

HISTORY OF ARBROATH

TO THE PRESENT TIME

WITH

*NOTICES OF THE CIVIL AND ECCLESIASTICAL AFFAIRS
OF THE NEIGHBOURING DISTRICT*

Second Edition

BY

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EDITOR OF THE ARBROATH GUIDE



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To

PROVOST GRANT,

THE MAGISTRATES, AND TOWN COUNCIL

OF

The Royal Burgh of Arbroath

THIS HISTORY OF THE TOWN IS, BY PERMISSION,

RESPECTFULLY INSCRIBED BY

THE AUTHOR.

PREFACE.

THE first edition of the 'History of Arbroath,' which was issued in the beginning of 1876, has been long out of print. Since its publication, many record books, both of England and Scotland, have been printed by authority of H.M. Treasury, and these throw a good deal of light on local as well as national history. They have been carefully gleaned for facts relating to the Abbey, burgh, and district of Arbroath, and the additional information thus acquired has been incorporated into this new edition of the 'History.' In the first edition the municipal history of the burgh was told mainly from its own records—the early court books and the minutes of the Town Council, which, as well as the ecclesiastical records, were examined and made large use of. This part of the work, and the chapters on the Harbour, have been supplemented in the present edition from the records of the Convention of Burghs and other sources. The author has given a narrative, from the papers in the case preserved in the General Register House, Edinburgh, of the action which was raised by the Earl of Northesk, in 1705, before the Privy Council of Scotland, to have it declared that fishermen in Auchmithie were serfs and thralls in the same way as were salters and colliers. The author is indebted to the authorities of the Historical Department of the General Register House for access to these papers. He desires also to express his indebtedness to the Council of the Society of Antiquaries of Scotland for liberty to make use in this volume of unpublished papers of the late Mr Andrew Jervise, F.S.A. Scot., in the Society's Library. Nearly all the inscriptions in the chapter on the Abbey Burying Ground are from the collections of Mr Jervise, who was a zealous antiquary and industrious collector. The arrangement of the inscriptions in the chapter and the brief notes are the author's. Mr B. N. Peach, F.R.S., of H.M. Geological Survey of Scotland, has kindly revised and extended his brief and interesting monograph on the

geology of the district, contained in the first few pages of the concluding chapter. In addition to these acknowledgments of assistance, the author renews those which were given expression to in the preface to the first edition, including the willing help rendered to him by civil and ecclesiastical officials of the burgh and district. The illustrations to this edition are nearly all reproductions of drawings by the late Mr John Adam, engraver in Edinburgh, who was a native of Arbroath.

G. H.

ARBROATH, December 1899.

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ADDITIONS AND CORRECTIONS.

- Page 207.—Town Church—James Thomson died in July 1898, and was succeeded by W. J. Nichol Service, B.D., who was ordained on 21st February 1899.
- Page 208.—Assistant Ministers in Town Church—William Wilson resigned in 1898, and J. Robertson MacGregor was elected assistant minister on 30th May 1899.
- Page 221.—Inverbrothook Parish Church—David Graham, from Bathgate, was in February 1898 inducted as successor to the late George Logan.
- Page 221.—St Margaret's Parish Church—Al. Middleton was on 27th September 1899 inducted to the pastoral charge of the Gardner Memorial Parish Church, Brechin, being the first minister of that church.
- Page 263.—St Mary's Church—Walter J. F. Robberds resigned in June 1899 on his appointment to the vicarage of St Mary Radcliffe, Bristol; and on 28th September of the same year Augustus Edward Crowder, B.A., from Pitlochry, was inducted to the charge of St Mary's.
- Page 418.—Mechanics' Institute—On 18th July 1899 the First Division of the Court of Session pronounced an interlocutor granting warrant to the office-bearers of the Mechanics' Institute to offer their heritable property to the Guildry Incorporation, the price to be determined by arbitration, and further granting warrant to the office-bearers to make payment to the Magistrates and Town Council of the whole funds of the Institute, after payment of debts and the expenses connected with the application to the Court, the annual income of the funds to be applied by the Magistrates and Town Council, according to their discretion, for behoof of Arbroath Public Library. The Guildry Incorporation have agreed to take over the heritable property. Its price has been fixed by the arbitration at £450, and, including this sum, the whole free funds of the Institute to be paid to the Magistrates and Town Council for behoof of the Public Library amount to about £900.

Page 86, l. 30.—*Fcusfarm* instead of *fcusform*.

Page 161, l. 12.—*Was* instead of *were*.

Page 382, l. 7.—*Ex-Provost Mill*, instead of *Milne*.

HISTORY OF ARBROATH.

PART I.

THE EARLY PERIOD—SCULPTURED MONUMENTS.

CHAPTER I.

SITUATION AND NAMES—THE ANCIENT RACE.

IT is intended in the following pages to narrate the history, so far as it can be gleaned from local and national records and other sources of information, of the royal burgh of Arbroath. Anciently, the town was built altogether on the east bank of the Brothock, a small stream which, rising at Ninewells, in the parish of Kirkden, after a course of six miles reaches the sea at Arbroath, a short distance north from the point at which the estuary of the Tay broadens into the German Ocean. The burgh derives its name from the Brothock, the word 'Arbroath' being a contraction of 'Aberbrothock,' or 'Aberbrothwick.' With that uncertainty of spelling which commonly characterizes ancient documents, the name appears in a considerable variety of forms in the Chartulary of the Abbey of Aberbrothock, and in later records. Among those forms is the abbreviated one by which in common speech the town is now always known. The proper name, however, is Aberbrothock or Aberbrothwick. Both styles of the word are made use of by the Municipal Corporation, but the Presbytery of the district, in this respect less conservative than the Municipality, have for many years sunk both in favour of the shorter and ordinary designation. 'Aberbrothwick' is the name which the town receives in the Acts of Parliament regulating the affairs of the harbour, and also in other Acts of the Legislature. This latter form of the word was an offence to the local authorities when it was introduced into the Parliamentary Reform Act,

1832, and for some time afterwards. In 1840 a bill was brought into Parliament for the better regulation of municipal corporations, and the Town Council, who petitioned against it, noted with disapproval that in the schedule of the bill the burgh was described as 'Aberbrothwick.' The bill did not pass in 1840, and it was re-introduced in the following year, when the Council renewed their petition. In this petition it was stated that the town was formerly known by the name of Aberbrothock, and more generally by the abbreviated name of Arbroath, but that by the Reform Act it received a new name, being therein designated as 'the royal burgh of Aberbrothwick.' The latter appellation, the petitioners said, had since been adopted in several private and local Acts passed by the Legislature. They represented to Parliament that this variety of names was inconvenient, and might lead to mistakes, and they asked that the name 'Arbroath,' by which the burgh was commonly known, might be legalized, and might be made to include 'Aberbrothock' and 'Aberbrothwick.'¹ The Council were not correct in supposing that the latter word was a new name, although until 1832 it had been of rare occurrence, and even now is used only in official intimations or other proceedings under Acts of Parliament. The word does not occur in the Abbey Registers, nor in the other documents printed along with them in the published edition of the Chartulary;² though in the preface to the second volume of that work³ mention is made of the charter granted, on 11th November 1600, to the Marquis of Hamilton under the great seal of the Abbacy of 'Aberbrothwick.' Certainly, 'Aberbrothwick' is as old as 1690, for it appears in an Act of Parliament passed on 7th June of that year for a supply to the Crown.⁴ The name of the burgh is so printed also in Acts of the General Assembly of about the same time,⁵ and it appears in that form in a local process before the Scottish Privy Council in 1705. The matter is not of much moment, but, although they did not get what they wanted, the Council in 1841 were right in thinking that convenience would have been promoted had the ordinary name of the town been accepted as its Parliamentary designation. Had this been done, the phraseology of legal and official documents might have been somewhat shortened.

Buchanan gives the burgh a name which does not occur in the Abbey Chartulary. He says: 'Fourteen miles beyond the Tay, in a direct line along the shore, we meet with the town of Aberbrothock, sometimes called Abrinca.'⁶ This

¹ Town Council Minutes, vol. ix. p. 103.

² The forms in which the name of Arbroath occurs in the 'Registrorum Abbacie de Aberbrothoc' are these—Aberbrothoc, Aberbrudoc, Aberbruth, Arbroith, Abbirbroth, Abyrbrothoc, Arbroth, Abberbrothoc, Abbirbrothoc, Abirbroth, Abirbrothoc, Abirbrothoch, Abirbrothok, Abyrbrothok, Arbroyth, Ardbroith, Abberbroth, Abbirbroith, Abbirbrothoch, Abbyrbrothoc, Abirbrethot,

Abirbrothak, Abirbrothot, Abirbrothot, Abirbroth, Abirbrutoc, Abyrbroth, Ayberbrothoch, Abyrbroyth, Abbirbroht.

³ Registrum Nigrum de Aberbrothoc—Preface, p. xiv.

⁴ Acts Parl. Scot., vol. ix. p. 136.

⁵ See Acts of Assemblies—years 1703, p. 11; 1709, p. 13, and others.

⁶ Buchanan's Hist. of Scot., book i.

name 'Abrinca' does not occur in any pages except Buchanan's; it is merely a Latinized form of Arbroath.

With regard to the derivation of the word Aberbrothock, the first part, which signifies 'mouth,' is Celtic; it is a component part of many geographical names in Scotland. The origin of 'Brothock' is not so certain. Mr. J. Sands, a native of the town, who has devoted a good deal of attention to the Scandinavian dialects, gives it a Viking origin, in the form of 'Bro-vig,' or Pier-wick.¹ The composite character of the word may be regarded as representing that blending of the Northern with the British or Celtic races, not the total expulsion of the latter from their ancient homes, which over a great part of Scotland was the result of successive Gothic inroads, peaceable and warlike. 'Brothock' is sometimes said to mean 'a muddy stream.' Now that it supplies an important part of the motive power of the spinning and manufacturing machinery which has been erected on its banks, and especially during the time, which has now ceased, that it served the humble purpose of the common sewer of the town, the description has not been inaccurate; but formerly the Brothock, in its course through the town of Arbroath, was a clear trouting stream, and the only occasions on which it could be suggestive of ruddiness or muddiness—for the word is said to bear both meanings—was when, after heavy rains, it came rolling down to the sea in full flood.

Anciently, and until the sixteenth century, the name Aberbrothock was applied not only to the burgh, and to what is now the parish of Arbroath, but to all the valley of the Brothock. The 'shire' of Aberbrothock included the whole, or nearly the whole, of the land now constituting the parishes of Arbroath and St Vigean, and also part of the parish of Carmyllie. Even down to the middle of the seventeenth century, about a hundred years after the erection of a separate church and parish of Arbroath, the parish church of St Vigean, although it had long been commonly so called, was also known by its old name. In a retour of the service of George, Earl of Panmure, expedite on 1st April 1662, it is described as 'the kirk of Aberbrothock, called St Vigean.'²

Forfarshire is rich in archæological relics, and many of them, now contained in the Museum of the Society of Antiquaries of Scotland, have been discovered in the district of Arbroath. Stone arrow-heads, with barbs and stems, have been picked up at Carmyllie, and they tell of a time when they were shot by the primitive Briton at the deer and the wild boar in the forest, or at the warriors of some opposing sept. At West Grange of Conan, and at Letham-Grange, both within the ancient shire of Aberbrothock, we come upon traces, at their homes, of those former inhabitants of the country. Underground buildings, somewhat in the shape of a bee-hive, which were discovered at West Grange in 1859,³ about half

¹ *Arbroath Guide*, April 23, 1887.

² *Reg. de Panmure*, p. 337.

³ *Proc. Soc. Antiq. Scot.*, vol. iv pp. 492-499.

A detailed description of these buildings is also given in Dr. Joseph Anderson's 'Scotland in Pagan Times—The Iron Age,' pp. 294-297.

a mile from the ruins of the old chapel which tradition asserts to have been the cell of the hermit St Vigian, are doubtless the remains of an ancient Celtic dwelling, perhaps of a Celtic village. The buildings were constructed of stones from some Old Red Sandstone quarry of the locality, and of water-worn boulders from the sea-shore at Arbroath. When they were erected, a distinct advance had been made by the natives of the district. The people had learned the use of metals. What archæologists call the Bronze period had arrived, but that of Stone had not yet passed away. Personal decorations were no longer confined to curious shells from the sea-beach. On the buildings at Grange of Conan being opened, a bronze armlet was discovered, along with a number of stone cups and other stone vessels, all of very primitive construction. A bronze needle which was found in this antique dwelling suggests that wife and daughter did not neglect an important part of the duties of housewifery. A 'Pict's house' at Letham-Grange, with the domestic vessels which were discovered in it, tells a similar tale—meagre, but not without interest—of the ancient race. Discoveries which have been made elsewhere in the county show that the people then were not unacquainted with arts which are followed by many of their modern representatives in the various burghs of Angus, those of spinning and weaving. Bronze pins found in a moss at Inverkeilor afford further local proof of the rudimentary application of the metals to useful purposes. As to the mosses, these abounded, and the jet found in them was carved into personal ornaments, and such common articles as buttons. A ring of jet and four pebbles were found in a cist, or grave, near the underground buildings at Cairn-conan, and two buttons of jet were turned up in a grave at Letham. Sepulchral urns have been discovered at Letham and Carmyllie. Articles found in graves there, and in others that have from time to time been opened in the valley of the Brothock, show that, long before the period when written history begins, or even such history as may be deduced from unhewn obelisks or the later sculptured monuments, the people of the district had a social organization. Here it may be remarked that it is their graves which supply the most certain and copious evidence of how the primitive inhabitants of the country lived. Tumuli, and many stone coffins, have been found about Barry, an ancient seat of population, and also within the limits of what is now the burgh of Arbroath. The date of the interments, even within a century or two, cannot be determined; but those old graves do certainly show that this district of the country was inhabited at an early period, and the remains which have been found in some of the graves—articles of domestic, ornamental, or religious use—present to us a people passing by slow degrees from the savage to a comparatively civilized state. When they had attained to the religious idea, their religion ultimately assumed shape in some form of Paganism. Not far from the supposed cell of St Vigian, and the underground chambers at West Grange of Conan, there are the remains of what in the district is called a Druidical circle. Whether the Druids ever had a temple there is open to question;

but it is possible, or probable, that the rites of Pagan worship continued to be practised in the forests of Angus for some time after the Roman invasion had swept through ancient Caledonia on to the Grampians.

