723, had been unusual in that his formal training in Roman law consisted only in his attendance at the lectures of the 'very dull' James Craig in the University of Edinburgh where he learned by rote.[16] This was not unique. Even before the introduction of university lectures in Roman law, several advocates had acted as private teachers of law and some of their students, including the great Duncan Forbes, had entered the Faculty of Advocates. [17] But purely domestically-

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11 An advocate is the Scottish equivalent of the English barrister. Members of the Faculty of Advocates enjoyed an exclusive right of audience before the supreme courts and were members of the College of Justice, the central civil court, which gave them a number of other privileges. On English barristers' links with attorneys, see C.W. Brooks, *Lawyers, Litigation and English Society since 1450* (London, 1998), pp. 152-3.

12 G. Scott and F. Pottle, ed., *The Private Papers of James Boswell* (20 vols, New York, 1928-34), vol. xv, p. 269.

13 *Ibid*.

14 Robert McQueen (later Lord Braxfield), the son of a writer in Lanarkshire, followed a similar route to Kames but seems to have actually been apprenticed to Thomas Goldie, WS: B.D. Osborne, *Braxfield: The Hanging Judge?* (Argyll, 1997) 85-7. McQueen (admitted to the bar in 1744) never himself qualified as a writer to the signet, but Goldie (d. 1741) was from Dumfries, as presumably were a number of his clients, and this may explain the connection between McQueen and Armstrong discussed below, see Footnote 94.

15 J.W. Cairns, ''Importing our Lawyers from Holland: Netherland's Influences on Scots Law and Lawyers in the Eighteenth Century', *Scotland and the Low Countries, 1124-1994* ed. G.G. Simpson (East Linton, 1996) p.136; N. Phillipson, 'Lawyers, landowners, and the civic leadership of post-Union Scotland' 1976 *Juridical Review*, 97, 120; J. Finlay, *The Community of the College of Justice: Edinburgh and the Court of Session, 1687-1808* (Edinburgh, 2012), chapter 5.

16 Scott and Pottle, ed., *The Private Papers of James Boswell*, 270.

17 J.W. Cairns, 'John Spotswood, Professor of Law: A preliminary sketch' in W.M. Gordon, ed., *Miscellany Three*, (Edinburgh, Stair Society, 1992), 131 at 148-9; G. Menary, *The Life and Letters of Duncan Forbes of Culloden* (London, 1936), p. 6.

educated advocates were in the minority. The practice of the seventeenth century, of writers to the signet, ordinary writers and former advocates' clerks gaining entry to the Faculty of Advocates on the basis of their practical knowledge and experience alone, had effectively come to an end in the 1690s.[18] No formal rule closed the door on such admissions, but contemporary views of the noble function of the advocate, exemplified in particular by the post-Restoration writings of Sir George Mackenzie, had given the members of the Faculty an elevated opinion of their social status and had promoted increasing exclusiveness amongst their membership.[19] As elsewhere in Europe, there was a clear dividing line between the honourable office of advocate and the lower-status offices of procurator, law agent or writer.[20] The latter were synonyms for legal representatives whose function was mechanical, not inventive, and whose social status was correspondingly lower than that of advocate. The fact that the money payable to the Faculty of Advocates by its new members on entry was doubled for those entering on the basis of knowledge of Scots law, rather than Roman law, must have been a serious disincentive to writers to attempt to raise themselves in status. Certainly, between the 1690s and 1780s, the attempt seems not to have been made at all except, curiously, in the case of David Armstrong.[21]

Armstrong is said to have been an established writer when he came to Edinburgh and it was in that capacity that he got into notice.[22] This was not a formal office. In Edinburgh, anyone could call themselves a writer even without having undergone any form of apprenticeship. This was the subject of a complaint to one of the commissioners of the Society of Writers to the Signet in 1771:

> at present a person from John a Groats's may come to Edin[bu]r[gh,] assume the name of writer and practise the Business of an agent in the supreme court of the nation, when at the same time in an inferior court, his education would be enquired into, and his abilities tried before he could act as an ordinary procurator.[23]

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18 J.W. Cairns, 'Alfenus Varus and the Faculty of Advocates: Roman visions and manners that were fit for admission to the bar in the eighteenth century', xxviii (2001) *Ius Commune*, 210 at 220-23; J. Finlay, 'The Lower Branch of the Legal Profession in Early Modern Scotland' 11 (2007) *Edinburgh Law Review*, 31 at 42-46.

19 J.W. Cairns, ''Sir George Mackenzie, the Faculty of Advocates, and the Advocates Library' in *Ibid*., ed., G. Mackenzie, *Oratio Inauguralis* (Edinburgh, 1989); *Ibid*., 'The formation of the Scottish legal mind in the eighteenth century: themes of humanism and Enlightenment in the admission of advocates' in N. MacCormick and P. Birks, *The Legal Mind: Essays for Tony Honoré* (Oxford, 1986), 253 at 259-60.

20 On this theme, see J. Finlay, ''Lawyers and the early modern state: regulation, exclusion, and *numerus clausus*', 44 (2009) *Canadian Journal of History*, 383 at 387-9.

21 I know of no other advocate who was fully in practice as a writer in Edinburgh before elevation to the bench in this period, but the possibility that there were others cannot be entirely discounted in the absence of any contemporary registers of writers or law agents.

22 'Diary of Thomas Beattie of Langholm'.

23 National Library of Scotland, Papers relating to the Signet, WS Society and Court of Session 1687-1779, MS 1505, fo. 145, 'A few hints anent agenting in the Court of Session'.

Had Armstrong remained in Dumfriesshire, he would certainly have been required to provide a certificate of competency and character had he wished to join the ranks of those who practised before the sheriff there.[24]

This is clear from the case of the contemporary writer, John Bushby, who, on account of his allegedly poor character, failed in 1763 to gain admission to the Society of Procurators in Dumfries. This was despite his claim to have completed a three-year apprenticeship and to have attended a session of lectures in Scots law at the University of Edinburgh in 1761-2.[25] The members of the Dumfries society — who at the time were eleven in number — enjoyed the exclusive right to practise in the sheriff court. One of them was Thomas Carlyle, the son of a Glasgow merchant and possibly related to Armstrong's apprentice-master.[26] As well as requiring good character, a test of competence was imposed on Dumfries procurators. This seems to have been quite strict; certainly if a later surviving example from 1793 (the earliest known specimen of its type) is anything to go by.[27]

The suggestion was raised in Bushby's case that 'the regular and immemorial practice of the sheriff-court of Dumfries' had been only to admit men who had served a three-year apprenticeship with a serving procurator in the sheriff court.[28] But it was held that this in future should not prevent men of good character who had served an apprenticeship with someone else from being admitted procurators. Since Armstrong's apprentice-master Carlyle practised in Annan, this may have meant that in his day (he would have trained

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24 A procurator appeared for others in the sheriff court and the word procurator, used also of advocates when acting in court, connoted a man of law — writer or advocate — when appearing before a judge and a society of procurators would normally be restricted to this group of court practitioners. A procurator might also be a writer, and act as a general agent in a cause, but the title 'writer' did not suggest a court practitioner.

25 J. Finlay, 'Pettyfoggers, regulation, and local courts in Early Modern Scotland', lxxxvii (2008) *Scottish Historical Review*, 42 at 50-51.

26 Signet Library Session Papers, *Answers for John Goldie of Craigmuie, sheriff-substitute of Dumfries, Thomas Carlyle, Archibald Malcolm, John Aitken, John Storie, John Hyslop, William Clerk, John Mackenzie, George Vair, George Maxwell, Thomas Stothart, and William Welsh, procurators before the sheriff court of Dumfries, To the Petition and Complaint of John Bushby, who designs himself Writer in Dumfries*, 8 Feb. 1763, SLSP, F20:85. Thomas Carlyle had become a notary public on 8 Dec. 1749: Finlay, ed., ARNP, no. 1334. There is no evidence to link this family either with the contemporary Dr. Alexander Carlyle of Inveresk or the later historian Thomas Carlyle, although both men also emanated from Dumfriesshire.

27 H. McKechnie, 'An Eighteenth-century Dumfries procurators' examination' xliii (1931) *Juridical Review*, 337. It is not known whether David Armstrong as sheriff-depute had a hand in determining the nature of this examination, although it was probably devised by the procurators themselves with the approval of the sitting sheriff-depute (in 1793 this would have been the advocate Robert Craigie).

28 ALSP, *Memorial for John Young Writer, late in Edinburgh, now in Leith, Pursuer in an Advocation against Charles Hogg, Dionysius Thomson, and Alexander Nielson, styling themselves the Society of Procurators at the Court of Leith*, 18 Dec. 1765, Arniston collection, vol. 80, no. 24, p. 5. The travails of one Dumfries apprentice are set out in an unsuccessful petition from 1785: ALSP, *The Petition of Robert Gordon, Writer in Dumfries*, 18 Jun. 1785, Miscellaneous collection, series 7, vol. 6.

in the late 1730s or early 1740s) Armstrong simply did not have the option of becoming a court practitioner in Dumfries sheriff court.[29] Bushby, who became Armstrong's sheriff clerk, will feature again later. But it is worth noting that his rejection as a procurator in 1763, which he vigorously disputed and sought to overturn, was not his only conflict with local authority figures. One Friday night in March 1771, probably when in drink, he 'insulted and abused' one of the local baillies, Edward Maxwell, as Maxwell exercised his council duties.[30] This so enraged the town councillors that they attempted to prosecute him. Taking the view that it was every man's civic duty to support the magistrates, the council committed the town's revenues to the pursuit of Bushby, threatening to do so even before the High Court of Justiciary in Edinburgh.[31]

Once in the capital, Armstrong attended university classes in order to improve his legal knowledge. He would have studied Roman law under Kenneth Mackenzie (professor of Civil Law, 1745-1755) and he may in addition have taken the class in Scots law under John Erskine (professor of Scots Law, 1737-1765).[32] All the while he remained active as a writer. On 25 January 1755 'David Armstrong younger of Kirkleton' was admitted as an 'agent or solicitor' in the Court of Session.[33] He was one of the first to be so registered after the lords of session had finally taken action, the previous August, against those interloping writers who had taken it upon themselves to manage cases before them 'without any warrant or authority from this Court and without any Tryal and admission.'[34] Thereafter, only agents enrolled before the court were supposed to manage cases, although the complaint in 1771 which we have already seen indicates that this was only imperfectly observed. The fact that Armstrong was one of the first to enrol suggests he was already well-established in the role of agent in the court. This lends credence to the claim he made in 1784 (quoted at the outset) that he had practised in the College of Justice 'for near forty years'. He does not appear in the town council minutes of Edinburgh as having been admitted as a procurator in the baillie court, although very few agents in the Court of Session also acted as procurators there in what was, after all, an inferior local jurisdiction.

Despite his being well-known as a writer in Edinburgh, no controversy seems to have attended Armstrong's subsequent admission to the bar which took place on 13 December 1763.[35] This is surprising given the furore which surrounded the petition by John Wright

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29 Even in the 19th century, only 37 procurators were admitted to the sheriff court of Dumfries in the 50 years from 1807: NRS, Dumfries sheriff court, register of procurators, SC15/22/1.

30 Dumfries Archive Centre, [DAC] Dumfries town council minutes, A1/19, 1 Apr. 1771; 20 May 1771. Both Bushby and Maxwell were heavily involved in Douglas, Heron and Co. although it is not clear if their dispute related to this. The list of proprietors of stock in that company I have used is that in NRS, Papers of the Maule Family, earls of Dalhousie, GD45/24/183.

31 No actual prosecution in the High Court has been traced. But see Dumfries town council minutes, 3 Jun. 1777: DAC, A2/20.

32 On Mackenzie, see Edinburgh University Library, College Minutes 1733-1790, Da31.5, vol. 1, fos 101, 118; for Erskine, Edinburgh City Archive, Town council minute book, SL1/1/58 fos 35-6; SL1/1/81 fo. 261.

33 NRS, Books of sederunt, CS1/14 fo. 37v.

34 *Ibid*., CS1/14 fo.24r.

35 *Ibid*., CS1/14 fo. 191r.

for admission as an advocate in 1781.[36] Wright, a middle-aged man of humble origins and unusual physical appearance, who had made a living by teaching law privately, was eventually admitted in 1783. But the controversy surrounding his admission led to a period when the Faculty of Advocates thought long and hard about the subject of whether to make formal regulations about the social status of intrants. The case of the licensed preacher, Robert Forsyth, in 1790 was also something of a cause célèbre, although, in fact, Forsyth, after his admission, went on to have an extremely busy career.[37] Neither of these cases precisely parallels that of Armstrong. In fact, he had more in common with John Pattison and Thomas Walker Baird, who were admitted as advocates in 1787 and 1793 respectively. Neither is well-known, but both progressed from the status of writer to advocate and both enjoyed unusually early success at the bar, managing to bypass the early lean years of practice that were the lot of most intrants. As experienced Edinburgh writers, with contacts throughout the College of Justice and an existing body of clients, their early success is not hard to explain.[38] But the admission of Pattison, in particular, appears to have been controversial: his initial rejection as a candidate for entry to the bar was apparently 'notorious'.[39] Given the seventeenth-century history of writers advancing to the bar, and the recent repercussions of the Wright case, it would have been difficult to justify denying him admission. The example of Armstrong seems not to have featured prominently at the time of Wright's admission and this may have been because, although his effective career at the bar seems to have been over, he still remained sheriff of Dumfries and still enjoyed some level of patronage.

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36 See J. W. Cairns, 'The face that did not fit: race, appearance, and exclusion from the bar in eighteenth–century Scotland', 9 (2003) *Fundamina* pp. 11–43. That Wright was subject to particular opprobrium has been established by Professor Cairns who makes interesting speculations on the reasons why this was the case. See also, A. Stewart and D. Parratt, eds., *The Minute Book of the Faculty of Advocates*, 1783-1798 (Stair Society, Edinburgh, 2008), pp. xxxv-vi.

37 See the comments by Lord Cockburn, *Journal of Henry Cockburn* (2 vols., Edinburgh, 1874), ii, pp. 151-8.

38 Less successful at the bar in Edinburgh, judging from the Outer House rolls, was Robert Mackintosh, said to have been in practice as a country writer before his admission to the bar in 1751: J. Maidment, ed., *The Court of Session Garland* (Edinburgh, 1839), 52. If he did begin as a country writer, his career was short-lived since he appears to have entered as a student at Leiden in 1749 aged 21: W.N. Du Rieu, ed., *Album Studiosorum Academiae Lugduno Batavae MDLXXV-MDCCCLXXV*, (The Hague, 1875), col. 1025. He cannot be placed in the same category as Armstrong because his supposed career as a writer did not affect his career at the bar in so obvious a way (for one thing, he did not practise as a writer in Edinburgh), although it is interesting that his career as a writer should have been so long remembered. He did appear as counsel before the House of Lords and he was in London when he was made a burgess of Dumfries for his services to the town in 1762, a year after having unsuccessfully fought the parliamentary seat there: DAC, Dumfries town council minutes, A2/17, 23 Aug. 1762. On his subsequent attempted political career, see *The Letters of George Dempster to Sir Adam Fergusson 1756-1813*, ed. J. Fergusson (London, 1934), pp. 65-8.

39 NRS, Papers of the Dundas family of Melville, GD51/6/957/6. The Faculty minute book does not mention any failed attempt. But see Stewart and Parratt, eds., *Minute Book of the Faculty of Advocates, 1783-1798*, pp. xxxv, n.113, 56.

**Armstrong at the Bar**

An examination of the ordinary cause roll reveals the early progress of Armstrong's career at the bar. During his first two years as an advocate, his name appears in the roll on forty occasions.[40] His early clients in these cases are generally quite obscure, although they did include notables such as the marquis of Annandale and Sir John Anstruther. One client, John Armstrong, was probably a relative.[41] Of the seventeen advocates against whom he argued in these cases, Robert McQueen appeared against him most often (on fourteen occasions), followed by another advocate from the Dumfries area, Andrew Crosbie (on four occasions). It is interesting to note that in December 1764, after only a year at the bar, Armstrong subscribed a summons 'for Mr Crosbie' in token of its having been borrowed and returned by the latter so that he might draft answers to it.[42] This suggests that Armstrong may have worked closely with Crosbie during his initial period at the bar. It is clear from the roll that in general Armstrong's career developed steadily so much so that by 1775 he was appearing in more than one in ten cases in the Outer House.[43]

It is likely that most of Armstrong's early clients came from the Dumfries area, although it is not possible to confirm this from the Outer House roll since it provides little more than a list of names. Some examples from the list are nonetheless suggestive. Alexander Orr WS, for instance, was the son of the church minister at Hoddam in Dumfriesshire.[44] Orr was a regular employer of Armstrong in his capacity as factor for a number of estates in the South-West.[45] John Bushby, who continued to operate as a writer, also acted as a factor in the same area and Armstrong was almost certainly instructed by him.[46]

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40 NRS, Outer House roll, Ordinary actions, CS90/1/9.

41 He can possibly be identified with a tenant of the duke of Buccleuch who allegedly molested tenants of the marquis of Annandale in the parish of Langholm (Dumfriesshire): NRS, Papers of the Montague-Douglas-Scott family, dukes of Buccleuch, GD224/308/25.

42 NRS, *Summons of Reduction, Repetition and Payment, Messrs Lawson Jardine against Adam Thomson*, CS229/4/L/71. The summons itself (known in this context as the outgiving) was subscribed by Robert Mcqueen. Armstrong subscribed the return a week later. Borrowing the process in order to copy it was a necessary and common occurrence.

43 In 1775 he is named acting in 54 out of 493 Outer House ordinary actions (10.95 per cent), this compares to 16 out of 515 (3.1 per cent) of cases in 1764, 24 out of 511 in 1765 (4.7 per cent), 54 out of 557 in 1778 (9.7 per cent) and 44 out of 612 cases in 1781 (7.2 per cent).

44 He was admitted notary public on 19 Jul. 1749: NP2/25, fo. 88r. He was admitted WS on 3 Feb. 1755. See Finlay, *ARNP*, no. 1331.

45 An account book survives relative to the affairs of the tutors of Orr's son (one of whom was Armstrong): NRS, CS96/2024. Alexander Orr is recorded as a client on 4 Feb, 1764 and several times thereafter: NRS, Outer house roll, CS90/1/9. Orr also seems to have employed Andrew Crosbie as counsel (e.g. *Ibid*., 6 Jul. 1771). See Footnote 111 below.

46 An entry in NRS, CS90/1/9 for 12 Jan. 1771 demonstrates Armstrong acting for someone called Bushby but no further details are given. Given Armstrong's other links to John Bushby, it is very likely that as a writer the latter retained him professionally to act on behalf of his clients. Bushby in 1788 was recorded as being very able, but not rich (in fact, his debts were huge). He managed the affairs of James Murray of Broughton at that date, possibly in succession to the writer John Syme (on whom see Footnote 82 below): C.E. Adam, *View of the Political State of Scotland in the last Century: a confidential report on the political opinions etc. of 2662 county voters in 1788* (Edinburgh, 1887), p. 102.

Armstrong's most socially important client in this period was George Johnstone, third marquis of Annandale, whom he represented in an action against Charles Douglas, third duke of Queensberry in 1764.[47] This is significant because Queensberry later became Armstrong's patron. The 1764 case indicates that their relationship formed only after Armstrong came to the bar since it is almost inconceivable that Armstrong would act against Queensberry if he had already been retained as his ordinary lawyer.[48] Queensberry's counsel in 1764 was the young but well-connected John Pringle, whose background contrasted significantly with that of Armstrong. Pringle, son of the late Lord Edgefield, was probably just as importantly nephew of the influential agent John Pringle WS. His career at the bar may have been curtailed by his appointment as professor of universal civil history in the University of Edinburgh in December 1764.[49] Whether he owed this appointment to Queensberry's influence is unknown, although it was certainly the duke who had recommended the elevation of his father to the bench in 1754.[50] By the mid-1770s, and probably a good deal earlier, Pringle seems to have been replaced by Armstrong as the duke's ordinary lawyer.[51]

It was certainly under Queensberry's influence that Armstrong was appointed sheriff depute of Dumfries in November 1777.[52] Patronage continued under Queensberry's successor as duke, his cousin William Douglas, who succeeded the following year. In 1779, for example, Armstrong personally delivered a message to Dumfries town council on behalf of the new duke, relative to the formation of volunteer companies to be trained for the defence of the county in the event of foreign invasion.[53] Almost a decade later, a commentator took it for granted that Armstrong's vote at the general election was at Queensberry's disposal.[54]

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47 NRS, Outer house roll, CS90/1/9 (unpaginated, 7 Jul. 1764).

48 It cannot be entirely ruled out, since advocates who were retained on an annual pension normally agreed to serve on the basis that they would appear for their new client in his future affairs except insofar as they were already bound to appear for clients who had previously permanently retained them. But any advocate retained by a figure like Queensberry would in practice manage to find a means of never offending his client by appearing in court to argue against his interests.

49 Edinburgh City Archive, Edinburgh town council minutes, SL1/1/81 fo. 287. Pringle was later appointed one of the principal clerks of session in 1794.

50 A. Murdoch, *The People Above: Politics and Administration in mid-Eighteenth century Scotland* (Edinburgh, 1980), p. 54.

51 E.g. *Lord Prestongrange's Trs v Queensberry* (action of furthcoming), 2 Dec. 1775: NRS, CS90/1/9.

52 NRS, Register of the great seal, CS3/20 no. 15. He succeeded the late advocate William Kirkpatrick. The sheriff depute was an inferior judge of wide jurisdiction. After 1748, the office required to be filled by a member of the Faculty of Advocates of at least three years' standing: 20 Geo. II, c.43, s29.

53 DAC, Dumfries town council minutes, A2/20, 6 Sep. 1779. In 1794 the duke was appointed as the first ever Lord Lieutenant of Dumfries. The context in 1779 was that the duke of Queensberry had offered to raise a regiment to defend against the American threat, spearheaded by the figure of John Paul Jones: J. Robertson, *The Scottish Enlightenment and the Militia Issue* (Edinburgh, 1985), 136.

54 Adam, ed., *View of the Political State of Scotland*, p. 100.

Armstrong's appointment as sheriff depute does raise a parallel with the career of Sir Walter Scott. Apprenticed to his father (a writer to the signet) at the age of 14 in 1786, Scott ultimately preferred instead to go the bar and was admitted advocate in 1792. After an indifferent period in practice, he became sheriff depute of Selkirkshire in 1799 before being appointed in 1806 as one of the principal clerks of session.[55] But the comparison is superficial. Armstrong seems to have been significantly more successful at the bar than Scott was. There is a session paper in the Advocates' Library drafted by him dated as early as July 1765.[56] Statistical analysis of the Outer House roll places him comfortably amongst the top ten advocates in terms of the number of ordinary actions in which he appeared in 1771. By 1781 he had advanced even further and was the fourth most active advocate behind Ilay Campbell, Charles Hay and Henry Erskine (two future lords of session and a celebrated dean of Faculty).[57]

Part of Armstrong's success may have come through contacts facilitated by the duke of Queensberry, but if so this may have proved a mixed blessing. Certainly this helped secure him his sheriffship, but the third duke of Queensberry's role as chairman of Douglas, Heron and Company (known as the 'Ayr Bank') proved to be a less useful aspect of the connection. We know from the diary source that Armstrong's extravagant living got him into debt[58] and also that he was a partner with the Ayr Bank (which, conveniently, had a branch in Dumfries).[59] The spectacular failure of that bank in 1772, after only three years of trading, has been described as one of the most dramatic incidents in the history of European banking.[60] Its collapse, due to the mismanagement and inexperience of the directors, had serious repercussions for its partners who were found to be personally liable for its debts (although the liquidation dragged on until 1804).[61] Since this was a private co-partnery, the liability of each partner was unlimited and, by August 1775, only 112 out of the original 226 partners remained solvent.[62] The failure of the bank, therefore, had serious

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55 Dickson, 'Sir Walter Scott and the Parliament House', pp. 1-2.

56 ALSP, *The Petition of Doctor James Scot Physician in Alloa, and John Scot his Son*, 15 Jul. 1765, Arniston collection, vol. 81, no 16. No systematic search has been made, but this is the earliest paper by Armstrong which I have encountered.

57 In 1771 John MacLaurin appeared in 67 cases on the ordinary roll, Robert McQueen 65, Islay Campbell 52 and Armstrong, in eighth place, appeared in 36 cases. In 1781, Islay Campbell appeared in 71 cases, Henry Erskine and Charles Hay in 47 each, Armstrong was fourth most active appearing in 44 cases and Crosbie was just behind him, appearing in 43. This information has been compiled from the roll in NRS, CS90/1/9.

58 'Diary of Thomas Beattie of Langholm'.

59 I have used the list of partners found in NRS, Papers of the Maule family, earls of Dalhousie, GD45/24/183. For a published list of partners, see *The Scots Magazine* xxxiv (1772), 304-5.

60 S.G. Checkland, *Scottish Banking: A History* (Glasgow, 1975), p.124; see also, generally, C.W. Munn, *The Scottish Provincial Banking Companies 1747-1864* (Edinburgh, 1981), pp. 29-36.

61 The repercussions for Dumfries, which was heavily affected, are discussed by McDowall, *History of Dumfries*, pp. 687-8; see also F. Brady, *So Fast to Ruin: The personal element in the collapse of Douglas, Heron and Company* (Ayrshire Archaeological and Natural History Society, 1973), p. 34.

62 H. Hamilton, 'The Failure of the Ayr Bank' 8 (1956) *The Economic History Review*, 415.

consequences for Armstrong, despite the earnings he gained from his success at the bar, and in the long run it helped to sow the seeds of his downfall.

In general terms, for an advocate of Armstrong's ability, the mere fact of indebtedness was not necessarily a problem. Scots advocates certainly did not earn as much as leading practitioners at the English bar, but the best of them made a very good living. For example Ilay Campbell and Robert McQueen, in the 1770s, were said to earn annually about £1500 to £2000 sterling.[63] It is not necessarily the case that Armstrong's earnings were quite so high even if his practice was as busy as other leading advocates. The services of some advocates were more expensive to retain than others. McQueen, for instance, was known primarily for his knowledge of feudal law and cases involving prominent estates are likely to have been the most technical and the most lucrative. However, in addition to the fees drawn from legal practice, Armstrong received a salary of £200 per annum for working as sheriff-depute of Dumfriesshire.[64] His son, Edward, who followed him to the bar in 1781 and succeeded him as sheriff-depute in May 1788, claimed to have earned in excess of £600 per annum including the salary drawn from his office.[65] This was probably significantly less than his father earned at his peak.

Throughout his career Armstrong retained strong links with Dumfriesshire and it is likely that many of his clients, important and less important, continued to come from that part of Scotland. In 1775, for example, he acted for William Copland of Collieston in an action against his former housekeeper who had alleged he was the father of her child.[66] The sexual relationship had taken place in Dumfriesshire, the case turning on the question of how long the gestation period could be presumed to be; in his pleading Armstrong memorably condemned the lady concerned with faint praise as being a woman 'very honest from the apron-strings upwards'.[67] In 1781 he acted in a landlord and tenant dispute for the tenant who lived in Grange on the road to Glenluce.[68] Like any successful advocate, Armstrong's reputation would have allowed him to outgrow the flow of clients who came to him because of their common provincial origins in the South-West, or because of links formed by his attachment to influential clients like Queensberry. To have gained success, Armstrong would have had to impress the agents and writers to the signet in Edinburgh, men who might refer new clients to him. Unlike Walter Scott, whose father and brother were both writers to the signet and provided him with a large proportion of his clients and income at the bar, Armstrong as a self-made man would have had to make his own way and build up his own base of clients.[69] Consequently, it is easy to find cases argued by him

63 F. Brady, *James Boswell: The Later Years* (London, 1984), p. 96.
64 NRS, Register of the Great Seal, CS3/20, no. 15.
65 NRS, Papers of the Dundas family of Melville, GD51/5/404/3.
66 ALSP, *The Petition of William Copland, Es., of Collieston*, 21 Feb. 1775, Miscellaneous collection, series 3 (1774-1777), no. 5.
67 *Ibid*., p.3.
68 Glenluce, in Wigtownshire, is about fifty miles west of Dumfries.
69 T.P. McDonald, 'Sir Walter Scott's fee book' lxii (1950) *Juridical Review*, 297, 313. Walter Scott WS (Sir Walter's father) was another partner in the Ayr Bank. In total, fourteen advocates were also partners in the bank.

in which his client had no connection to his native Dumfriesshire. For instance he argued a case on behalf of Dr. James Scott, a physician in Alloa in Clackmannanshire, who was suing to recover unpaid fees.[70] In another case, in 1767, he acted for William Scott, one of the judges in the King's Bench in Ireland.[71] There is no obvious geographical connection in either case.

If Armstrong's rise to prominence from apprentice writer to advocate was unorthodox, his decision to invest much of his income in land was entirely in keeping with the long-established habits of his brethren at the bar.[72] During the 1760s he steadily gained title to parcels of land in Dumfries.[73] These acquisitions, and his link to the Douglas family through the duke of Queensberry, gave him a profile suitable to become a partner in what was primarily a land bank, the credit of which was secured on the landed estates of those who were its partners. After his creditors caught up with him in 1781, and brought proceedings to recover their respective debts, it was alleged that Armstrong may have gained his title to lands formerly held by John Graham of Crowdieknows in Dumfriesshire by underhand means.[74] By then his reputation was already damaged and this may have invited opportunistic claims against him. But it is a symptom of the fact that things, for him, had gone very wrong indeed.