The Romans have left but little trace behind them in Forfarshire. But they were in the county. One of the most complete of the Roman camps in Scotland is at Kirkbuddo, a few miles from Arbroath, and there is another between Forfar and Clocksbriggs. Farther away to the north are the hill forts of Caterthun, which, as Dr Hill Burton¹ suggests, are not Roman, although they are of that period. Caterthun appears to be a British fortress, erected to defend one of the passes of the Grampians against the Roman invaders. The site for this ancient fort, overlooking as it does the great valley of Strathmore, and commanding a wide extent of country, must have been selected by some one who, though he may have been what we should now call uncivilized, was no mean tactician.

The earliest battle in the district of which there exists a distinct trace is that which took place at Dunnichen, near the town of Forfar, in the year 685. At that time, Arbroath, if it had any existence, was a hamlet in Pictland, one of the then political divisions of the modern kingdom of Scotland. The story of the battle is that Egfrid, King of Northumbria—a kingdom which extended to the shores of the Forth—crossed the estuaries of the Forth and Tay with the purpose of subduing the northern kingdom. Egfrid penetrated to Dunnechtan, or Nechtanmere, the modern Dunnichen, where a great battle was fought, in which the Saxon invaders were defeated and their king slain. The frontier of the Forth was abandoned, and the Kingdom of Northumbria took its limits at the Tweed, which six centuries afterwards was the principal fighting line of the English and Scottish monarchies. That old, and now all but forgotten, fight which took place at Dunnichen has thus a good right to be regarded as one of the decisive battles of history. It is about two centuries after it was fought that Pictland as a separate state is found disappearing from view, and a King of Scots, Kenneth by name, is engaged in founding, or extending, that monarchy which, after a lapse of seven centuries, was to seat itself by the Thames.

¹ Hist. of Scot. (2nd edit.), vol. i. p. 84.

CHAPTER II.

SCULPTURED STONES.

ANCIENT sculptured stones are scattered profusely over Angus, and until lately they had generally been ascribed to Danish origin. Boece attributed them to the Danes, or to the Norse invasion, and succeeding writers on the subject were generally content to follow his guidance. A learned local antiquary, the late Mr Chalmers of Aldbar, was one of the first to throw doubt on Boece's statement. Admitting that some of the monuments might be ascribed to Pagan times, he says: 'Most of them have a richly decorated cross, and other Christian emblems,'¹ the inference being that they could not have been the work of Pagans, whether invaders or natives. It is matter of history that the whole of the coasts of Scotland, east and west, were visited by the hardy Vikings of the North. The northern counties they conquered completely, and took such thorough possession that the population of Caithness, Sutherland, Ross, and Moray, where it is not Celtic, is almost of purely Scandinavian origin. On the coast of Forfarshire the Norse galleys made occasional appearances, and it may be that the old colonies of fishers on the coast, such as the one at Auchmithie, near Arbroath, obviously of Scandinavian descent, were planted at this period. But, with these possible exceptions, the Norsemen did not establish a firm foothold thus far south. Their supposed great attempt in Forfarshire was that which culminated, disastrously for them, at the battle of Barry. The story of this battle rests on the authority of tradition and of Boece. The date assigned to the battle is the year 1010. The common belief is that the Danes landed at Lunan Bay, though—but with less probability—Easthaven, in Panbride, has also been fixed upon by tradition as the place of their landing. On the supposition that they landed at Lunan, they are believed to have marched on Brechin, and plundered it and the country between Montrose and Arbroath. The Arbroath of that time could not have been a place of so much importance as to detain the army of the Danes, pushing on to Dundee with the hope of bringing the whole east of Scotland under their dominion. Passing by Arbroath, the story represents them as marching on to Barry, where they were encountered and defeated by the Scottish army under King Malcolm II. From Barry they are supposed to have retreated inland, for the purpose of avoiding the coast district which they had plundered, and whose inhabitants would be ready to harass the broken host on their return. Mr Commissary Maule, in his Memorials

¹ *Sculp. Monuments of Angus*—Pref. p. iii.

of the Panmure family, written in 1611, makes mention of the supposed defeat of the Danes at Barry, and the slaying of Camus, their General. In his account of the barony of Panmure, Mr Maule gives an elaborate description of the Camuston Cross, which according to tradition was erected to commemorate the defeat of the Danes. The Commissary of St Andrews adds an account of what he believed to be the discovery of the bones of the Danish leader:—'Not far thearfra [the cross] in the bank of Camstone, the zeir o God one thousand fywe hundrethe nyntie and aucht zeiris, thear was ane greaive fownd withe ane bread stone on every quarter thearof efter the forme of ane malt cobile, quharin did ly the heale bons of ane man



CAMUSTON CROSS, AT PANMURE.

of gryt statwre, the thee bone quharof ves neir als longue as bothe the shank and thee bone of any ressonable man of this age, the harne pan gryte, and vanted the palme bread of ane hand thearof, quhilk had beine the straik as appeirithe of ane sword, it wes thought to heaive beine Comes the chief man's bwriel.¹

The grey, time-worn sculptured stone of Panmure is a most interesting relic of antiquity, but it is very doubtful if it was erected to commemorate a Dane of the name of Camus. Chalmers points out that Camus is not a Danish name, and that it is common in Scotland. However, not only this stone at Panmure, but also those at Pitmuis and Aberlemno have been connected with the Scandinavian invasion. They were supposed to have been erected at points where the Norsemen turned upon their pursuers on their way, by Stone of Morphie, where they again

¹ Reg. de Panmure—App. to Pref. p. xcv.

fought, to their ships on some point of the coast between Montrose and Bervie. It has even been imagined that the sculptured stones of St Vigean may have been of Scandinavian origin. The cautious, and probably sound, conclusion of Chalmers with regard to this old battle is, that 'although it may perhaps be concluded that the main incidents of the battle of Barry are founded in truth, the accessories are the fruit of imagination, and have been artistically wrought up to give consistency to the story, and to account for monuments the origin and intention of which were unknown.'¹

There is reason to believe that a battle was fought in the olden time on the Links of Barry. Chalmers says that many bronze axes have been found there. In recent times, also, there have been frequent disinterments of human remains at and near the supposed battlefield. Large quantities of those remains were unearthed in the year 1838, in the course of the making of the Dundee and Arbroath Railway. But later archæological study has fully justified the dissent of the author of 'Sculptured Monuments of Angus' from the view that those monuments were erected to commemorate battles fought against the Pagans of the North. Dr Stuart, in his great work, 'The Sculptured Stones of Scotland,' expresses the opinion that the stones are monuments of ancient Alba. The art displayed on them, the style of which is similar to that of the Irish manuscripts dating from the seventh to the ninth centuries, is traced by him to the 'central reservoir of Roman civilization, from which so much of mediæval art must have derived an impression.' As to symbols, 'it seems probable that the early missionaries found them in use among the people of the district, and adopted them for a time, and in a more elaborate shape, on the Christian monuments.' Further, Dr Stuart says: 'If I am right in believing that such slabs as the inscribed pillar at St Vigean, with its cross of Celtic style, may be ascribed to the beginning of the eighth century, this period will coincide with the advent of the Roman missionary St Boniface and his companions,—a mission which I think must have been one of importance, and to which I do not think it unreasonable to trace an influence in art as in ecclesiastical polity.' Dr Stuart gives the following account of the stones at St Vigean. Necessarily, his remarks include no notice of those which were recently brought to light at the restoration of the parish church in 1871-72:—

'On one of the cross-slabs at St Vigean, we find the lower part of a central cross of elaborately-interlaced work, with a border of grotesque birds and beasts. On the other face of the slab is a picture, where some of the symbols appear, retaining their original outline, but decorated with interlacing and spiral ornaments. Beneath is a

scene representing a deer suckling her young; an osprey devouring a fish; a boar attacked by a dog; a bear, at which a man is shooting with a cross-bow; besides a nondescript horned animal like a unicorn. Apart from other considerations, I think we might fairly assume that such a monument was of a later date than the rude symbol pillars, both

¹ *Sculp. Monuments of Angus—Pref. p. v.*

from the very developed style of art which it displays, as compared with the simple form of the pillar-sculptures, and from the occurrence on it of the Christian symbol.

'Another stone at St Vigeans exhibits the same style of art, and is, to all appearance, of contemporary date. It has a cross in the centre, and on one side of it a picture of four ecclesiastics in rich robes. A part of the cross-slab, on which the two upper ecclesiastics are portrayed, has been broken, but the two lower figures are complete; they show the coronal tonsure, and wear cowls on their shoulders. One of them has in his hand what seems to be a candle; the other bears a staff. All the four wear slippers of a peculiar shape. Between these ecclesiastics is the figure of a man inverted, and apparently bound or under restraint, with his head over a vessel, into which, it may be thought, it is about to be put. On the other side of the cross are two figures seated on chairs, and below them an ox, with a man apparently in the act of piercing its throat with a knife.

'Both these slabs were found in the burial-ground of the church of St Vigeans, which we have reason to regard as a religious site dedicated to St Fechin, one of the early missionaries to Alba. But if we may think ourselves prevented from believing that the first of the two monuments marks the complete predominance of the Christian idea, from the prominent appearance on it of some of the symbols which in their Christian form are found on the rude pillars placed on Pagan mounds and cists, we may be equally unable to regard the occurrence of the cross and of the tonsured ecclesiastics on the second monument as evidence of that predominance, when we find portrayed beside them an act which seems to be the sacrifice of an ox. The sacrifice of oxen, and the slaying of animals for feasts at funerals in mounds, are Pagan customs, which, with other rites, were pro-

scribed by the capitularies of kings and the canons of councils, although the early missionaries were directed to labour rather for a change of their purpose, by associating their observance with Christian festivals, than for their immediate extirpation.

'We should be apt to gather from these conjoined representations that the period of such monuments, combining the symbols of the pillar-stones with the symbol of the cross, must have been one of transition. Now, on the edge of this last monument, we find an inscription in letters of the character of the early Irish and Anglo-Saxon writings, being the debased Roman minuscule letter common in Europe in the sixth and succeeding centuries. Unfortunately, scholars are not as yet agreed on the reading of the whole inscription, but the majority of those skilled in palæography concur in holding that the letters in the first line are to be read "Drosten," a name of frequent occurrence in the lists of the Pictish kings. If we adopt the ingenious reading of the remaining lines of the inscription suggested by Professor Sir James Y. Simpson, we shall hold that the Drosten commemorated on this monument was Drust, king of the Picts, who is recorded in the Irish annals to have been slain at the battle of Drumderg Blathmig, in the year 729. There is much to recommend the conclusion, and this elaborate cross would certainly have been a seemly monument for a Pictish king; while the appearance on it of ecclesiastics, tonsured after the Roman usage, enforced throughout Pictland in 710, would harmonize with the date thus suggested.

'It seems to me that we may regard "Drosten's Cross" as furnishing one standing-point for approximating the date of monuments of a like character and style of art, and from it may reasonably believe that the erection of crosses combining the two symbolisms prevailed in Pictland in the eighth century.'¹

Dr Stuart gives the reading of the inscription as—

drosten :: ipe uoret elt for cus —

which Sir J. Y. Simpson thus interprets: 'Drust, son of Voret, of the family (or race) of Fergus.' The eminent physician, who was eminent also as an archaeologist, presents a long philological argument to prove that the Blathmig in the battle at which this King Drust is said to have been slain was Kinbleth-

¹ *Sculp. Stones*, vol. ii.—Pref. p. viii.



mont, which is in the neighbourhood of St Vigean's.¹ It may be, however, that the Drosten of the St Vigean's monument was not a king at all, but the saint of that name, who, a pupil and companion of St Columba, was a missionary in Glenesk, where his name survives in 'Droustie's Well.' Dr Joseph Anderson, the latest writer who has described the St Vigean's stones, declines, with the caution of a scientist, to dogmatise on the subject. In one of his interesting and important Rhind Lectures in Archæology, he says: 'There is no evidence that this monument was the tombstone of Drost, or Ferat, or Fergus, or of the three together. It was customary to inscribe monumental crosses to venerated saints centuries after their death. . . . There is thus a possibility that the St Vigean's monument may be something different from the gravestone of a Pictish king of the eighth century. I know nothing against its being the work of the tenth or eleventh century, and purely commemorative of men not because they were buried there, but because they were venerated there.'²

The restoration of the church of St Vigean's, done with good taste, freed it from bald utilitarian excrescences of the last three centuries, and it is now a good Gothic church of the non-decorated type. In the course of the removal of the more modern parts of the building, and the necessary taking down of some older parts in order to their being rebuilt, it was found that many sculptured stones, fragments of sepulchral monuments, had been built into the walls. These fragments were described in a paper contributed to the Society of Antiquaries of Scotland by the minister of the parish, the Rev. William Duke,³ and accurate pictures of them are given in the Proceedings of the Society, as also in the first edition of this work. They have been carefully preserved in the restored church, into the inner face of the walls of which they have been built. Most of them bear the same type of symbols, and precisely the same style of ornamentation, that are seen on the stones which have been long known. The fragments are between twenty and thirty in number, and they represent an almost equal number of monuments. One of them is most interesting, as nearly completing the inscribed stone, 'Drosten's Cross.' Two of the upper limbs of the cross and a grotesque figure are seen on one side, and on the other a stag followed by hounds, below which are some fragmentary portions of other animals. The addition of this fragment completes, from head to foot, the graceful circular ornament on one of the edges—the whole length of the stone being six feet. A small triangular fragment on each side is still wanting to complete the stone. There is no inscription on the fragment that has been recently discovered. The cross is carefully preserved in the church porch. Among the figures on the fragments of monuments lately found at St Vigean's is the elephant, which students of monumental symbols will at once regard as settling the point of their great age.

¹ *Sculp. Stones*, vol. ii.—*Notices of Plates*, p. 71. ² *Scot. in Early Christ. Times* (Sec. Series), pp. 199, 200.

³ *Proc. Soc. Antiq. Scot.*, vol. ix. pp. 481-498.

On those later discovered stones there are also seen grotesque-looking figures of other animals, and of men. Besides priests, there are other male figures, which are interesting as showing the usual costume of different classes. A head-dress may be recognised on one of the figures which is plainly the broad Scotch bonnet, not yet out of use.

It follows, from the indications afforded by the sculptured stones, and their large number at St Vigean, that at an early period the district of Arbroath was of some importance in the then ecclesiastical as well as political system of the country. Further, Dr Stuart has pointed out that 'the St Vigean inscription is interesting philologically, as containing the only sentence which is known to have been left us in the Pictish language.'¹ Dr Stuart has repeated his expression of opinion in a subsequent publication: 'On one of the crosses at St Vigean there is an inscription which appears to be the only specimen of writing in Pictish that has been preserved. It may reasonably be ascribed to the early part of the eighth century, and the form of the letters agrees with that of the Irish and Saxon writings of the period.'² It is written in the alphabet of the Celtic manuscripts. Whether it is of the eighth century, or a century or two later, it seems probable that the St Vigean inscription is preserved on a stone which was sepulchral. Beyond what we see on their tombs, we have little or no trace of this ancient people. The circular mounds in various parts of the country, some of which, as for example the bee-hive house at Grange of Conan, have been opened, and which are popularly known as 'Picts' houses,' belong to an anterior period. The Picts, like the other nations of Europe in their time, built their houses of wood, the building material which they had in greatest plenty, and their churches are said to have been constructed of wattles, after the manner of basket-work. Such erections were very perishable, and none of them has come down to the present day.

CHAPTER III.

ST. VIGIAN.

LIGHT shed from the torch of religion is mainly that which enables us to grope our way in the obscure region of the early history of this country, both national and local. Looking back to the long past, the first figure which we see rising up, in the district of Arbroath, out of the dim obscurity is St Vigian. The foundation of the cell or chapel of this Celtic saint still exists at Grange of Conan. The walls of the structure stood until 1721, when they were

¹ *Sculp. Stones*, vol. ii.—*Notices of Plates*, p. 72. ² *Book of Deer* (Spald. Club)—Prof. p. xxiii.

taken down and the materials built into a dovecot. But although of very considerable antiquity, those walls could scarcely have been the walls of the original chapel, which, supposing it to have belonged to the primitive period of Christianity in the district, was probably built of wood. A spring of water in the neighbourhood also bears the name of St Vigian. It is called St Vigian's Well, as having, according to tradition, supplied the confessor with an important part of his scanty fare. The proximity of the chapel to the 'bee-hive' house of the ancient sons of the soil, and to the site of the castle of a Celtic lord, the castle bearing the name of Gory or Gregory,¹ adds to the interest of its associations, as does also the fact that Cairnconan became the place where the head courts of the



THE SITE OF THE CHAPEL OF ST. VIGIAN.

Abbot and Convent of Arbroath were statedly held, and at which the vassals and tenants of the monastery were bound to appear. There is reason to believe that it was one of the Columbite missionaries who at Grange of Conan first in this district erected the standard of the Cross; and the suggestion may be entertained, that he received protection, as against his Pagan surroundings, from the lord of Castle Gregory, perhaps an early convert to the Christian faith. It may be added that the saint chose a beautiful situation for the more immediate scene of his mission. The site of the chapel commands an extensive prospect down the vale of the Lunan

¹ The Rev. John Aitken states, in his notice of St Vigiana, in the Old Statistical Account of Scotland (vol. xii. p. 181), that a proprietor in the

parish had informed him that his house [supposed to be Colliston] was built of the stones of Castle Gory, in the sixteenth century.

to the sea; from Cairnconan the view is opened up along the whole valley as far as Montrose, and to the shores of the Firths of Forth and Tay.

Boece fixes the period of the mission of St Vigian in the reign of Kenneth III., about the close of the tenth century, and says of him that he was 'a monk, a famous preacher of the doctrine of Christ.'¹ Further, tradition asserts that the confessor was buried in the churchyard of St Vigeans, and Dempster says that his tomb was shown there.² It is also stated by the Rev. John Aitken, formerly minister of the parish, that the architect of the Abbey, rather absurdly supposed to have been also the architect of St Vigeans Church, was buried in the churchyard, where, adds Mr Aitken, 'his grave is shown to strangers.'³ It is said on this authority that the grave was marked by a large built cross, or rather two crosses, which stood about seven feet from the south wall of the church, and were removed 'because they encumbered the ground.'⁴ Mr Aitken's statement is of value as indicating what was probably the original position of the principal sculptured stones, but that is all. A theory concerning the sculptured stones was, that one or other of them may have been intended as a record to future ages of the missionary's life and death. According to that view, St Vigian was a local preacher, who was canonized, either by pope or populace, in recognition of his virtuous life and his services to religion, and who lived and died within the district of his mission. This is the view of Boece. But St Vigian is undoubtedly identical with St Fechin, Abbot of Fohbar, in Westmeath. There is another church in Scotland, that of Ecclefechan, dedicated to the Abbot of Fohbar, and Viganus is simply a Latinized form of his name. St Fechin flourished in Ireland in the seventh century. The late Dr Forbes, Bishop of Brechin, says that he was of the race of Eochaidh Finnfuathairt, cousin of St Brigid, who is styled the Anthony of Ireland. He was of noble race, his pedigree being traced to an Irish prince of the third century. St Fechin was born at Leyney, in Connaught. His birth is said to have been predicted by St Columba thirty years before the event. The legends state that many miracles were performed by him even before he was promoted to the priesthood, and of course the story of them appears sufficiently apocryphal. After he became a priest, he founded a monastery, in which there are said to have been three hundred monks, and he planted churches in different parts of Ireland. Especially if the story as to the large number of his monks is true, it may be concluded that his monastery, like many of the monastic establishments of that primitive age, was a missionary college. Dr Petrie gives interesting notices of this early Irish churchman and his various churches. St Fechin had a small chapel on Ardoilen, or High Island, about six miles from the coast of Omey. 'From its height, and the overhanging character of its cliffs, it is only accessible in the calmest weather. . . . The church here is among the rudest of the ancient

¹ *Scotorum Historia*, lib. xi.

² *Historia Eccles. Gentes Scotorum*, lib. xix.

³ *Old Stat. Account Scot.*, vol. xii. p. 165.

⁴ *Sculp. Mons. of Angus—Notices of Plates*, p. 7.

edifices which the fervour of the Christian religion raised on its introduction into Ireland. Its internal measurement, in length and breadth, is but twelve feet by ten, and in height ten feet. The doorway is two feet wide, and four feet six inches high, and its horizontal lintel is inscribed with a cross, like that on the lintel of the doorway of St Fechin's great church at Fore, and those of other doorways of the same period. . . . The altar still remains, and is covered with offerings, such as nails, buttons, and shells, but chiefly fishing-hooks, the most characteristic tributes of the calling of the votaries.¹ Dr Petrie adds that a sepulchre on the east side of the chapel, appearing to have been made at the same time as the chapel, is probably the tomb of the original founder of the establishment. St Fechin died of the yellow plague in 664. Bishop Forbes says that Conan, the name of the place near Arbroath where was the original chapel or hermitage of St Fechin, or St Vigian, is the name of the Bishop of Sodor in 648. This prelate was also canonized, and 'the honorific name of Conon [or Conan] was Mochonog, in which form his name appears as patron of Inverkeilor.'²

An important circumstance which tends to identify the Abbot of Fohbar, in the seventh century, with the patron of the old parish church of Aberbrothock is the fact that the day of St Fechin, 20th January, is also the day of St Vigian, and the day on which a fair in the parish, known as St Vigian's market, was held. When the change from the old to the new style took place, the market fell on the 31st January instead of the 20th. About forty years ago, this fair, formerly held at Smithy Croft, in Arbroath, was changed from the last day of January to the last Saturday of that month, on which it continues to be held under the name of 'the winter market.' There is no evidence that St Fechin himself visited the east coast of Scotland. Bishop Forbes says that in none of the Irish Lives of the Saints is there any record of such a visit; but it was from Ireland, the 'Isle of Saints,' that Scotland, east and west, derived its Christianity, and it is not an improbable supposition that it was one of the immediate disciples, or monks, of St Fechin who introduced Christianity into this part of Angus. If so, reverence for his master perhaps led to the dedication to him of chapel and church, and led Boece, at a later date, to confound the master with the disciple. This monkish missionary, a man who faced the dangers incident to entering a savage country, and proclaiming to its inhabitants a new religion, was, it may be presumed, one of those men who possess the zeal, and consequently have at their command the power, of apostles. He was not, we may be sure, a spiritual recluse, though he is described as living at Grange of Conan in a 'hermitage,' but what Boece says he was, 'a famous preacher of the doctrine of Christ.'

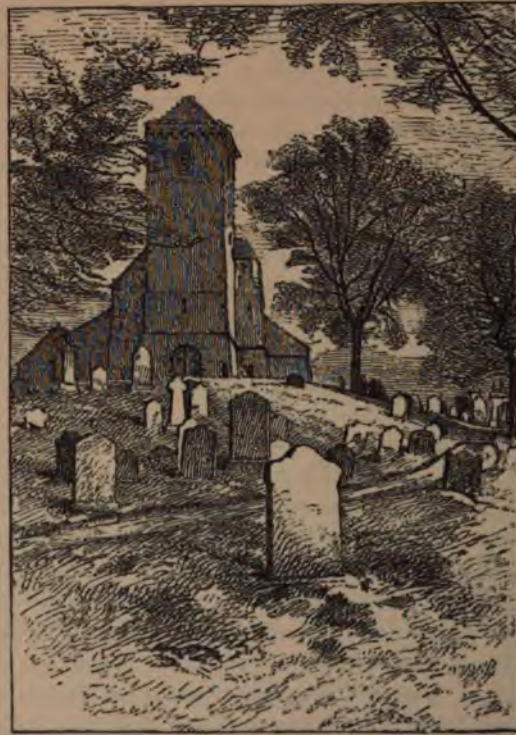
His chapel at Conan was probably not the only church which the confessor planted. It is not an unlikely conjecture that it was he who founded the old parish church of Aberbrothock. Since the erection of a church within the burgh

¹ Round Towers of Ireland, p. 421.

² Kalendars of Scottish Saints, p. 308.

of Arbroath, shortly after the Reformation, the old church has been generally known by the name of St Vigian. From the Abbey Chartulary it appears that, although before the Reformation it was commonly known by its territorial designation, it bore also the name of the saint to whom it was dedicated, that name being associated with the church as early as the founding of the Abbey.

The church of St Vigian occupies one of those picturesque sites to which the churchmen of the olden time gave a preference for their places of worship. It is



ST. VIGIAN CHURCH.

situated on a conical mount at a point where the Brothock receives a small tributary on either bank. The church is about a mile and a half from the sea. There is no direct evidence of the existence of a church on this site in the Celtic period. No remains exist. This is not surprising, considering the perishable materials of which the churches of that period were built. But the sculptured stones indicate that the mound on the summit of which the church stands was at a very early period a Christian cemetery, and it may perhaps be assumed that it

was crowned then, as it is now, by a Christian church. It was the practice of the Christians of Alba to consecrate their cemeteries, and there can be little doubt that they were then, as now, in the close vicinity of churches. The earliest church at St Vigeans whose remains can still be identified was of the Norman period. Some fragments of this church, dating from a period of the twelfth century prior to the erection of the Abbey of Arbroath, are incorporated in the fabric of the present parish church. The oldest documents in which the church is mentioned, so far as is known, are confirmations by Bishops of St Andrews, and by the royal founder of the Abbey, to the monastery of Arbroath, to which the church, with its revenues, was transferred soon after the Abbey was founded. It was transferred as the 'ecclesia Sancti Vigiani de Aberbrothoc.'¹ From 1178 to the Reformation, it was one of the parish churches dependent on the Abbey, and the cure was served by a vicar, who bore what was then the common ecclesiastical title of 'sir,' or 'master.' So far as their names can be gleaned from the Abbey Chartulary, those pre-Reformation ministers of Aberbrothock, from the twelfth to the sixteenth centuries, were—first, Willielmus, who was in office in the end of the twelfth century and in the commencement of the thirteenth; Richard, who was 'chaplain of Aberbrothock' about a quarter of a century afterwards; and then Robert, who is described as vicar, and who held office about the middle of the thirteenth century. The next name in order, that of Maurice, occurs in 1310. The surnames of these early priests are not given. Dominus William de Conan, perpetual vicar, was one of the witnesses to the convention between the monastery and the burgh for the building of the first harbour. The succeeding vicars were—Robert Steile, who resigned in 1459; Richard Bennat, the Abbot's chaplain, appointed in the same year; Patrick Mackulloch; James Douglas; Thomas Harbour; Andrew Foular; and James Aucmuthy. The latter was presented to the charge by the Abbot, on 13th December 1535, and he was perhaps the last of the unreformed ministers of Aberbrothock, or St Vigeans.