## Civil Fraud from Opposing Perspectives

The road to professional destruction for Armstrong arose from his own bankruptcy and it fell into two stages: the sequestration of his personal estate by his creditors and a complaint against him by the lord advocate.[75] In the course of the sequestration, a promissory note

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70 ALSP, *The Petition of James Scot, physician in Alloa, and John Scot his son*, 15 Jul. 1765, Arniston collection, vol. 81, no. 16. Alloa is about seventy miles north-west of Dumfries. Unlike the more remote Glenluce, it is relatively close to Glasgow, Stirling and Edinburgh where lawyers might readily be found.

71 ALSP, *Answers for William Scot, Esq. one of the judges of the court of King's Bench in the kingdom of Ireland, and Ors*, 21 Sep. 1767, Arniston collection, vol. 87, no. 20.

72 E.g. J. di Folco, 'The Hopes of Craighall and land investment in the seventeenth century' in T.M. Devine, ed., *Lairds and Improvement in the Scotland of the Enlightenment* (Glasgow, 1978), p. 2.

73 NRS, Signatures, SIG1/5/69; SIG1/5/88.

74 ALSP, *Information for Richard Thomson of Crowieknows against Messrs Douglas, Heron and Company, and others, Creditors of Mr David Armstrong, advocate*, 7 Jul. 1785, Miscellaneous collection, series 7, vol. 6.

75 According to a summons of adjudication against him dated Oct. 1782, Armstrong had by a bond dated 19 Aug. 1774 acknowledged a debt of £1800 sterling to Sir William Henry Ashurst and others, creditors to the Ayr Bank, which he bound himself and his heirs to pay: NRS, CS228/D/4/34. The bond contained considerable penalty clauses in the event of non-payment and steps to enforce payment appear to have begun in 1779. According to the summons, property belonging to Armstrong was transferred early in 1782 to the creditors' agent in part satisfaction of the debt. It is clear from the arrangements narrated in this document that Armstrong's finances were in a parlous state.

was lodged by the writer William Johnstone in terms of which Armstrong had promised to pay him a significant sum of money. The circumstances surrounding this gave rise to the suspicion that some years previously both Armstrong and Johnstone had colluded with their client, William Hunter of Clerkington, to defraud his creditors.[76]

The facts of the case, as in most fraud actions, were complicated and there is no need here to set out every detail. However the essential facts, which gave rise to differing interpretations, can be shortly stated as can the two opposing narratives. For the historian, the evidence in the case is inconclusive because it consists of verbal declarations on oath by the key players (except the absent William Hunter) and written correspondence that is often contradictory and sometimes ambiguous. However it was the evidence of inherent contradiction that led to the public prosecutors taking an interest and turning the matter into a criminal complaint.

*The Bankruptcy of William Hunter*

In 1777 William Hunter found himself in financial difficulty. Originally from Dumfries, Hunter was a haberdasher and cloth merchant in Edinburgh but he was also a partner in the Ayr Bank and had suffered significantly following its collapse.[77] Creditors in London were pressing him and several witnesses described him in 1777 as a 'confused' man. The day before Christmas Eve that year, his less sentimental creditors petitioned for the sequestration (bankruptcy) of his personal property and this was granted by the Court of Session on 30 December. One of the creditors was elected trustee in sequestration and he was tasked with overseeing the administration of the bankrupt's estate in order to ensure that the debts of all the creditors were lawfully satisfied to the greatest possible extent.

Hunter, as was routine for a man in his circumstances, had immediately resorted to the bounds of Holyrood Abbey, at the southern end of the High Street of Edinburgh, which had long been a debtors' sanctuary.[78] When the trustee in sequestration inventoried Hunter's estate, he found irregularities suggesting that he had not surrendered all his assets. According to his creditors, Hunter had formed a plan to turn his property into cash and to hide that cash from them. To do this, he had set off in the autumn of 1777 to several towns in the north of Scotland carrying some of his effects which he sold off in return for cash or bills drawn on London and elsewhere. At the end of January 1778, Hunter was summoned

76 Although Hunter owned the lands of Clerkington in East Lothian, he had a strong family connection to Dumfries where he held lands and seems to have engaged in mercantile trade. He is recorded before the kirk session in Dumfries in 1761, when he allegedly fathered a child with Grizel Milligan while staying with the local merchant, Thomas Hunter: DAC, Proceedings of the kirk session of Dumfries, CH2/537/6, fos 60, 65, 66, 72, 74. Whether he had any business connection with Armstrong's father is unknown.

77 Hunter was described as 'a weak, illiterate man, originally, it would seem, bred a pedlar': *Answers for Ilay Campbell*, 11 Jul. 1786, p.2.

78 H. Courtoy, *Historical Guide to the Abbey and Palace of Holyrood, including annals of the Chapel-Royal, the natural history of the environs, and the law and privileges of the sanctuary* (2nd edn., Edinburgh, 1838), p. 148.

from Holyrood to answer questions in court concerning these activities. His answers were regarded as unsatisfactory but the court, rather than putting him in prison pending further questioning, permitted him to return to the sanctuary until questioning resumed.[79] Taking advantage of this, Hunter slipped away from Edinburgh and went to Sunderland, then London and thence to the continent and freedom from his creditors.

Such of Hunter's effects as remained in Scotland were then sold off and the meagre proceeds shared amongst his creditors who were aware, but could not prove, that he had hidden other assets from them. There matters rested until the partners of the Ayr Bank, Hunter's major creditors, were informed that the missing assets had been converted into cash and given to his advocate, David Armstrong, and to his agent, William Johnstone. In December 1782 the moveable assets were arrested in the hands of Armstrong and Johnstone and they were made the defenders in an action of furthcoming.[80] In other words, the trustee acting for the partners in the Ayr Bank (a writer to the signet named John Tait) sought recovery of assets belonging to Hunter which he believed Hunter had given secretly and unlawfully into the hands of his lawyers. The convoluted facts aside, legally this was a simple case—old-fashioned even in those days—of a fraud perpetrated upon creditors; what made it highly unusual was the involvement of men of rank within the legal profession. As for William Hunter, he was last heard of living in penury in the Netherlands.

*William Johnstone's Version of Events*

Armstrong's co-defender, William Johnstone, was born in 1755 and admitted as a writer to the signet in March 1782. At the time of Hunter's bankruptcy he was aged twenty-two and had recently completed an apprenticeship with John Syme WS, who was Hunter's legal agent and was still Johnstone's employer. Johnstone, who came from the same neighbourhood as Armstrong in Dumfriesshire, was the only child of James Johnstone of Banks, a gentleman farmer. David Armstrong testified that it was he who originally had arranged for Johnstone to come to Edinburgh and enter an apprenticeship with Robert Irving WS.[81] After Irving died in 1772, Armstrong had then prevailed upon Syme, another man from the South-West, to undertake a transfer of Johnstone's indenture and allow him to complete his apprenticeship in his office.[82]

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79 The lords of session had the power to order a fraudulent bankrupt to be taken out of the sanctuary: ALSP, *Information for George Hamilton of Redhouse, Pursuer, against James Halyburton Writer to the Signet, Bailie-Depute of the Abbay (sic) of Halyroodhouse, and others, Defenders*, 8 Dec. 1740, Elchies Collection, vol. 14 (F-Y), no. 22, p.2.

80 By arrestment is meant a process by which a creditor ensures that a fund in the hands of his debtor's debtor is frozen. The action of furthcoming is an enforcement action by which, in the context of an arrestment, the appropriate amount due from the fund arrested may be ordered by the court to be transferred to the creditor.

81 Robert Irving of Bonshaw in Dumfriesshire was admitted WS on 28 Jul. 1751 and died on 20 Nov. 1772.

82 Syme was from Bairncailzie in Kirkcudbrightshire (Kirkcudbright itself is only 20 miles south-west of Dumfries). Syme was trained (at least in part) by Thomas Goldie WS, another man originally from Dumfries, and admitted WS on 31 Jan. 1750. Syme's father, Alexander, worked under Goldie in the privy seal office: NRS, Books of sederunt, CS 1/12 fo. 158v;

As a writer in Syme's office, Johnstone carried out minor business for Hunter and in this way became a regular visitor to the home of Hunter and his wife. Johnstone's version of events was as follows. He claimed that in November 1777 Mrs Hunter had summoned him. There were pressing bills to pay and she asked him to go north to fetch her husband who was engaged in business. Johnstone asked Armstrong's advice and was encouraged to head north, catching up with Hunter in the town of Montrose. Hunter informed Johnstone that, under pressure from his London creditors, he was selling off his goods in order to provide for his wife and children. When Hunter returned to Edinburgh, Johnstone urged him to obtain Armstrong's advice before acting further. He drafted a memorial (a formal legal query) for the opinion of counsel seeking advice from Armstrong on how to proceed so as to satisfy his creditors and, if possible, also protect his family and fulfil the obligations of his marriage contract.

Johnstone claimed that Armstrong's opinion, after he presented the memorial and they had had discussed it at length on 25 November, was that:

> 'it was impossible to secure the personal estate for the behoof [benefit] of Mrs Hunter and her children, in preference to the onerous creditors; yet their claim was strongly founded in equity; and that if it could be done without the knowledge of the creditors, it would be right to appropriate a part to them.'

Whatever the moral issues, this was clearly unlawful. While protecting a man's family in preference to paying his creditors was humane and would doubtless have appealed to the client, it contravened bankruptcy legislation dating from 1621 and 1696 which prohibited the giving of unfair preferences in defraud of creditors and rendered infamous, and subject to punishment, anyone lending assistance to such a scheme.[83]

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Finlay, ed., *ARNP*, I, nos 960, 1310 (entries dated, respectively, 22 Dec. 1733 and 28 Jul. 1748). In 1779 James Boswell was impressed by the information Syme had amassed concerning the proprietors of land in his native county: H.M. Milne, ed., *Boswell's Edinburgh Journals* (Edinburgh, 2001), p. 358. Syme was also an associate of John Bushby, co-signing in 1767 a bond with him and James Murray of Broughton in respect of money borrowed by Murray from 'the Society of Company of Bankers in Dumfries': NRS, Papers of the Murray Family of Broughton, Wigtownshire, and Cally, Kirkcudbrightshire, 'Journal and Plan of management of the Affairs of James Murray Esqr of Broughton', GD10/1422, fo. 5. Syme was Murray's agent, Murray having substantial landholdings in Kirkcudbrightshire.

83 *Information for Mr William Johnstone Writer to the Signet Defender Against Alexander Allan Merchant in Edinburgh, as Trustee for the Creditors of William Hunter, late of Clerkington, Pursuer*, 24 Feb. 1784, Hermand Collection, vol. 83, p. 4; for the legislation, see K.M. Brown et al., eds., The Records of the Parliaments of Scotland to 1707 (St Andrews, 2007-2010), 1621/6/30; 1696/9/57. The main legislation was discussed by Sir George Mackenzie in his *Observations upon c. 18 of the 23rd Parliament of James VI against dispositions made in fraud of creditors* (Edinburgh, 1675). Mackenzie, in his *Matters Criminal* (Edinburgh, 1678), points out in passing that merely to make a disposition in defraud of creditors was not criminal, but it was prohibited: see now O.F. Robinson, ed., *The Laws and Customs of Scotland in Matters Criminal by Sir George Mackenzie* Stair Society, 2012), p. 6. Under the Act for declaring notour bankruptcy, 1696 (c.5), provision for punishment was added to infamy: *RPS,* 1696/9/57.

Armstrong allegedly refused to put his opinion in writing, saying that it was not proper to do so in such a case. He also advised that Johnstone be sent to London to meet Hunter's creditors and provided him with a letter of introduction to William Pulteney, an influential member of parliament. Johnstone set off on 1 December, arriving back on 3 January 1778 after fruitless negotiations. Two days later, at a meeting with his client, he claimed to have advised him to surrender all his goods to his creditors and to negotiate with them the payment of a sum to support his family. This advice was rejected. A few days later, Hunter told him that his wife had lodged sums in the hands of her cousin, a surgeon named James Lorimer, and that he wanted this money to be placed in the hands of Armstrong for safekeeping.

According to Johnstone's declarations, the technical means of sheltering these assets was twofold. First, Johnstone took from Lorimer's possession £1326 sterling belonging to Hunter and delivered it to Armstrong on 20 January 1778. In return, Armstrong subscribed a promissory note by which he obliged himself to pay the same sum back to Johnstone at a future date. Johnstone later claimed that he believed this money had been given outright by Hunter to his wife and that she had given it for safekeeping to her cousin. In fact, the money still belonged to Hunter, and it had been his idea to have the bill made payable to Johnstone and to have the entire sum in a single bill since, apparently, Armstrong was 'particularly connected' to Hunter in business and Hunter expected him 'to be a friend to his family'.[84] Johnstone retained possession of this note. Second, Johnstone later declared in a separate writing that he held this sum in trust for Hunter's wife and four children. After Hunter had left the country, Johnstone received two payments from Armstrong, totalling only £65, which he applied for the benefit of Mrs Hunter. It was later claimed by Armstrong that these payments were in respect of unpaid bills for goods bought from Hunter. Thereafter, Armstrong refused to provide any more money despite Johnstone subsequently raising an action against Armstrong for payment of his promissory note and even bringing Mrs Hunter to his door to confront him. Johnstone also persuaded John Syme and the advocate Alexander Fergusson of Craigdarroch to prevail upon Armstrong to grant him a heritable security for the debt, but Armstrong declined to do so.[85]

There were three aspects to the defence Johnstone put forward to Hunter's creditors. First, he claimed to have had no part in concerting any plan to defraud them; this was entirely arranged between Hunter and his lawyer Armstrong. Johnstone alleged the two of them had held clandestine meetings under cover of night during the period when he had been in London. Second, as a young man he claimed to have been under the influence of Armstrong, a man 'whose authority in matters of Law he was then led to revere'.[86] All Johnstone did, so he claimed, was transmit the money and agree to act as a trustee. Third, he alleged that Armstrong did not look after the money in the interests of the Hunter

84 *Information for Messrs Jones Havard and Jones, etc., Pursuers against William Johnston Writer to the Signet, Defender*, 17 Feb. 1784, Hermand Collection, vol. 83, p. 8.

85 *Petition of Mr David Armstrong*, p. 34; *Proof*, p. 27. Fergusson of Craigdarroch (admitted advocate on 2 Aug. 1768), was son of James Fergusson who was chamberlain to the duke of Queensberry.

86 *Information for Mr William Johnstone*, 24 Feb. 1784, Hermand Collection, vol. 83, p. 28.

family as he had agreed; instead, being dunned daily by his creditors, he applied it to his own purposes. As a consequence, Johnstone claimed that he had personally supported Mrs Hunter and her children for more than four years, making it necessary for him to borrow from others.[87]

*David Armstrong*

Armstrong's defence was, in essence, to place the blame entirely on the shoulders of Hunter, his wife and William Johnstone. He ascribed his personal financial difficulties to a number of causes partly of his own making and partly due to economic circumstances. He professed to have been something of an improver, sinking funds into his landed estate in order to enclose farmland and to improve productivity. This he was able to do until 1772, when the partnership in the Ayr Bank he was reluctantly persuaded to enter into by his friends proved financially ruinous. He generously acknowledged his wife's contribution, not only the income that he gained from the marriage but her skilled domestic management, which had protected his credit up to that time. As a good advocate, he endeavoured to make his personal failings sound more like virtues:

> … an unsuspicious temper, confidence in mankind, inaccuracy in his transactions, and carelessness of his own concerns, perhaps even to a fault, and judging of other men by himself, has in various instances made him the dupe of their artifices, and involved him in cautionary engagements, and through his lenity and tenderness to the distresses of others, has brought much distress upon himself.[88]

Agreeing to act as cautioner (guarantor) of the debts of others was known to be a quick way to lose money and Armstrong represented himself as being strangely unworldly for a man-of-business turned advocate. But there is certainly the ring of truth in his assertions that the banking failure had led to a drop in the value of his land and that a stigma attached to the bank's partners due to the sudden size of their debts. This meant that his ability to raise credit elsewhere was compromised and his creditors became pressing.

Even so, Armstrong alleged that towards the end of 1777, following the death of his father-in-law, he saw an opportunity to recover his financial position. Proposing to borrow on the security of the late man's estate, he looked for new creditors (approaching John Tait WS and the agents of the earl of Hopetoun) and he claimed that William Johnstone was one who offered to lend to him on that basis. To substantiate this claim, Armstrong emphasised the closeness of his connection to Johnstone and his father and the fact that Johnstone, although he carried on business for Syme, also undertook business on his own account very successfully and was a regular visitor to Armstrong's houses in Edinburgh and in the country. One plan Armstrong had put into execution at this time related to his long-standing friend, the writer John Bushby of Kempleton.[89] Bushby had been a leading

87 *Ibid*., p.8.

88 *Answers for Mr David Armstrong*, 12 Jun. 1784, p.2.

89 Armstrong acted for a man named Bushby in defence of a summons in the Court of Session in 1775, but it is not known whether this was John Bushby: NRS, CS90/1/9, unpaginated, 25 Nov. 1775.

player in attempts to save Douglas, Heron and Company from disaster in London in 1772, although it is questionable whether his dealings were above board.[90] According to his later evidence, Bushby was tasked in 1777 with finding a secured loan for £4000 in London for Armstrong, so that he might pay off his other creditors and consolidate all of his debts into a single loan.[91]

Armstrong acknowledged that he had worked extensively for William Hunter in the past, putting this down to 'the predilection of his agents, to whose friendship he owed a great deal of business'.[92] By this he meant Syme and his predecessor, the late William Hay WS.[93] He alleged that he hardly knew Hunter personally, never speaking to him except in the presence of his law agent. Moreover, Armstrong had not been the only advocate engaged by Hunter; he could name others, including one who was now sitting on the bench (a reference to Robert McQueen, Lord Braxfield), who had done the same.[94]

On a number of points, Armstrong flatly contradicted Johnstone's claims. He denied

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90 Bushby's involvement is discussed by F. Brady, *So Fast to Ruin*, 30-32. It is elucidated in ALSP, *Information for John Orr of Barrowfield, Esq. and John Bushy sheriff-clerk of Dumfries against Messrs Douglas Heron and Company late Bankers in Ayr, and George Home of Branxton, Esq. Their Factor, Pursuers*, 7 Feb. 1781, Hermand collection, vol. 6, no. 6. Bushby's personal estate was eventually sequestrated by the factor for Douglas, Heron and Company, in July 1779. He was said to owe in excess of £50,000 sterling: NRS, CS107/72. He was certainly insolvent in 1778: ALSP, *Information for James Murray of Broughton, Esq. and William Copland of Collieston, Esq. Defenders against Hugh Corrie, Writer to the Signet, Factor and Manager for Mess. Johnston, Lawson, and Company, Bankers in Dumfries, Pursuer*, 19 Nov. 1782, Hermand collection, vol. 10, no. 17, p.5. Bushby had also been a partner and manager in the Old Dumfries Bank (*Ibid*., p3).

91 Bushby was appointed sheriff-clerk for the county of Dumfries some time before 14 May 1776: DAC, A2/19. This was not long before Armstrong became sheriff. At this date, sheriff-clerks were formally appointed by the keeper of the signet. The office was normally purchased, e.g. NLS, Minto papers, MS 11033 fos 104r-v *et passim*. The lord clerk register complained in 1794 when Bushby returned his sheriff court book in such a state that the text was 'hardly legible': NRS, *Petition & Complaint Lord Cerk Register ag[ains]t John Bushby* 10 Jul. 1794, CS94/37. In 1794 Bushby was appointed commissary clerk for Kirkcudbright: *Ibid*., PS3/11A/1794/16.

92 *Answers for Mr David Armstrong*, 12 Jun., 1784, p.4.

93 Armstrong was cautioner to William Hay WS when the latter was admitted as a notary public in 1759: NRS, NP2/27 fo. 125r.

94 In fact, according to Syme, Armstrong was employed by Hunter when McQueen was busy with other cases and then after McQueen was elevated to the bench as Lord Braxfield: *Proof in the Petition and Complaint, at the Instance of Ilay Campbell*, p. 26. It is clear from the session papers that McQueen had lent money to Armstrong and it is conceivable that he had taken Armstrong under his wing when he first came to the bar. McQueen had a slight connection to Dumfries in that his apprentice-master, when he worked in a writer's office as a young man, was Thomas Goldie who was agent to the duke of Queensberry: Osborne, *Braxfield*, p. 87. This is rather speculative, although it is clear that young advocates often attached themselves to able men at the bar and were allowed to attend their consultations and McQueen (who had been admitted advocate in 1744) may have allowed this in Armstrong's case: A.F. Tytler, *Memoirs of the Life and Writings of Lord Kames* (2nd edn., 3 vols, Edinburgh, 1814), i, p. 18.

all knowledge of Hunter's trips north or that he had advised him to undertake them. He denied that he had seen the memorial drawn by Johnstone or concurred with the plan to evade creditors, and he attacked Johnstone for changing his story about the timing of this alleged meeting. The memorial might have been drawn up later; and the authenticity of the fee noted in Johnstone's private memorandum book was questioned. Armstrong could not deny that he gave Johnstone a promissory note, but this was in Johnstone's favour and not in the name of Hunter, and Armstrong claimed that he did not know the money Johnstone gave him had belonged to Hunter. Instead, he thought it was money belonging to Johnstone's friends or clients which he had been asked to invest. This is perfectly plausible since one task commonly performed by Edinburgh writers was the lending out of money at interest on behalf of clients. Initially, however, Armstrong claimed he thought the money belonged to a wealthy young lady whom Johnstone afterwards married. This claim does stretch credulity. Syme had questioned how Johnstone could be in a position to lend out significant sums of money on his own account, and Johnstone's marriage did not take place until three years after the money was handed to Armstrong. Yet Armstrong insisted that Johnstone's impending marriage to a woman of fortune was rumoured at the time, and that Johnstone himself had enjoyed sufficient professional success to afford to make the loan. Fundamentally, the civil case, which ended in February 1784, came down to two versions of the same story but the creditors proved their case that the funds in Armstrong's possession had belonged to Hunter and had been unlawfully hidden from them.

## The Prosecution

The mutual inconsistencies in the versions of events set out in the civil action soon led to the prosecution of Hunter, Armstrong and Johnstone for fraud. Since this involved an advocate and a writer to the signet, both *ex officio* members of the College of Justice, they exercised the privilege which members had of having any action concerning them heard by the lords of session rather than in the High Court of Justiciary or any inferior court. There are similar examples of advocates, involved in cases of assault for example, who exercised this privilege rather than face an inferior local judge (in the case of the local sheriff court, after 1748, this potentially meant being tried before one of their rivals at the bar since a number of sheriffs, such as Armstrong, maintained their private legal practice when not sitting on the shrieval bench).[95]

The prosecution of Hunter, Armstrong and Johnstone took place in 1784 but procedure was still ongoing in July 1786 when the last paper that has been traced is dated. Hunter had put in no appearance and the lords on 7 July 1784 had declared him to be a fraudulent bankrupt (his remaining moveable goods were later confiscated by the crown).[96] The lord advocate gave no doubt of the importance of the case, declaring that if the charge were established then it would mean both men had been guilty of accession in a crime that was

95 E.g. ALSP, *The Petition of Mr James Graeme of Bucclivie* [sic]*, Advocate*, ALSP, 27 Jul. 1738, Kilkerran Collection, vol. 2, no. 59.

96 NRS, Books of sederunt, CS1/16 fos 180r-v.

'perhaps one of the most dangerous that can be committed in a commercial country'.[97] In Armstrong's case, because of his rank, it would have been unpardonable because he belonged to 'a profession hitherto esteemed a respectable and an honourable one'.[98]

In defending themselves against prosecution, Armstrong and Johnstone made subtle changes to their stories. In particular Johnstone, realising that the physical evidence was against him, changed tack and presented as much exculpatory evidence as he could, in the process attempting to portray himself as a young man who was 'over-persuaded by advice he respected'.[99] He claimed that he was a dupe, the victim of a secret arrangement between Hunter and Armstrong of which he was entirely ignorant. He had acted in good faith to try to protect Mrs Hunter and her children. It is true that he was in the wrong, in terms of the law, but this he put down to his youth and inexperience and the fact that he was overawed by Armstrong whose status was much higher than his own. In Armstrong's version, Johnstone was largely the architect and he was the victim. Johnstone had pretended to be handing over funds belonging to other clients as a loan to Armstrong who had no knowledge of any arrangement between Hunter, Johnstone and Hunter's wife.

During the civil proceedings Armstrong had been questioned under oath on three occasions, Johnstone twice. Their stories change subtly each time and recollections (particularly that of Armstrong) seemed to differ as new physical evidence (in the form of letters) emerged. Take, for example, the seventh question of the eight in the interrogatory put to Armstrong:

> 7. Did you not, at a meeting with Johnston in the town of Lochmaben, say to him, That you would not pay the money to him, as it was none of his; but that you would pay it to the honest creditors, to whom it belonged, or words to that purpose?—What did you mean by this conversation?

In his first declaration (27 June 1783), Armstrong had denied that the conversation took place. In his second declaration, four days later, he said that the first person who had insinuated to him that the money lent to him had belonged to Hunter, was James Hay WS and that this had happened at an election dinner in Lochmaben.[100] He had now remembered that at the same meeting he had a quarrel with Johnstone and 'gave him a blow'.[101]

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97 *Ibid., Answers for Ilay Campbell, Esq., his Majesty's Advocate for His Majesty's interest, To the Petition of Mr David Armstrong, advocate*, 11 Jul. 1786, Hermand collection, vol. 83, p. 1. The complaint was based on the legislation of 1696 (see Footnote 81 above).

98 *Ibid*., p1.

99 *Answers for William Johnston Writer to the Signet to the Petition and Complaint of Mr Ilay Campbell, Esq; his Majesty's Advocate for his Majesty's Interest,* 24 Jun. 1784, Hermand collection, vol. 83, p.8.

100 Lochmaben is in Dumfriesshire, just west of Lockerbie. Armstrong was still a voter in Dumfries in 1788: Adam, *View of the Political State of Scotland*, 100. His vote, it was expected, would be exercised according to the instructions of his patron, Queensberry.

101 The date is not given, but this was at the time of the election of Sir Robert Herries as MP for Dumfries Burghs in 1780.

On the other hand Johnstone claimed initially, in his first declaration, that Hunter told him the money to go to Armstrong was his own and that he was sending it for the benefit of his wife and children.[102] In his subsequent *Answers* to the criminal complaint in the name of the lord advocate, Johnstone claimed that he had thought Hunter had already transferred the funds to his wife, who had placed them with her cousin, and that he was merely acting as trustee for her in the transaction.[103]

Such inconsistencies were difficult to explain in the context of the prosecution. Armstrong's attempted defence was undermined by Johnstone who effectively threw himself on the mercy of the court. Having admitted his conduct was blameworthy, Johnstone sought to amplify the evidence he had given in the civil case in order to demonstrate exculpatory circumstances. His youth, his good intentions and the fact he followed Armstrong's advice were all brought up to paint Johnstone as 'the dupe of mistaken compassion'.[104] This strategy damaged Armstrong's position (as he was at pains to point out) and it is no surprise that both were found guilty.[105] On 11 August 1784 the lords by interlocutor found them 'art and part guilty of the fraudulent bankruptcy of the said William Hunter, and of his secreting and concealing his effects from his creditors.'[106]

Although there was further procedure by Armstrong, who brought petitions seeking to have further evidence admitted, this was refused on 9 December 1785 and a further petition in April 1786 appears to have had the same result. Johnstone's testimony, and his attempt to cast most of the blame on Armstrong, left Armstrong pleading with the court to focus purely on the physical evidence which in his view did not support his guilt. This was to no avail. Unfortunately, the penalty which the lords prescribed for Armstrong and Johnstone is not recorded, although the fact that Armstrong retained the office of sheriff depute until 1788 appears to rule out his removal from the bar.

## Conclusion

A case study is most valuable when it provides a detailed snapshot which may help to illuminate the inner workings of an institution. David Armstrong's career does this in regard to the Court of Session in two ways. First, it demonstrates the importance of regional networking for advocates working in the court. Armstrong's power base, built up from his days as a writer, was the South-West and this is clearly where his most important professional contacts lay. It was also where he habitually spent the vacation between the end of the summer session of the court in August and the beginning of the winter session in November.[107]

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102 ALSP, *Information for Messrs Jones Havard and Jones, etc., Pursuers against William Johnston Writer to the Signet, Defender*, p. 8.
103 *Answers for William Johnston Writer to the Signet*, 24 une 1784, p. 7.
104 *Ibid*., p.2.
105 *The Petition of Mr David Armstrong, Advocate*, 15 Apr. 1786, pp.15-16.
106 *Ibid*., p. 13.
107 *Ibid*., p. 2.

The case of William Hunter reveals the depth of the regional influence on Armstrong's career at the bar. Although he had spent most of his working life in Edinburgh in the precincts of the College of Justice, professionally he seems to have been linked most closely to agents, advocates and clients from his native South-West. Dumfries, in particular, seems to have had a close-knit local legal community.[108] As an advocate, and a successful one, Armstrong's status contrasted sharply with that of the ingénue writer Johnstone; but he seems to have gone out of his way to establish the latter in business. Of course, this was not without self-interest. Fostering a good relationship with agents was essential for anyone at the bar and without the respect and support of agents in Edinburgh an advocate could find the supply of clients seriously interrupted. Boswell, much employed by Robert Syme WS, had such regard for him that he dutifully paid a visit to him when the latter was confined to the house with a cold, sitting in his chamber in his nightgown, surrounded by legal processes.[109]

Unlike Boswell, Walter Scott or, indeed, John Pringle, Armstrong lacked the advantage of having relatives established within the College of Justice who might assist his career.[110] This probably required him to place even more emphasis on support from connections in his native county, at least at the beginning of his career. His success suggests he could make up for lack of natural connections through his forensic ability and there is further evidence of this from Boswell's *Journal*. It was after observing with approval a well-argued debate before the judges conducted by Armstrong and John MacLaurin on one side and Matthew Dickie and Alexander Wight on the other, that Boswell made his famous remark about the Court of Session being a 'court of *papers*'.[111] An earlier entry in Boswell's journal from the same year, 1776, reinforces the point about Armstrong's regional importance as a lawyer. He records, 'a meeting not agreeable to me' which had been arranged in a tavern in order to settle a cause with, acting for the other side, Armstrong, William Hay WS and John Bushby.[112] Hay was the son of a physician in Dumfries and Bushy would soon after become

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108 This is evident in terms of the notaries' admissions registers. In the period 1700-1749, some 28 Dumfries writers became notaries public. The cautioners (personal guarantors) who supported them overwhelmingly had a Dumfries connection: Alexander Goldie WS stood as cautioner for no less than 6 of these notaries in period 1738-1746. Other cautioners included the town clerk of Dumfries, the commissary of Dumfries and his clerk, the provost and the convenor of the trades. John Syme's father, Alexander, was cautioner to Hugh Corrie in 1748; Hugh, later a WS, became agent to Dumfries town council and features much in the council minutes, amongst other things instructing Andrew Crosbie to act on the council's behalf. Hugh's own father, Joseph, was town clerk of Dumfries.