A dedication of the church of St Vigeans was held on the 19th August 1242, by Bishop David de Bernháme, of St Andrews, in whose diocese it was situated. On the 17th the Bishop had consecrated the church of Inverkeilor, and other churches in Angus were consecrated by him about the same time.² St Vigeans Church had been enlarged, by the erection of the nave, prior to its consecration in 1242. It is supposed, with considerable probability, that the reason for the enlargement was that the wealthy Abbey in its neighbourhood had attracted to the parish a host of craftsmen, farmers, and other dependants, too numerous to be accommodated in the little church that had been sufficient for the scanty population of the previous century. After further alterations and extensions, another dedication was held in 1485, by Georgius de Brana, Bishop of Dromore. This dedication was promoted by John Brown,

¹ *Registrum Vetus de Aberbrothoc*, pp. 101, 104, 105. ² *Proceed. Soc. Antiq. Scot.*, viii. N.S., p. 196.

tenant under the Abbey, first in Letham, and afterwards in Wardmill and Cellarer's Croft.¹ He was the founder of the altar of St Sebastian, which was endowed by him for the salvation of his soul, those of his three successive wives, the souls of his parents, and of all the faithful departed. It appears from the grant that one Alexander Brown, cousin of John Brown, was chaplain of the altar, the endowments of which consisted, in part, of ground-annuals and the rents of houses in Arbroath. The special service designed by the founder was to be an annual one, and provision was made for fixed payments to the priests and boys engaged in conducting it. There was also introduced the curious and suggestive proviso, that if any of the chaplains of the altar should be convicted by the judge-ordinary of keeping a concubine or fire-lighter for the space of one month, the founder or his successors should have liberty to dispose of the chaplainry. John Brown seems to have been a devout man, and shrewd withal. His faith in the Church and its services was strong; his faith in the clergy was not so absolute, and in those early years of the sixteenth century, the date of his grants, he must have seen enough to justify his precaution.

The other, and older, altar in the old church of Aberbrothock was that of the church's patron saint, St Vigian.

This is what is definitely known of the ancient history of the church of St Vigeans, but doubtless that history goes further back than any written documents, the oldest of which in Scotland is not older than the eleventh century. The probability is strong that St Vigeans was an early Christian site. The first missions from Ireland to the east of Scotland were entered upon about the fifth century. It appears that one of the churches which were their fruit was erected at Arbirlot, in the immediate neighbourhood of Arbroath. What Dr Stuart describes as a very early example of the sculpture on stone of a book representing the Gospels was found buried beneath the old church of Arbirlot, when it was taken down in 1832.² This stone is still preserved in the manse garden. From the fact of there being two crosses on it, it is thought the stone may have been a memorial of two ecclesiastics. The church at Arbirlot was dedicated to St Ninian, who was a missionary to the southern Picts, and to whom there was a much later dedication of a chapel near the Ness, where there is a spring of water still known as St Ninian's Well. The ecclesiastical system established among the Pictish people was monastic, and there was a Culdee monastery at Arbirlot. Those monasteries were numerous in Angus. The name of the Abbé of Arbirlot, the lay representative of the old Culdee abbots of the monastery, occurs among witnesses to royal charters in the thirteenth century. Dr Stuart thinks that St Vigeans may have enjoyed a similar distinction. Writing before the recent discoveries of many more fragmentary monuments, he says: 'The great number of sculptured crosses which have been found about the church point it out as a site

¹ Reg. Nig. de Aberb., pp. 366-68, 434, 435.

² Sculp. Stones Scot., vol. ii.—App. to Pref., p. iii.

of early ecclesiastical settlement, and suggest that the old parish may have been the territory of an early Celtic monastery, before the ecclesiastical arrangements which resulted in the formation of parishes were known.¹ Old Montrose, Edzell, Brechin, Monifieth, and Arbirlot being Culdee monasteries, Dr Stuart thinks there is little reason to doubt that St Vigean and Aberlemno were sites of similar establishments. St Drosten, whose name, if not himself, is seen in the reading of the inscribed stone to have an association with St Vigean, was the founder of a Culdee monastery in Glenesk, as well as of one in Buchan.² Like all those establishments, the monastery in Glenesk was in process of time secularized. The Abbés became lay persons, who, when they did ecclesiastical duty at all, did it by deputy. One of those lay Abbots of Glenesk, with consent of his son, is found, early in the thirteenth century, granting to the Abbots of Arbroath the privilege of making charcoal in the wood of Edzell.³

It is thus seen—and a sculptured stone at the church of Kinnell may be regarded as a further indication of the fact—that at an early period, as far back as the beginning of the eighth century, the district of Arbroath had been ‘planted’ with churches of the Culdees, one of whose principal colleges or monasteries was at Brechin, within a few miles of St Vigean. There is consequently good reason to conclude that there was a church at the latter place founded by a Culdee preacher ages before the Scottish Church was completely merged in the Roman unity. The Culdees continued at Brechin for some time after the erection of the bishopric, but the Abbot was by that time a lay proprietor of the secularized lands of the monastery. It appears from a charter by him, printed in the Arbroath Chartulary, and witnessed by Morgund, one of his sons, that in 1219 there was an abbot of Brechin named John. ‘With Morgund [his son] the race of the abbots and Culdees of Brechin disappears.’⁴

The suppression of the Culdees has been represented by some writers, who have regard simply to what is believed to have been the purity of their doctrines, the parity of their presbyters, and the simplicity of their worship, to have been not only a victory of the dominant Papacy over a national church, but also a triumph of error won at the expense of an institution which was effectively holding aloft the lamp of truth. But this is a position that is not tenable. The Culdee Church fell because it had ceased to be inspired with the religious zeal of its founders. It had to a considerable extent become a secular institution. Its

¹ *Sculp. Stones Scot.*, vol. ii.—Notices of Plates, p. 7. At a meeting of the Society of Antiquaries of Scotland, held in February 1888, the Rev. William Duke read a notice of three St Vigean stones additional to those described by Dr Stuart and to the many fragments discovered at the restoration of the Church in 1871-72. The three had recently been found in the churchyard. One

of them is a hog-backed monument, which had suffered some curtailment from being applied successively to utilitarian purposes. The two others are fragments, both of which show the spectacle ornament.

² *Book of Deer*—Pref., pp. iv., v.

³ *Reg. Vet. de Aberb.*, pp. 47, 48.

⁴ *Reg. Episcop. Brech.*—Pref., p. v.

ministry was hereditary, the sacred office being transmitted from father to son, and its revenues had come to be regarded as family possessions. No such Church could stand at a time when the Papacy had reached the height of its political power, and, enlisting all religious zeal on its side, was erecting in this country, and throughout Europe, those noble churches which are entitled to take rank among the greatest works of the brain and hand of man. It was, in brief, under the influence of a great religious revival that the Culdee Church gave way in Scotland. The dried-up and withered Church was succeeded by monks of the rule of St Benedict, one of the ascetic orders of Rome, who by their zeal restored the religious life of the country. This was really the 'First Reformation.' Who was the first Reformer? That honour may fairly be claimed for the Saxon Princess Margaret, of whom Rome has made a saint—one of the truest saints in her calendar. Margaret, a fugitive with her family from England, after the Norman conquest, reached the haven in the Firth of Forth now known as St Margaret's Hope. She landed at Queensferry, which also derives its name from her, and with her kindred journeyed along the road to Dunfermline, to throw herself upon the protection of the Scottish king, Malcolm Canmore. According to a romantic story, the king found her resting on a stone by the wayside—a stone, or one which tradition has associated with the incident, which still bears the name of St Margaret's Stone. It is more than tradition that Margaret became the wife of Canmore; that by her gentle, saintly character she exercised great influence over her husband; and that similarly she influenced her three sons, Edgar, Alexander, and David, who all in succession came to the throne. According to her biography by Turgot, her confessor, she also exercised her powers of persuasion, and not in vain, in a three days' council of the Celtic clergy of Scotland, in which her Saxon speech was translated by King Malcolm into the Gaelic of her clerical audience.¹ Queen Margaret was thus the first and main instrument in promoting in her adopted country a civilization and religion which, after flourishing for five centuries, were only displaced because, like those which had gone before, they had fallen into decay.

¹Lord Hailes' *Annals of Scotland* (Edin. 1797), vol. i. p. 42.

PART II.

THE ABBEY FROM ITS FOUNDATION IN 1178 TO THE DISSOLUTION OF THE
ABBACY IN 1606, TOGETHER WITH THE SUBSEQUENT HISTORY
OF THE MONASTIC BUILDINGS.

CHAPTER I.

ST. THOMAS—THE ROYAL FOUNDER OF THE ABBEY—EARL GILCHRIST—
THE TYRONENSIAN ORDER OF MONKS.

ST THOMAS of Canterbury was a saint of a very different development from that of St Vigian. The latter may be regarded as a type of those simple monkish missionaries by whom Christianity was introduced into the previously heathen country of Scotland; the former was a notable outcome of the Mediæval Church, when it had succeeded in making itself the greatest political, as well as the only ecclesiastical, power in Europe. The dedication of the Abbey to Thomas A'Becket has linked his name inseparably with Arbroath. There has been a good deal of speculation as to the reason which led the contemporary king of Scotland, William the Lion, to dedicate Arbroath Abbey to the recently murdered and canonised Archbishop of Canterbury. Lord Hailes says: 'Perhaps it was meant as a public declaration that he did not ascribe his disaster at Alnwick to the ill-will of his late friend, and that he wished to conciliate him.'¹ It was impossible that the king could have any liking for the Ultramontane principles of Becket, and indeed at one time he went so far in his opposition to the will of the Pope as to bring upon himself and his kingdom an excommunication. His principles with regard to the Church were precisely those of the Norman kings of England. The reason for the dedication may be regarded as indicated with accuracy in a document in Father Theiner's 'Vetera Monumenta,' published at Rome. In this document, (quoted at length in pp. 35, 36,)

¹ Annals of Scotland, vol. i. p. 134.

King William is described as 'a school companion of St Thomas, and a sharer of his tribulations in England.'¹ Considerations of friendship and sympathy in suffering were thus the reasons why the Abbey of Arbroath was dedicated by William the Lion to St Thomas.²

A common enmity to Henry II. may have supplied a further reason for King William's dedication of Arbroath Abbey to Becket. In the war for which the English monarch was preparing when he performed his penance at Canterbury, William, anticipating him, invaded England, and encamped near Alnwick Castle. There, by a surprise, he was captured, and carried a prisoner to Northampton, where Henry then was. He was sent to Normandy, where he remained a prisoner for some months. William did not regain his liberty till he had consented to humiliating conditions of peace—conditions which involved a surrender of the independence of Scotland, and which, although subsequently cancelled by Richard Cœur de Lion, formed a pretext for that demand of Edward I. to be recognised as lord paramount of Scotland which led to the War of Independence. It is said, but doubtfully, that William received his special appellation from his being the first king to emblazon the lion on the royal standard of Scotland, which previously bore the figure of a dragon. The treaty which, in order to secure his own freedom, he entered into with the king of England, would not have led his countrymen to associate his name with that of an animal which is accepted as a type of royalty and courage. Yet the king appears to have been not destitute of spirit, and he lived long enough to obtain a renunciation of the claim of England to his homage. William was a frequent resident on his domain in Angus, generally taking up his abode, while in the county, in the royal palace at Forfar. He is said to have erected Red Castle, and to have done so for the purpose of checking the Scandinavian rovers, whose galleys had not in his time ceased to make occasional descents upon the Scottish coasts. The king died at Stirling in 1214, and was buried in the Abbey Church of Arbroath. In a few words, Fordun gives a description of the funeral. King Alexander II. was on his way from Scone, where he had been crowned, 'and at the bridge of Perth,' says the old historian, 'he met his father's body, which was being brought with great honour to Aberbrothock to be buried, as the king himself had instructed before his death. And, with all the nobility of the whole kingdom attending, except a few who were guarding distant parts of the kingdom, was buried William, pious king of the Scots, and to be remembered piously through time everlasting, on the fourth day before the ides of December, before the high altar in the church of the monastery

¹ *Vetera Monumenta Hibernorum et Scotorum Historiam illustrantia.* (Romæ, 1864.)

² The statement in the '*Vetera Monumenta*' is in harmony with that of the *Chronicle of Lanercost* (p. 11), as follows: 'Ab familiarem amorem

inter ipsum et Sanctum Thomam dum adhuc in curia regis Henrici esset contractum, divulgato in mundo et approbato in cœlo celebri ejus martyrio, abbatiam de Aberbrothok in honore ipsius fundavit et redditibus ampliavit.'

of Aberbrothock.'¹ Boece says that King Alexander 'remained fourteen days at Aberbrothock at the funeral obsequies,' and 'commanded no plays or banquets to be used for a year, that the people might lament the death of his father with public dolour.'² It was long believed that Ermengarde, King William's wife, was buried beside him, but this was a popular error: the queen was buried in Balmerino Abbey, in Fife. Among curious things which are shown to visitors to the ruins of Arbroath Abbey, there are some alleged relics of the humanity of its royal founder and of Earl Gilchrist. A few years ago, one of the smaller bones of the king's body, or what was supposed to have been so, brought five or six guineas at a public sale in Edinburgh.



ARBRATH ABBEY: THE HIGH ALTAR.

The Mormaer, or Earl, of Angus, was a munificent benefactor of the monastery of St Thomas at Arbroath. Gilchrist was married to the king's sister. Being jealous of his wife, he is said to have turned her out of doors, and afterwards strangled her at Mains, near Dundee. This violent act brought upon him the royal vengeance. His estates were confiscated, his castle at Mains was razed to the ground, and it was by flight only that he saved his life. His flight was into England; but as the two nations were at peace with each other, he was compelled to return to Scotland, where, says Holinshed, 'disguised in poor weeds, with two of his sons, he passed forth his life a long time in great misery among the woods and in out places, unknown to any man what he was, by reason of his poor and simple habit.' Holinshed gives a picturesque account

¹ Skene's *Fordun*, p. 280.

² Bellenden's translation of Boece's *History*, vol. ii. p. 363.

of Gilchrist's reconciliation to the king: 'The king came by the Abbey of Aberbrothock, to view the work of that house, how it went forward, commanding them that were overseers and masters of the works to spare for no cost, but to bring it up to perfection, and that with magnificence. After his departure from thence he took the road toward Bertha (Perth), and by adventure espied where Gilchrist was delving up turfs, together with his two sons. And though he knew not what they were, yet he mused to see two such goodly young men, as by resemblance they appeared to be, thus occupied in such toiling and base labour. Incontinently herewith, Gilchrist, with his bald head, came before him, and falling down on his knees at the king's feet, said: "If there be any mercy in thee, most ruthful prince, for them that are brought through their offences in extreme misery, having suffered condign punishment for the same, I beseech thee, for the love that Christ had to all sinful people, not sparing to shed His most precious blood for their redemption, to have some pity and compassion on me, and on these my poor and miserable sons, who with me have suffered much grief and penury, not having deserved the same by any crime by them committed."'" Gilchrist, according to Holinshed's report of his speeches, went on to reveal himself fully. The interview terminated satisfactorily; for the king 'not only forgave his former offences, but also restored unto him and to his sons all such lands as sometime appertained unto them, except so much as the king had already given to the Abbey of Aberbrothock.' By gift of the Earl and his sons, the bulk of their possessions ultimately became the property of the monks. Says Holinshed: 'The father and both his sons are buried before the altar of St Catherine, within the church of this Abbey, as the superscription of their tombs sheweth.' These tombs, with the superscription of which the chronicler speaks, disappeared in the ruin which fell upon the Church of St Thomas at Aberbrothock.¹

Having selected his friend, Thomas A'Becket, as the patron saint of his Abbey at Arbroath, it was probably King William also who mainly decided to what order of monks the establishment should be entrusted. And just as the saint to whom the monastery was dedicated was new, and represented much of the religious zeal of the twelfth century, so also the royal choice fell upon a new, or renewed, monastic order, preserving much primitive purity in its rules and in the lives of its brotherhood. The monks were Benedictines, sometimes called 'black monks,' of the Tyronensian reform—a reform instituted by Bernard, Abbot of St Cyprian in 1100, who built a monastery, dedicated to St Saviour, in a woody district called Tiron. 'A multitude of the faithful

¹ The Scottish Chronicle (Arbroath, 1805), vol. i. p. 382. But Holinshed, it should be stated, reports only at second hand. A large portion of

the 'Scottish Chronicle,' and this part included, is merely a translation from the Latin of Boece's History.

of both orders flocked to him, and Father Bernard received in his loving embraces all who were ready to make their profession, enjoining them to practise in his new monastery the occupations which each of them had learnt. In consequence, there readily assembled about him workmen, both smiths and carpenters, sculptors and goldsmiths, painters and masons, vinedressers and ploughmen, with skilled artificers in various branches of labour. They diligently employed themselves in the tasks assigned them by the Abbot, and turned their gains to the common advantage. Thus, where lately robbers sheltered themselves in a frightful forest, and cut the throats of unwary travellers, on whom they rushed unawares, a stately abbey was, by God's help, quickly reared.¹

Helyot gives some details with regard to the Tyronensian houses in France: 'St Bernard died in 1116 or 1117. He had ten abbeys besides the mother-house of Tyron; ten priories and fifteen cures in the diocese of Chartres; eight priories and four cures in the diocese of Mans; four priories in the diocese of Paris; nine priories and two cures in the diocese of Rouen; two priories and two cures in the diocese of Avranches; two priories in the diocese of Nantes; five priories and seven cures in the diocese of Poitiers; one priory in the diocese of Meaux; two in the diocese of Orleans; one in the diocese of Soissons. The Religious wore *de gris cendré et reprirent le noir que dans le suite*.² The Tyronensian order was represented by six important houses in Scotland: 1. Kelso; 2. its cell, Lesmahago; 3. Kilwinning; 4. Arbroath; 5. Fyvie, its cell; 6. Lindores.³ The order thus became powerful in this country. And it was, at least about the period of its establishment at Arbroath and its other seats in Scotland, a favourable outcome of the piety, learning, and civilization of the mediæval ages.

CHAPTER II.

THE CHARTULARY OF THE ABBEY.

FOR the most of what we know of the Abbey of Arbroath we are indebted to the Abbey Chartulary, which, edited by the late Mr Patrick Chalmers and the late Mr Cosmo Innes, was printed for the Bannatyne Club. Mr Chalmers died before the publication of the second volume of the

¹ Ordericus Vitalis, book VIII. chap. xxvii.

² Histoire des Ordres Monastiques (Paris, 1718), vol. vi. pp. 118-121.

³ Spottiswoode's Account of the Religious Houses in Scotland, at the end of Keith's Scottish Bishops (Edin. 1824), pp. 405-411.

Chartulary, the interesting historical preface to which is the work of Mr Innes. The Chartulary consists of the 'Registrum Vetus' and the 'Registrum Nigrum.' It is printed from the manuscripts in the Advocates' Library; the Regality Register, in the possession of the burgh of Arbroath, dating from the time of Robert the Bruce to 1524; and what is known as the Ethie Manuscript. This latter valuable manuscript was discovered at Ethie House not many years ago. Mr Innes says it is not later than the time of Alexander III., and that the 'Registrum Vetus' appears in large part to have been a copy of an early register, of which the Ethie Manuscript is a fragment. There is also contained in the published Chartulary a statement of dues payable from several crofts in the town and its immediate vicinity, for upholding lights in the Lady Chapel. The original of this document is in the possession of the Kirk-Session of Arbroath. It is a beautifully written long roll of parchment, dated 1445. Printed with the Abbey Registers, there are likewise a few ancient charters, from originals at Panmure House.

Long before the time of the learned editors of the Chartulary, Richard Augustin Hay, prior of a religious house in France, had laboured with praiseworthy zeal to elucidate the early history of some of the great monastic establishments of his native country. He appears to have visited the places where they were situated, and such of their charters as he could lay his hands upon he transcribed. His volumes, beautifully written, are in the Advocates' Library. One of them, dated 1696, consists of a collection of charters of the Abbey of Arbroath, with brief biographical notices of most of the Abbots, and an account, in Latin, of the life of Becket. In the title to this interesting volume the description of the situation of the Abbey is given as 'juxta Rubrum Promontorium in Angusia.'

Father Hay's work was not published, and although something was generally known as to the history and ancient possessions of the monastery, there was, previous to the publication of the Chartulary, an absence of exact information on the subject. We have some proof of that in letters written by the Rev. George Gleig, formerly minister of Arbroath. General Hutton, collector of topographical notices of various counties in Scotland, had written to Mr Gleig asking for information about the Abbey. At that time, 1789, Mr Gleig had been minister of the parish for about a year only, and this may account in some measure for his inability to give his correspondent much information; but the letters go to show that towards the end of last century little was popularly known of the history of the monastery. This, too, was after the visit of Mr Pennant, who had embraced in his notice of the Abbey some statements, but not altogether correct, which appear to have been communicated by one of Mr Gleig's predecessors, the Rev. William Bell, of whose services to him Pennant makes acknowledgment. There are two letters from Mr Gleig to General

Hutton. The first is little more than a confession of inability to satisfy his correspondent, to whom, however, he sends an impression of a seal which was found among the ruins of the Abbey, and which, he adds, was then used by the Lodge St Thomas, of Arbroath, to seal the diplomas granted by them to their brethren. From the second letter it appears that Mr Gleig had been industriously looking into the matter, but with little success. He says he had turned over every paper in the charter-chest of the burgh, but had found nothing relative to the Abbey or any other religious establishments. He mentioned, however, that he had heard that there were a number of the Abbey papers in the possession of the family of Panmure. Those papers are the Regality Register, in three volumes, consisting of the charters of properties within the regality of Arbroath. They were presented to the Town Council in 1823 by the first Baron Panmure, and they are the most historically valuable of the manuscripts belonging to the Corporation. While Mr Gleig could find nothing at Arbroath of which to inform his correspondent, he directed him to the Latin charter of King John of England, in favour of the monks and burgesses of Arbroath, to be found in the Low Parliament House of Edinburgh, 'together with the original charter of the ground granted to build the Abbey upon.' He had found the conventual seal, and he proposed a meeting with General Hutton in Edinburgh in order to show it to him. Finally, Mr Gleig sent a drawing of the ground plan of the Abbey Church.¹

About half a century before Mr Gleig wrote his rather unsatisfactory letters, Mr Mudie, Town-Clerk of Arbroath, had written in a very few paragraphs an account of the Abbey—an account that is accurate so far as it goes. His manuscript, which was taken to America, was recovered a good many years ago from a shop in New York, and passed into the possession of the late Mr David Miller, solicitor, author of 'Arbroath and its Abbey.' The Town-Clerk's narrative contains about as much as was popularly known of the Abbey, beyond what is stated in general histories of Scotland and in Pennant's 'Tour,' until the Chartulary was published. That publication has shed much light on the history of the great monastic establishment of Arbroath, and has told also some things that were new, and that were worth knowing, of the state of the nation generally in the mediæval period of its history. Mr Cosmo Innes has remarked the precise reference which is made in one of the Abbey Registers to a judicial roll used in Court in 1261. The early judicial rolls of Scotland were carried away by Edward I., and it is only by such references to them as are contained in the chartularies of the religious houses that we know of their having existed. Mr Innes also notices that documents in the Registers of the Abbey regarding the perambulation of certain lands, the property of the Abbey, 'are not only interesting as being early specimens of the form of proceeding in

¹ Hutton's Collections, MS. (in Advocates' Library), vol. ix.

such cases, but the manner of their production proves the existence at that period of rolls for the official recording of such proceedings.' He goes on to say that references in them seem to point to a constitution of King David respecting perambulations which is not preserved.¹ One of the perambulations referred to took place in September 1219, between the lands of the monastery and the barony of Kinblethmont.² Evidence of this ancient form of procedure is also seen in a perambulation between the lands of Conan and Tulloch, made on the day of St Alban the Martyr [22d June] 1254. It took place in consequence of disputes having arisen between Peter de Maule, Lord of Panmure, and Christian, his wife, on the one part, and the Abbot and Convent on the other.³ Among other matters of general interest in the Chartulary, incidental mention is made of an expedition of Alexander II. into the Western Highlands in 1248, not noticed elsewhere; and in a discussion regarding the service due to the Abbey for the lands of Inverpeffer, light is thrown upon the nature of military service six centuries ago. The Abbey writings, in their bearing on personal history, are very valuable. On this subject Mr Innes makes the following remarks in his preface to the second volume of the Chartulary, the dates of which extend from 1329 to 1536:

'There is hardly a barony in Angus and Mearns which does not receive illustration from the records of Arbroath; scarcely a family of note which must not seek its early history among the transactions of the great Abbey. The former volume [the first] is said to have disappointed the gentlemen of Angus, who expected to have found their ancestors there chronicled. They had not considered how many of our ancient families went down in the War of Independence,—how few of our present aristocracy trace back beyond the revolution of families and property which took place under Bruce. The great old Earls of Angus, Fife, and Strathearn are little more than mythological persons to the modern genealogist. The de Berkeleys, de Valoins, de Malherbes, Mauleverers, de Monte-alto, de Monteforts, have not even left

their high-sounding names in the country they once ruled. Durward and Cumming, as great as any of them, have fallen into humble life. It is more surprising that some families of the ante-Brusian magnates of Angus still flourish. Lindsay and Ramsay, Ogilvy and Maule, are no ignoble representatives of the old signory. No such disappointment, however, can reasonably be felt with regard to the present volume. A large proportion of the extant families of the two shires will find their ancestry illustrated in it; and though Carnegies and Guthries, Burnettes and Irvines, and a few others, need no such help, it may yet come to pass that it will be held as a proof of gentry in Angus and Mearns to be able to point to an ancestor in the Chartulary of Arbroath.'⁴

The Chartulary contains the charters granted to and by the monks, with whatever else the careful chroniclers of the affairs of the Abbey thought it well to take a note of. The Registers cover a period of about three centuries and a half, and they are about the most complete monastic records which we have in Scotland.

¹ Acts of Parls. of Scot., vol. i.—Pref. p. xlvii.

² *Registrum Vetus de Aberbrothoc*, pp. 162, 163.

³ *Reg. Vet. de Aberbrothoc*, p. 322.

⁴ *Reg. Nig. de Aberb.*—Pref., pp. xxvii., xxviii.

There are still unpublished writs connected with the Abbey in the charter-chests of the houses of Hamilton and Airlie—families which were long associated with the monastic establishment of Arbroath. In Hamilton Palace there are, among other ecclesiastical papers, seventeen bulls and documents relating to the see of Argyll and to the Abbey of Arbroath.¹ At Cortachy Castle there are numerous commissions to the Ogilvys of Airlie, as bailies of the regality of Arbroath, granted by the Abbots in their favour, the first of which is dated 26th November 1485. Among the papers at Cortachy is a volume containing proceedings of the Regality Court of Arbroath.²

CHAPTER III.