109 Milne, ed., *Boswell's Edinburgh Journals*, p. 216. There appears to have been no family relationship between Robert Syme WS and John Syme WS.

110 On the importance of being judicial favourites, see W. Prest, *The Rise of the Barristers* (Oxford, 1986), pp. 25-30.

111 Milne, ed., *Boswell's Edinburgh Journals*, p. 238. Boswell was already by this time well familiar with Armstrong. In 1775 they argued against each other in the Copland case (supra) and it is known that they were involved on opposing sides in two outer house cases in that year alone: NRS, CS90/1/9.

112 *Ibid*., 234. For negative comments by Boswell on Bushby in the *London Chronicle* in 1773, see Brady, *So Fast to Ruin*, p. 32.

Armstrong's sheriff clerk there.[113] Once again, we find Armstrong firmly surrounded by local connections.[114]

To Armstrong's professional engagement with the likes of Hay, John Syme WS and William Johnstone, should be added the names of Alexander Fergusson of Craigdarroch whom Johnstone asked to intercede with him and the advocates Andrew Crosbie and George Fergusson both of whom Armstrong himself retained to act for him in his difficulties.[115] George Fergusson, in particular, seems to have been close to the Armstrongs. He wrote to Henry Dundas in July 1791 seeking some kind of arrangement to save Edward Armstrong's family, including his mother and two unmarried sisters, from destitution.[116] He asked Dundas to consider whether Edward's brother-in-law, Robert Dalziel, might be promoted to sheriff of Aberdeen (moving the incumbent there, Alexander Elphinstone, to Dumfries), or to provide a pension for the support of Armstrong's dependents. Clearly he had recognised that the Armstrong succession in 1788 had been controversial and could not be repeated by appointing the last incumbent's brother-in-law. Dalziel himself, in a rather desperate letter, directly sought to fill the vacancy in Dumfries.[117] But neither entreaty was successful. Fergusson, son of Lord Kilkerran, was of quite different background to David Armstrong. They may have formed a relationship through attending the circuit although his concern for him and his son may largely have been an act of humanity for brother advocates in ruinous circumstances.[118]

The second important feature of Armstrong's career is the reminder it offers that the legal profession in the 1760s was open to a measure of social mobility.[119] Armstrong moved to Edinburgh just as the trend was moving away from expensive foreign legal education, which restricted the bar to the rich, towards the instruction being offered in the universities of Edinburgh and Glasgow. By the 1750s and 1760s it was increasingly rare for Scots to go to the Netherlands for a legal education. James Boswell at Utrecht in 1763-4, and Alexander Leith and Thomas Buchan, who both matriculated a Leiden in 1766, were amongst the last

113 Along with Armstrong, Hay and Andrew Crosbie were amongst the tutors nominated by Alexander Orr WS to act for his children: NRS, CS96/2024, fo. 1.

114 Boswell mentioned Armstrong twice more (*Boswell's Edinburgh Journals*, pp. 65, 88) on one occasion as his co-counsel in a criminal case and in other attending a horse race in Leith along with John Johnstone of Grange (a WS from Dumfriesshire).

115 Francis Carlyle's name should probably be added to the list (on whom, see Footnote 6 above). The son of Armstrong's apprentice-master, Carlyle was admitted as an agent before the Court of Session on 3 Jul. 1772: NRS, Books of sederunt, CS1/15, fo. 130v.

116 NRS, Papers of the Dundas Family of Melville, Viscounts Melville, GD51/5/404/2.

117 *Ibid*., GD51/5/404/4.

118 For Fergusson's career in general, see J. Fergusson, 'Lord Hermand: A Biographical Sketch' in F.P. Walton, ed., *Lord Hermand's Consistorial Decisions 1684-1777* (Stair Society, Edinburgh, 1940), pp. 1-40.

119 The 1760s has been identified as a period of transition within the Faculty of Advocates during which there was a modest decline in the social rank of intrants: N.T. Phillipson, 'Lawyers, landowners, and the civil leadership of post-Union Scotland' (1976) *Juridical Review*, 113.

to follow what for most advocates since the 1690s had almost become a rite of passage.[120]

Reliance on foreign education had largely reduced the social mobility that had been a feature of the legal profession in the sixteenth and early seventeenth centuries. With a few exceptions, the bar had become the resort of the landed social elite, with the resources to be educated abroad and to survive the early penurious years of legal practice which young and inexperienced advocates generally faced.[121] The successful candidate nominated by Charles, duke of Queensberry, to become sheriff depute of Dumfries in 1748, for example, William Kirkpatrick (1705-1778), was the younger son of a prominent landed family in Dumfriesshire. Not only had he studied law at Leiden but he was also the son-in-law of Lord Tinwald (who was formerly a member of parliament for Dumfries).[122] David Armstrong does not fit into this pattern. In fact, he seems to be closer to the modern pattern in Scotland by which students more typically progress from university, first enter legal practice as a solicitor, and then proceed to the bar. The period of practice as a solicitor is nowadays often regarded as an important opportunity to network, to establish a reputation and develop professional contacts. If Armstrong is something of a prototype, his example was ere long followed by other men of modest backgrounds, such as John Pattison and particularly Thomas Walker Baird, whose rise in status from Edinburgh writer to advocate met with very quick success. Such promotions generally did not pass without remark even if membership of the bar at the end of the eighteenth century did not quite import the same social cachet as it had at the time of the Union.[123]

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120 F.A. Pottle, 'Boswell's University Education' in M.M. Lascelles *et al.*, ed., *Johnson, Boswell and their Circle* (Oxford, 1965), 230; Du Rieu, ed., *Album studiosorum*, col. 1090; see generally J.W. Cairns, 'Importing our Lawyers from Holland: Netherland's Influences on Scots Law and Lawyers in the Eighteenth Century', *Scotland and the Low Countries, 1124-1994* ed. G.G. Simpson (East Linton, 1996), pp. 136-153.

121 On this theme, see J.S. Shaw, *The Management of Scottish Society* (Edinburgh, 1983), pp. 28-29.

122 Grant, *Faculty of Advocates*, p. 119; Du Rieu, ed., *Album studiosorum*, col. 905. For his nomination, NRS, State papers Scotland, RH2/4/368 fol. 194r. Kirkpatrick held office as sheriff depute without interruption from 18 Mar. 1748 until his death in 1777 when Armstrong replaced him. Queensberry also nominated James Fergusson of Craigdarroch (the incumbent sheriff substitute in 1748), who was well-affected but was found not qualified for appointment: *Ibid*., fo. 198r. Possibly as a compensation, Queensberry made him baillie of Drumlanrig in 1748: NRS, Papers of the Fergusson family of Craigdarroch, GD77/251/15. However he had been in the duke's service well before this, most notably in 1745: J. Corrie, *Glencairn: The Annals of an Inland Parish* (Dumfries, 1910), pp. 96-99. Why Fergusson was disqualified in 1748 is not known, although it may have been due to his lack of experience at the bar (he was admitted as an advocate in 1734 but seems not to have practised for the necessary three year period required by the Heritable Jurisdictions Act, 1746). James Fergusson was the son of Annie Laurie, the subject of the well-known song: McDowall, *History of Dumfries*, p. 245, and his son, Alexander, featured in Burns' poem, 'The Whistle'. He died in 1771 (in time to avoid his liabilities to the creditors of the Ayr Bank) and conceivably this led to Armstrong's promotion as Queensberry's ordinary lawyer, although this is doubtful in the absence of clearer evidence of Fergusson having practised at the bar.

123 Shaw, *The Management of Scottish Society*, pp. 21-3.

The examples of Duncan Forbes, Henry Home (Lord Kames) and Robert McQueen demonstrate that men might emerge from writers' offices to the bar without the benefit of foreign education. But Armstrong's social origins seem to have been more modest than theirs (none of whom appear to have practised independently as writers). What makes him unique is that of the 187 agents admitted to practise in the Court of Session between 1755 and 1800, he alone proceeded to a career as an advocate. This was a considerable achievement but it probably represents the reach of his ambition. For, despite attracting the patronage of the dukes of Queenberry, and claiming a place amongst the leaders of the bar, unlike many of his colleagues, Armstrong seems not to have been retained to plead before the House of Lords. No reported decision from the Lords bears his name as counsel and this is a curious omission given his prevalence at the bar. Possibly Armstrong was the type of advocate whom Lord Kames might have accused of taking on 'rascally' causes. These men had clients as plentiful in number as they were sometimes lacking in respectability. Chief among such advocates, according to Kames, was Alexander Lockhart whose Jacobite origins and sympathies long kept him from the bench despite his undoubted forensic abilities and prominence at the bar.[124] But there is no strong evidence to justify placing Armstrong in this category and nor would it serve to explain his absence from Lords' appeals since Lockhart, who was well connected socially, enjoyed a considerable amount of such business. Possibly Armstrong's origins did tell against him, and against his future promotion to the bench. One of the main reasons to undertake appellate business was to get noticed and to gain the kind of patronage in London which might lead to serious promotion. Armstrong was not a patrician, and he was certainly not drawn from the ranks of the higher nobility where seeking business at the bar might have been socially beneath him.[125]

The 'Faculty Garland', an imagined debate said to have been composed on the occasion of John Pattison's application to join the bar in 1785, was intended as more than simply humorous verse; its barbed witticisms reveal underlying contemporary attitudes.[126] Thus, for instance, Charles Hay, who himself had completed an apprenticeship to a writer, was made to say that "Writers' prentices here / Should never appear". Of particular interest is the comment attributed to an advocate named Robert Corbet:

> The chief thing says C[orbe]t,
> Oh I cannot absorb it,
> Illiterate fellows to ask in:
> I'm afraid we shall see
> People take our degree,
> With no other knowledge than Erskine.[127]

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124 Scott and Pottle, ed., *The Private Papers of James Boswell*, p. 280.

125 Cf. the remark recorded by Boswell about Sir Gilbert Elliot, Milne, ed., *Boswell's Edinburgh Journals*, p. 285.

126 J. Maidment, *Court of Session Garland*, (London, 1839), pp. 50-55.

127 *Ibid*., 53. Erskine refers to Professor John Erskine, author of the *Principles of Scots Law* (1764) and the *Institutes of Scots Law* (1773). Both were important texts used for domestic legal education in Scotland.

Corbet, son of a former provost of Dumfries, entered the bar in 1777.[128] Whatever the extent of his own education, he seems to have been one of the gainers when agents from Dumfriesshire scrambled to find new counsel to act for their clients after the fall of David Armstrong. Just as Edward Armstrong inherited some clients from his father so Corbet, along with George Fergusson and, to a lesser extent, Robert Dalziel, also did so.[129] As early as 1784, for example, Armstrong's erstwhile client William Copland of Collieston was employing George Fergusson.[130] Fergusson and Corbet were very active at the bar; the Outer House rolls, listing the ordinary causes before the Court of Session in 1791, reveal them both to be amongst the ten advocates appearing in the greatest number of cases. After Fergusson went to the bench in 1799 (under the title Lord Hermand), Corbet improved his relative position within the profession. The unfortunate Dalziel, on the other hand, seems to have disappeared from practice.[131]

In at least one respect Corbet did not step into Armstrong's shoes. This was in his relationship with Dumfries town council. As a former provost's son, Corbet was the obvious choice when appointed in 1796 on the suggestion of the serving provost, in the words of the town council minutes, as 'counsel and lawyer for this borough'.[132] This followed the death of the incumbent, Alexander Fergusson of Craigdarroch, another advocate with strong local connections.[133] Both men followed in the footsteps of Andrew Crosbie of Holm who seems in 1775 to have been the first to have been retained as the town's 'ordinary lawyer', although there is evidence that he had before this been instructed by the town council to provide opinions and act on its behalf.[134] Why was Crosbie preferred to David Armstrong? Crosbie was certainly more experienced at the bar (he was admitted in 1757) where he had a successful practice which allowed him to establish himself socially as a member of the Poker Club, the Select Society and the Royal Society of Edinburgh. In Dumfries,

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128 NRS, Books of sederunt, CS1/16 fo. 26r.

129 Dalziel, who entered the bar in 1776, married Ann Armstrong in 1783: Grant, *Faculty of Advocates*, p. 51.

130 ALSP, The *Petition of William Copland, Esq. of Collieston*, 7 Dec. 1784, Miscellaneous collection, series 7, vol. 6 (1785-1786).

131 Of the 2382 processes extracted in 1800 (that is, copies of interlocutors in theses case were made for distribution to the parties), Dalziel's name appears only in 5 cases whereas that of Corbet appears in 75: NRS, Extracted decrees and warrants, Dalrymple's Office, CS18/706-CS18/715; Durie's office, CS22/773 – CS22/780; Mackenzie's office, CS26/906-915. There is no sign of Dalziel at all in the Outer House rolls in 1801: NRS, Outer House roll, Ordinary actions, CS 90-1-11.

132 DAC, Dumfries town council minutes, A2/23, 1 Jun. 1796. Crosbie's father had been provost from 1738-40; Corbet's father was provost from 1758-60: McDowall, *History of Dumfries*, p. 909. Another Robert Corbet, presumably the advocate's grandfather, was also provost; in this capacity, in 1715, he acted as cautioner to the Dumfries writer and notary, James Brown: NRS, NP2/18 fo. 267v.

133 Fergusson of Craigdarroch was appointed in 1785: DAC, Dumfries Town Council minutes, A2/21, 14 Mar. 1785. Fergusson succeeded Crosbie as grand master of the masonic lodges in the southern district of Scotland: McDowall, *History of Dumfries*, p. 697. For a memorial addressed to Crosbie, see *Ibid*., pp. 694-5.

134 *Ibid*., A2/19, (9 Oct. 1775).

his father, a former provost, was the grand master of the provincial masonic lodge.[135] He himself, on becoming a burgess in 1757, had promised to keep 'a sufficient Gun and Sword for Defence of the Burgh when called for'.[136] The composition normally paid on such an occasion was remitted in return for the good services of Crosbie and his father to the town. On the negative side, however, Crosbie's prospects were thwarted in later life by alcoholism and his liability as a shareholder in the Ayr Bank.[137]

In so far as Armstrong is concerned, there are reasons why Dumfries town council may have been disinclined to employ him. In 1764 Edinburgh town council had decided never again to employ any sheriff-depute as one of its legal counsel on the basis that shrieval duties might interfere with such a man's service to the council.[138] From then on, any advocate retained by the council who accepted office as sheriff-depute would *ipso facto* cease to be retained by the town of Edinburgh. The council in Dumfries may have taken a similar attitude towards Armstrong once he became sheriff-depute in 1777, in a provincial town like Dumfries, in which the council employed only one ordinary lawyer (Edinburgh employed four ordinary lawyers, known as 'assessors'), conflicts of interest would have been unavoidable had they sought to employ the sheriff depute. Even before 1777, the council may have marked Armstrong out as being Queensberry's man and, again, this may have distanced him from their employment, although there is no particular evidence of any strong rivalry between the dukes and the council.[139] Certainly, the minutes of the town council do not suggest that the council was tempted to employ him even to assist Crosbie (in fact, in 1781, they specifically employed Robert Corbet as assistant).[140]

On the other hand, the importance to Armstrong of the patronage of the dukes of Queensberry cannot be understated. The extensive landholdings of the dukes would have ensured significant employment from the duke's tenants and retainers and this would have compensated considerably for any loss of business from the council.[141] Politically, the reach of such prominent noblemen was also much longer than that of a mere body of local councillors. If the third duke secured the office of sheriff-depute for Armstrong, the fourth duke's influence may well have enabled him to keep it when the fragility of his professional life was so clearly exposed during the 1780s. Moreover it may have enabled

135 McDowall, *History of the Burgh of Dumfries*, p. 699.

136 DAC, Dumfries town council minutes, A2/16, 13 Jun. 1757.

137 See generally, Miller, 'Andrew Crosbie' (see Footnote 3 above).

138 Edinburgh City Archives, Edinburgh town council minutes, SL1/1/80 fos 41-2. This mirrors an enactment made by the same council in 1685 that the same man could not be procurator fiscal in the burgh court and in the sheriff court since 'some matters concerning the good toun and the shirriffs may interfier': *Ibid*., SL1/1/31 fo. 236r.

139 McDowall, *History of the Burgh of Dumfries*, p. 651.

140 DAC, Dumfries town council minutes, A2/20 (12 Nov. 1781).

141 According to the Heritable Jurisdictions Act 1746 no sheriff-depute was 'to plead or advise in relation to any civil or criminal action arising within or emanating from his county': 20 Geo. II, c.43, s29. There was doubt at the time about how this should be interpreted. Armstrong, however, appears to have continued to act for Dumfries clients after his elevation to the shrieval bench. This suggests that a narrow interpretation was placed on the statute i.e. that he acted in cases provided they had not previously come before him on the bench.

him, quite extraordinarily, to dispose of it to his son.[142] Given Edward's self-inflicted misfortunes, it backfired. But it is a clear example of the strength the political influence of a patron might have on government and also of the precarious nature of such influence since, the year after Edward's promotion, the duke's political importance in London waned significantly and he would after that simply have lacked the interest to secure such an arrangement.[143] Even so, Edward (with a vote in Kirkcudbrightshire) and his father, on the electoral roll in Dumfries, both remained pledged to dispose of their votes in accordance with Queensberry's wishes.[144]

## Epilogue

David Armstrong had a son, Edward, and three daughters. His son became an advocate and in 1783 his second daughter, Ann, married another, Robert Dalziel of Glenae in Dumfriesshire.[145] Dalziel, the grandson of the fifth earl of Carnwath (a title that was forfeited in 1716 and suppressed until 1826), was admitted to the bar in 1776. In 1783 he became an advocate-depute (that is, he was engaged to act for the crown in criminal prosecutions) and he was well-regarded within the profession. His link to 'such a family of Knaves', however, precluded his further rise.[146] This description arose from two circumstances. One was the fact that in May 1788 Edward controversially succeeded his father as sheriff-depute of Dumfries after his father resigned the position.[147] The other was the character and conduct of Edward who was himself obliged to resign as sheriff in 1791 having been caught, following other alleged misdeeds, cheating at cards.[148]

Although his son's disgrace was publicly admitted, David Armstrong himself continued to attempt to clear his name. He presented an appeal to the House of Lords against the interlocutors of the Court of Session which had sealed his fate at the bar. Papers in his appeal to the House of Lords, dated 1787, survive.[149] They were subscribed by John Scott

142 Out of 106 appointments of sheriffs depute in the period 1748-1800, I can find only one comparable instance of a son following his father. This was the surrender of the office of sheriff-depute of Peebles by Archibald Murray in favour of his son in 1761, after he had held the office for only a short period. Archibald was appointed on 5. 1760 (NRS, Register of the Great Seal, C3/19, no. 49); Alexander on 6 Apr. 1761 (*Ibid*., 76). Cf. Murdoch, *The People Above*, p. 61 (which wrongly suggests that Alexander directly succeeded James Montgomery). Dr. Murdoch indicates that the Murrays benefited from the Dundas of Arniston interest.

143 For his downfall, see William C. Lowe, 'Douglas, William, fourth duke of Queensberry (1725–1810),' in *Oxford Dictionary of National Biography*, ed. H. C. G. Matthew and Brian Harrison (Oxford: OUP, 2004); online edn., ed. Lawrence Goldman, May 2009.

144 Adam, *View of the Political State of* Scotland, 197.

145 F. J. Grant, ed., *The Register of Marriages of the City of Edinburgh 1751-1800* (Scottish Record Society, 1922), p. 181. The marriage took place on 17 Mar. 1783.

146 NRS, Papers of the Dundas Family of Melville, GD51/5/404/1.

147 NRS, Register of the Great Seal, CS3/20 no. 36.

148 Stewart and Parrat, eds., *Minute Book of the Faculty of Advocates, 1783-1798*, p. 135; NRS, Papers of the Dundas family of Melville, GD51/5/404/1.

149 ALSP, Arniston collection, vol. 167, no. 7.

(later Lord Eldon) and, once again, the advocate George Fergusson. The grounds were purely on the basis that the case, on the evidence presented, had not been properly proved against him. The Lord Advocate, in his reasons for opposing the appeal, made the telling observation that Armstrong's communication with the bankrupt and Johnstone was 'so different from that which is proper between a Counsel and an Attorney and his Client.'[150] The hearing was postponed in November 1787 and put off several times thereafter, at the appellant's desire, until Armstrong was finally permitted to withdraw the appeal, without having to pay costs, in February 1792.[151] The minutes of the Faculty of Advocates the following year record his plans to present his appeal to the House of Lords once again but there is no indication that he actually did so.[152]

If Armstrong's career tells us something about the opening out of the profession to men of his stamp (the son of a one-time peddlar made good), the ending of it tells us something too. Advocates tended to be suspended rather than actually disbarred in early modern Scotland and there is no evidence that Armstrong personally was disbarred (his son most certainly was).[153] The damage to his reputation alone seems to have been enough to end his career. In 1785 a committee of the Faculty of Advocates reiterated the importance of the 'publick Trust' placed in those who would join their number, whose 'Purity and Honour' should be guarded, particularly since they might once admitted go on to fill the office of sheriff depute or lord of session.[154] Armstrong's case, and the rumours and allegations about him, would have been very strongly in the mind of his fellow advocates at the time.[155] After all, he had been a writer in the College of Justice for at least eight years before coming to the bar (the draft regulations produced by the Faculty sought to impose an age limit of 25 on new intrants, to prevent them having contracted unsuitable 'Habits of life').[156]

Although the Faculty's report has, quite reasonably, been linked to the controversial case of John Wright (who was eventually admitted in 1783), Armstrong's tribulations were taking place at precisely the same time and there must have been some, perhaps many,

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150 *Ibid., The Respondent's Case,* p. 9.

151 *The House of Lords Journal*, vol. 38, records delays on 28 Nov. 1787, 14 Mar. 1788, 11 Feb. 1789, 16 Mar. 1789 (due to the Lord Advocate still being in Scotland), 5 Apr. 1789, 5 Feb. 1790; *Ibid*., vol. 39, records delays on 1 Dec. 1790 and 17. 1790 and the withdrawal of the appeal on 1 Feb. 1792.

152 Stewart and Parrat, eds., *Minute Book of the Faculty of Advocates, 1783-1798*, pp. 159, 183.

153 There seems to be no mention of his case in the books of sederunt except in 1784: NRS, books of sederunt, CS1/16, fos 180r-v. On discipline, see generally J. Finlay, (2006) *Juridical Review* 'Ethics, etiquette and the early modern Scots advocate', 147-178. For Edward's disbarment at the Faculty's anniversary meeting in 1792, see Stewart and Parrat, ed., *Minute Book of the Faculty of Advocates, 1783-1798*, p. 135.

154 Stewart and Parrat, eds., *Minute Book of the Faculty of Advocates, 1783-1798*, pp. 26-7, n.40.

155 This is perhaps particularly so given Armstrong's active role, since 1764, in the Faculty's affairs. The Faculty *Minute Book* reveals him as prominent in the inner council around the dean, along with Crosbie, Ilay Campbell, and others. I am grateful to Kenneth Campbell for making this observation.

156 *Ibid*., 28 n. 44.

who ascribed his conduct to his social 'breeding'.[157] This may have gained strength by what happened to his son. If anyone did take this view, they might perhaps have found some vindication had they discovered the fate of Edward's daughter, Ann. In 1804 she confessed to the kirk session in Dumfries that she had recently been 'delivered of a child in uncleanness and that Darand Glen writer in Dumfries was guilty with her, and the father of their child'.[158] Glen admitted fornication but denied paternity and both were rebuked by the session for their sin.[159] It seems that over twenty years, and across three generations, the 'good opinion' of which David Armstrong had boasted in 1784 had well and truly been lost.

**Abbreviations**

ALSP Advocates' Library Session Papers.
*ARNP* *The Admission Register of Notaries Public in Scotland*, 1700-1799 (Scottish Record Society, forthcoming), no. 1717.
DAC Dumfries Archive Centre.
NRS National Records of Scotland (formerly the National Archives of Scotland).

157 On the Wright affair, see *supra* n. 35.
158 DAC, Minutes of Dumfries Kirk Session, CH2/537/10 fo. 201. This is the same kirk session as that to which William Hunter was called in 1761.
159 *Ibid*., fos. 202-3. Glen was admitted notary public in 1800: NRS, NP 2/36, fo. 321. He was the son of a writer in Edinburgh who was originally from Dunfermline, but he appears to have had a family link to Dumfries through the local writer David Glen, son of an innkeeper there, who was also a notary public: Finlay, ed., *ARNP*, no. 1571.

# JOSEPH TRAIN, ANTIQUARIANISM AND THE STATISTICAL ACCOUNTS OF SCOTLAND AND MAN

Ian Hill[1]

*Although Joseph Train (1779-1852), the celebrated antiquarian and associate of Sir Walter Scott, was an Ayrshireman, he was based for the principal part of his career in Dumfriesshire and Galloway.[2] Train's antiquarian endeavours have been noted in these* Transactions *on previous occasions as have* the *Statistical Accounts.[3] This article argues that antiquarianism had a considerable impact on the Statistical Accounts and notes Train's contribution to them in particular. It also suggests that Train's production of a Statistical Account of the Isle of Man (1845) was the direct result of his involvement with Scott, 'statistics' and South-West Scotland; and that his work on Man should be seen as an expression of territorial identity within an over-arching and increasingly patriotic British state. The article begins by contrasting the background and career of Train with the principal authors of the Accounts, the ministers of the Church of Scotland, as a means of emphasising his achievements.*

## Early Life and Career

Like a number of ministers, Joseph Train was a 'lad of pairts' from relatively humble roots.[4] Born in the Ayrshire parish of Sorn in the east of the county, his father was steward on the estate of Gilminscroft before deciding to move his family to Ayr.[5] Train had little or no formal education and was initially apprenticed as a weaver in the town, a trade with long hours but one which frequently provided enough idle time for private study.[6] Train thus

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1 The Bield, 19 Heriot Way, Heriot, Scottish Borders EH38 5YN.

2 Train's excise career spanned 1808-1836, 20 years of which were spent in two main spells in the region: at Newton Stewart (1813-20) and at Wigtown, Dumfries and Castle Douglas (1824-36).

3 See Stuart Maxwell and R B K Stevenson, 'Some Items from the Joseph Train Collection', *TDGNHAS* ser. III, 27 (1948-49), 205-7; and A E MacRobert, 'The Statistical Accounts', *TDGNHAS* ser. III, 82 (2008), 83-94.

4 A summary but cautionary introduction to the eulogised figure of the 'lad of pairts', is given by R D Anderson, *Education and the Scottish People 1750-1918* (Oxford, 1995), 19-21. However, the number of ministers from the lower levels of society seems to have declined during the eighteenth century, while minsters also developed a tendency to form themselves into clerical dynasties: Ian Whyte, 'Ministers and Society in Scotland 1560-c.1800' in *Scottish Life and Society: A Compendium of Scottish Ethnology*, vol. 12, eds. Colin MacLean and Kenneth Veitch (Edinburgh, 2006), 436.

5 His father subsequently became a day labourer in Ayr. A married labourer with children in the parish could earn around 7 shillings a week in the 1790s, much the same as many other tradesmen. By comparison, the stipends of the local ministers there were about £105 and £130 per annum: First Statistical Account [FSA], 1, 94-5.

6 A search of the records of the Incorporation of the Weavers of Ayr (ref: E/870/5) held by the the National Records of Scotland [NRS], did not reveal an entry for Train. One author claims that Train's hours – or at least his formal ones – during his seven-year apprenticeship lasted

lacked a university training of any kind, in contrast to the vast majority of the ministers of the day.[7] Nor did Train's marriage advance his social status or employment prospects as his wife from 1803 was Mary Wilson, the daughter of 'poor' Robert Wilson, gardener in Ayr, a union which in time produced 5 more mouths to feed.[8]

Train served for several years in the Ayrshire Militia (1799-1802). He benefitted from this service, as his former colonel, Sir David Hunter Blair, noticed his fledgling literary talents as a poet and helped to secure him a position as a gauger in 1808[9] with the Scottish excise service at Ayr[10], while Hugh Hamilton of Pinmore was another early friend to him.[11] (Both families were connected in a number of ways). In the words of Sir John Sinclair, the father of the Statistical Accounts, Train now belonged to the 'revenue class', a 'useful and indirectly productive' occupation like that of the ministry or 'clerical class'.[12] His first permanent post was at Largs in 1811, having been a supernumerary in Perthshire during 1810[13] (and thus Train did not owe his initial establishment in the excise service to the influence of Scott.)