THE ABBEY BUILDINGS—ALTARS AND CHAPELS.

THE Abbey Church of Arbroath was founded in 1178,³ eight years after the murder of Becket, and five years after his canonization. The Prior of St Serf's Inch, who, however, erroneously gives a later year, says that the ceremony took place on the 9th of August:

' Off August that yhere the nynde day
Off Abbybrothoke the Abbay
The Kyng Willame in Angws
Fowndyt to be relygywa.

' In the honoure off Saynt Thomas
That Abbay that tyme fowndyt was,
And dowyt alsua rychely;
Thare munkys to be perpetually.'⁴

The foundation of the great pile appears to have been laid with much solemnity. There was a religious service, at which King William, the Bishop of Brechin, the Bishop of Aberdeen,—the see of St Andrews being vacant,—and a number of other ecclesiastics, including those newly appointed to the monastery, were present. Soon after the erection of the Abbey was begun, the king sent John, who had been appointed to the see of St Andrews, and Reginald, first Abbot of Arbroath, on an embassy to Pope Alexander III. The object of the mission was to present the king's obeisance, William being particularly desirous at this time to be on friendly terms with Rome, of which indeed his erection and endowment of the Abbey was a signal proof. Pope Lucius III. showed his appreciation of the king's new bearing towards the Church by sending him, in

¹ First Report of the Hist. MSS. Com., p. 113.

² Second Report of the Hist. MSS. Com., p. 187.

³ Fordun, viii. 25.

⁴ Wyntoun's Cronykil of Scotland (Edin. 1872), vol. ii. p. 221.

the year 1182, the rose of gold, the present which is now reserved by the popes for princesses who, in the estimation of the giver, have deserved well of the Holy See. The Pope also sent to the king a confirmation and extension of the liberties of the Church of Scotland.

The erection of the Abbey Church was completed in 1233, in which year it was dedicated. In accordance with the custom of the age, the choir had doubtless been built first, and, along with the transepts, it had been brought into use in worship before the rest of the building was completed, a temporary partition being built across the nave, such as may still be seen in unfinished mediæval churches. The dormitories and most of the other monastic buildings, with the exception, probably, of the castle and regality, had no doubt been erected long before the completion of the church. The fifty-five years over which the building of the Abbey extended do not appear a long period, when it is borne in mind that there are churches which have taken centuries to complete, or when regard is had to the gigantic proportions of the Abbey Church of Arbroath. The church is one of the largest in Scotland. Nothing is known of the architect who designed its splendid proportions, or of the men who knit together its solid structure. The churchmen themselves in those days were commonly the architects of their own churches, and it was probably an ecclesiastic who drew the plans of the Abbey of Arbroath, while monks also may have superintended the progress of the work. When monasticism was at its best, it did not offer any encouragement to idleness. Labour and prayer were required by their rules to be the chief occupations of the monks. In particular, the order to which the Arbroath brotherhood belonged were expected to give attention to mechanical pursuits. They made much of their own church furniture; many of the ancient church bells, so graceful in form and ornamentation, are their handiwork; and it is well known that to them we owe the manuscripts, in a style of caligraphy more beautiful than most modern writings, which have helped to preserve to the present time a record of the religion and learning, the history and arts, of those early ages. It may be taken for granted, then, that the churchmen themselves had much to do in erecting the Abbey buildings. In the Chartulary we have abundant evidence of their supervision over the stone and lime of their great establishment. The very selection of the site for the Abbey was doubtless made by the monks; but, like many of the great churches of the Middle Ages, its site may partly have been determined by its having been the site of some earlier ecclesiastical establishment. In one sense, the selection was unfortunate. When the wars with England began, the Abbey was found to be exposed to assault from a power which had command of the sea. We find a Bishop of St Andrews lamenting the closeness of the Abbey to the sea, and the consequent damage done to it from time to time by the English cruisers.¹ But when Arbroath Abbey

¹ *Registrum Nigrum de Aberbrothoc*, pp. 22, 23.

was erected, the wars which for centuries alienated from each other the kindred nations of England and Scotland were not in prospect. The Treaty of Falaise, by which King William acknowledged a supremacy in England, had been cancelled; Scotland had regained its independence, with the goodwill of the English monarch, and between the two nations there existed a thorough friendliness. The foundations of the Abbey of Arbroath were laid during a period of profound peace, and of much national prosperity. In fixing on the site of the monastery, the monks were thus led to overlook the possibility of their being harassed by foreign war. The earlier abbeys in France, of the Benedictine reformed order, were frequently, in accordance with the ascetic spirit of their founders, placed in localities which, improved by the monks, were originally savage and dismal. Whatever was the principle of selection which ruled at Arbroath, the site, at all events, possessed natural advantages. Mr Mudie, in his brief description of the Abbey, says that in choosing its seat the churchmen 'pitched on one of the most pleasant and fertile spots of ground in the country. The Abbey stands on a small eminence overlooking the town, with a fair prospect of the estuaries of the Firth of Forth and the river Tay on the south, and the country as far as the Grampian mountains on the north. There are many springs of fine water on the east side of the enclosure.' One of the springs was brought in a leaden 2-inch pipe from about where the Hays Well now is, for the service of the monastery. Parts of this pipe were discovered in 1850 during alterations that were being made on the well, and another part, about four feet long, was found in the neighbourhood of the Abbey Green during some excavations which were being made in 1879. The water of the neighbouring springs which was not required for the Abbey flowed through the garden or 'closs' of the house. This was the water called the Lord Burn, which until recently formed the domestic supply of the inhabitants residing in the street of that name. Then, the ecclesiastics were as careful in looking to the quality of the soil on which they built as to picturesqueness of situation. The soil on which they built at Arbroath has been described by Mr Mudie as a 'brown clay of a great depth, covered in most places with a black mixed earth, which dries immediately after rain, so that it affords pleasant walking in almost all seasons.'¹

Its church was the principal portion of the monastery, to which all the other buildings were subsidiary. Differing therein from the common modern practice the monks were lavish in their expenditure upon their churches, which they designed as magnificent monuments of the piety of their time, and sparing in what they spent upon their own houses. It may thus have happened, that while much of the Abbey Church is still standing, there does not remain any vestige of the dormitories of the monks, and of the cloister there is only a trace on the south wall of the church. The only part of the domestic buildings of the monastery

¹ MS. Account by David Mudie, Town-Clerk, 1742.

which has come down to the present time is that known as the Abbot's House, a building which is further interesting as being almost the only Abbot's house in Scotland still standing. As to the church, the simple statement of its measurements may very well convey an impression of its massive grandeur, and of the importance of the monastery. The church was in the form of a Latin cross. Its length, from east to west, within walls, was 276 feet; breadth of the middle aisle, 35, and of the side aisles, each $16\frac{1}{2}$ feet, making the whole breadth 68 feet, within walls. The height of the walls of the centre aisle was about 67 feet, and the walls of the side aisles were 30 feet in height. The length of the transept, from north to south, was 132 feet. The church is considered the finest conventual church in the Early First Pointed style. The mouldings had been elaborate, but the church being built of the soft red sandstone of the district, and being exposed to the dissolving influence of the humid sea atmosphere, any of the mouldings which remain are much defaced. An architect's description of the church is that 'it consisted of a presbytery, a choir of two bays with aisles, and sacristy off the south-east aisle; transepts of two bays with eastern aisle; nave of eight bays, with western porch or galilee between the two west towers, which are built within the external walls.' The western doorway, the principal access to the church, of six orders of columns, has a round arch, but the mouldings are of the First Pointed style. Over this door, on the inside, is a gallery with double range of columns, those of the arcade next the nave being octagonal, with pointed arches over them, while those behind are round, and carry lintels. Two tall and widely splayed lancet windows, with a round window in the gable, light the south transept. The round window, which is twelve feet in diameter, gives to the town one of the names by which it is known among its townsmen—'The Round O.' This Round O is a St Catherine wheel. It was placed over the altar of St Catherine, which stood in the south transept. The opinion has been hazarded, and in view of the interest which the monks took in mariners, with some probability, that the round window, which is still a welcome landmark to sailors and fishermen, was lighted at night, and thus served as a guiding light to shipping. Under the transept lights are three tiers of wall arcading. In the presbytery, the arcading is carried along the east end. The many windows of the church were filled with baked glass. This fact was ascertained by the recovery of fragments when the ruins of the church were cleared of mounds of earth and fallen building materials. The architecture of the Abbey Church shows a transition from the Norman to the Early English. The pillars were clustered. Four of them, placed at the junction of the nave and chancel with the north and south transepts, supported the principal tower of the church. This tower was probably 140 or 150 feet high. Of the two western towers considerable portions still stand. The north-western tower, popularly known by the name of St Thomas, is 103 feet high.

The beautiful building which stands on the south side of the chancel was

erected by Abbot Walter Paniter, about two centuries after the dedication of the church in 1233. It is generally called the chapter-house, but it was the sacristy or vestry. From the account of the ruins given by John Ochterlony of The Guynd, written about 1682, it appears that 'the second and third storeys [of the sacristy] were employed for keeping the chartours of the monasterie,¹ and hence, it may be, a transition from 'charter-house' to 'chapter-house.' The chapter-house was situated south from the church. A fragment of it remains in what is locally known as 'The Pint Stoup,' from a distant resemblance which it bears to that vessel. The chapter-house was separated from the south transept by a vaulted slype or passage, the foundations of which still remain. In the



THE ABBEY, FROM THE ABBEY GREEN.

course of excavations which were made on the site of the chapter-house in 1878, it appeared that interments, doubtless of members of the monastic brotherhood, had taken place beneath the floor of the building, which was in the neighbourhood of the convent cemetery. The domestic buildings of the monastery, probably including the infirmary, extended to the south of the chapter-house. Workmen who were engaged in the year 1878 in making a deep drain from Lordburn to Leonard Street came upon the foundations of buildings, at intervals, from East Abbey Street across the Abbey Green. The foundations of those buildings were five or six feet below the surface, and some of them had a superstructure of hewn work. Several of the walls were of great thickness, one of them being nine feet thick. One of the walls passes under the Abbey Parish Church. The fact that some of those buildings were found in the Abbey Green, and that no

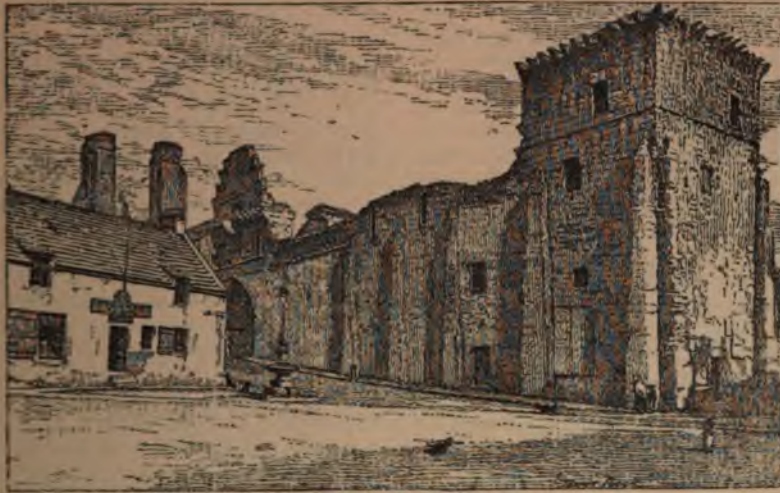
¹ Spottiswoode Miscellany—'Account of the Shire of Forfar,' p. 343.

human remains were discovered in the course of the cutting which was made across the Green, suggests a doubt as to whether much of this space, or any of it, was used as a burying-ground by the monks, as its name of 'The Convent Churchyard' has been thought to imply. Other stone relics, the sides of a gateway, with one of the iron rivets used for hanging the gate, were in 1879 found under the ground in Sidney Street, a few hundred yards east from the chancel of the church. A heap of oyster shells was about the same time found six feet below the surface of the Abbey Green; it may possibly have been a trace of the 'kitchen midden' of the Abbey.

Of the buildings west from the principal entrance to the church, enough remains to give us a very good notion of their general character. These were the parts of the Abbey devoted to the transaction of its civil business. They include the gatehouse, or pend, placed at right angles to the west front, and which is of a much later date than the church; the building abutting on the south tower of the church is of the fifteenth century. The pend is 61 feet in length, and it consisted originally of beautifully groined arches. In it may still be seen the groove of the strong portcullis which defended the entrance to the Abbey, and which has for centuries been the heraldic emblem of the Corporation of Arbroath. The Abbey gate is said to have been temporarily contracted by Cardinal Beaton to 11 feet in height and $9\frac{1}{2}$ wide, and he is also credited with having introduced the portcullis, which, however, was probably a good deal older than his day. The pend is connected by a curtain wall with what were the regality offices, and with the castle, or donjon tower, now locally known as the Tower Nook. The tower, although weather-worn, is still almost entire, and is roofed, but the bartizan and parapet are gone. As they were in a ruinous state, they were taken down many years ago for safety. The tower is a grim-looking building, which served the purpose of a fort, for the defence of the monastery. Its lower storey, or vault, is a dismal dungeon; the upper rooms may have been used by the garrison, or for the civil business of the Abbey. The building is 70 feet high, 24 square, and its walls are $4\frac{1}{2}$ feet thick. From 17th November 1754, when the Town of Arbroath granted a feu charter to Provost John Wallace of a part of the Abbey precinct, including the Tower, of which the Town had a year before obtained a gift from the Crown, the Tower had until 1890 belonged to successive private proprietors. In that year it was bought back by the Town. About a dozen years previously the Town had also bought back the Abbot's House, formerly in its possession. The whole of the Abbey is now public property, the church belonging to the Crown, and all the other buildings to the Corporation of Arbroath.