Train's long association with Dumfriesshire and Galloway began in 1813 with his transfer to Newton Stewart where he was to remain until 1820. Shortly afterwards, Train's collection of poems, *Strains of the Mountain Muse* (1814) caught the attention of Scott and this in turn led to a lifelong association between the two, based on the author's hunger for tales of Ayrshire and South-West Scotland which Train assiduously supplied. His pride in his collaboration with Sir Walter – effectively, as a valued but unpaid researcher – dominated their association from the initial contact between the pair in 1814 until Scott's death in

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from 6am till dusk in summer and till 10pm in winter: R W Macfadzean, 'Joseph Train, F.S.A. (Scot.)', *Annual Burns Chronicle and Club Directory*, xiii (January 1904), 77.

7 Train was 8 when he completed his 'limited' education at school in Ayr: Paterson, *The Contemporaries of Burns*, 259. By contrast, it often took 6 or 7 years of university and professional training before a minister was able to secure a parish for himself: Whyte, 'Ministers and Society in Scotland', 438.

8 Patterson, *Memoir of Joseph Train*, 154-5. Train's eldest son, William, became a cashier in the Southern Bank, Dumfries, and was latterly an inspector with the National Provincial Bank of England: Paterson, *The Contemporaries of Burns*, 301.

9 NRS, CE2/17, 305, entry for 21 Apr 1808 and CE2/18, 81, entry for 9 Jun 1808.

10 Train says that in [1808], with the help of Sir David Blair and the Earl of Eglinton, 'I obtained within one week from the date of application an appointment in the Excise over the heads of above an hundred applicants': National Library of Scotland [NLS], MS3277, 28-9.

11 Blair had initially recommended Train to Hugh Hamilton of Pinmore, a well-known banker in Ayr, who subsequently secured him (c.1802) a position as the Ayr agent of the Glasgow manufacturing firm of James Finlay & Co of Glasgow: Paterson, *The Contemporaries of Burns*, 260; and Macfadzean, *Joseph Train*, 78. Train, who dedicated much of his poetry to the Hunter and Hamilton families, named one of his sons, Hugh, in honour of the latter. This correspondence also reveals that Train was acquainted with Dr [Andrew] Ure, Professor at the Anderson Institute in Glasgow, whom he had met while serving in the militia: NRS, GD142/50/1-2, letters of Train to Hamilton, 23 Sep and 25 Nov 1813.

12 Sir John Sinclair, *Analysis of the Statistical Account of Scotland*, (Edinburgh, 1826 edn.), i, 214, 217-18.

13 Paterson, *The Contemporaries of Burns*, 260.

1832,[14] with Sir Walter actively offering Train his patronage from the start of 1815.[15]

Although Train was personally able, particularly in the area of excise reform,[16] it was patronage rather than personal ability which was the prime influence in shaping his professional life.[17] This paralleled the situation in the Kirk, in which, following the re-introduction of patronage in 1712, ministers were formally appointed by the local heritors or landowners, but informally depended on cultivating personal contacts to advance their careers. With Sir Walter's willing and continuing help, Train was eventually promoted to the position of supervisor of customs in 1820.[18] He moved in quick succession from Newton Stewart to Cupar, Kirkintilloch, South Queensferry and Falkirk but he ultimately failed to progress to the exalted rank of general surveyor or collector – which he came to covet as the 'most enviable ... as to ease, respectability and salary'[19] – despite Scott's plea-cum-application on his behalf to Lord Liverpool, the then Prime Minister, in 1824.[20]

Ironically, Scott's assertive interest in Train's career during the early 1820s helped to alienate key figures within the Scottish excise establishment.[21] In addition, the collapse of Scott's finances during 1825-26, together with the author's declining health,[22] conspired to leave Train without his patron's active assistance. But Train's chief difficulty at this period resulted from the creation of a unified and reform-minded British Board of Excise

14 He habitually referred to Scott as 'revered sir': NRS, GD1/991/1, entry for Train, 2v.

15 NLS, MS3277, 27-8. Scott apparently informed Sir David Hunter Blair at the Caledonian Hunt Club rooms in Edinburgh that Train was now his protégé: Paterson, *The Contemporaries of Burns*, 269.

16 Scott placed Train's essay on illegal distilling before the Scottish Board of Excise in 1815, his suggestions eventually passing into law. A summary of Train's proposals is set out in his letter to Scott, 12 Feb 1816: NLS, MS3887, 9r-10v.

17 As Train pithily put it, 'I rather calculated upon Sir Walter's interest than counted it.' Even so, he was writing to his patron as early as March 1815 that though he was not yet qualified in terms of service for a supervisor's post, 'when powerful friends use their influence the ordinary rules are seldom considered any obstruction or obstacle in their way.': NLS, MS3277, 97-8 and MS3886, 97r, Train to Scott, 17 Mar 1815.

18 Train, officer at Newton Stewart, was examined and approved for promotion by the Scottish Board of Excise at the close of 1820: NRS, CE13/2, 234, entry for 13 Dec 1820.

19 NLS, MS874, 129r, Train to Scott, 12 May 1829. In the later 'Recollections' version, Train renders the position as the 'most enviable … as to ease, salary & independence.': NLS, MS3277, xii.

20 NLS, Dep 308, Scott to Train, 23 Jun 1824; Grierson, *Letters of Scott*, viii, 316-17; Paterson, *The Contemporaries of Burns*, 283-4. Train lamented that if the application had been made a year earlier, 'there can be no doubt it would have been punctually attended to': NLS, MS3227, 167.

21 As Scott informed Train in a letter of 22 February 1817 'You will have no cold solicitor in me.' But Scott's influence with successive lords advocate, the Crown's first officer in Scotland, could also arouse resentment. Train's interest in being moved to the Leith excise district in 1822, for example, foundered due to 'the demi-official form of the Baronet's letter' to Mr Parish, Chairman of the Scottish Excise Board: NLS, MS3277, 100 and 160.

22 Even before Scott had died on 21 September 1832, his son-in-law and biographer, John Gibson Lockhart, had begun to distance himself from Train, making it plain that he thought it would be 'not very likely, within the power of any of his [Scott's] family to render any service to you or yours': NLS, MS3278, 186r-v, Lockhart to Train, 6 Sep 1832.

in 1823.[23] Unlike the Kirk, which remained as an independent Scottish national institution, never subject to merger with its English counterpart, Train's career went into a downward spiral as a direct result of the influx of a number of vocal and rapacious excisemen from England. The colourfully-named 'Goths of the Excise'[24] were eager for promotion north of the Border at the expense of the local incumbents and Train suffered twice in succession at their hands. In 1824 he was removed from Falkirk to Wigtown[25] and in 1827 was demoted for 3 months,[26] on both occasions in effect for neglect of duty. The first of these calamities at least returned Train to his adopted homeland of South-West Scotland where he was to remain for the rest of his life.

Unfortunately for Train, and again in contrast to the Kirk, Train's outside interests did nothing to assist his flagging career. The excise service in Scotland was traditionally reluctant to encourage, far less venerate, any scholarly activity by its officers. Scott at one point did suggest to Train that he could guarantee him a handsome return of £200-£300 from book sales if he ever chose to publish in his own right.[27] This proposal, however, fell

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23 Particularly important from Train's perspective was the decision of the new Board to prevent the 'local' Scottish and Irish boards from making any new appointments, a power which it reserved to itself: NRS, CE11/1, 9, entry for 9 Oct 1823. Lord Cockburn tersely derided the Scottish Boards of Customs and Excise as 'nests of corruption': Michael Fry, *The Dundas Despotism* (Edinburgh, 2004 edn.), 355.

24 Patterson, *Memoir of Joseph Train*, 118. George Pape was the pro-English Secretary of the Excise Board at Edinburgh. Train's description of his dealings with Pape and the 'Goths' in 1824 and 1827 is set out in his 'Recollections': NLS, MS 3277, 168-71 and 179-82. Pape is described as a 'modern Caligula' (169) while the promotion-seeking English incomers 'like his Satantic Majesty … roamed about seeking whom they might devour.' (170). Train claimed from the first that Pape hoped 'to have the whole of the Scotch excise officers discharged from the service' (xvi) and that only about 6 out of 70 supervisors in Scotland eventually escaped his depredations (169).

25 Train denied any guilt and claimed his fate was occasioned for speaking too plainly at his board of enquiry: NLS, MS3277, 170. However, the official record shows that four of Train's officers were admonished on the same day that he was 'removed'. Their collective offence, lax practice in regulating distillers, was a major concern of the excise service following the passing of the Excise Act in 1823. Train was officially transferred 'for suffering imperfect fastenings to be used by distillers' but implicitly was also seen as culpable for the failings of his men: NRS, CE2/42, 289, entry for 29 Dec 1824. All supervisors in Scotland had already been ordered three months previously to keep diaries in line with English practice, to record the performance of themselves and their men in conducting excise business: NRS, CE4/4, 160, entry for 16 Sep 1824. For further and related examples of Train's chequered career as an excise office at this time, see NRS, CE2/39, 66-7, 294, entries for 21 Nov 1823 and 4 Feb 1824; CE2/41, 86, entry for 6 Sep 1824; and CE2/42, 388, entry for 26 Jan 1825.

26 There are grounds for believing that Train may have been hard done by on this occasion. Even so, the minute of his case again cites laxness on his part and misrepresentation of evidence when prosecuting a claim. Perhaps most crucially of all, the record states that he had been reprimanded thrice within the last three years. As a result, Train was reduced to a footwalk officer by order of 19 Feb 1827: NRS, CE10/6, 195-7, entry for 24 Feb 1827 and CE13/6, 172-3, also entry for 24 Feb 1827. For other blemishes by Train during the twelve months prior to the case, see NRS, CE2/49, 317, 353, entries for 23 Dec 1826 and 2 Jan 1827; and CE2/51, 132, entry for 6 Jul 1827.

27 Patterson, *Memoir of Joseph Train*, 122.

on deaf ears. Partly this was due to Train's devotion to Scott who until 1827 continued to publish both anonymously and under various *noms de plume*.[28] But Train also feared, prophetically, that openly indulging in literary and antiquarian activities of any kind would be regarded by his superiors as a dereliction of duty which might lead to demotion or dismissal.

Thus Train never had the same sense of professional security which a minister of the Kirk enjoyed.[29] His career instead illustrates the pitfalls of depending on a major patron. His biographer remarked that Train's career was always a fraught one, beset by enemies, because he lacked 'nobility'.[30] He did have ill-luck at the hands of the 'Goths', perhaps in part because he suffered from Scott's supremely ironic decision to name Train as his collaborator in his introduction to *The Chronicles of the Canongate* (1827), much to his devotee's consternation.[31] But in addition to Train's professional failings, his questionable wisdom in pursuing his antiquarian researches so vigorously during the 1820s also needs to be weighed in the balance, as these must have encroached on official time and can hardly have failed to advertise his activities.[32] Train ultimately developed into a disappointed man, loyal to but latterly critical of Scott and compelled to moderate his ambition.[33]

On the other hand, the excise service did offer Train one notable opportunity. Like many

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28 Although Train did discuss his relationship with Scott at the outset of their friendship, he asserted thereafter that 'I defy the world to prove that I even in a single instance spoke with certainty of Sir Walter as being the author of the Waverley Novels till after he had admitted it himself' in 1827: NLS, MS3277, 174-5.

29 Ministers by and large became 'middle class' during this period and frequently stayed put in a parish for most or all of their careers, partly as the level of stipends on the whole did not vary greatly in different parts of the country: Whyte, 'Ministers and Society in Scotland' 436-7, 439-40.

30 Patterson, *Memoir of Joseph Train*, 193.

31 Train reproached Scott by complaining that this action 'pointed out to Pape what he previously could only surmise vizt. that I was a person who dared to think sometimes of other things than excise business. I have some reason to believe that that disclosure had some influence in bringing me into troubles, which soon after befell me': NLS, MS3277, 180. For summary details of George Pape's career in Scotland, see his entry in NRS, GD1/991/1.

32 Train never recognised the fact (as opposed to the force) of closer regulation and the need to alter his behaviour in these circumstances. He admits that in happier times, at Newton Stewart (around 1813), his activities made him a local celebrity and he continued his antiquarian activities with undiminished zeal throughout the 1820s, accepting only that 'it was generally known at the time that he had some foibles of that kind': NLS, MS3277, xvi, 6, and MS3917, 264v; Grierson, *Letters of Scott*, xi, 317. Train's success in applying for the supervisor's post at Dumfries in 1825 'contrary to … the wishes of the Southrons' shows that his situation was not a hopeless one and that cumulatively, he did contribute to his own difficulties: Patterson, *Memoir of Joseph Train*, 115.

33 Train states he abandoned his hopes of promotion on his appointment at Castle Douglas in November 1827 until they were revived by Scott during 1829 only to be dashed again: NLS, MS874, 129v-130r, Train to Scott, 12 May 1829 and MS3277, xi-xv. Ultimately, Scott advised Train to lower his sights in the more rigorously regulated professional conditions of the 1820s: NLS, Dep308, Scott to Train, 17 Apr 1829; Grierson, *Letters of Scott*, xi, 173-5; W E K Anderson (ed.), *The Journal of Sir Walter Scott* (Oxford, 1972), 549.

of the ministers who contributed to the Statistical Accounts, especially in the larger parishes, Train's peripatetic profession gave him the perfect opportunity to immerse himself in the antiquities, history and folklore of whichever area he patrolled.[34] Burns estimated that the position of supervisor was the most onerous in the service, meaning that much of Train's research after his promotion in 1820 was literally done 'on the hoof'.[35] Train was never slow to seize his chance. On his transfer to Falkirk in 1823, for example, he conducted his research with 'redoubled ardour'. Similarly, in 1829, he informed Scott: 'Every hour I can spare consistently with my other duty is devoted to some antiquarian pursuit', a prescription he repeated to him in 1831.[36] At Castle Douglas in the late 1820s and early 1830s, Train estimated that he was travelling nearly 7,000 miles a year in pursuance of his duties and by extension, his studies.[37]

As a result of his endeavours, Train was made a Fellow of the Society of Antiquaries of Scotland, in 1829,[38] largely on the recommendation of James Skene of Rubislaw whom he had been helping in Galloway that year at Scott's request. But meetings of the Society were held in far-off Edinburgh, arranged round the sittings of the Court of Session[39] and so Train largely ploughed a lone furrow, with little in the way of learned society on his doorstep in Kirkcudbrightshire.[40] His literary career did not flourish until he had retired from the rigours of professional service in 1836 to Lochvale Cottage[41] at Castle Douglas, the scene of his final excise posting from 1827.[42] However, Train's efforts were not entirely altruistic, as his later writing was also driven by the desire to generate additional income and to avoid the publishing pitfalls which had dogged

34 As Train wrote to Scott on 18 July 1814: 'the nature of my employment [an exciseman] has given me an opportunity of observing many customs in the most remote parts of Scotland and of hearing traditions not generally known': NLS, MS3885, 137r.

35 Train acknowledged his equine debt in one of his poems, 'The Traveller's Address to his Favourite Horse', printed in Patterson, *Memoir of Joseph Train*, 154-5.

36 NLS, MS874, 128v, Train to Scott, 12 May 1829; MS3917, 264r, Train to Scott, 13th Apr 1831; and MS3277, 161 and 189.

37 Train travelled 33,915 miles between June 1828 and May 1833, a quarter on foot and the rest on horseback: NLS, MS3277, xi. His average of 7,000 miles per annum matched his endeavours at Newton Stewart in 1813: John Buchan, *Sir Walter Scott: 1832-1932. A Centenary Address*; William C Van Antwerp, *A Forgotten Antiquary* (San Francisco, 1932), 13.

38 Train was not particularly active on the Society's behalf. His sole written contribution seems to have been limited to a paper, 'Remarks on the "Deil's Dyke" and other Scottish Antiquities', 12 May 1851: *Transactions of the Society of Antiquaries of Scotland*, iv (1857), 50.

39 William Smellie, *Account of the Institution and Progress of the Society of Antiquaries of Scotland* (Edinburgh, 1782), 15.

40 Castle Douglas, to its credit, did have a well-stocked subscription library and a circulating library: NSA, 4, 174-5.

41 An engraving of the cottage, based on a drawing by his son, R W Train, prefaces Paterson's essay about Train (i.e. before page 259) in *The Contemporaries of Burns*.

42 Train was not a wealthy man (nor a poor one either). Train's pension, effectively half-pay, was £112 per annum in 1836 while the inventory of his estate following his death in 1852 only amounted to £65 14s 4d: NRS, GD1/991/1, 5v and SC16/41/19,185-7. His wife and daughter were latterly dependent on a Government pension of £50, secured from Lord Aberdeen's administration by the efforts of the scholarly Colonel William Mure of Caldwell, MP for Renfrewshire from 1846 to 1855: NLS, MS4953, 176r-177v, Robert Train to Caldwell, 6 Sep 1853.

his famous, now-dead patron's career.[43] Antiquarian writing and publication thus offered Train the chance to begin to promote his name in his own, independent right.

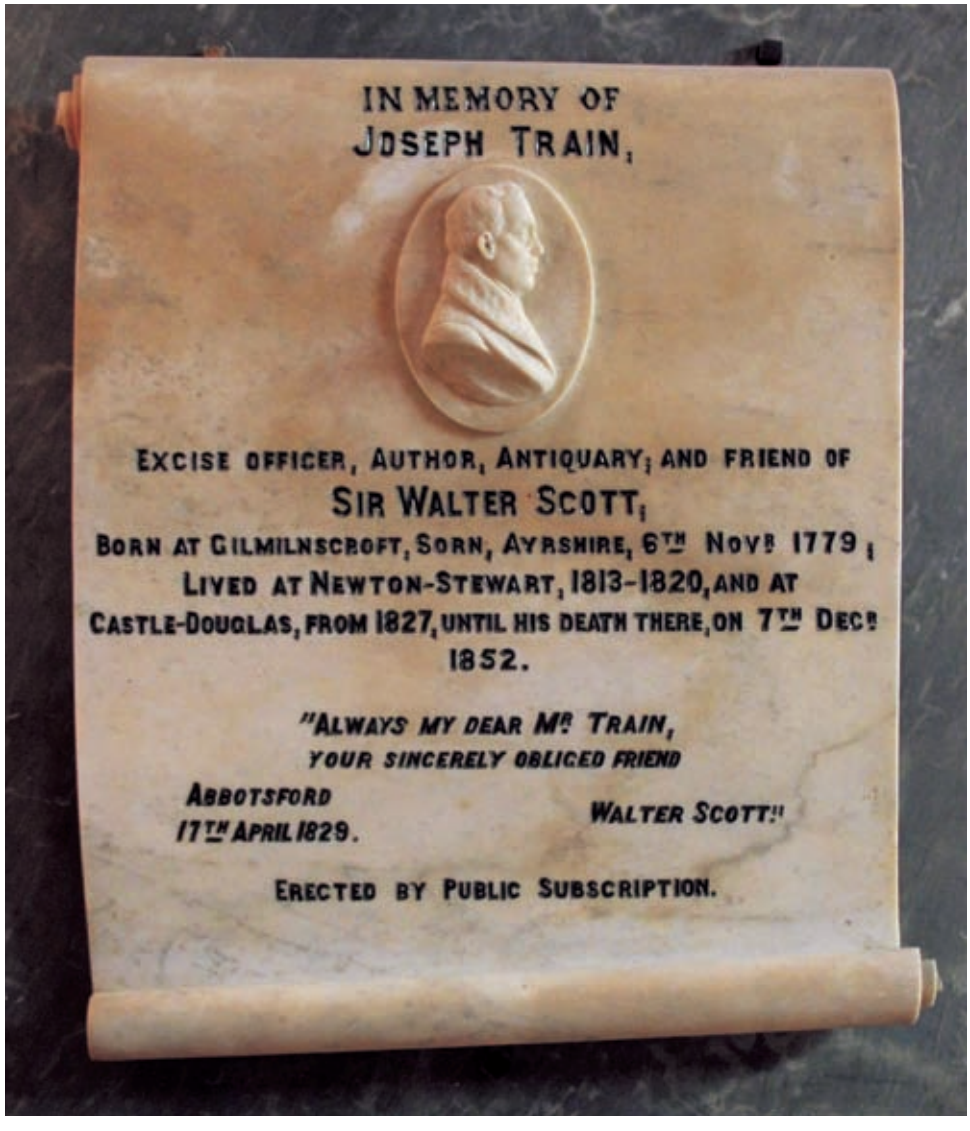


Figure 1. Plaque to Joseph Train in Castle Douglas Town Hall. There is a similar plaque in the McMillan Hall in Newton Stewart. (Photograph: David Lockwood)

43 For the negotiations of another son, William Train, with Blackwoods, the publishers, concerning Train senior's pending history of *The Buchanites From First to Last* (Edinburgh and London, 1846), see NLS, MS4080, 230r-239v.

## Antiquarianism and the Statistical Accounts

Rosemary Sweet[44] has recently argued that antiquarianism was a central feature of Georgian Britain. She emphasises that antiquarian studies were intrinsic to, not separate from, the obsession with the past which was a central feature of the Enlightenment. The contribution of antiquarianism in this context took several forms: (1) in the myriad of prominent men, at both local and national level, who were happy to describe themselves as antiquarians, including some of the most brilliant minds of the period;[45] (2) in the wide range of studies and subjects which the terms 'antiquities' and 'antiquarianism' embraced;[46] (3) in the growing professional, objective methodologies that a number of antiquarians employed to describe their endeavours;[47] and (4) in the patriotic pride which antiquarians took in their work.[48]

In Scotland, antiquarians (a catch-all term) had been at the forefront of attempts to pioneer national surveys of the country since at least the seventeenth century. These surveys were locally-based; sourced from informed correspondents; and marked by a desire for accuracy and coherence in methodological form.[49] With regard to the Statistical Accounts, the foundation of the Society of Antiquaries of Scotland in 1780 and its incorporation in 1783 caused a furore in learned circles, since the Society's plans to preserve documents relating to the history and antiquities of Scotland threatened the collecting policies of the Advocates' Library, which objected vigorously to these proposals.[50] The uproar, however,

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44 Rosemary Sweet, *Antiquaries – The Discovery of the Past in Eighteenth-Century Britain* (London, 2004).

45 Including Scott, who some commentators have seen as the model for Jonathan Oldbuck in his seminal and eponymous novel, *The Antiquary*, ed. Nicola J Watson (Oxford, 2002), xii-xiv. There is no evidence to suggest that the character was modelled on Train.

46 In Scotland this could mean 'ancient codes of laws, political and ecclesiastical constitutions, economic activities, and social customs … on a strongly topographical basis.': Ronald G Cant, 'David Steuart Erskine, 11th Earl of Buchan: Founder of the Society of Antiquaries of Scotland' in A S Bell (ed.), *The Scottish Antiquarian Tradition: Essays to Mark the Bicentenary of the Society of Antiquaries of Scotland and Its Museum, 1780-1980'*, (Edinburgh, 1981), 1-30 at 10.

47 Sweet notes the close epistemological links between natural history and antiquarianism, particularly through the use of questionnaires, and the growing stress on accurate observation rather than speculation during this period: *Antiquarie*s, 12-13.

48 For the patriotic responses of antiquarian respondents during the 1790s, see Charles W J Withers, 'Writing in Geography's History: *Caledonia*, Neworks of Correspondence and Geographical Knowledge in the Late Enlightenment', *Scottish Geographical Journal*, 120 (2004), 33-45 at 39.

49 The historical antecedents of the Statistical Account, dating back to at least 1627 in terms of the Church of Scotland, are discussed by Charles W J Withers, *Geography, Science and National Identity in Scotland since 1520*, (Cambridge Studies in Historical Geography 33, 2001), 143-8, 246, 256-62; Withers ' "National Accountancy, Political Autonomy": the Intellectual Background to Scotland's Statistical Accounts', *Scottish Local History*, 68 (Winter 2006), 35-42 at 37; and Sinclair, FSA, 20, Appendix G, lxxviii-lxxx, substantially repeated in the *Analysis*, i, 55, 68-70.

50 Cant, 'Earl of Buchan', 15-16.

had the beneficial by-effect of galvanising Sir John Sinclair whose proposals for the first Statistical Account overtook the earlier plans of the founder of the Society, the 11th Earl of Buchan, for a national historical and antiquarian survey of Scotland. (These proposals are sometimes alternatively credited to William Smellie.)[51] Buchan had first mooted the idea in 1781 but lacked the resources, organisation, commitment and diplomatic skills to accomplish it.[52]

Sinclair had become a member of the Society in August 1787 and Buchan or Smellie's schema, which has been included for comparative purposes as Appendix 1, therefore provided him with a ready-made model to adopt and improve[53] and to execute in alliance with the Kirk.[54] In the event, a small but significant number of parish surveys compiled by ministers along the lines envisaged by Buchan were discussed at meetings of the Society and eventually published in the first volume of its *Transactions* in 1792.[55] These reports were then abridged for inclusion in Volume 6 of the first Statistical Account, with the report for Haddington securing Sinclair's approval as a 'very complete, intelligent and satisfactory' account.[56] It is paradoxical, as Graham has noted, that the most fulsome of these accounts, Haddington and Liberton, contained little information about antiquities.[57]

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51 Buchan is credited with proposing a parochial survey as early as 1761 but the authorship of the proposal of 1781, part of the foundation plan of the Society of Antiquaries of Scotland, is still disputed, with William Smellie, the encyclopaedist and fellow antiquarian, as his principal contender: Cant, *Earl of Buchan*, 17. Even Buchan seems to accept that it was Smellie who devised and carried out the Society's plans: Withrington and Grant, FSA, 1 (reprint), xvii.

52 Withers, *National Accountancy, Political Autonomy*, 37.

53 Smellie, *Account of the Society of Antiquaries*, 20-3; Sinclair, *Analysis*, i, 69. Although Sir John addressed the Society in June 1790 regarding a history of the parishes of Scotland, he had already moved decisively towards employing the support of the General Assembly and securing the services of the clergy to fulfil his vision: Withrington and Grant, FSA, 1 (reprint), xvii.

54 The effectiveness of the Kirk as an apparatus for collecting information on a national scale is what Sinclair was driving at when he described the Rev. Dr Alexander Webster's census of Scotland in 1755 as 'successful' in contradistinction to previous survey attempts: FSA, 20, lxxix. For a recent re-appraisal of its raw data, methodology and findings, see Michael Anderson, 'Guesses, Estimates and Adjustments: Webster's 1755 "Census" of Scotland Revisited Again', *Journal of Scottish Historical Studies*, 31, no.1 (2011), 26-45, an article which incidentally notes the paucity of material for Dumfriesshire and Galloway (see p.28).

55 *Transactions of the Society of Antiquaries of Scotland,* i, (1792): Haddington, 40-121, Uphall, 139-55, Liberton, 292-388 and Aberlady, 511-22; Buchan's account of Iona in the *Transactions*, *of the Society of Antiquaries of Scotland,* 234-41, is discountable on the grounds that it is entirely antiquarian in nature. The Society was also treated to a description of Monivaird and Strowan in Perthshire, two accounts of population in Fife and a prior version of the published entry for Dunoon and Kilmun: Donald J Withrington and Ian R Grant, introduction in FSA, 1, (2nd. edn.,Wakefield, 1983), xvi-xvii; FSA, 2, 383-93.

56 FSA, 6, entries for Liberton, 506-9, Haddington, 535-42,Uphall, 543-5, Aberlady, 546-8. The Dunoon and Kilmun entry is in FSA, 2, 383-93 while the account of Iona forms part of the entry for Kilfinichen and Kilviceuen, 14, 170-211.

57 Angus Graham, 'The Development of Scottish Antiquarian Records: 1600-1800', *Proceedings of the Society of Antiquaries of Scotland*, 106 (1974-5), 183-90 at 185.

The overtly antiquarian questions that Sinclair included in the list of queries he circulated to the ministers of the Church of Scotland in May 1790 (nos.144-150) were thus largely derived from the embryonic survey attempts of previous Scottish antiquarians, including Buchan and Smellie.[58] In terms of their effect, Sinclair actually cautioned against excessive zeal in a circular letter to the clergy in December 1791 but this in itself was a tacit admission of the enthusiasm which antiquities could arouse in polite and learned circles.[59] However, the decision to include these questions as well as many other quasi-antiquarian questions in a statistical survey which had decided leanings toward political economy is likely to have been based on a number of additional propositions: that post-Union Scotland had a settled past; that it was worth recording this past; that Scotland's history might be instructive in a social scientific or anthropological way;[60] and that the Statistical Accounts were a patriotic endeavour, a matter of national pride as well as of public utility.

In the case of Train, he had been interested in folklore and antiquities from an early age[61] and by the 1820s had rather unkindly been dubbed by a critic as 'the jackal of the literary lion of the North' [i.e. of Scott] on account of the sheer volume of folklore and artefacts which he had steadily unearthed on his patron's behalf.[62] Train's growing reputation as an antiquarian was undoubtedly helped by the fact that Scott, and Burns before him, had popularised the language and lore of Ayrshire and of South-West Scotland. Perhaps less well known is that Burns, encouraged by Robert Riddell of Glenriddell, the renowned antiquarian, had also contributed an account of Monkland Free or Friendly Society – a circulating library in Dunscore parish – for inclusion in the first Statistical Account.[63] Train was similarly stirred into action by the Accounts but, like Riddell,[64] his motivation lay primarily in correcting errors and supplying omissions relating to South-West Scotland.

As Train put it in 1814: 'The great statistical work of Sir John Sinclair placed nearly all the antiquities of the county upon record, except those of Galloway. A few ministers of that district answered the queries, relating to their respective parishes, but the greater part of them after being dunned to do so for several years by Sir John, forwarded only flimsy and erroneous statements that still stand against them and many of them neglected to draw

58 Graham, 'Scottish Antiquarian Records', 106, 185. For another example of a contemporaneous antiquarian circular, see Rev. Anthony Ross, 'Three Antiquaries: General Hutton, Bishop Geddes and the Earl of Buchan', *The Innes Review*, xv, no.2 (1964), 122-39 at 126. Sinclair's full list of 160 questions with an addenda is printed in the misnumbered FSA, 20, Appendix B, xx-xxxv.

59 FSA, 20, Appendix D, xxix-xl.

60 Charles W J Withers, *How Scotland Came to Know Itself: Geography, National Identity and the Making of the Nation*, (Edinburgh, 1995), 15.

61 In his 'Recollections', Train summarised much of his life in one sentence: 'From a very early period of life I have been ardently fond of collecting relics of antiquity and especially tales and traditions illustrative of ancient Scottish manners and customs': NLS, MS3277, 1.

62 NLS, MS3277, iii.

63 FSA, 3, 597-600.

64 See Riddell's *Addenda to the Statistical Account of Dumfriesshire & Galloway*, Hugh S Gladstone (ed.) (Dumfries, 1913).

up any account whatever.'[65] His attitude was a marked advance in comparison with some antiquarians of the preceding generation who had been contemptuous of Sinclair's plans as fit only for 'eggs, hens, quadrupeds and children of the clergy.'[66]

Train originally planned to correct the perceived defects of the first Account by co-writing a history of 'ancient' Galloway in conjunction with Captain James Denniston, whom he had met soon after moving to Newton Stewart in 1813. The method they employed mimicked the manner of production of the first Statistical Account, since it involved circulating printed questionnaires to every schoolmaster and parish clerk in the south of Scotland, with Train collating the variable quality of the returns. However, the intended history was soon abandoned, as Train's enthusiasm for it was overtaken by his new-found friendship with Sir Walter. He persuaded Denniston to let him keep the MS returns, which he extended by further research (see Appendices 2 and 3),[67] including information derived from strayed records of the Kirk[68] and then sent these on to Scott.

This research re-surfaced by alternative means, for in 1815 Scott recommended Train to George Chalmers as the principal source for volume three (1824) of his gargantuan antiquarian and topographical study, *Caledonia*. Volume three covered Galloway and Ayrshire and Train in due course provided Chalmers with the earliest evidence of Roman settlement in these areas, an important indication of Train's burgeoning reputation, given the steps which Chalmers customarily took to vet his sources.[69] *Caledonia* was the beginning of another lifelong friendship for Train, a friendship which he valued second only to Scott's.[70] As Chalmers later wrote to Train 'you have gone far beyond any correspondent of mine in these parts'.[71] Volume three of *Caledonia* in effect supplanted Train's projected history

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65 NLS, MS3277, 24. The position in South-West Scotland was not nearly as bleak as Train makes out. Several ministers in Galloway are noted as active antiquarians by John R Hume in his introduction to FSA, vol. v, (2nd. edn., 1983), x.

66 Dr Robert Clapperton of Lochmaben wrote to General George Hutton, in 1793: 'The Statistical Account might do for the eggs, hens, quadrupeds and children of the clergy but I'm afraid either the geographer, historian or antiquarian will find but indifferent entertainment in the whole.' Ross, 'Three Antiquaries', 130.

67 It is unclear from the date and content of these circulars whether the circular of 1816 was a revision of, or a supplement to the circular provisionally dated as 1814 or 1815. The former scenario seems the more likely, as it is improbable that the circular would have been sent out twice. Train states only that 'The greater part of the communications received from the parish clerk and schoolmaster of Galloway were only imperfect sketches, which by further research I found the means of extending'. The circular of 1816 suggests there must be some doubt whether Train abandoned his history of Galloway for Scott as quickly as he suggested: NLS, MS3277, 22 and 27; Train, *History*, 6-7.

68 Train at this period possessed a volume of records of the Synod of Galloway, which the Synod determined to recover: Paterson, *The Contemporaries of Burns*, 269-70; NRS, CH2/165/5, 435, 444-5, entries for 22 Apr and 28 Oct 1817.

69 Withers, 'Writing in Geography's History', 33, 36, 38. Chalmers had originally approached Sir Alexander Boswell of Auchinleck, the son of Dr Johnson's biographer, for help: NLS, MS3277, 77.

70 NLS, MS3277, 76.

71 NLS, MS3277, 79.

but almost certainly benefited from the parish returns which had been inspired in turn by Sinclair's Statistical Account. [72]

Train's 'lost' history also came to fruition by proxy a generation later, since John Nicholson, the publisher of William Mackenzie's history of Galloway (1841) acknowledged his 'deep obligations for the valuable information [Train] gave, and for the warm interest he took in the work, from its commencement to its conclusion'[73] The year was superficially one of triumph for Train but marred by personal tragedy too.[74] Unsurprisingly, Train was also a major regional contributor to the second Statistical Account which was being produced at this time. As the introduction to the *History of Man* (1845) pompously pointed out: 'In the *Statistical Account of Galloway*, recently published, many important antiquarian communications from the pen of Mr Train, are kindly acknowledged, either by the ministers of the respective parishes[75] by whom they were received, or by John Gordon Esq., the talented secretary of the University of Edinburgh, and editor of the *New Statistical Account of Scotland*.'[76]

At an everyday level, Train's later endeavours appeared to fulfil the vision of the Earl of Buchan, 50 years after he had first articulated it, of a provincial and patriotic class of amateur antiquarians collecting and interpreting Scotland's past, a past which was not to be the sole preserve of professional scholars and learned institutions in Edinburgh.[77] These endeavours were stimulated by, and in turn added to, the quasi-official status of the Statistical Accounts in much the same way that antiquarians had already influenced the production of Ordnance Survey mapping.[78] In the process, Train's 'statistical' work had the beneficial effect of helping to fire the public's enthusiasm for reading and thinking about

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72 Train was also increasingly aware of the gaps in Galloway's history and antiquities after the publication of Andrew Symson's *A Large Description of Galloway* (Edinburgh, 1823). Symson, minister of Kirkinner, originally drew up his MS account in 1684 (revised 1692) in response to queries circulated by Sir Robert Sibbald, HM Geographer in Scotland: Symson, *Description of Galloway*, xii-xiv; NLS, MS935, 196r, Train to Lockhart 28 Sep 1834 and NLS, MS3277, 23.

73 William Mackenzie, *The History of Galloway*, 2 vols. (Kirkcudbright: 1841), i, iv.

74 Train's son, also Joseph, died on 28 August in the Demerara region of Guyana where he had been working since September 1840 as an assistant for the Church of Scotland, St Andrew's charge: Hew Scott (ed.), *Fasti Esccleaiae Scoticanae*, ix, (Edinburgh, 1928), 679; NRS, SC6/44/45, 588-90, inventory of estate of Rosina Train, 15 Dec 1884.

75 Direct references to Train in NSA, 4, include: Kirkcudbright (24); Glasserton (41); Minnigaff (130); Kelton (145 and 153-155); Penninghame (177); Balmaghie (182); Crossmichael (192); and Urr (351).

76 Train, *History*, i, 'Biographical Memoir', 1.

77 David Allen, 'The Scottish Enlightenment and the Politics of Provincial Culture: The Perth Literary and Antiquarian Society, ca. 1784-1790', *Eighteenth-century Life*, 27, no.3 (2003), 1-30 at 10-11. But Train lacked a fully-fledged antiquarian society in Kirkcudbrightshire of the type found in Perth: instead, his contacts in this field were primarily informal.

78 L Davidson, 'The Collection of Antique Information for the Early Ordnance Survey Maps of Scotland', *Proceedings of the Society of Antiquaries of Scotland*, 116 (1986), 11-16 at 11-13.

the past.[79] By the 1840s, Train was plotting a statistical history of his own – but this time of the Isle of Man rather than Galloway.

## The Historical and Statistical Account of Man[80]

Train's *Historical and Statistical Account of the Isle of Man* was published in 1845, but the initial suggestion for a work of this kind was made much earlier, in 1810, by Sir Walter Scott to his brother, Thomas, who was then Receiver General of the Insular Customs. The proposal lapsed until 1817 when Train expressed an interest in acquiring a copy of George Waldron's *Description of Man* (1731), a very rare work, which, prophetically, also exhibited a good deal of interest in the trade of the island.[81] Scott presented Train with the book in 1818 and in the process resurrected the idea of a modern history, with Train as author and with the extensive resources of Scott's library at his command. [82]

Train readily agreed. Based at Newton Stewart and using contacts he had established in Galloway, he began collecting materials for the project, though sometimes in a high-handed way that was all too common during this period.[83] His remit, in effect, was to produce a serious historical work of his own and in the process to rebut Scott's allegation of some ten years later that 'the usual practice of antiquaries' was to 'neglect what is useful for things that are merely curious.'[84] In his diary, Train enthusiastically and immodestly

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79 For a discussion of this aspect of antiquarianism in a British context, including Scott's contribution, see Sweet, *Antiquaries*, 309-43.

80 The MS of the *History* and a printed prospectus for it are held by Manx National Heritage [MNH], (MNH, ref. MS9145), together with Train's corrected and amended copy of the published two-volume 'History', (MS6903), the last inscribed 'Joseph Train, January 1852'. A summary of the *History* is printed in Patterson, *Memoir of Joseph Train*, 162-91.

81 George Waldron, *A Description of the Isle of Man with some Interesting Reflections on the Laws, Customs and Manners of the Inhabitants*, ed. William Harrison (Manx Society, vol. xi: 1865), viii.

82 NLS, MS587, no, 1216, Scott to Train, 27 Jan 1818; Grierson, *Letters of Scott*, v, 65. Scott had a long-standing interest in Manx history and legends which he used in writing his *Minstrelsy of the Scottish Border* (1802-3) and again for *Peveril of the Peak* (1823). It was Train's despatch to Scott of an account of Manx folklore during 1817 which in effect revived the idea of a new history of Man: NLS, MS3277, 110-11; Waldron *Description of Man*, ix and xv.

83 Train the pedant by contrast could be quite cavalier when it suited him. For instance, he freely admitted he had a transcript made without the owner's permission of the MS of ancient customary laws which he mentions in his *History*: NLS, MS3905, Train to Scott, 14 Nov 1825, 152v; Train, *History*, viii-ix (and see note 85). On another occasion he got Thomas Curphy, parish clerk of Douglas, to send him the parish register of births and baptisms and cut out the transcription and translation of a poem, 'Mannan mac Lir' – subsequently sent on to Scott – which Train had commissioned from Curphy but had not approved for inclusion there: NLS, MS874, 193r-196v, Train to Scott, 2 Mar 1830.

84 Anderson, *Journal of Scott*, entry for 9 July 1826 relating to the proposed record publication activities of the Bannatyne Club. The Club was founded in 1823 to promote Scottish history, literature and antiquities and had Sir Walter Scott as its first president. For a critical account of the accuracy of some of its works, see Alasdair Ross, 'The Bannatyne Club and the Publication of Scottish Ecclesiastical Cartularies', *Scottish Historical Review*, lxxxv, no.2 (2006), 202-30.

declared that after receiving the Waldron volume from Scott 'my pursuit of every particular or incident connected with the history of the Manx people has been eager. Nor have I been altogether unsuccessful, having amassed more information … than has been hitherto done, by any other individual'.[85]

This signal start was put on hold for much of the 1820s, as Train's personal difficulties increased. However, his research into Man received two prompts during the latter part of the decade, a period when he was again stationed in the South-West. One was his discovery of an old manuscript volume of laws of the island, which he proposed to publish;[86] the other was Scott's revision of his novel, *Peveril of the Peak* (1823), which is partly set in Man.[87] Some of Train's preparatory research was done by proxy, for he was in contact around this time with some prominent residents in Man who were both fellow Presbyterian Scots and appointees of the Duke of Atholl, the controlling influence and Governor-in-Chief of the island until the British Crown acquired full sovereignty there in 1829.[88] One of these, Robert McCrone,[89] arrived in Douglas in 1817 from Glasgow and was agent in turn for the Duke of Atholl and the Crown. By virtue of his office he had 'access to every record in the Island' and provided extracts of various Manx records at Train's request.[90]

Another contact was Dr Henry Robert Oswald from Collessie in Fife, Atholl's surgeon and a noted antiquarian, who was one of the founders of the Manx Society.[91] Oswald, whose third edition of the *New Guide to Man* was to appear in 1831, is described as Train's 'friend'[92] and assisted him by collecting Manx folklore on his behalf. Train probably utilised these contacts, as working in this way was simpler to do and likelier to produce readier results than attempting a parish-by-parish survey in conjunction with the Church of England minsters of Man: to date, no proposals of this kind are known to have been made. At home, Train's Manx studies were colourfully assisted by one Myles Crowe, a former

85 NLS, MS3277, 113.

86 This volume contained 108 statutes of the Manx parliament which Train thought had been kept at Castle Rushen on Man from around 1422 until 1703: NLS, MS3277, 200. Train considered publishing these laws, with an introduction by him, as an appendix to Waldron's history: NLS, MS3905, 153r-v, Train to Scott, 14 Nov 1827 and MS3911, 104v, Train to Scott, 1 Dec 1829.

87 NLS, MS874, 163r, 213v and 232r, Train to Scott, 30 June 1829 and 28 May and 16 Jul 1830.

88 Train, *History*, 240-55. For a recent account of the constitutional history of Man at this period, see John Belchem, 'The Onset of Modernity' in Belchem (ed.), *The Modern Period 1830-1999* [vol. v of *A New History of Man*] (Liverpool, 2000), 18-59.

89 See notes in www.isle-of-man.com/manxnotebook, based on *The First Century of Presbyterianism in Douglas, Isle of Man 1825-1925* (Douglas: Louis G Meyer, printers, 1925).

90 Robert Stewart, Receiver General of the Island, also helped to provide these extracts: NLS, MS874, 232v, Train to Scott, 16 Jul 1830 and MS3277, 201.

91 See www.isle-of-man.com/manxnotebook, based on *First Century of Presbyterianism in Douglas.*

92 NLS, MS874, 232v, Train to Scott, 16 July 1830, and MS3277, 200.

schoolteacher in Man turned smuggler in Kirkcudbrightshire, while he later made use of the library of William Dobie of Grangevale near Beith.[93]

Train built on these foundations by carrying out research in Man during 1836, as he probably felt the relatively small size of the island made it a manageable project for him to do.[94] He was additionally aided in his research at this point by John McHutchin, clerk of the rolls in Man, who gave him direct access to the Manx records held at Castle Rushen.[95] Although Train at the outset saw his book primarily as a historical one, it is now notable for its inclusion of a statistical account of Man, which took pride of place at the start of volume one. It is uncertain when and exactly by whom the idea for the statistical account of Man was conceived but it is tempting to speculate that Train's interest in, and contributions to, the statistical literature of the day, together with his acquaintance with John Gordon, the editor-in-chief of the *New Statistical Account of Scotland*, induced him, during the later 1830s or early 1840s, to develop his work in this manner. His publisher also seems to have influenced moves in this direction, as noted below.

Train's history and statistical account of the island seems to have been primarily written at Castle Douglas and according to Paterson, was 'nearly ready for press' in 1840.[96] However, Train continued to collect information about matters current in Man during the 1840s. Once more, he did not do so by questionnaire but by a continuing reliance on trusted correspondents. For instance, he obtained a paper from George Quirk, Receiver General and Water Bailiff of Man, about the state of the Manx fisheries;[97] he enlisted the help of the minister of Kirkmichael, to bring the ecclesiastical history of the island up to date;[98] he asked his publisher for details of the Manx police force which had not existed when he visited in 1836; and professionally, and like Waldron before him, he cast his keen eye over the revenue statistics.

Ironically, these topical additions developed into a source of friction between Train and his publisher. Train complained bitterly about the expense to which he had been put 'in improving and extending' the book 'under your sanction and direction after it became your property' and also accused his publisher of undue delay in preparing the work for press and of slighting him as the author.[99] Finally, the book was published in two volumes during 1845 by the publishing firm of Mary A Quiggin of North Quay, Douglas, being additionally sold through agents in Liverpool, London and Glasgow.[100] At Train's suggestion the

93 NLS, MS874, 212 r-v, 220r-22r, Train to Scott, 28 May 1830; Train, *History*, xiv.
94 MNH, MS1394/17A, Train to his publishers, Quiggins of Douglas, 2 Apr 1845.
95 Train, *History*, xiv.
96 Paterson, *The Contemporaries of Burns*, 300.
97 MNH, MS1394/1A, Train to Quiggins, May 1842.
98 MNH, MS1394/7A, Train to Quiggins, 25 Mar 1843.
99 Train warned his publisher that he had now taken legal advice to back up his claim: MNH, MS1394/27A, Train to Quiggins, 20 Sep 1845.
100 John Quiggin was a bookseller in Douglas, who died 5 Aug 1843, his publishing business continuing under the imprint of his wife, Mary A Quiggin (died 11 Apr 1863). Their son John also entered the business (died 27 Apr 1857). The Quiggins family were additionally timber merchants and rope manufacturers in Man: www.isle-of-man.com/manxnotebook.

general arrangement of the book was based on the 1824 edition of David Hume's *History of England*, while the layout of the 'insular statistics' was to provide a template for the rest of the chapters in the work.[101]

Train and Quiggins were more united on the question of sales, since the book's hoped-for breadth of appeal was partly based on the favourable newspaper reviews which Train was keen to incorporate into the finished work,[102] and partly on Train's contextual approach, as his writing emphasised the island's past both in its own right and as a component part of the British Isles.[103] From a Scottish perspective, Train's antiquarian contacts served him well in this respect, because he enlisted the assistance of both James Skene and Donald Gregory, leading lights in the Society of Antiquaries in Edinburgh and co-founders, in 1833, of the Iona Club for publishing Highland history.[104] Their learning helped to ensure the accuracy of his text, which in the process inevitably emphasised the many links between Scotland and Man.

Although Train was deeply interested in historical and antiquarian subjects, two caveats should be made about the sensitivity and the scale of his statistical work. Firstly, there is clear evidence that his book would have had more to say about matters current had some of his text not been omitted on account of its contentiousness. His publisher, for example, instructed him that his account of the collapse of the Isle of Man Joint Stock Banking Company in 1843 could not appear at any length, despite Train's complaint that 'I have used the scissors more than the pen' in compiling it.[105] Information about properties exempt from tithes was also dropped, while Train himself decided to limit his interest in the ever-contentious level of customs duties, which had recently provoked petitions from the islanders to the Queen and aroused a furore in the House of Keys, the lower chamber of the Tynwald or Manx Parliament.[106]

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101 MNH, MS1394/19A, 20A, and 23A, Train to Quiggins, 22 Apr, 8 May and 23 Jun 1845. As Train surely knew, Hume's *History* is a classic case of Whig-liberal Britishness. Its title was 'pointedly' changed from a history of Great Britain to one of England, to underline the benefits of the Union to Scotland: Colin Kidd, 'The Strange Death of Scottish History Revisited: Constructions of the Past in Scotland, c.1790-1914', *Scottish Historical Review*, lxxvi (1997), 86-102 at 87.

102 Train was particularly interested in the opinions of the Manx press as a means of selling the book and also pressed for these reviews to be included in circulars for distribution throughout the British Isles: MNH, MS1394, 20A, 21A and 24A, Train to Quiggins, 8, 14 May and 5 Jul 1845. For excerpt reviews, see the introduction to Train's *History*, xv-xvii.

103 Patterson considered the *History* had 'a scope, a value and an interest far exceeding the range of a mere insular and local work': *Memoir of Joseph Train*, 163.

104 R B K Stevenson, 'The Museum, Its Beginnings and Its Development Part I: to 1858' in *The Scottish Antiquarian Tradition*, 31-85 at 61, 71; W D H Sellar, 'William Forbes Skene (1809-92): Historian of Celtic Scotland', *Proceedings of the Society of Antiquaries of Scotland*, 131 (2001), 3-21 at 4-5, 8-9 and 11.

105 NMH, MS1394/16A and 19A, Train to Quiggins, 26 Mar and 22 Apr 1845. Train's account in fact was closely based on the record of the Court of Chancery.

106 NMH, MS1394, 13A and 15A, Train to Quiggins, 11 Aug 1844 and 22 Mar 1845. Train was also corresponding in 1838 with the MP Lord John Russell over the future of the House of Keys: Belchem, 'Onset of Modernity', 32, 40 and 42.

There were mixed reasons for this attitude. The novelty of statistical enquiry on the island – the first official census was not held there till 1821 – seems to have produced a fear in Train's publisher of private litigation or official censure. Allied to this was the traditional reluctance of many islanders to confide in a stranger. Train the author could easily be seen as Train the busybody, or worse, as Train the Government spy in the same way that Waldron, his inspiration, had probably been seen before him.[107] Even so, whether by fault or design, a good deal of 'statistical' information is spread throughout the book, particularly in chapters xvi-xvii (manners and customs), xviii (popular superstitions), xix (constitution), xx (tenures, suits and bequests), xxii (modern commerce) and xxiii (general topography). So, secondly, it is erroneous, to confine Train's contemporary remarks about 'Insular Statistics' to chapter one of the work.

Train, of course, did make errors, in part since his work was credulous (e.g. the fictitious half-cat, half-rabbit or 'cabbit').[108] A debit sheet might also state that his methodology was not comparable to the Scottish Statistical Accounts in that it lumped all 17 parishes on the island into a single, summarised miscellany. Perhaps less fairly, his book inevitably pales in comparison with modern histories of the island. Yet it is a tribute to Train that half a century later, his work was still regarded by Manx historians as an authoritative source.[109] 'Statistically', his work was also the first account of Man to adopt such an approach. In doing so, by including a great deal of current and semi-current information, it complemented the census data at a time when the enumerators' returns were not available to the public.

## Conclusion

Like a number of ministers, Train represents a newer kind of contributor to the Statistical Accounts, from humble roots, self-taught or with little formal learning, financially comfortable but not affluent; unlike most of them, he was engaged in a constantly demanding and notoriously conservative profession which constrained his official leisure hours and the chance of a scholarly reputation.[110] Train also lacked the social standing of his co-contributors to the Accounts, even though a number of them shared his plebeian roots. But he emulated the ministers by working on his own – in his case tirelessly – and by means of systematic enquiry while gathering information for his research in a manner which

107 Waldron's interest in the imports and exports of Man earned him the reputation of being a British Government spy: Waldron, *Description of Man*, viii.

108 Train thought the Manx cat or 'rumpy' was the result of cross-breeding with buck rabbits (but did stress he had only volunteered an opinion.): *History*, i, 20-2.

109 A W Moore, *A History of the Isle of Man*, 2 vols. (London, 1900), ii, 988. Belchem credits Moore with being the leading figure in the late nineteenth-century Manx renaissance: *New History of Man*, v, 31.

110 See the entry by Brian Hillyard about George Paton (1721-1807) in the online *Dictionary of National Biography* for an example of a customs officer who was also an influential antiquarian, albeit one from a more prosperous background than Train; and James H Burns, 'From Enquiry to Improvement: David Ure (1749-1798)', *Scottish Historical Review*, lxxxviii, no.2 (2008), 258-77, for an example of a weaver's son who was a natural and local historian and who became an important member of Sinclair's secretariat.

mimicked the method of producing the first Statistical Account. Consequently, his work in correcting the antiquarian deficiencies of South-West Scotland helped to bolster both the first and second Statistical Accounts as accurate and regionally resonant conspectuses. In the process, he additionally helped to popularise antiquarian writing through his contributions to a number of successful publications, including the Accounts.

In doing so, like Burns before him and Scott contemporaneously, Train contributed to an intellectual patriotism that sought to identify the written, oral and physical shape of Scotland's past as the country settled into a new sense of its former self a century after the Union of 1707 had occurred.[111] Lockhart, Scott's biographer and son-in-law, judged Train to be the 'most efficient' of Sir Walter's contributors.[112] In this sense Train's work both as a supplier of information to others and as a writer in his own right complements the aspiration of Sir John Sinclair in setting up the first Statistical Account, because the Account was intended to be not only a comprehensive means of promoting utility – roughly, the ability of the Government to calculate and create material (and moral) prosperity on a national scale – but also of increasing Scotland's glory and awareness of its past.[113] However, the patriotism of Sinclair and the romanticism of Scott were subordinate to their sense of Britishness, due to a rising tide of attachment to the Union which swept over Scotland as the nineteenth century progressed.

Train's *Historical and Statistical Account of Man* can be seen from one perspective as an example of this integrationist mood, since the island had only recently been fully absorbed into the framework of the British state.[114] Historically, the narrative of the book is characterised by an evidential approach which locates the island within the ambit of its much larger neighbours, who were alternatively overlords and rulers of Man. Train's inclusion in his account of a segment of statistical enquiry additionally provides Man with a mainland connection via the influence of the original Statistical Accounts. Though perhaps more credulous than its Scottish cousins and though it emulated their practice of excising contentious information, Train's 'Account' was in fact the first sign in nineteenth-century Man of a systematic approach to information-gathering outside the official census. Ultimately, Train's *Historical and Statistical Account of the Isle of Man* may be said to constitute proof positive of the combined, triple impact of Sinclair, Scotland and statistics on territorially distinctive areas of the British Isles during the nineteenth century.

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111 The principal Tory historical perspective at this period was a plea for recognition of Scotland's past, not one for separation from England: Kidd, '*The Strange Death of Scottish History Revisited'*, 96-8.

112 John Gibson Lockhart, *Memoirs of the Life of Sir Walter Scott, Bart.*, 7 vols (1837-8), i, 550; 'Joseph Train', *Household Words*, 173 (16 July 1853), 475-6, which Fraser in his online DNB article cites as the work of James Hannay.

113 For examples of his co-existent pride in Britain and Scotland, see Sinclair, *Analysis*, i, 43-5, appendices, 68-70.

114 Train's approval of the absorption of Man was primarily based on economic grounds: *History*, 239-40.

## Sources for Train

The main sources in print for Train's life, arranged in order of publication, are:

James Paterson, 'Joseph Train' in *The Contemporaries of Burns and the More Recent Poets of Ayrshire* (Edinburgh, 1840), 259-304 [books.google.co.uk].
William Train (his son), 'Biographical Memoir of the Author' in Joseph Train*, An Historical and Statistical Account of the Isle of Man*, 2 vols. (Douglas, 1845), 1-29, which is a revision of Paterson [books.google.co.uk].
John Patterson of Kirktonholm, *Memoir of Joseph Train, F.S.A. Scot* (Glasgow and Edinburgh, 1857) [books.google.co.uk].
R W Macfadzean, 'Joseph Train, F.S.A. (Scot.)' in *Annual Burns Chronicle and Club Directory*, 13 (1904), 76-88.
Angus Fraser, 'Train, Joseph (1779–1852)' in *Oxford Dictionary of National Biography*, (Oxford, 2004); online edition, 2008 [oxforddnb.com].

In terms of manuscript sources, Train wrote an account of his 'Recollections' which is held by the National Library of Scotland in Edinburgh, reference: MS3277.

## Abbreviations

**FSA** The First or 'Old' Statistical Account of Scotland, published between 1791-99, under the direction of Sir John Sinclair of Ulbster.
**MNH** Manx National Heritage.
**NRS** National Records of Scotland.
**NLS** National Library of Scotland.
**NSA** The Second or 'New' Statistical Account of Scotland published between 1834-45.

### Appendix 1: Buchan/Smellie's Proposed Parish Survey of Scotland, 1782[115]

*Account of the Parish of A*

Section I. The situation and boundaries of the parish, geographically and topographically described, with the names, antient and modern of the parish, and the principal places in it; the latitude, longitude, and number of acres in the parish; how watered, etc. accompanied by two maps, one geographical, and the other representing a bird view of it, with a delineation of the nature of the ground, the boundaries of the different baronies or estates, courses of mines and minerals, etc; heights of hills, the quality of their rocks, and, when practicable, trace the succession of their strata. In the geographical map, the boundaries of city and borough property, royalties, commons, etc; remains of antiquity, fields of battle, antient seats, antient churches and chapels, etc. These maps to be on a scale of three inches to a measured mile of 5280 feet.

115 William Smellie, *Account of the Institution and Progress of the Society of Antiquaries of Scotland* (Edinburgh, 1782), 20-3; see also note 51 in the main article.

Section II. Nature of the soils in the parish of A; size of the farms; state of agriculture; the mode of husbandry; the rent of land; ordinary endurance of leases; some particular clauses and prestations in them; the ordinary produce of the best land in the parish; prices of labour, provisions, and tools of husbandry; how are the women and children employed?

Are there any farming clubs? the extent of the villages; fairs, markets, customs, amusements, dresses where singular, plantations of wood, the price of timber, how conveyed to a market, how rendered more easily transported, what diseases infest the trees, what remedies applied.

The number of inhabitants, taken from actual survey. Proportions of the births to the burials for ten years past. An account of the improvements that have been carried on lately in the parish, and by whom.

Section III. State of the high roads, bridges, navigable canals, etc; expences attending them; what tolls? what materials for repairing? statute labour what? give drawings of any remarkable bridges, etc; how supported?

Section IV. Mines, minerals, and fossils; stone quarries; prices of stone, lime, marle, etc.

Coal-mines. Give an accurate account of the time and manner they have been wrought, by whom, and to what extent; number and thickness of seams, quality, dip, and rise; how trending; metals cut through in shafting; depth of pits; machinery used in draining them. All accompanied by subterraneous sections, representing the state of the mine, quantity of coal sold annually, etc.

In all pits, wells, quarries, and other excavations, mark the successive strata from the surface to the bottom, describe the materials of which they consist, and measure their respective thickness. Examine, particularly, where lime-stone appears, whether there any shells, moulds of shells, or any regularly figured bodies, and mark the depths at which they are found. Observe, likewise, what pebbles, ores, or singular stones, occur in the beds of rivers, etc.

Section V. Police, trade and manufactures; description of the nature and extent thereof, whether increasing, or otherwise; number of hands employed: fisheries, where any, to be particularly described, and the promoters of these to be particularly and honourably mentioned.