The Abbot's house, now called the Abbey House, is of several periods. Some of it is comparatively modern, but the eastern or oldest portion is as old as the early times of the Abbey. It is built over a strongly-arched apartment, which had been the kitchen of the house.

The Abbey precinct was enclosed by a lofty stone wall. The greater part of this wall was standing towards the end of last century, and fragments of it still remain. The wall began at the Tower, and was continued, in a somewhat irregular style, along the east side of High Street to the south-west angle, where the parish church stands. At this angle there was a small plain tower, which, until 1832, served as a steeple to the parish church. At the south-east corner was the Darn Gate, a private entrance to the monastery. Over this gate there was an apartment, said to have been for the examination of catechumens, but it is unlikely that it was put to such a use. From the Darn Gate the precinct wall was continued to the church of the Abbey, which, with the other monastic buildings,



THE ABBEY TOWER.

formed the northern boundary of the enclosure. The length of the Abbey precinct was about 190 geometrical paces; the average breadth, from east to west, was 113, the breadth at one end exceeding that of the other by upwards of a third. The ground lying on the north side of the church has been a public cemetery since at least about the commencement of the sixteenth century, and probably much earlier.¹

The publication of Augustin Theiner's '*Vetera Monumenta*' has presented us with a much more vivid picture of the Abbey buildings, and particularly the church, externally and internally, as well as of the daily life of the monastic establishment, than had previously appeared, or than probably is now otherwise obtainable. The '*Vetera Monumenta*' is a collection of documents, printed from originals in the archives of the Vatican, relating to religious houses in Ireland and

¹An architectural description of the Abbey buildings is given in '*The Abbeys of Arbroath,*

Balmerino, and Lindores,' by G. S. Aitken, F.S.A. Scot., architect.

Scotland. The following is a translation of the principal document in reference to Arbroath, and, although it embraces other matters as well as the buildings, it will be convenient to introduce it here in its entirety :—

‘On the second of October 1517, in the fifth year of the pontificate of Leo X., there was issued a consistorial process for the convent, which, after certain details, gives the following precise account of the building :—

“Being interrogated concerning the title, order, site, and condition of that monastery, a witness declared that it was under the invocation of St Thomas, and of the rule of St Benedict, situated in the county of Angus, distant a mile as the arrow flies from the German Ocean. Close by runs a stream, which in their language is called Brodet, whence the Abbey takes its name. The town has about two hundred hearths, is under the regality of the Abbot, and inhabited by husbandmen, labourers, and a few merchants. It [the Abbey] was founded three hundred and fifty years ago by William, king of Scots, who was school companion of St Thomas, and a sharer of his tribulations in England. The form of the church is like that of St Maria del Popolo, but nearly double in size. It is oblong, with a double line of pillars, almost all of square dark stones. The pavement is similar, and the church truly is a noble and royal work. It has four gates, the principal to the west, two to the south, whereby one enters the cloister, and a fourth to the north, which leads to the cemetery. It has three naves, the largest in the middle, and the lesser at the sides, and these lesser ones are formed of the same square stone. But the centre nave is roofed with wood. It is covered in the main part with lead, and the rest of it with wooden shingles. It has a splendid tower, with four sides, somewhat higher than the campanile of St Peter’s at Rome,¹ and it has many most excellent bells. The high altar is situated at the top of the church, near the east, at a little distance from the wall, and on it daily two, and frequently three, masses are celebrated, with the chant. On the altar, for an ornament, there is a wooden tabernacle, gilt, in which are these sculptured images : the Saviour, having the world in his hand ; St Mary, the mother of God, with the child Jesus in her bosom ; St Thomas, the martyr ; and King William, offering the church. Round the altar

is an ancient wooden choir, with a double row of stalls. There are besides twelve altars, with their chapels, sufficiently decorated, at which daily masses are read. The sacristy, at the south side of the choir, possesses a silver cross, very many chalices, other vessels, and silver images of the saints, also many suits of vestments, of gold and of silk. In it also are preserved a pastoral staff and a mitre. At the right side of the church is a large and most beautiful organ. Outside the church, towards the north, is a cemetery, encircled by a low wall. On the opposite side of the cemetery, to the south, is the cloister, the very ample habitation of the monks, square in form, and surrounded by very high walls. In this are two refectories, one for common days and one for feasts. There is also a dormitory. The chapter-house, the infirmary, the hospice for pilgrims and strangers, are ample and well furnished. There is a library, which contains two hundred and more books. They have many gardens, wide and fair. The house of the Abbot, though in the same cloister, is separated from the habitation of the monks. The tables of the monks and of the Abbot are united, and the Abbot freely administers all. There are various parochial churches under the monastery, to which the Abbot has the right of presentation, and receives from them the tithes, &c. In the monastery there is wont to be an Abbot, a prior of the cloister, and a sub-prior, both removable at the will of the Abbot, and besides that forty monks, who live there in good report and most religiously worship God. They sing the nocturns at midnight, and chant the other canonical hours at the proper time. The revenues of the monastery may perhaps amount to two thousand ducats or thereabouts, and consist in the revenues and fruits of the churches and in those of their lands and possessions.”

‘Such is the evidence of Sir Arthur Boece, a priest of the diocese of Brechin, master of arts and licentiate in civil law, aged thirty-two, when on the fifteenth day of the month of October he appeared before James Cottis, canon of Glasgow, to whom the case had been referred.’²

¹ This must refer to the old basilica of St Peter’s, not to the modern dome.

² *Vetera Monumenta Hibernorum et Scotorum Historiam illustrantia*, pp. 524–26.

It will be observed that Sir Arthur Boece, the priest who in the consistorial process gave this evidence as to the monastery, states that there were twelve altars with their chapels, besides the high altar. The statement is probably correct, and the church was large enough to contain so many altars. But the names of only six of the twelve have been traced. The earliest appears to have been the altar of St Catherine the Virgin, which was situated in the south transept. It was in front of this altar, according to Holinshed, that Earl Gilchrist and his sons were buried. The altar of St Catherine, together with those of St Peter, St Lawrence, and St Nicholas, was, on 26th August 1485, dedicated by the Bishop of Dromore. There



THE ABBEY : SOUTH TRANSEPT AND VESTRY.

was also an altar to St James ; and one to the Blessed Virgin, which was richly endowed, was situated on the south side of the choir. With its altar to the Virgin, the monastery, says Dr Skene, was occasionally called of St Mary and St Thomas.¹

Some of the buildings mentioned in the 'Vetera Monumenta' were outside the Abbey precinct. The 'hospice for pilgrims and strangers,' identical with the eleemosynary or almonry, stood a little way to the north-east of the Tower, its site, with that of its closs, or court, being nearly opposite the principal gate of the church. In connection with the almonry there was a small chapel, dedicated to St Michael the Archangel. It adjoined the almonry, towards what is now James Street.

¹ Pro. of Soc. of Antiquaries, vol. x. p. 207.

The hospital was another important dependency of the Abbey. It stood on the site of the mansion-house of Hospitalfield, and was endowed with lands which now form part of that estate. All traces of the eleemosynary as well as of its endowments have passed away, but at Hospitalfield there may still be seen parts of the old hospital of the Abbey. In particular, there is a portion of a doorway which, built into a room of his house, the late Mr Allan-Fraser of Hospitalfield carefully preserved. The hospital stood at a distance of fully a mile from the Abbey and the burgh of Arbroath, and its being placed at that distance, on an elevated site, was doubtless a sanitary precaution. A special consideration probably tended to the selection of a distant site for the hospital. Leprosy was a common disease in this country in the Middle Ages, and the laws concerning it were very stringent, so much so that at one time a leper found within burgh was liable to be forthwith put to death. Accommodation for the miserable victims of this disease had thus to be provided outside the burgh walls, and it is likely that at Arbroath such accommodation was obtained in the hospital of the Abbey. The hospital, as well as the eleemosynary, had a chapel, the patron saint of which was John the Baptist. To the chapel there was attached a graveyard. At Hospitalfield, in a field immediately to the north of the Dundee Road, there was discovered, in 1861, a large number of ancient graves, and those who had the opportunity of examining them were of opinion that part of the field in which they were found had been the burying-ground of the Chapel of St John. A similar discovery, but to a smaller extent, was made there in 1892.

Besides these two chapels of St John and St Michael, there were other two in Arbroath or its immediate neighbourhood, and which had a connection with the monastery. These were the Lady Chapel, or Chapel of our Lady of Aberbrothock, and the Chapel of St Ninian, at Seaton Den. The Lady Chapel was the principal of the district chapels. It served the purpose of a town church, or chapel-of-ease to the parish church at St Vigean. The Abbey Church, it will be understood, was the church of the monastery alone, not one in which—though its altars may have been free to the worship of all—the parishioners of Arbroath had any right. The Lady Chapel stood on a site where the north-east corner of the dock now is. At the Reformation the chapel contained three altars, those of Our Lady, St Nicholas, and St Duthac, founded by pious persons. Some remains of the Lady Chapel were standing about the beginning of last century, and probably they did not disappear till, in 1725, the site was taken possession of for the harbour. Early in 1877, when the Old Harbour was being converted into a wet dock, the foundations of two of the walls of St Mary's Chapel were uncovered, and at the same time two or three pieces of window mouldings were found. The foundations were several feet below the bottom of the dock, and part of them remain there still. The Chapel of St Ninian was consecrated by the Bishop of Dromore in 1485. There seems to have been a graveyard attached to it, as human remains

have been frequently found within what was its enclosure, no vestige of which, or of the chapel, remains. Under the common corruption of St Ringan's, a local fair or market, held annually, bore the name of St Ninian, but it has for a considerable time been discontinued. It was held on the first Wednesday after Trinity Sunday.¹

The Abbey church, to which these chapels, and many parish churches throughout a wide extent of country, were subordinate, impresses the beholder with a sense of its magnificence, visible even in its ruins.

CHAPTER IV.

THE MONASTIC ESTABLISHMENT—PRIVILEGES AND POSSESSIONS.

THE monastic brotherhood of Arbroath, for whom the magnificent Abbey was erected and richly endowed, was doubtless in its best days a somewhat large body. It appears from the extract from the 'Vetera Monumenta' given in last chapter that in the year 1517 there were forty monks, besides the Abbot, prior of the cloister, and sub-prior. It is probable that by that time the number had diminished, seeing that the course of degeneracy in the monastic system had begun long previously. This may be more certainly inferred from the fact that less than thirty years after the date of Sir Arthur Boece's evidence in the consistorial process, the brotherhood seems to have fallen off in number by more than a half. On 25th July 1544, Cardinal Beaton feued to 'John Guthrie and Isabel Ogilwy, his spouse, the lands of Coliston and Ruffis, and the park of Conan, with the croft commonly called Guthreis hyll.' The charter was signed by the Cardinal himself, as Commendator, and by twenty monks, who seem to have constituted the whole, or nearly the whole, brotherhood. The names of those later

¹ Mention is made of the Chapel of St Ninian at a date when possibly the chapel had ceased to exist, but when there was still a chaplain. At Holyrood, on 27th April 1583, there was granted confirmation of a charter by John, commendator, and his convent, with consent of Wm. Pettillok, chaplain, of the croft of his chapel of the divine Ninian 'beginnand at the Nes at the eist pairtas the sic flowis to the Dyik-mirk, and fra that haldand noirth up to the fowsie on the eist syde of the said dyik, and syne west to the noirth syde of the said croft quhill it cum formentis the noirst

mirk of the Chapell - yaird, and fra that west the noirth dyik of the said yaird to the noirth-west mirk thairof, and syne passand south to the west dyik to the kirk-styill, and fra the said style passand southwest the rod at gais fra the said styill to the teild land of the said croft, and fra that south to the filling of the sey, and swa cist as the sey flowis.' The confirmation, thus describing the boundaries of the chapel property, is printed in the Register of the Great Seal—1580-93, No. 559.

monks of Arbroath were: Sub-prior Robertus Durward, Andreas Bardy, David Teyndar, Villelmus Crammy, David Craill, Thomas Ruthirfurde, Thomas Scot, Walterus Baldowy, Willelmus Wedderburne, Johannes Logye, Johannes Peirson, David Scot, Alexander Gov, Alanus Martyn, Alexander Cwby, Richardus Craik, Johannes Rany, Christophorus Moncwr, Georgius Moncreff, and Johannes Andirson.¹ Five years prior to the date of the Colliston charter a lease of the lands of Balfour and others was granted by the Convent, and it was signed by Cardinal Beaton and twenty-four monks. A charter, which is at Panmure, granted the same day in favour of James Ogilvie of Cookstone and his spouse and their heirs is also subscribed by the Cardinal and twenty-four members of the Convent.

The Tyronensian Abbey of Kelso was founded in 1113, and a company of monks was brought to it by Earl David, the presumptive heir to the crown of Scotland, from the mother Abbey of Tyron, in France. The monks of Arbroath, in turn, were brought from Kelso in 1178. One of those thus removed from Kelso, Reginald, was consecrated by Matthew, Bishop of Aberdeen, as first Abbot of Arbroath. The Abbot of Kelso released the Arbroath brethren from their vow of obedience to him, solemnly undertaking—an undertaking which was faithfully observed—never to claim any authority over the Abbey or convent of the Church of St Thomas, while expressing his wish that friendship and charity should remain between the two houses.