Section VI. The antiquities of the parish, with drawings of such as are any way remarkable; as churches, monuments, obelisks, engraved stones, antient arms, old castles or fortifications; together with transcripts of any inscriptions that are curious, antient, or throw any light upon particular events or genealogies.

Give a drawing of the church on a scale of ten feet to an inch, with an account of its foundation, antient name; chapels, succession of ministers till the revolution, and other particulars relating to ecclesiastical history.

Section VII. Miscellaneous observations may conclude the account of the parish; and it will be proper to take notice of any remarkable decorations in the parish of gentlemens seats, such as noble mansions, elegant gardens, uncommon trees or vegetables; curious portraits of illustrious or learned persons, and remarkable instances of longevity; of the salubrity and insalubrity of the climate; and, in general, of such matters as could not be properly introduced into the former part of the work.

Accounts of the parishes of Scotland, properly given on such a plan, when deposited in the museum of the Society, each account, with its accompanyments, being contained in a drawer or repository

marked with the name of the parish, and the whole arranged alphabetically, would exhibit a noble and complete survey of this part of the united kingdoms, and enable any remote or collateral heir to an estate, who could not reap any advantage from his predecessor's experience and observation, to have access at once to every necessary elucidation toward the improvement of his property; and, at the same time, would be a most interesting and useful national attainment.

**Appendix 2: Train's Circular Questions for his Proposed History of Galloway [1814 or 1815]**[116]

Are there any Roman roads, Roman, Saxon, Danish or Norwegian camps, druidical temples or altars, Pictish castles, homes or kilns, obelisks, standing stones, barrows, cromluch cairns, tumuli or murder holes in your neighbourhood? If so, what is the traditionary (sic) account respecting each or any of them?

Have any pieces of ancient armour, ancient weapons, coins, medals or culinary utensils been found in your neighbourhood? If so, where and in whose possession are they at present?

Have there been any remarkable battles fought in the part of the country where you at present reside or in any other part of the south of Scotland, not generally known, during the civil wars, internal feuds or any forays? If so, by whom and what are the traditions respecting them?

Is there anything relating to the Civil War in the reign of Charles II or any account of trying or burning women for witchcraft in your parish register?

Are there any traditions remembered tending to illustrate the history either of noted individuals, ancient families, any singular custom, shade of superstition, ballad or song not generally known? If so, where information regarding them might be obtained?

**Appendix 3: Train's Circular Questions for his Proposed History of Galloway, 1816**[117]

Preface:

> Some literary gentlemen being about to publish a collection of legends, illustrative of the ancient history, customs and manners, popular traditions and local superstitions of the ancient inhabitants of Galloway; and as much useful information may naturally be expected from the parochial schoolmasters, should they be disposed to lend their aid towards the work in question, by devoting a few of their leisure hours to the obtaining and communicating answers to all or such of the annexed answers as they conveniently can before the twenty-fourth day of June next; it would have the most beneficial tendency in bringing together a mass of curious information, not otherwise obtainable. Your assistance, therefore, is earnestly solicited in aid of the editors of the above work; and should you furnish a portion of local anecdote in reply to all or any of the principal queries that have

116 NLS, MS3277, 18-19.

117 NLS, MS3887, 43r.

not appeared in any former publication, drawn from facts reported to have occurred in the parish wherein you reside, a copy of the work in question will be remitted you as soon as it is published. You will be pleased to address yourself to Joseph Train, Office of Excise, Newton Stewart.

We are
Sir
Your most obedient humble editors
(Pro editors) Joseph Train

1st Are there any legends or traditions existing in your parish, illustrative of any portion of the general history of Scotland, that were not reported to Sir John Sinclair or that have not hitherto appeared in print? These can only be supposed to detail some memorable event such as a battle or siege. If any, please state them.

2nd Are there any legends or traditions respecting particular families, detailing their feuds or any other remarkable occurrence? Please state them.

3rd Are there any monastic remains in your parish, or any monkish legend handed down? Please report them, with whatever circumstance not hitherto published you may be in possession of.

4th Are there any ancient buildings or erections in your parish, either defensive or commemorative? These may be supposed to consist of castles, camps, hill forts or large stones erected. If any, please narrate what traditions or legends may be handed down respecting them.

5th Have any remains of antiquity been recently discovered in your parish, either Pictish, Druidical or Roman? These may be supposed to consist chiefly of urns, altars, implements of war or husbandry, ancient coins or medals or any other antique used either in war, religious ceremonies or domestic purposes not hitherto described? If rare, designs of them would be very acceptable.

6th Are there any remarkable superstitions that have still kept their ground in your parish, including special anecdotes of the popular belief in supernatural agency? These may be supposed to consist in stories related to ghosts, witches, etc. Any relation of the above nature, which the populace still receive as authentic or which have only recently been exploded, will be thankfully received.

In your communications you are requested to pay as much attention to dates as you possible can; and when it can be conveniently done, we would thank you for the source from which you received the narrative in question and the name of the narrator.

# THE STORY OF CORNCOCKLE QUARRY

John Wilson[1]

Three short articles on the history of this fascinating site have already been published.[2] This article brings the story up to date.

The date when stone was first quarried from Corncockle is unknown, but the finely cut ashlar which faced the outer surfaces of Lochmaben Castle must have come from the quarry during the late 14th century. Five hundred years later these same stones were robbed to be used in the construction of various buildings around Lochmaben. Pictorial evidence for this is seen in Turner's painting of the Castle in 1829, where small boats are shown transporting large pieces of stone from the Castle. Some years later, the Rev. William Graham confirmed that Annandale House in Lochmaben High Street was built with stones from the Castle.

The cottage on Templand's Main Street which used to house the Post Office has a date inscribed on it, 1817, so it is reasonable to suggest that the village of Templand existed then as a small community supplying men to work in the quarry.

In 1824 the Rev. Henry Duncan described 135 million-year-old fossil footsteps in slabs of sandstone from the quarry[3]. They are on display at Dumfries Museum.

The quarry of Corncockle Muir was owned by Sir William Jardine of Applegarth, a well-known Victorian biologist and the first President of this Society. His home, Jardine Hall, a fine Palladian mansion on the other side of the Annan, was built about 1806 with stone from the quarry. The corncockle (*Agrostemma githago*) is an annual weed of cereal and arable crops with a purple flower, now rare in this area, and it is tempting to suggest that it flourished on the Muir, giving its name to the quarry. In 1822 the quarry was advertised for let as a freestone and flag (spelled fflagg) quarry. Flags were, at that time, in great demand for flooring, paving and even roofing houses.

The earliest pictorial representation of the quarry comes in 1853 from Sir William Jardine.[4] His painting provides a wonderful impression of the size of the quarry and of the work going on at different levels, as well as demonstrating the enormous basin with its pool of water. At the height of its activity the quarry employed up to 200 men.

A couple of stone-built cottages stand on the top of the vast cliff of the quarry. Both are thatched, while one appears to have a barn or byre at one end. To the south of them a triple

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1 Fellow of the Society; The Whins, Kinnelbanks, Lochmaben, Lockerbie DG11 1TD.

2 Wilson, John B, *The Royal Burgh of Lochmaben* second edition, 2001, p70–71; Wilson, John B, *Further Glimpses into Lochmaben History* 2008, p41–45; Wilson John, *Scottish Local History*, issue 75, 2009, p49.

3 Jardine, William, *The Ichnology of Annandale*, 1853.

4 Wilson John, *Scottish Local History*, issue 75, 2009, p49.

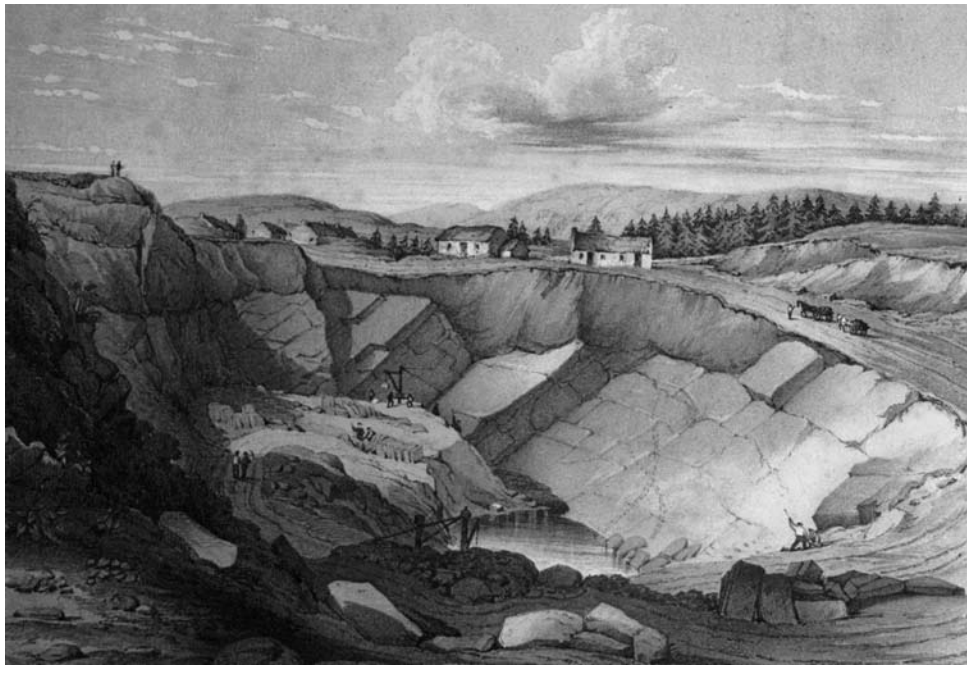

Figure 1. Corncockle Quarry. (Courtesy of Dumfries Museum)

row of cottages can be seen gable-end-on to the edge of the quarry. They probably housed the seven families noted in the 1841 Census as living at the Quarry.

The painting is full of interest, for two horses and carts with their drivers can be seen ascending the steep incline to the top of the quarry, while two cranes, one in action, are depicted near the base. In other areas, two men are working on a pile of sandstone slabs and on the side of the road from the base of the quarry, two more workmen are moving a large stone with the aid of a stout pole. On the highest point of the quarry face two figures can be seen surveying the scene below. About this point, the large stone-walled cistern which held the water required to feed the quarry was stored.

Nestling above the quarry in a small clearing stands the quarry master's house, an L-shaped cottage. In front of it is an attractive garden, protected from the attentions of the local fauna by a sturdy stone dyke. The attractive sandstone windows which are now in the front of this cottage have obviously been added later. However, in the back wall of the gable the small window through which the workmen received their pay remains. Behind the cottage stands a beautiful oak tree and there is a path leading to a footbridge over the road to the base of the quarry. The abutments of this bridge are still clearly visible.

Beside the cottage stands a two-storey barn with an outside stone stair to the upper floor. As can be seen from Figure 2 this building has, over the years, undergone many changes. The prominent chimney in the centre of the roof suggests that it was originally a

dwelling house, a supposition borne out by the presence of a large fireplace in one of the upper rooms, so that the farmer and his family lived in the upper floor with the animals being housed below. The stable and carriage house were originally situated under the older lintel but moved later, for part of a stall remains in the central part of the building with a new lintel over what is now the garage. At the rear is a lean-to extension, possibly the outhouse referred to in the 1841 Census, which housed the apprentice masons. The ground floor contained a bothy with an external chimney on the gable end of the building. A door from the bothy communicates with the outhouse behind.

Figure 2. The Barn. (By kind permission of John Kirkpatrick)

Slightly ahead and between the barn and the cottage the Ordnance Survey map of 1898 depicts a building of which only the foundations remain. The barn is probably all that remains of a small farm standing on the site before the surrounding woods were planted and the quarry developed, a suggestion reinforced by the presence of the sandstone dykes bordering the road behind the quarry.

Though the stone would be moved about the quarry by horse-drawn carts and later by trucks running on rails, a small steam engine was introduced in 1883 to transport the finished stone to the main railway line near Nethercleugh. The engine would have been unable to work on the roads to the quarry itself because of their steep slope. Stone from the base was lifted by steam cranes to the top of the quarry face. From there the Ordnance Survey map of 1898 depicts rails running to the far end of the spoil heap, then sloping down

its east face to near the ruinous cutting sheds. Over the years this spoil heap so increased in size that many of the features the map depicts are no longer visible.

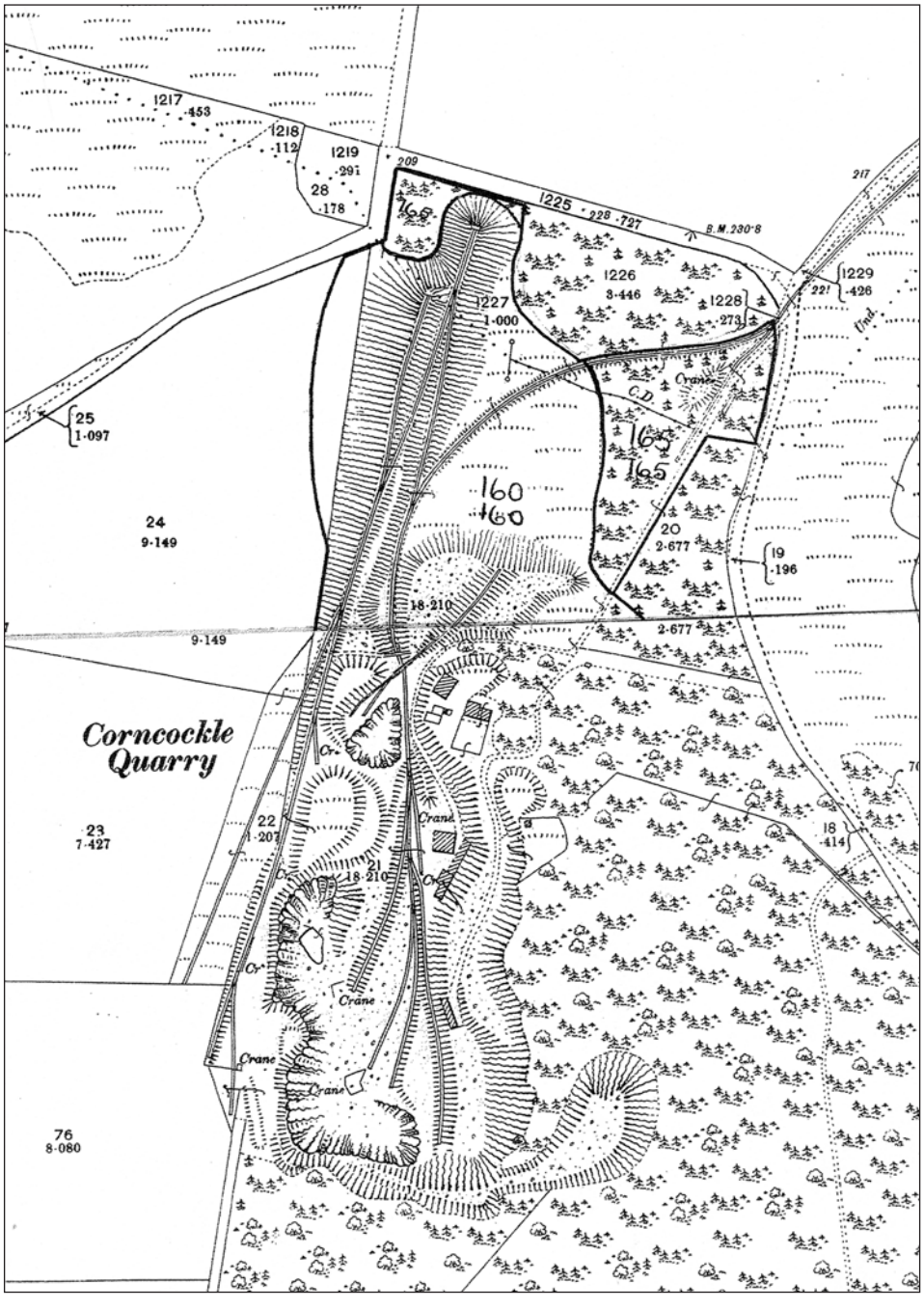


Figure 3. Plan of Corncockle Quarry in 1898. (Courtesy of the Ordnance Survey Service)

In 1898 the workshops were probably situated in the base of the quarry but no trace of them remains, though a photograph taken in the 1980s when an attempt was made to drain the water from the quarry revealed the remains of several buildings. Beside the track from the quarry master's house to the lower level of the quarry stands a small two-roomed building, each room with a fireplace in the back corner. Along the back wall of one room is a broad wooden bench and the gable nearest the road has a fine chiselled sandstone corner. It has one door and each room has a large window. It is depicted on the 1840, 1861 and 1898 Ordnance Survey maps. Perhaps it was an office where the movements of sandstone from the base of the quarry were recorded.

The modern cutting sheds remain clearly visible near the entrance to the quarry. They consist of a tall sandstone building, probably the boiler house, and a row of three concrete pits to house the large flywheels which drove the saws. Behind them stands a sturdy stone wall supporting the roof, leaving this area open on the sides and front. Between this working area and the boiler house, a lower-roofed building probably housed the engine which drove the saws. A large open stone cistern sits behind the back wall of the saw pits.

Though the railways and the Pug engine were scrapped in 1938, the quarry, with a depleted workforce, was working until 1948, the stone being transported about the quarry on trolleys pulled by a farm tractor. Today, large pieces of sandstone blasted from the north face of the quarry are stacked, awaiting conveyance and further transformation.

Comparison of the 1898 Ordnance Survey map with that of 1861 demonstrates the enormous growth in the area of the quarry over that period. The quarry master's house and the barn are clearly depicted on the 1898 map while the 1861 and 1840 maps show three buildings on the site. No trace remains of the large 'roofless' building depicted on the right of the road into the quarry but it is tempting to suggest that it housed the many ponies required to move the trolleys about the quarry.

Situated on the North edge of the quarry is the forge, with only its gables and walls standing. The position of the two hearths, their air intakes, their flues and two tiled troughs with metal reinforcements at each corner can still be identified against the back wall of the building which is divided into two unequal parts, the smaller part containing a well-preserved fireplace and a large window. The small room was probably the quarry master's office offering an unrivalled view over the quarry.

How the water for use in the cutting sheds and for the steam cranes was stored and distributed has not yet been determined but it would probably originate from the base of the quarry, be pumped up to the stone-lined reservoir on the cliff top and from there to the large tank on the left of the road to the quarry master's house and thence to the cutting sheds about 100 yards away.

The large stone bunker, situated in front of the quarry master's house and sheltered from it by a slight knoll, in which the explosives which were required in the quarry were kept, is today covered in moss and barely identifiable.

A few years ago an unsuccessful attempt was made to empty the quarry of water with the intention of using it as a landfill site and for a period old cars and waste from the Rubber Works were deposited in it.

Though the area of the Quarry is now covered with trees and the immense spoil heaps hidden, the ruins of the cutting sheds, the forge, the railway track and the roads along which the stone was transported can still be identified and provide some indication of the scale of the quarry's operations. Unfortunately few stories from its past have survived. One tells of the driver, grandfather of a local resident, of a steam crane who let out his jib so far the crane toppled over! Many severe incidents must have occurred over the years the quarry was worked.

# ANDREW BARRIE: PHILANTHROPIST AND PUBLIC BENEFACTOR

James Grierson[1]

*Today, Andrew Barrie (1798-1866)[2&3] is long forgotten in his adopted town of Dumfries and fares little better in his home town of Paisley, commemorated only by his grave at Woodside Cemetery[4] and the annual award of 'Barrie' Dux Medal at Paisley Grammar School.[5&6] Yet during his life he was highly regarded by the citizens of both towns for his contribution to civic life and private and public financial support for a wide variety of organisations. He brought to civic life the same drive and determination that had enabled him to rise from relatively modest beginnings to become a wealthy and influential figure. On his death in 1866 the Dumfries Standard[7] and Paisley Herald[8] were fulsome in their praise for his work as a Sheriff Substitute and Justice of the Peace; as a Trustee and Elder of St Mary's Church in Dumfries; for the numerous public appointments he held; and for his extensive financial support for charities. It is all the more surprising that such importance during his lifetime should be reduced to so little in posterity.*

What *is* known is that he was the youngest son of Andrew Barrie, a grocer, and his wife Janet Downie[9&10] and that he had three brothers; Samuel Barrie (b.1793),[11&12] a handloom weaver in Paisley,[13] who on retirement drew income from a life rent in property[14] and later as an annuitant[15]; Benjamin Barrie (b.1795), who had a distinguished military career, reaching the rank of Colonel in the Spanish Service and latterly was the British Consul in Alicante[16]; and Thomas Barrie (b.1796)[17] of whom, alas, nothing is known. Andrew Barrie

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1 Hannahville**,** 87 Moffat Road, Dumfries DG1 1PB.

2 From Births and Baptisms, Paisley Burgh or Low.

3 From Death Certificate, Andrew Barrie.

4 From correspondence, Paisley Cemetery Company Limited, dated 29 May 2008 and supporting list of family graves.

5 Extract from *The History of Paisley Grammar School*.

6 From www.ebay.co.uk, sale of Paisley Grammar School medal.

7 From Obituary, *Dumfries Standard* 22 August 1866.

8 From Obituary, *Paisley Herald* 25 August 1866.

9 From www.familysearch.org.

10 From Death Certificate, Andrew Barrie. See Footnote 3 above.

11 From www.famillysearch.org.

12 From Death Certificate, Samuel Barrie.

13 From 1851 Census.

14 From 1861 Census.

15 From 1871 Census.

16 From last Will and Testament, Andrew Barrie.

17 Although Thomas Barrie can be found on www.familysearch.org as being born in 1796, there appears to be no further trace of him after that date. It is possible that he died before 1855 and so the death was not registered. As Andrew Barrie made provision for his various family members in his will it seems probable that Thomas died young and had no family but this is purely conjecture.

(b.1798),[18] trained as a chemist before leaving Paisley to seek his fortune at Madras in India in the early years of the nineteenth century.

The move to Madras seems to have been advantageous, as by 1826 he was able to employ servants; among these was a young Leitchmanno Vurtha Razaloo, who was later to prove invaluable to Barrie.[19] Initially employed as a valet, he became a butler when Andrew Barrie married Martha Caruthers, of Lochmaben, in Madras in 1842.[20] In 1843, a son, Andrew David Barrie, was born[21] and all seemed to be going well: but in 1846, tragedy struck when a second son was still-born and Martha Barrie died a few days later from complications.[22]

This obviously represented a serious difficulty to the widower, who was now faced with the problem of whether to stay in India and employ servants to look after his son or to return home to Scotland. The solution he arrived at was to do neither, but to entrust his son to his servant, Razaloo, for the journey to Dumfries and there to place him in the care of his late wife's sisters who lived in English Street.[23] This seems to have worked out well, as Andrew David Barrie is shown as a scholar in the 1851 Census[24] living in Dumfries with his two aunts and a house servant, presumably Razaloo.

Over the next few years, Andrew Barrie set up a partnership, Barrie and Co. Drug Merchants, in Madras and added considerably to his wealth. As a result of this he was able to return to Scotland in 1851 as a gentleman of means and to obtain a house at 15 George Street, Dumfries.[25] Following this, he withdrew from the partnership on 31 December 1854.[26&27] On his return he featured prominently in public life and was known for his charitable donations to a wide range of causes. Although it is impossible to determine the extent of his liberality or his public service, the newspapers of the day and his obituary give a flavour of his financial commitment and personal involvement.

In 1856, the *Greenock and Coast News* refers to Andrew Barrie, Esq., late of Madras, being appointed one of Her Majesty's Commissioners of Peace[28] and in the same year he attended a meeting for the elimination of a debt of the Paisley Infirmary of £500 and contributed £50 along with Peter and Thomas Coats, the well-known Paisley mill owners.[29]

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18 From Births and Baptisms, Paisley Burgh or Low. See Footnote 2 above.
19 From Obituary 'Razaloo', *Paisley Daily Express* 21 February 1882.
20 From East India Register, married 1 September 1842, transcribed by Families in British India Society [FIBIS].
21 Andrew David Barrie, born 13 August 1843, *Times of India,* transcribed FIBIS.
22 From *Times of India*, transcribed FIBIS.
23 From Obituary ' Razaloo', *Paisley Daily Express* 21 February 1882.
24 From 1851 Census.
25 Although Andrew Barrie's address is given as Dumfries at the time of the Barrie Medal, he features in the 1851 Census as visiting friends in Glasgow, with his occupation given as Drug Merchant.
26 Extract from the *Fort St George Gazette* of 27 November 1855.
27 Extract from the *Edinburgh Gazette* of 15 February 1856.
28 From the *Greenock and Coast News* of 12 May 1856.
29 From the *Glasgow Herald* of 23 May 1856.

In 1857, his name was put forward as a possible Member of Parliament.[30] In 1860, he attended a lecture along with Thomas Coats on Paisley Infirmary.[31]

While active in his home-town of Paisley, he did not neglect his adopted town of Dumfries, where he had made his home and had arranged for his two sisters-in-law to share his house at 15 George Street.[32] He was an acting Sheriff Substitute and Justice of the Peace and he took his duties seriously as he is noted, among others, as hearing a case involving poaching in 1862[33]. He also found time to be President of the Mechanics Institute; Governor of the Parish Bank; and a Trustee and Elder of St Mary's Church. On 3 November 1863, 'Mr Andrew Barrie, George Street, Dumfries.' is listed as an 'Ordinary Member' of Dumfries and Galloway Natural History and Antiquarian Society[34] – just one year after its inception. He also supported the Education Society and other local charities financially.[35&36]

Figure 1. Andrew Barrie c.1860. This is from a montage of photographs of over sixty notable Dumfries men entitled 'Dumfries Portraits'. The original image of Barrie is less than 2cm in height. Enquiries of local and national collections have failed to uncover a more detailed portrait of Barrie. (Courtesy of Dumfries Museum; DUMFM: 1983.67.46)

30 From the *Caledonian Mercury* of 17 November 1857.
31 From the *Glasgow Herald* of 16 February 1860.
32 From 1861 Census.
33 From *Reynolds Newspaper* of 14 December 1862.
34 From *TDGNHAS*, ser.I, vol.2, 11.
35 From Obituaries. See Footnotes 7 and 8.
36 In the Obituary published in the *Paisley Herald*, Andrew Barrie is referred to as having been a medical practitioner and the inference could be drawn that he was a doctor. This is not the case, however, as he is variously described as a Drug Merchant in the 1851 Census (see Footnote 25); a Chemist, when withdrawing from his partnership (see Footnotes 26 and 27) and on his son's wedding certificate; and a merchant in the 1861 Census (see Footnote 32).

On his death on 19 August 1866, he left a substantial estate of over £60,000 (almost £6,000,000 in present day terms).[37] After making a number of bequests to family members and charitable bodies (£300 to Paisley Infirmary; £579 between seventeen bodies in Dumfries and Paisley; and £6 per annum for coals for the poor in Dumfries for 3 years and a similar amount for the poor in Paisley), he left the bulk of his estate to his only son Andrew David Barrie. However, there was one rather strange proviso in the will – £5,000 has to be held by the executors for the benefit of his son but not to form part of the sum bequeathed, so keeping it out of the range of future creditors. In view of future developments, this appears to have been remarkable prescient.[38]

At the time of his father's death, Andrew David Barrie was a medical student in Edinburgh. He qualified as a medical practitioner in 1867, closely followed by becoming a licentiate of the Royal College of Surgeons in the same year.[39&40] Professionally qualified and wealthy, he continued his father's charitable work by providing Christmas Dinner and New Year Dinner for the inmates of the Dumfries Workhouse in 1871.[41]

In 1872, he married Emily Findlay or Stiven, a widow in Edinburgh[42] and purchased Elmbank, Lovers Walk, Dumfries as their marital home.[43] In 1872, a son, Andrew David Barrie, was born[44] and in 1874, a further son, Robert Freeland Barrie, arrived.[45]

Dr Barrie continued his charitable work and gifted a New Year Dinner to the inmates of the Dumfries Poorhouse in 1875[46] but problems arose as a result of an investment he had of ninety shares in the City of Glasgow Bank.[47&48] The Bank collapsed in October 1878, ruining all but 254 of its 1819 shareholders, whose liability was unlimited.[49] While protected to some extent by his substantial wealth, he nevertheless suffered a considerable loss and took steps to protect his assets from additional claims. Elmbank was transferred

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37 Equivalent value based on costs of goods and services in 2011 – £5,859,789 – from Bank of England.
38 From Last Will and Testament, Andrew Barrie. See Footnote 16.
39 From letter from Royal College of Physicians and Surgeons of Glasgow 22 May 2008.
40 From letter from Royal College of Surgeons of Edinburgh 29 May 2008.
41 From *Dumfries Standard* 30 December 1871.
42 From Marriage Certificate, Andrew David Barrie.
43 From letter from Dumfries and Galloway Council, Corporate Services of 26 February 2008.
44 From *Dumfries Standard* 31 October 1872.
45 From *Dumfries Standard* 22 January 1874.
46 From *Dumfries Standard* 2 January 1875.
47 From the Duty Archivist, Glasgow 25 February 2008.
48 The provenance of the shares in the City of Glasgow Bank is unknown. They were not part of the late Andrew Barrie's estate. Unsubstantiated claims have been made that they were a wedding gift to Dr and Mrs Barrie and that the financial pressures resulting from the loss made caused them to sell Elmbank and relocate away from Dumfries, but there is no way of verifying this.
49 www.lloydsbankinggroup.com/about_us/company_heritage/BOS_Heritage/bank_of_scotland.asp, accessed 26 August 2012.

to Mrs Barrie, William Jacks and his son, Andrew David Barrie, as Trustees in 1878[50] and subsequently offered for let on 25 December 1878.[51]

In 1879, Dr Barrie treated the inmates of the Poorhouse in Dumfries and was presented with a portrait by the governor,[52] presumably because he was leaving Dumfries, for in 1880 he moved to 48 Park Road. Southport and his local charitable activities came to an end.[53] Elmbank remained in the hands of the trustees until 1896 when it was sold.[54]

His father's servant, Razaloo, who had cared for him when he was a child, had also worked for him when he lived at Elmbank. However, when he moved to Southport, Razaloo remained in Dumfries, greatly revered by the local population. Although he was given the opportunity to return to India, he always said that he would only do so if Andrew Barrie himself returned there. As this never happened, he died in Dumfries and was buried alongside his old employer in Paisley, as was his wish. In his will, he named Dr Andrew Barrie as his executor.[55&56]

Figure 2. Leitchmanno Vurtha Razaloo c.1860. From a studio portrait by the photographer, James Rae of Queen Street, Dumfries. (Courtesy of Dumfries Museum; PEOPLE/named/17)

50 From letter from Dumfries and Galloway Council. See Footnote 43.
51 From *Dumfries Standard* 25 December 1878.
52 From *Dumfries Standard* 1 January 1879.
53 From letter from Royal College of Physicians and Surgeons of Glasgow. See footnote 39.
54 From letter from Dumfries and Galloway Council. See Footnote 43.
55 From Obituary, 'Razaloo'. See Footnote 19.
56 From Last Will and Testament, Leitchmanno Vurtha Razaloo.

# ADDENDA ANTIQUARIA

## THE OLD EDINBURGH ROAD AT BARSCOBE AND BALMACLELLAN

Alan Pallister[1] and A.D. Anderson[2]

*In a recent paper[3] by the second author, the 'Old Edinburgh Road' was indicated as following a route between Barscobe and Balmaclellan, following the present access road from Barscobe Castle to the present A712 and thence on to Balmaclellan. Since then, an assessment by the first author calls for this section to be revised. Further research makes it clear that this should be replaced by a more direct and anciently established route between the two places.*

Travelling westwards from Barscobe, the first part of the route remains as a hollow way along the edge of Barscobe Wood. Within the wood a spur path leads down to the Holy Linn on the Garple Burn where Covenanters' conventicles were held. Emerging into the open grazing land of Upper Hardland Farm, the route continues as a broad farm track, walled on one side and hedged on the other. The line passes through the more recent Hardland Plantation, by which time it has lost its use as a farm track. Approaching Balmaclellan it passes within 100 yards of Balmaclellan Motte where its sunken course can still be seen before it enters an overgrown walled and hedged track into the village at Low Hardland. This route is known locally as the 'Old Edinburgh Road' and would have appeared as almost a straight line on Figure 5 of the previous paper[3].

The close physical relationship between the Old Edinburgh Road and Balmaclellan Motte and settlement is obvious. What cannot be determined is the relative time scale – whether the line of road was formed to pass by the Motte or whether the road was pre-existing and made use of by the builders of the Motte in the troubled times of the late 12th Century. (It may be noted that the northern branch of the road passes immediately adjacent to Dalry Motte.)

Correlation between the Old Edinburgh Road and Barscobe and New Galloway is more easily surmised. When Barscobe Castle was built by William Maclellan in 1648, the convenience of a site on the Old Edinburgh Road was doubtless a major factor. The relatively short and direct route to Balmaclellan led on downhill to the river Ken and thence into the recently founded New Galloway. Sir John Gordon's 1630 site for New Galloway was probably chosen as being on the Old Edinburgh Road, near to his castle of Kenmure and adjacent to the forded crossing of the river downstream of the present Ken Bridge.

To sum up, we may with some confidence, define the Old Edinburgh Road, at least in the mid-18th Century, as crossing the Ken at Cubbox and passing by Low Hardland to Barscobe by the line described above, thence probably by Drumannister to join the alternative road from Dalry where the latter crossed the Garple at Whitecairn.

### Hugh Debbieg's 'Dalry Road'

Although this correction to the line of the road shortens the distance from the Ken crossing to Barscobe and Corriedoo, this is not sufficient to explain the statement in Debbieg's report (referred to

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1 Member of the Society; The Old Smithy, Balmaclellan, Castle Douglas, DG7 3QE.
2 Fellow of the Society; 2 Mount Pleasant Avenue, Kirkcudbright, DG6 4HF.
3 Anderson, A. D., 'The "Old Edinburgh Road" in Dumfriesshire and Galloway', *TDGNHAS* ser.III, vol.84 (2010), p.101.

on page 111 of the previous paper[3]) that the road from Dalry came in 2 miles from the Ken crossing. There is a possible explanation. Low Hardland at Balmaclellan, by which the Old Edinburgh Road is now known to have passed, is more than a mile from the Ken and is located on a what is now a short branch road from the Balmaclellan village street. On the original Ordnance Survey map this is shown continuing as a footpath to what is now the Balmaclellan to Borgue road B7075. This footpath aligns roughly with the known old road from Dalry by The Mullach and Grennan Mill Bridge over the Garple. This road appears to have continued southwards from Balmaclellan, probably on the high ground east of Loch Ken, although General Roy does not show such a road. Low Hardland is more than a mile from the Ken crossing and Debbieg's report does not often quote fractions. It may be that Debbieg was referring to this cross road and not to the Dalry branch of the Old Edinburgh Road.

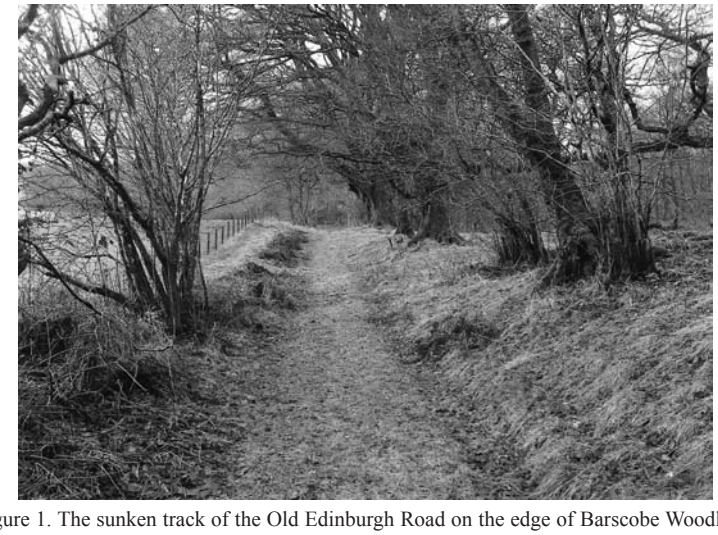

Figure 1. The sunken track of the Old Edinburgh Road on the edge of Barscobe Woodland, leading southward towards Balmaclellan.

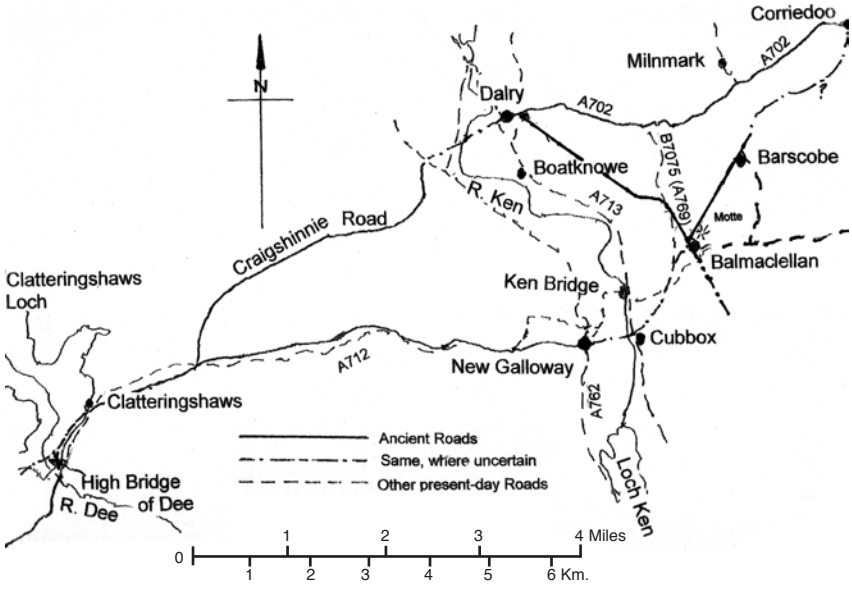


Figure 2. Corrected version of 'Figure 5' in the previous paper.

# REVIEWS

***Bile ós Chrannaibh: A Festschrift for William Gillies*** edited by Wilson McLeod, Abigail Burnyeat, Domhnall Uilleam Stiùbhart, Thomas Owen Clancy, and Roibeard Ó Maolalaigh. Ceann Drochaid: Clann Tuirc. 2010. xxvi + 494pp. £20.00, ISBN 978-09-5497-339-1 (paperback).

William Gillies was Professor of Celtic from 1979 to 2010 at Edinburgh University. Scotland is a Celtic country; Dumfriesshire and Galloway are part of it; and we might expect this large volume to tell us something about Celts in Scotland's south-west and beyond. Let us therefore list its twenty-five contributions and see if it does.

Anders Ahlqvist of Sydney in a long note informs us on Goedelic words for times of day. Ronald Black performs a minor coup in editing a fugitive song of Duncan Ban Macintyre (1724–1812), on army mutinies at Inverness and Banff in 1794. Michel Byrne and Sheila Kidd have a piece (in Gaelic) on nineteenth-century book-subscribers in Argyll, analysing their class and profession. In an extraordinary paper, Professor Thomas Charles-Edwards of Oxford considers the date of the *Mabinogion* tale of Culhwch and Olwen. Hugh Cheape discusses gentleman-pipers in the Highlands. T.O. Clancy of Glasgow presents revisionist views on supposed references to Ireland in the names of Atholl, Banff, Earn and Elgin, where he certainly corrects misapprehensions in W.J. Watson's *History of the Celtic Place-Names of Scotland* (1926). Robert Dunbar discusses a lament by one poet, John Maclean (1787–1848) of Tiree, on another, Alexander MacKinnon (1770–1814) of Morar.

Joseph J. Flahive sets out knowledge of the eighteenth-century Beresford-Mundey Manuscript (now at Trinity College, Dublin), containing 'The Feast in Conán's House' (a late Fenian tale) and Cavan genealogies. James E. Fraser of Edinburgh reconsiders the Lorn region of Argyll in the years 678–733. Anja Gunderloch edits a Gaelic folk-song where a girl laments the loss of her lover to another (whom she would have had drowned). Eric Hamp of Chicago, veteran linguist, analyses liquids and nasals in Gaelic phonology. Barbara Hillers discusses another woman writer, Sìleas na Ceapaich, and Aesop's fable of a dog and meat in a poem by her on the Old Pretender. Fergus Kelly of Dublin wonders if the 'beautiful nuts' of Old Irish were sea beans (he includes a picture of one). Iain MacAonghuis writes, in Gaelic, on the Gaelic termination *-adar*.

In an interesting study, Mícheál Mac Craith of Galway analyses Gaelic texts and feuds over iconography in Reformation Scotland and Ireland. Wilson McLeod discusses, in Gaelic, what poetry and other sources say of the traditional bard in Scotland. Séamus Mac Mathúna writes (in Irish) on poetry dubiously attributed in the Book of the Dean of Lismore and Book of Fermoy to the celebrated Gerald fitz Maurice (d. 1398), third Earl of Desmond. In a paper reflecting his interests in both verse and steam-engines, Professor Donald Meek tells how Gaelic poetry viewed Victorian technology, whether on rail or afloat. It was not always wedded to old songs in Celtic twilights. Dan Melia of California surveys Martin Martin's *A Late Voyage to St. Kilda* (1698); Joseph Nagy, also of California, does the same for women's food in Fenian ballads, where it is presented as enhancing their beauty and making them more attractive to their menfolk. Kenneth Nilsen in Canada examines journalism and other writings by P.J. Nicholson of Nova Scotia. The late Breandán Ó Buachalla of Dublin reconsiders authorship of the poem 'Mac an Cheannaí', often attributed to Aogán Ó Rathaille (d. 1729). Tomás Ó Cathasaigh of Harvard, ever an obscure and difficult writer, tries to say something to the point on the Irish saga 'The Death of Celtchar mac Uthechair'. He does not, I think, succeed. Roibeard Ó Maolalaigh examines Scottish Gaelic pre-aspiration. D.U. Stiùbhart reports, in Gaelic, on a manuscript of Gaelic traditional stories written at the Oban Workhouse in 1888. Alex Woolf of St Andrews finds out what Geoffrey of Monmouth knew of the Picts, in the volume's sole essay to

concern Galloway. It is true that Geoffrey makes 'no explicit reference at all' to the Gallovidians, in his day a 'relatively new people'. Yet his account of Pictish savagery helped later Northumbrian chroniclers to equate them with Picts, when atrocities committed by Gallovidian invaders of England in the 1130s and 1140s gave them a name for 'slaving and genocidal activities' (p. 446). English historians knew from Geoffrey that the Picts were barbaric; the Gallovidians were barbaric; so they thought the Gallovidians must be Picts. Their historical *non sequiter* merits notice amongst members of Dumfriesshire and Galloway's oldest learned society (some of the most civilized and hospitable people one could meet).

Besides these essays is a picture of the honorand in University of Ulster doctoral robes, taken on the award of an honorary degree; customary panegyrics; a list of his publications, totalling ninety items between 1969 and 2009; and a cumulative bibliography of the papers offered.

A general comment may be made with implications for society (and even politics) in Scotland and Great Britain now. Willie Gillies was Professor of Celtic Languages, Literature, History and Antiquities at Edinburgh University. But the emphasis is less on Celtic than on Scottish Gaelic. Of twenty-five papers here, twenty-three concern the Goedelic world. Fourteen or more relate directly to Scottish Gaelic; four are actually in Scottish Gaelic (plus one in Irish). Only one concerns Wales; there is nothing on Manx, Cornish, Breton, or Continental Celtic. Of twenty-six contributors, fifteen are from Scotland, five from the USA, three from Ireland (north and south), one from Canada, one from England, one from Australia; none are from Wales or remaining Celtic countries. In this, as in Professor Gillies's own publications, there is a contrast with his predecessor, Kenneth Jackson (1909–91), who was equally at home in Irish, Scottish Gaelic, Welsh, and Breton. In addition, one might feel that aspects even of Scotland are here passed over. Dumfriesshire and Galloway are regions with Celtic names, given full emphasis (for both Cumbric and Gaelic) in *The History of the Celtic Place-Names of Scotland* by William J. Watson, another and most distinguished holder of Professor Gillies's chair. Yet one would not gather that from the present collection. So, quite apart from the undoubted learning and variety of its contents, *Bile ós Chrannaibh* is evidence for current re-Gaelicization of Scotland (even in its title, meaning 'tree above trees', one thought to tower over lesser trees), with proper emphasis on Highlands and Islands; but perhaps neglect of other Scottish regions. Anyone seeking a test may compare *Bile ós Chrannaibh* with *Celtic Studies: Essays in Memory of Angus Matheson 1912–1962*, edited by James Carney and David Greene (New York, 1968). This tribute (edited by two Dublin professors) to a Glasgow professor of Celtic had seventeen contributions, seven from Ireland, five from Scotland, two from Norway, two from England, and one from Wales. Not one was in Irish or Scottish Gaelic. (It did, however, have an elegy by Sorley Maclean, as the Gillies volume has a verse eulogy by John MacLean of Oban.) Together, the collections of 1968 and 2010 show parallels, but also striking divergences. Nevertheless, rather than here perceiving bids for power by Gaelic-speakers trooping down from the hills (if more peaceably than erstwhile), we may reflect instead on the marvellous range and richness of Celtic Studies and Celtic culture displayed in this attractively-produced book, whether in linguistics, love-song, satire, eulogy, printed prose, traditional tale, music, place-name, manuscript, newspaper, history, religious symbol, or ancient chronicle.

Andrew Breeze, University of Navarre, Pamplona.

***Nouveaux Riches to Nouveaux Pauvres – the Story of the Macalpine-Lenys*** by Ian Macalpine-Leny. Petworth: Haggerston Press, 2012. 288pp. £35.00 ISBN 978-18-6981-226-3 (hardback)

The author, Ian Macalpine-Leny, spent over six years researching his extensive family from the Enlightenment to the present day. Detailed family records, most notably from his great grandmother's many diaries and the remarkable Dalswinton Game Book, augmented by meticulous research in Dumfriesshire and elsewhere, have furnished the author with the means to present an amusing and amazing family history of his forbears. The story is well told and is enhanced by quality photographs.

The quirky title, 'Nouveaux Riches to Nouveaux Pauvres' is the central theme of the book. The author places this theme within the Enlightenment in Scotland, outlining the way that Scots achieved social mobility due to a good education system and hard work. He suggests that these were the means by which Scots were dominant in the Enlightenment.

The story of the Downie branch of the family reveals that Robert Downie founded their fortune in India. The author describes the courage and determination of Robert, who survived in a hostile and dangerous country, rife with disease and threats of imminent death.

The fortune of Downie's friend, Dr Robert Leny, also amassed in India in Calcutta, ensured the purchase of the Dalswinton estate in 1819. The purchase of land provided recognition in society because land was 'old money', giving respectability and cachet to those who were nouveaux riche. His nephew, the author's great-great-grandfather, James Macalpine-Leny, established himself as one of the outstanding leaders of society in the county of Dumfriesshire. Changing fortunes within the family later forced the sale of Dalswinton to the Landales in 1919. Thus the family reverted to nouveaux pauvres, proving that social mobility worked both ways

The author writes with empathy about his forbears and conveys their optimism. They rely on education, natural ability, connections within and outside the family, as well as a flexibility to seize and exploit opportunities.

This book is not just an enthralling story of one extended family and a system which encouraged ability, drive and effort, but it is also the story of a nation which recognised and rewarded talented people.

Ian Macalpine-Leny returned to Dalswinton House, courtesy of the Landales, for the Scottish launch of his book, which by great good fortune took place on one of the finest March days Scotland has ever known. Such a move paid tribute to his Scottish heritage and forbears. By extension it recognises all those doughty Scots who left their native land to make a better life elsewhere.

Nouveaux Riches to Nouveaux Pauvres – the story of the Macalpine-Lenys can be obtained from www.macalpine-leny.com or The Old Rectory, Doddington, Lincoln, LN6 4RU, price £30 including p&p.

Rosemary King.

# NOTICE OF PUBLICATION[1]

***Kirkcudbright's Prince of Denmark and her voyages in the South Seas*** by David R. Collin. Dunbeath: Whittles Publishing, March/April 2013. 240pp. £19.99, ISBN 978-18-4995-088-6 (softback)

'A fascinating insight into the early colonial trade with Australia and New Zealand, [this book] features the early 19th century whale trade and the vessel's involvement [in it]. Numerous reports and newspaper extracts bring trade in the 19th century to life.

This is the story of the unusually long and interesting career of a small Scottish schooner, spent primarily in the southern hemisphere. From the quest to trace her history and construction to the careers of those who owned and sailed in her during her 74-year life, the story is full of vividly-portrayed rogues and heroes - the famous and infamous - as well as ordinary people calmly going about their daily business in tempestuous and difficult times, when grave risks were stoically and courageously accepted as a matter of course. Visionary colonists, whalers, sealers, Maoris, botanists, missionaries, cannibals, convicts, aristocrats, explorers and seamen of many nationalities are linked in this narrative and biographical sketches of key figures are brought to life with detailed information transcribed from logs, crew and passenger lists.

The voyages of the *Prince of Denmark* and of *Hamlet's Ghost* exemplify the courage, skill and vision of men and women who experienced hardship, danger and adversity in their quest for riches in colonial lands.'

Pre-publication copies can be ordered from Whittles Publishing, Dunbeath, Caithness KW6 6E or you can register your interest online at www.whittlespublishing.com.

***Bishops and Covenanters, Religion and Politics in Scotland, 1688–1691*** by Ann Shukman[2] (Foreword by Professor E.J. Cowan). Edinburgh: John Donald, November 2012. xi + 186pp. £12.99, ISBN 978-19-0656-658-6 (softback)

'Why did the young Protestant monarch William of Orange fail to make his mark on Scotland? How did a particularly hard-line 'Protester' branch of Covenanting Presbyterianism become the established Church in Scotland? And why was the proto-Enlightenment nipped in the bud? This book reviews the political events that led to the abolition of episcopacy in 1689. It explores for the first time the background and influences that led to the 'rabbling of the curates' in south-west Scotland, and the purging of the parishes after 1690. The book suggests how these events contributed to the notion of 'King William's ill years.

For the first time, a relatively unexplored period of political and religious history is laid bare as the background and influences behind what would eventually see the abolition of episcopacy and the beginning of some of the most brutal religious cleansing seen in Scotland becomes the subject of Ann Shukman's book, *Bishops and Covenanters*. It is, it could be argued, the Sottish 'Dark Ages' when a particularly hard-line branch of Presbyterianism became the established Church

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1 Notice of publication of works relating to the interests of the Society and the remit of the *Transactions* is welcomed. Please send this to the Editor. Reviews of these publications may follow in a future volume. Members of the Society who are interested in contributing reviews should contact the Editor.

2 Member of the Society.

and a 'cultural revolution' blocked the beginnings of that most-beloved of Scottish innovations, The Enlightenment.'

***Mary Queen of Scots and Her Escapes*** by A. E. MacRobert.[3] Ely: Melrose Press, 2012. xii + 170pp. £10.99, ISBN 978-19-0773-290-4 (hardback)

'In the 1560s Mary Queen of Scots had a series of remarkable escapes. These are grouped together for the first time in this book and their significance explored. The escapes are presented not in melodramatic or semi-fictional form but as history based on the study and scrutiny of contemporary and near-contemporary evidence. They show that fact can be stranger and more interesting than fiction.

The research contained in this book emphasises the dangers confronting a young queen in the 16th Century and Mary's remarkable courage. The book is also a revision of the traditional accounts of some of her escapes, and is an important contribution to revised interpretations of her life in Scotland including her attitude to Bothwell and her decision to seek help from Queen Elizabeth. Mary's reputation has been stained by persistent hostile propaganda during her life. Subsequently many historians and others have swallowed uncritically the falsehoods and have preferred unfounded scandal. Mary emerges from this book a more remarkable person than many have hitherto realised.

The text is written in a clear style supported by useful notes. It should be of interest to the general reader and value to the student of history.'

3 Member of the Society; See MacRobert, A. E. (2004) 'Mary Queen of Scots' Last Night in Scotland', *TDGNHAS*, ser.III, vol. 78, p111.

# OBITUARY

## BRIDGET GERDES
1923–2011

Bridget Gerdes was born and brought up in Northumberland. Holidays, however, were spent and enjoyed in Portling in the Stewartry, for her mother's family came from there. Bridget began her teaching career at Corsock, following on to New Abbey where she spent some years. She then moved to the new school at Cargenbridge and later became the first Head of Dumfries Nursery School where she remained until her retirement.

In 1967, Bridget joined the Society. She served as a Member of Council from 1970 to 1974 and from 1981 to 1985 and as a Vice President from 1974 to 1981 and from 1985 to 1990. She continued to attend meetings until shortly before her death.

One of Bridget's main interests was archaeology. From 1967, she attended archaeology lectures given by Lionel Masters, Glasgow University Extra-Mural Tutor in Dumfries until 1981, when he moved to Glasgow and the Department of Adult and Continuing Education at the University. Thereafter his lectures continued in Castle Douglas. Bridget, a meticulous recorder, took part in digs led by Lionel at Lochhill, New Abbey, Slewcairn, Southwick and Camster, Caithness, and throughout the years, she also enjoyed study tours with the group to Wessex, Ireland, Orkney, Brittany, Malta, Crete and Santorini. She continued to attend archaeology lectures until 2010, serving for many years on the Dumfries and Galloway Extra-Mural Committee.

Bridget loved music. She sang with the Dumfries Choral society, remaining a Patron until her death. Classical concerts in Carlisle were enjoyed with Loreburn Retirement Group of which she was a member. She also held musical evenings in her home where she played recorder with a small music group. Other interests included the RSPB, the National Trust for Scotland, the Retired Teachers and Solway Sound, the Talking Newspaper for Dumfries and Galloway, where she was a long-standing Editor. She was also a faithful member of St Mary's-Greyfriars Church in Dumfries.

During her retirement, Bridget travelled, particularly to Iceland, where she made friends, learned the language and explored extensively using local transport. On her last visit, she went on a whale-watching trip. The sea was rough, but Bridget stayed on deck enjoying the experience, especially when a whale came alongside as the ship was turning for port.

Quiet and dignified, Bridget Gerdes was kind, generous, knowledgeable on many subjects and an excellent teacher. She had a long, fulfilled life, remaining active until shortly before her death on 17th December 2011, four days after her 88th birthday.

S. Fraser.

# OBITUARY

## WILLIAM F. PRENTICE
## 1925–2012

Bill Prentice, who died on 28th January 2012, was one of those members who, while not especially prominent, worked earnestly for the Society in various ways for a number of years until declining health restricted his activities.

Bill was born in 1925, the son of the postmaster at Fordyce in Banffshire – 'The most powerful man in the village' due to his knowledge of all that went on, as Bill pointed out. Bill was educated at Gordonstoun, The Heriot-Watt College in Edinburgh and St. Andrews University where he graduated in civil engineering. He was then employed by Binnie and Partners, consulting engineers, who sent him to work in Iraq from 1957 to 1960. During this time he met his future wife, Anne, and they were married while on home leave. He was based for a time in Ampthill and then, in 1966, moved to a post in the County Engineer's Department in Dumfries, working on water supply. He remained with Dumfriesshire County Council and its successor, Dumfries and Galloway Regional Council, until his retirement in 1989.

On their arrival in Dumfries, he and Anne joined the Society. As well as attending the meetings, Bill also took part in the 'Hill Walks' organised by James Williams around 1970. Bill and Anne also showed a film at a 'Members' Night' of the hatching of baby turtles. Bill was elected to the Council in 1976 and was a Vice President from 1982 to 1985 and again from 1989 to 1993. From 1982 to 1989 he was Syllabus Secretary and arranged for an outstanding series of speakers. In those days before computers, and not being able to type, he did all this was done by handwritten correspondence, which filled a large file when eventually he handed over the work to the present writer. He was, of course, plied with suggestions for speakers and subjects and left with the task of locating them. Occasionally the system failed, as when he was advised of a speaker on 'Garnets and Rubies' which would have fitted conveniently into the syllabus. In fact, the person in question was an expert on the bird family of gannets and boobies.

Anne sadly died in 2001. Bill remained a member until 2009 and in 2011 he moved to Cirencester to be nearer his family. He is survived by his son Ian and his daughters Kate, Fiona and Sheena.

A.D. Anderson.

# PROCEEDINGS

7 October 2011
**Annual General Meeting**
**Alexander Hall**
**Glencairn Parish in 1560**

Dr Francis Toolis, President, introduced Sandy Hall as speaker for the evening. Sandy's family came to the Moniaive area in 1947. He farmed at Craiglearan from 1963 to 1999, when he handed over the farm to his son. He has an admirable record of contributions to the history of Moniaive/Glencairn area in particular. Worthy of mention is the superb publication, The Glencairn Memorial Book. He was a founder member of the local Family History Society. His illustrated talk, rich in period detail, was entitled Glencairn Parish in 1560, though it ranged, of necessity, further into the 16th century.

At the outset Sandy showed two maps to demonstrate how the parish and its boundaries between properties in the 16th Century were little different from today, except that there were no walls in the early period and there is more afforestation now.

In the 1550s, Scotland, England and France were all ruled by regents on behalf of minors, namely Mary Stuart, Edward VI and Francis II respectively. Mary, Queen of Scots, living in France, had the prospect of becoming Queen of all three nations when she was in her mid-teens in the late 1550s. It had been a period of religious strife in which John Knox and Mary of Guise, acting as regent for her daughter, opposed each other, Protestant versus Catholic. The year 1560 brought a turning-point in Queen Mary's fortunes. The deaths of her French husband and of her mother were sad blows.

Glencairn Parish had three baronies of Crawfordton (in the south and different from the Crawfordton of today), Maxwelton and Snade. Land was valued in merklands, which did not reflect acreage but worth. Tenants were expected to pay their teinds or tythes to the factor, William Cunningham, Earl of Glencairn, for the upkeep of the church. The year 1560 was one of turmoil in the parish as well as in the nation. Many in the northern lands of the parish had not paid their dues for two years, which meant a doubling of what was owed. In 1559, Cunningham, a Privy Councillor in Edinburgh, sought the support of Parliament in Edinburgh to force the rebels to make payment. Such an order was made on 29th August. Payment was to be made within 48 hours of being charged. Unless a letter of liquidation was received, the offender might land in the dungeons of Dumbarton Castle. The issue rumbled on for years: a fresh order was sought, but the same people were still not paying in 1567.

Why were they not paying? The people in the north farmed on less productive land and bad weather frequently caused hardship. Who was the ringleader? Was it Fergusson of Craigdarroch? It had to be someone powerful to persuade about 100 people not to pay. Certainly a number of Fergussons were rebels; but so were other prominent families.

Sandy has performed an intensive study of estates, farms, tenants, non-payers and how much they were due to pay. Tenancies were complicated. The tithes for Glencairn were let by the Chapter of Glasgow for the upkeep of the Catholic Church. If Mary of Guise had not died in 1560, the huge number of French troops, stationed in Edinburgh, might have landed in Glencairn. Subsequently tithes were paid to the Reformed Church. Opposition to paying could well have arisen from the fact that there was no priest or minister serving the parish.

This was a generation which had been born and christened Roman Catholic but which would die and be buried Protestant. Cunningham had hobnobbed with Mary of Guise and John Knox. He was for the Reformed Church, as were the majority of people in the South-West. He was also a monarchist and wished to support the Queen, Mary Stuart. Her escape from Lochleven Castle persuaded people to rally to her cause. He changed sides. History seems to be peppered with Vicars of Bray!

Sandy concluded with a challenge. Is there another parish which can supply such a comparable list of land-holding for the period as he has unearthed about Glencairn? The remarkable fact is, that despite the gravity of the issues, the outcome was bloodless.

21 October 2011

**George Heggarty (Research Associate, National Museums of Scotland)**
**Whim, pots, pans and people: the development of Scotland's industrial pottery**

'Whim, pots, pans and people: the development of Scotland's industrial pottery' was the intriguing title of George Heggarty's talk. George has had an interesting career, in that he was a hands-on archaeologist, then he became a successful antique dealer in Edinburgh and ten years ago he returned to the National Museum as a research assistant and has since published 122 papers. As his archive can boast 10,000 slides we knew that we were to be treated to a very special evening of interesting illustrations, which cause headaches for the reporter trying to convey the richness of such a talk.

Hitherto it has been generally accepted that Scotland's industrial ceramics date from 1748 in the Glasgow area. This is not strictly true, because experimental work in the field began in c.1610, about which one can only speculate. Many of the early factories were sited on the East coast from Fife to East Lothian. The next significant development arose when a potter arrived from Ireland in c.1703 and set up works at Leith under the auspices of Lind, who resided in Gorgie in Edinburgh.

Archibald Campbell, Duke of Argyll, set up works on a 1,000-acre estate, shown on General Roy's map in 1745 as the Whim Estate, which he bought on a whim, hence the name. Lind was associated with this, the first purpose-built laboratory, about which much detail has survived except for the exact location. Argyll bought two kilns in London in 1749: one was destined for Whim but what of the other one? The idea is that it might have been for West Pans. The paintings on the Whim ware were very sophisticated and it might tie up with the fact that Cooper, an artist, married Lind's daughter.

There is a special type of pottery called A-Mark ware, the clay for which came only from Carolina. Only four pieces in very poor condition are known. A cracked cup sold at auction for over £13,000. It was not considered to be Scottish and yet it was discovered that on 11 June 1754, such clay came into Leith. Lind died in 1754. Argyll lost interest. Stalemate ensued for the next 10 years.

Lind's son, George, entered the field along with Thomas Shelly, potter, and Ed Ackers, china painter. Excavations at West Pans have revealed that moulded ware was being made. It is known that there were slipware potteries at West Pans pre-1760s. The remains of a redware kiln of the 1750s have been uncovered. There are few pieces of the rare West Pans pottery known. The NMS acquired one such piece in October 2011. A tea bowl of West Pans porcelain dating from the period 1764–1777, when William Littler was working in Scotland, with lobed moulding and showing the arms of Pringle of Stichill, was found in East Lothian. Sadly items thought by experts to be English have been lost to Scotland and the regret is that they are now known to be Scottish in origin.

In 1750, Cadell, a local merchant, was in touch with people in Birmingham such as Dr Roebuck and Samuel Gabett in connection with the Old Kirk Pottery at Prestonpans. A factory producing sulphuric acid, scarce in Scotland, was set up at Prestonpans and a pottery was built alongside. One white salt-glazed bowl, which was donated to the freemasons, survives and illustrates the strong link between potters and freemasons. Shipowners were looking around for a type of pottery which could be used for holding lime drinks that supplied vital vitamin C to sailors, as lead was obviously unsatisfactory for this purpose!

By 1805, changes were taking place as neo-classical ware emerged in the form of dipped and rouletted pearlware. A copper roller ran round the pottery to decorate it. Some Scottish output can be traced to individual factories by the rouletting.

Lottery funding is being sought for further study into early Scottish ware, a decision about which will be made in December 2011. Analysis of salt glazes will be made to try and prove that items were made in Scottish factories. Excavations at Seacliff, Prestonpans, yielded a ceramic mould for the coronation of William IV and Queen Adelaide in 1831. The paintings on Scottish ceramics are generally better than those on English pieces: they are more natural and the backs are also painted. There was another factory at Morrison's Haven about 1750. Anthony Hilcoat was producing pottery on Lord Hyndford's estate. An example of Newbigging Pottery from Musselburgh takes the form of a moulded bone bowl, decorated with the arms of Musselburgh, possibly to mark the visit of George IV to Scotland in 1822.

James Watt (1736-1819) was working at the Bo'ness factory for Roebuck. When the latter went bankrupt, Watt moved to Birmingham. The siting of a plethora of such factories on the east coast was determined by the presence of coal. It took twelve tons of coal to fire one ton of clay. A number of the Scottish potteries failed for lack of capital. By 1830, only the properties producing quality wares survived, largely in England, such as Spode and Wedgewood. However, the Portobello factory functioned until 1973.

George halted his talk with the promise that the history of the more illustrious Glasgow pottery remains would be told on another day. Haste ye back, George!

4 November 2011
**Nic Coombey (Southern Upland Partnership)**
**Galloway and South Ayrshire Biosphere**

Nic Coombey, who served 15 years as a landscape architect with Solway Heritage, has embarked on a two-year Biosphere Reserve project, funded by Leader and it was on that subject that he gave his talk.

Biosphere Reserves are a network of UNESCO designated world-class areas of which there are 580 in 114 countries. It is their contribution to people and to nature that earns them such status. The style has been evolving since 1976 and the one located in Galloway and South Ayrshire will perhaps be the first new-style model in Scotland, according to criteria laid down in 1995. It will seek to promote a balanced approach between Man and Nature for sustainable living. Caerlaverock was designated as such in the 1970s but it has been crossed off because it does not fit the current concepts. St Kilda, too, has lost that status, while Eigg might gain it. One drawback for Biosphere Reserves is that those in charge can only encourage people to follow their recommendation but, unlike administrators of National Parks, they have 'no teeth'.

Lanzarote promotes its uniqueness as a volcanic island and Slovakia conserves its primeval beech forests: these factors have gained them the designation. What is our approach going to be? We must identify what is special about our area. In Galloway and South Ayrshire there is a Core Area of research and monitoring, which includes as protected areas Cairnsmore of Fleet and Merrick Kells/ Silver Flowe, now linked up instead of being separate as formerly. Beyond the Core Area there is a Buffer Zone to ensure protection. The Transitional Area, outwith those key areas, is where we all live and try to promote sustainable living.

The focus of this has been identified as high-quality locally-produced foods and exceptional pieces of work in the craft field. Various special constructions in the area provide examples of outstanding design, such as 'The Striding Arches' by Andy Goldsworthy and 'The Snail' by Charles Jencks at Portrack. Another worthy feature of our landscape is the recognition accorded to the Dark Sky Park in Galloway.

Strong encouragement is given to groups to come together. For instance, a new community use is being sought for the recently-closed school at Glentrool. Support is being given to the Newton Stewart Walking Festival, as most of the walks take place on part of the Biosphere Reserve.

Other projects receiving attention are the preservation of the water vole, which has now been found to be more numerous than was first thought: high on the list for continued success water vole survival is the control of mink. SEPA is leading a move to discover where the most important areas are for water courses. Attempts are also being made to involve youth clubs and scouts in 'fishing for knowledge' in the countryside.

Ideas abound, with Nic providing encouragement to people to become involved in making South-West Scotland stand out from the rest of Scotland and convince UNESCO that we are worthy of the designation of the status of a fully-fledged Biosphere Reserve.

Nic believes that the case is a good one. In visiting communities throughout the area and delivering interesting, well-illustrated presentations, such as this, he is spreading the word that as many people as possible should become involved in proving the unique, go-ahead nature of our part of Scotland and subscribing to the principles of Biosphere Reserves. It will be to our advantage, especially in the field of tourism.

18 November 2011
**Valerie Reilly**
**Indigo, a Blue to Dye For**

Indigo was the topic of Valerie Reilly's talk. Having served for 35 years in Paisley Museum, from which she has now retired, she is very knowledgeable about dyes and Paisley shawls.

In a lively and well-presented illustrated discourse Valerie covered every conceivable aspect of the story of indigo, which touches more spheres of human activity than most people realise – trade, industry, furnishings, clothing, medicine, veterinary products, agriculture, science, the arts, and cosmetics.

Listed in the seven colours of the rainbow, it is placed between blue and violet. India, believed to be the oldest centre of indigo dyeing in the world, was also an important supplier of indigo dye, obtained from the plant *Indigofera tinctoria*. The name is derived from the Greek word *indikon*; the

Latin term is *indicum* and hence indigo in English. The Sanskrit term is *neel*; *anyle* or *indico* are also used interchangeably.

The dye was in use in the third millennium BC. Historically, blue colours have been revered: in Egypt, for example, Tutankhamen's funerary apparel displayed it; likewise Inca textiles in South America. As it required several pounds of indigo from another source, *Murex trunculus*, for each dyeing, indigo-dyed textiles were associated with wealth. Wools for much-prized Persian carpets are still being produced by ancient processes. The ancient dye pits in Karo in Nigeria are still in use today.

Marco Polo, the explorer described the indigo industry at Kerala in India in 1298. Gradually, the cultivation of indigo-producing plants spread westwards, although efforts were made to confine it to Islamic areas by the Ottoman Empire.

By the 13th Century many in Europe made their livelihood producing woad, which had been a source of the dye since the Hellenistic period from about 323BC to 31BC. Woad, *Isatis tinctoria*, was being grown in southern England in Anglo-Saxon times but such was the demand that extra quantities still had to be imported. It was being grown around Haddington in 1693, but only for local use. The dyers were the most prosperous of all those involved in the textile trade. Woad was being added to indigo for tunics. Woad-dye waste was a pollutant.

An involved but very profitable shipping trade, promoted by the English East India Company, founded in 1600, grew up. Asian indigo-dyed textiles or supplies of indigo itself (whose suppliers were often guilty of adulteration) were exported to Europe. Cloth was then taken to Africa and exchanged for slaves. The slave-carrying ships were bound for America and/or the Caribbean, where the return cargo might be indigo or sugar, destined also for Europe. This trade was vulnerable to piracy, insect damage or earthquake.

To produce the dye, leaves are added to water and ash to start fermentation. The task of manual oxygenation, dangerous to health, was usually done by slaves; in time, with the spread of industrialisation, mechanised paddles came to be used. A paste was produced for local use, but it had to be dried off into balls for transporting long distances. In 1501, there is a case of a ship leaving Bordeaux and being attacked by pirates. Some of the balls of indigo seized landed up in Kirkcudbright!

The loss to Britain of the American colonies led to India becoming the main source of indigo, huge quantities of which were required for military uniforms. The following export figures are very revealing: in 1782, when indigo was still coming from Central America, exports from India amounted to only 25,000 lbs; in 1795 they stood at 4,368,000 lbs; and in 1815 at 7,650,000 lbs.

The first synthetic indigo dye, mauveine, was invented by William Perkin. The trade in it expanded rapidly from about 1860. Rivalry between natural and synthetic dyes ensued: cost was usually the determining factor. The popularity of denim has preserved the indigo trade. The invention by Jacob Davis and Levi Strauss in 1873 of the pop-rivet to stop wear on the pockets of work trousers gave impetus to the production of jeans. Their adoption by the late James Dean in the film *Rebel Without a Cause* has ensured them an undying place in fashion history!

2 December 2011
**James Williams Lecture**
**Andrew Breeze**
**The Names of Rheged**

The December meeting was very special for two reasons. It was the James Williams Memorial Lecture, held in memory of the Society's late and much-revered, long-serving senior editor. Secondly, Dr Andrew Breeze has had research papers published in the Society's *Transactions*, through which he communicated with James; he willingly agreed to come from Pamplona, Spain, to deliver his illustrated talk, entitled 'The Names of Rheged'. It will be published in full in the *Transactions* at a later date.[1]

The territory of Rheged is often mentioned in the earliest Welsh poems, which derive from originals composed in the related Cumbric language of North Britain in the sixth and seventh centuries. Rheged is usually located in the region around Carlisle, and was ruled by Urien, addressed by the bard Taliesin as a munificent hero and the scourge of the English invader.

Yet scholars have always had difficulty agreeing on the whereabouts of Rheged and the meaning of its name. Recent analysis of places mentioned in the poems of Taliesin and other early bards allows some progress on the matter. It offers these conclusions. Urien's domains stretched as far north as Ayr and as far east as north Yorkshire. The first would be the Aeron (the West Riding's river Aire can be ruled out); the second would be Yrechwydd, the region bordering the Echwydd (meaning 'fresh water') of the marshes between York and the Humber.

Yet his court was surely not at Carlisle, as often supposed. Carlisle is never mentioned in the early poems, and archaeologists have found no evidence for occupation there in the decades about AD 600. Other place-names in the poems point rather to south Cumbria as the focus of political life in this period, with references to a magnificent court at Rossed or Rossett, west of Ambleside; hunting by the Lodore Falls on the Derwent; and clashes with Pictish and English invaders by the rivers Winster and Lyvennet of south-east Cumbria. Further research on toponyms in this poetry will probably confirm arguments for the English Lake District as being the core of the ancient British kingdom of Rheged.

There followed a period of lively and searching questions, fielded dexterously by Dr Breeze and which gave scope to the breadth of knowledge of this interesting and scholarly university philologist and lecturer.

20 January 2012
**John Charteris**
**A Thousand Years of the Charteris Family**

Lt Col John Charteris, MBE MC, who retired from the army in 1998, was the first speaker in 2012. His subject was 'A Thousand Years of the Charteris Family'. Arriving in England in 1066, this ancient and well-connected Norman family was rewarded with lands in Northamptonshire and Wiltshire by William the Conqueror.

The Bishop of Chartres, Robert Carnoto (the Latin form of the name), was connected to King William I and by marriage to David I of Scotland, through whom the family was granted lands at

1 See this volume p.51

Amisfield, Dumfriesshire. Further rewards of land, reflecting changing allegiance, were granted by Edward I and Robert the Bruce. In the latter case it was in recognition of support at the slaying of the Red Comyn.

The marriage in the 15th Century of John Charteris, a Protestant, to Agnes Maxwell, brought an advantageous alliance with the powerful local Roman Catholic Herries-Maxwell family. A tower house was built bearing the respective plaques of husband and wife. Sir John Charteris later built a separate mansion house to the south of the tower.

Cullivait, which served as the dower house from 1788, has passed in and out of the family's possession. In 1958 the speaker's father repurchased the house, which is now the home of John and his wife.

Successive generations of the Charteris family have held eminent positions such as High Chancellor of Scotland and Warden of the Western Marches. Border reiving, slighting a king, hanging and a duel all feature in the story. James VI stayed at Amisfield on his way south as heir to the English throne. The misfortunes of Charles I, who earlier elevated Amisfield to barony status, caused a kinsman to attempt a plan to rescue the doomed king.

Undoubtedly the most notorious name on the family tree is that of Colonel Francis Charteris (1672–1752), card sharp, thief, libertine and scoundrel. He amassed a fortune by his trickery. Marlborough considered him more of a threat to the morale of the army than the enemy. On his death bed he even tried to bribe his way into heaven.

Archibald Charteris, by contrast, in the latter part of the 19th Century served as a church minister and Moderator of the Church of Scotland. He founded the Woman's Guild movement and the church magazine, Life and Work.

Military service has featured prominently in John's recent family history. His grandfather, as Haig's Chief of Intelligence, created Military Intelligence (MI) 1 to 15. He was mentioned in dispatches eight times and showered with honours. In 1918, he was elected as MP for Dumfriesshire in a landslide victory. John himself followed his architect and soldier father into the army. He served in MI6. His Military Cross was awarded for service in Ireland. There is much more to discover about this amazing family in R.C. Reid's 1938 book, The Family of Charteris of Amisfield.

This informative and at times amusing canter by a gifted raconteur through only 946 years, as it emerged, was delivered in a deep, rich, commanding voice which held an audience of over seventy members spellbound and left many keen to hear more.

3 February 2012
**Archie McConnell (McConnell Wood Products)**
**Woods and Wood in Dumfries and Galloway around 1700, with special reference to the Midsteeple, Dumfries**

Archie McConnell of Penpont Sawmill addressed a large audience on the subject of 'Woods and Wood in Dumfries and Galloway around 1700, with special reference to the Midsteeple, Dumfries'. Intrigued, members wondered where a sandstone building fitted into a talk about wood!

Early in the 18th Century an unexpected windfall of 20,000 merks came into the Dumfries Burgh coffers. At a meeting on 30th April 1703, it was decided to build a new town house with an imposing steeple. A committee was appointed to oversee the construction work.

A Liverpool architect, John Moffat, was employed to draw up a design. He and James Johnston were empowered to pay a study visit to Glasgow. The financial records state: 'To Mr Moffat, architect, and Dean Johnston £24 Scots to bear their expenses to visit Glasgow steeple.' An entry for 10th April 1704 shows that Mr Moffat was paid £104 Scots for his drawing. Mr Moffat withdrew from the commitment and Tobias Bachup was engaged to complete the scheme according to Moffat's plan, but with modifications.

Archie has made an intensive study of the reports and visits by the Committee responsible for the Midsteeple. In 1703, attempts to procure wood of a satisfactory nature for the inner framework were the cause of many headaches for the committee.

Tower houses and the Midsteeple tower itself all display the familiar square box shape of similar dimensions. Archie made the interesting observation that it hinged on the fact that the timbers available were generally about 22 feet in length and taken from trees about 200 years old. The Midsteeple, with added stonework, is 24 feet across. Timber in those times was often brought from Scandinavia. This possibility was explored but, 'there can be none gotten at an easy rate.'

They were then forced to explore Scottish sources. Visits by Moffat, the architect, and James Johnston to Stepford, Steilston and Birkbush were made because of the availability of water transport on the Cairn, Cluden and Nith. The timber at Steilston fitted the bill but a deal with the owner would have involved purchase of the whole woodland. Further visits were made to Loch Ken, Airds, Shirmers and Dalry without success.

The dignitaries were then advised to inspect the wood at Garlies on the Earl of Galloway's estate, where the oaks were grown up and down the hillsides. A deal was struck with Alex Thomsone, who had a 7-year lease to manage the wood at Cardochan on that estate. The Committee decided 'to appoint James Johnston the morrow morning early to repair to the wood to procure the timber with all imaginable dispatch.' This was achieved even though it was not a good time for harvesting timber as the sap was rising.

Horses were used to bring the wood from its inland site to the Dee. It was loaded when the water level was low enough to permit the heavy timbers to roll down on to the waiting vessel. At Kelton, the nearest suitable point to Dumfries, it was unloaded at high tide to enable the timbers to be rolled off with ease. Transport by horse power again brought the consignment into Dumfries.

The wood, already stripped of its bark and having been stored in a Dumfries barn till 1705, would be properly seasoned by the time it came to be used. Archie, being primarily interested in wood, terminated his study at this point. The actual building of Midsteeple took place 1705–1707.

A lively question-and-answer session followed. In the course of the evening the audience became aware that Dumfries and Galloway has a nationally-recognised expert in the area because Archie has supplied wood for the building of the finer aspects of the Scottish Parliament and for the recent refurbishment of Stirling Castle.

17 February 2012
**Jim Henderson**
**The History and Work of the River Nith Fisheries Board**

In this, the 150th anniversary year of Nith District Salmon Fishery Board, Jim Henderson addressed the Society on the subject of his employment with the Board. Jim, a native of Stranraer, who has a degree in Environmental Studies, was head-hunted for the job – a wise choice. His enthusiasm and enjoyment in the work of this statutory body was obvious.

There are 36 proprietors within the Nith catchment area. The Duke of Buccleuch, farmers and the council are all involved. There are 13 members of the Board, which has jurisdiction over 1,596 square kilometres and 60 kilometres (37 miles) of coastline. Assisted by a permanent staff of four and part-time summer employees, Jim's remit is to look after the welfare of migratory salmonids within his sphere of influence. The local rural economy benefits to the value of £2.2 million.

There are many pressures on the fish, some of which are legal and specific to this part of the world, such as haaf-netting and the stake-net fishery at Sandyhills. Less laudable are the illegal pressures of poaching, gill netting and trammel netting, which can ensure big dividends for some of the highly-organised law breakers. Jim and his staff run risks in curtailing these activities. However, they have the same powers of arrest as police officers.

The natural world also presents problems for preserving stocks of salmon and sea trout. Pike, and especially, goosander and mink are serious predators. The spread of vigorous and insidious alien species of plants, such as Japanese Knotweed, Giant Hogweed and Himalayan Balsam, is providing the need for costly programmes in attempts at control. Industrial practices require careful monitoring. It was discovered that digging out gravel on the Marrburn was afoot at the very time when fish eggs were in the gravel. Similarly, new road developments, windfarms, gas pipelines and railway activity, such as the Portrack Viaduct, have all presented difficulties, but Jim confidently states that there is always an engineering solution, coupled with diplomacy.

Restoration of stocks also comes into the Board's plans. Two hatcheries produce two million salmon a year. It is essential that genetic strains remain pure and that the emergent fish suit their catchment area. Education is also a key part of the job. Government ministers and anglers are kept informed of the needs of the industry. Schoolchildren are provided with aquaria to raise interest in this field and they are taken on outings to encourage respect for life in local rivers.

This beautifully-illustrated talk, delivered by a speaker with a good, clear voice, drew forth the comment from the audience that this was one of the best talks ever given to the Society. It proves once again that a talk should never be judged beforehand by its title!

2 March 2012
**Members' Night**
**Alan Pallister**
**The Castles of the Glenkens**

Members were treated to an interesting pictorial tour of that part of Galloway known as the Glenkens, conducted by a knowledgeable retired engineer.

Mottes were the earliest sites and date from the 12th and early 13th Centuries when Galloway was asserting its independence and power struggles were taking place. Detailed plans of Balmaclellan,

Dalry and Parton (which has two) and Lochrinnie Mottes all featured in the account. They varied in diameter from about 40 to 50 feet and were usually of inverted pudding-bowl shape, apart from Boreland Motte at Parton, which was named by the Royal Commission as a 'citadel' because it took advantage of a natural elevation.

There are two fortified farmhouses worthy of note, one at Dundeuch near Polmaddie and one at Shirmers. The latter was in the hands of a branch of the Gordon family from the 15th Century.

Glenkens Castle, halfway up Loch Ken and associated with the Balliols, and Lochinvar Castle, associated with the Gordon family, were island defences. Earlston Castle is a tower house of the 17th Century and bears a commemorative stone. It was associated with the Sinclair family, who were staunch supporters of the Covenanting cause. Barscobe Castle in the feudal barony of Balmaclellan was built in 1648 by William McClellan. Like Earlston, it is L-shaped.

Kenmure Castle is the largest and strongest of all. It belonged to the ancient Lords of Galloway and might have been built on the site of a previous stronghold. It, too, was associated with the Gordons, whose arms are incorporated on a wall. Mary, Queen of Scots, stayed there in 1563. His continuing adherence to the Roman Catholic faith led to the 6th Viscount Kenmure's execution for involvement in the Jacobite cause. Originally 4-sided but later becoming 3-sided, as it has remained, the building has undergone many changes right up to the 20th Century and even served as a hotel after World War II. It is no longer inhabited.

16 March 2012
**Chris Rollie**
**Robert Burns in England**

Chris Rollie, RSPB Area Manager for Dumfries and Galloway and Robert Burns enthusiast, was invited to address the Society on Robert Burns in England, the subject of his book, published in 2009 by New Cumnock Burns Club to mark the 250th anniversary of the poet's birth.

The poet paid two brief earlier visits across the border into England. On the third occasion he kept a journal, which is in the private hands of John Murray (Publishers) London. Chris arranged to see it, by dint of sheer persistence, and was amazed to discover that only three scholars had consulted it in 200 years: James Currie, Allan Cunningham and himself. Other scholars had slavishly used Cunningham's reportage and in the process had perpetuated his mistakes.

Following the publication of the Kilmarnock edition and the Edinburgh edition of his poems, Burns set off in mid-April 1787 from Edinburgh. He and his Borders friend, Robert Ainslie, made for the latter's parental home in Duns and toured around various sites in the Borders. An attack of rheumatic fever delayed Burns' departure into England.

Coldstream Bridge now bears a plaque commemorating Burns' crossing. On Friday 18th May he rode into Berwick, that town which had changed hands many times, but which finally came to be regarded as in England. There he walked the walls.

He proceeded southwards by way of Cornhill. Nearby is Flodden Field and, although it was his professed aim to see scenes of Scottish battles and those mentioned in Scottish songs, he omits to record whether he visited Flodden Field. He then journeyed to Wooler and thence to Alnwick, whose ancient stronghold was the seat of the Percys. He made a bee-line from there for the coast to

Warkworth, which is also dominated by its castle, owned, too, by the Percy family. From Morpeth he made his way to Newcastle, which he entered by the Pilgrim Gate.

Hexham and Wardrew were the next places on his itinerary. Significantly, the inn at Wardrew, where he stayed overnight on 30th May, had an important connection ten years later with another important Scottish literary figure, Sir Walter Scott. It was there that he met Charlotte Charpentier, later to be his wife.

Burns proceeded along the route of Hadrian's Wall to Lanercost and Longtown and yet failed to mention in his journal what he thought of Hadrian's Wall and Lanercost Priory. He reached Carlisle on 31st May. There he met James Mitchell who acted as his guide. He visited the Sands, important scene of the droving trade, and stayed at the Malt Shovel Inn in Rickergate, where the pair dined. The landlord broke the unwelcome news that Burns' horse, Jenny Geddes, had escaped and was impounded in the pinfold. Burns had to pay a fee for her return.

It was fine weather as he rode back north by way of the coast and crossed the River Esk at the Boat House, which was the main crossing place at the time until the Metal Bridge was built. At Annan the journal ceases to have further entries. However, it is known that he made for Dumfries and thence to Ellisland.

This talk proved to be a most interesting canter through history, in which an excellent researcher and speaker had followed in the footsteps of our national bard. In the process he has unearthed a vast body of interesting information and superb illustrations. The book is vital recommended reading in order to meet many of Burns' companions, encountered on the journey, and to obtain much of the detail given in the presentation – and more besides!

31 March 2012
**David Fleetwood (Historic Scotland)**
**The Built Heritage of Dumfries and Galloway's Hydroelectric Power**

Scotland's hydro heritage was the subject of David Fleetwood's talk to the Society at their annual meeting in Galloway, which this year was held in Kirkcudbright. Its sub-title was 'Two Dam Deer!' in reference to the coat of arms of the North of Scotland Hydro Electric Board (NoSHEB).

David, an employee of Historic Scotland, has been involved in a study looking at buildings in Scotland with a view to listing or de-listing any man-made structure of which there are 47,540 registered in Scotland. He has looked at 350 sites in an 18-month period. In the case of hydroelectric power structures, it is difficult to decide how special they are on the first visit but at the same time he quickly fell their under spell. The early architects and engineering pioneers behind these schemes were Sir William Murray Morrison (1873–1948), Sir Edward MacColl (1882–1951) and James Williamson (1881–1953). These are the first phase developments: 1891 Fort Augustus; 1896 Foyers; 1909 Kinlochleven; 1925–27 Falls of Clyde; 1929–34 Lochaber; 1933 Tummel Bridge and Rannoch; 1934–36 Galloway.

James Williamson's brief for the design of the Galloway scheme imposed a respect-for-amenity clause and a panel was appointed to oversee that it met the criteria. This was a private scheme built with private capital. Williamson saved on expense by using composite materials. Though unadorned, its smooth arches still take aesthetics into consideration. Sir Alexander Gibb was the consulting engineer.

To quote the Historic Scotland publication, *Power to the People*, 'The Galloway Scheme was a pioneering development using run-of-the-river technology, specifically designed to be highly responsive to spikes in demand on the national grid. It was a significant achievement, something which many sceptics had thought would not be possible. The design is highly efficient with water having been used up to four times to generate power by the time it reaches Tongland at the bottom of the scheme.'

The passing of the Hydro Electric (Scotland Act) in 1943 nationalised the system. Tom Johnston served as Chairman of NoSHEB 1947–1959 and Secretary of State for Scotland 1941–45. The following were the schemes carried out subsequently: 1944–59 Sloy/Awe; 1951–58 Tummel Valley; 1952–63 Affric/Beauly; 1957–61 Conon Valley; 1957 Great Glen; 1960 Loch Shin; 1961 Breadalbane; 1965 Cruachan; 1969–75 Foyers (conversion to pumped storage).

Sloy was the first scheme planned by NoSHEB. Fierce opposition led to a Public Inquiry. However, the bold Classical Modernist design went ahead. HM Queen Elizabeth was invited to open it. Late in the day a pertinent question was asked: 'Where is the ladies' toilet?' They had a week in which to create one. It has been used only once!

David, in dealing with each major development in turn treated his audience to a splendid pictorial PowerPoint presentation and to a wealth of information. He also had an impressive array of literature to pass on.

## Publications funded by the Ann Hill Research Bequest

### The History and Archaeology of Kirkpatrick Fleming Parish

No.1 Ann Hill and her Family. A Memorial, by D. Adamson (1986)

No.2* Kirkpatrick Fleming Poorhouse, by D.Adamson (1986)

No.3* Kirkpatrick Fleming Miscellany
Mossknow Game Register 1875
Diary of J. Gordon Graham 1854
edited by D. Adamson and I.S. MacDonald (1987)

No.4* Middlebie Presbytery Records, by D. Adamson (1988)

No.5* Kirkpatrick Fleming Miscellany
How Sir Patrick Maxwell worsted the Devil
Fergus Graham of Mossknow and the Murder at Kirkpatrick
by W.F. Cormack (1989)

No.6 Kirkpatrick Fleming, Dumfriesshire - An Anatomy of a Parish in South West Scotland
by Roger Mercer and others (1997) – Hardback, out of print;
Reprint in laminated soft cover, 1997.

No.7* The Tower-Houses of Kirtleside, by Alastair M.T. Maxwell-Irving (1998)

No.8 Kirkpatrick Fleming: On the Borders of History
by Duncan and Sheila Adamson (2011) – Hardback

Nos.1 to 5 and 7 are crown quarto in size with a 2-colour titled card cover.
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