The monastery of Arbroath was munificently endowed by King William, by his son Alexander II., and from time to time by many of the nobility of Angus and the North. William, disposing of lands that fell to the Crown in the agrarian revolution, which is chiefly represented by the gradual passing of the Celtic tribal possessions to the Norman barons and to the Church, was the principal benefactor of the Abbey. It was in the earliest years of its history, in the reign of William the Lion, and before the Abbey Church was dedicated, that the monastery received from the king, the Earl of Angus, the de Berkeleys, and others of the nobility, the patronage of twenty-four churches in Angus and the northern counties. One of those early ecclesiastical gifts was the patronage of the church of Marnoch. It was conferred upon the Abbey as an amicable means of settling a dispute in regard to the right of that patronage which had arisen between King William, the Bishop of Moray, and Earl Gilchrist. This same parish of Marnoch, it may be mentioned by the way, was one of those a dispute as to the exercise of patronage in which brought about the disruption of the Church of Scotland in 1843. Ultimately, the Abbey possessed forty-six churches, situated in Angus, Mearns, Aberdeenshire and the North, Perthshire, Fifeshire, Nithsdale, and one in Tynedale, within the ancient possession of the Scottish kings in England. Twelve of its churches ceased to belong to the monastery before the secularization took place. Those which were

¹ Reg. Nig. de Aberbrothoc—App. to Preface, p. xxxiii.

its property at that date were: Aberbrothock (St Vigeans), Newtyle, Glamis, Ethie, Dunningen, Kingoldrum, Lunan, Panbride, Monikie, Monifieth, Murroes, Kirriemuir, Mains, Arbirlot, Inverkeilor, Ruthven, Clova, and Garvock—in Angus and Mearns; Banchory-Ternan, Coul, Fyvie, Tarves, Inverbondie, Fetter-Angus, Gamery, Marnoch, Kinnerny, Bothelnie, Forg, Langley, Banff, Inverness—in the North; Abernethy—in Perthshire; and Dunbog—in Fife. The churches alienated before the Reformation were: Barry, Catterlin, Guthrie, Maryton, Nigg, Tulnauth, Turriff, Inverugie, Dron, Errol, Kirkmacho, and the English church of Haltwhistle. The latter church was confirmed to the monastery by Pope Alexander IV. on 30th December 1259. It is described as 'the possession of our most dear son in Christ the king of Scotland,' and it is assigned to the monks 'on account of the multitude of guests and poor people who flocked to the monastery, to whom the consolations of humanity are bestowed.'¹ Haltwhistle Church, situated within the territory which the kings of Scotland held in England, was originally gifted to the monks of Aberbrothock by the royal founder of the Abbey. On Christmas Day 1240 an assize concerning the advowson of this church was appointed to be held at Carlisle, and the Abbot of Arbroath was cited. Subsequently, the Bishop of Durham had taken possession of the church, and on 26th March 1304 King Edward I. commanded letters to be issued to the bishop, ordering him to restore the church of Haltwhistle to the Abbot and convent of Arbroath, which they held *in proprio usus* long before the Scottish war began. This command was not promptly obeyed, for subsequently it was repeated, with the addition, given as a reason for restoring the church to the Abbey, 'that the Abbot and convent had been long at the king's peace,' that is, had submitted to the English sovereign. Still the bishop retained possession of the church of Haltwhistle, and a proposal was made to the monastery to exchange it for another. They were commanded by the English king in Council to state what they had to say with reference to that proposal, and, in compliance with this order, they replied 'that the king is "fundour" of their house, and they have no other head to maintain their rights but him and his Council.' They begged the king 'to examine their muniments and confirmation of said church from Rome, and then to command restitution of the church, of which they have been forcibly despoiled by the Bishop of Durham; and that it would please him to ordain the advancement of their house in some equally certain and profitable manner, by confirmation of the Pope. They will be ever ready to obey the king's orders for their benefit, for the Abbot is sworn not to diminish the rights and goods of the house.' This petition of the monastery to the King of England is endorsed, 'Penatur inter dormientes.'² The controversy between the monks and the Bishop of Durham respecting the church of Haltwhistle was of long continuance, lasting for the

¹ Theiner's *Vetera Monumenta*, p. 82.

² *Calendar of Documents relating to Scotland*, ii. 386, 402, 503. From the Norman French.

greater part of a century, perhaps longer. In 1328-29, on the Tuesday next before Ash Wednesday, an inquisition was held at Newcastle-on-Tyne before twelve jurors, who found that the church had by the gift of King William belonged to the Abbot of Aberbrothock from time beyond memory, and that the then parson, Robert de Dyghton, had been instituted in the thirteenth year of the reign of Edward II., during the war with the Scots. In 1329 King Robert of Scotland sent a letter to King Edward, requesting him to restore the church of Haltwhistle to the Abbot of Aberbrothock, 'for veneration of St Thomas of Canterbury, in whose honour his ancestors, kings of Scotland, founded the monastery and endowed it with this church.' This request was promptly attended to, for it is recorded that 'the king, in virtue of the late treaty, restores to the Abbot and convent of Aberbrothock the church of Hautwysel, in the diocese of Durham, which they held *in proprio usus* beyond memory, till taken from them by the late king.'¹ But the church appears, notwithstanding, to have been lost to the monastery at an early period. Probably having some connection with the dispute as to the right to the church, there was also a question as to right of thirlage in the mills of Haltwhistle; for in the year 1310-11 complaint was made by the Abbot 'that he had been wrongfully deprived by John de Balliol, formerly King of Scots, of the service of thirlage and maintenance of the mill pools of Hautwysel in Tyndale, and praying remedy from the king.'²

On 3rd January 1257 Pope Alexander confirmed 'to the Abbot and convent the gift of the patronage of the church of Formindrant, and appoints that the proceeds shall be expended to the value of thirty merks sterling for their own use, always taking care that a chaplain shall do the duty rightly.'³ The church of Kirkmacho was granted to the Abbey by King Robert the Bruce, for the health of his soul, and of the souls of his ancestors and successors, kings of Scotland, and especially for the souls of those whose bodies rested within the church and churchyard of Kirkmacho. The Abbots drew the greater tithes of their churches, and set them by tacks. The lesser tithes were left to the vicars, who did the parochial work. It appears to have been usual for the vicars to let the teinds. Several disputes between them and their tenants came before the Lords of Council for adjudication. On 19th June 1491, Charles Brown, dwelling in Arbroath, was ordered to pay threescore merks to Sir Andrew Purves, parson of Kinnell, 'for the teinds of the fruits of the said kirk,' and letters of distress were granted. The parson had claimed fourscore merks.⁴ There was occasional litigation arising out of leases granted by the Abbey itself. On 26th October 1484, the Lords of Council assigned to John Barclay a day to prove that 'his wife had the tack of the kirk

¹ Cal. Documents relating to Scot., iii. 176-178.

² Cal. Documents relating to Scot., vol. iii.

³ Theiner's Vetera Monumenta, pp. 73, 74.

⁴ Acts of the Lords Auditors of Causes and Complaints, pp. 148, 158.

of Dunbog of the Abbey of Arbroath before the tack made to Thomas Simson of the same.¹

The lands and other secular possessions of the Abbey were very extensive. It enjoyed the most of them, like the patronage and tithes of its churches, from a time shortly after the monastery was founded, and it obtained no additions after the reign of Bruce. The first gift of land, King William's, embraced 'the village and shire of Aberbrothock,' with the territory of Athynglas, this grant being nearly co-extensive with the modern parishes of Arbroath and St Vigeans, including the lands of Guynd, Milton of Conan, and others, in the parish of Carmyllie. The barony of Inverpeffer was held of the Abbey. The other landed property in Angus belonging to the monastery was as follows: The village and shire of Ethie; the village and shire of Dunnichen; the village and shire, or barony, of Kingoldrum; the lands called the Abbacie of Old Montrose, in superiority, with three stones of wax as feu-duty; thirteen acres of land near the church of Barry; two oxgates of land at Rossie, in Gowrie; lands at Broughty or North Ferry, and hospital; land on the south side of the church of Monifieth, anciently belonging to the Culdees, with a toft and croft on the east side of that church; the davoch of Ballegilgrand; a toft and croft and two acres of land at Stracathro, with the teinds of the fishing-net on North Esk; ten acres of land in the plain of Kinblethmont, and half an acre in the village at the chapel toft, with the oblations pertaining to the chapel of Kinblethmont; the lands lying betwixt Aldenkrokro and Aldendoven, in the territory of Kirriemuir; the lands of Braikie, Bolshan, Kenbraid, and Frithmuir, in Kinnell, and common pasturage in the king's muir of Montrethmont; the lands of Hedderwick, near Montrose; the church lands of Inverkeilor, with pasturage in the territory of Inverkeilor; the lands of Auldbar; the lands of Backboath; the lands of Colside, Balskelly, Cowbyres, and Whitelums, in the parish of Barry, also the lands of Greenlawhill, Easter Barryhill, and Wester Barryhill. The Abbey lands in Mearns were: A ploughgate of land in Mondyne, on the river Bervie; the lands of Belphe; two oxgates of land at Katterline; the lands of Glaskeler; a ploughgate of the lands of Balekelefan; the lands of Nigg, afterwards forming the barony of Torry, excepting the kirk lands; the lands of Tubertachthas, Glenfeskeryn, Kinkell, Culback, Auchinblae, Blairs, Catterlin, Miln, &c., called the barony of Newlands, in the parish of Fordoun; the lands of Conveth, Halton, Scotston, and Mill of Conveth, near Laurencekirk; the lands and barony of Banchory-Ternan; the lands of Ardoch; the lands of Petnegartney. In Perthshire and Fife: The lands of Bellach and Petinlour; the teinds of Wester Pitlour. In Lanarkshire: The lands between Ethkar and Calledouer, erected into a barony, in the parish of Cambusnethan. In Aberdeenshire: The village and lands of Tarves, Cairnbraggin, Milton, Newton, Smiddiehill, Brakcalaw, Tilliecarne, Tulielt, Cairnfechill, Auchinleck, Kirkton of

¹ Acts of the Lords of Council in Civil Causes, p. 91.

Tarves, Milns of Tuliet and Fehill, Cowie, and others, constituting the barony of Tarves; the lands of Ardlogy, Lethendy, and others, in Fyvie, which, with the mill of Fyvie and the lands of Mondarno, were formed into the barony of Fyvie, where there was a cell or dependent religious house of the Abbey; a ploughgate of the lands of Kinnethmont, in Garvoch; the lands of Mondarno, on the Don; the lands of Abbotshall, within the burgh of Aberdeen. In Banffshire: The lands of Forglan; the kirk lands and kirktown of Inverbondie.

The Abbey held tofts or tenements in a number of the Scottish burghs, these being Arbroath, Dundee, Montrose, Forfar, Aberdeen, Forres, Perth, Stirling, Crail, Kinghorn, Inverkeithing, Edinburgh, Peebles, Berwick-on-Tweed, and the village of Auchterarder. It held a granary in Leith, and lands within the burgh of Linlithgow. In 1576 the Crown confirmed the grant by John, Commendator of Arbroath, of a tenement in Leith belonging to the Abbey in favour of Robert Gourlaw.¹

Another source of wealth to the monastery was its fishings. These were: Net fishings in the Tay, the North Esk, and the Bridge of Dee; a half mark out of the fishing of Ur on Tay; fishings at Broughty on the Tay, and at Banchory-Devenick on the Dee; salmon fishings on the Dee, in the barony of Torry; fishings at Inverbondie, with right to a boat in St Brandon's Haven; fishing rents payable from Inverness, in herrings, salted and in barrels.

The monks had right to a ferry-boat at Montrose, with the land attached to it; and they had a similar right to a boat at Kincoth, on the Dee.

The forestry rights of the monastery were extensive. Successive royal grants gave the monks the right to take timber from all the king's forests; the Abbey had the wood of Trustach on the Dee; one of the earliest grants to it was the right of taking charcoal from the wood of Edale [Edzell], granted by John Abbe, the son of Malise, one of the last representatives of the Culdee Abbots of Brechin; it had also the right of free forestry on the lands of Conan, Dumbarrow, and Kingoldrum, and a similar right in the king's park at Drum.

Several saltworks belonged to the Abbey. King William granted to the monks his own saltworks, and one in Stirling; they also possessed a saltwork at Dun, with an acre of land.

Besides its own lands, a number of ground-annuals—annual rents payable from land—were granted to the Abbey. Among them were a silver merk, given by Fergus, Earl of Buchan; 2s. from the lands of Baleanus; a half silver merk from the mill of Haddington; 2s. given by Thomas de Lundyn, doorkeeper to the king; 100s. from the manor of Forfar; 10 merks from the lands of Monifieth, given by Alexander II. for augmenting the wax lights of the Abbey Church; 4 silver merks from the king's lands of Kinghorn, given by Robert the Bruce for sustaining lights round the tomb of King William; 4 beeves yearly by the Earl of Lennox, which

¹ Reg. of Great Seal.

were afterwards commuted to 2 silver marks, payable at Cambuskenneth;¹ 10 merks from the lands of Redhall, Balfeych, and Miln, in the barony of Newlands, in Mearns, with a piece of ground in front of the church of Brechin; 40s. from lands at Glamis; 12s. 6d. from a tenement in Perth; 6s. 8d. from a tenement in Dundee; 40s. from a tenement in Aberdeen; £4, 6s. 10d. from the Grange of Monifieth; 39s. 10d. from the lands of Balgillo; and 13s. 8d. from the lands of Ballumby, in the parish of Murroes.²

The Abbey possessed two burghs, both on its own lands: the burgh of barony and regality of Arbroath, and the burgh of Torry, in Kincardineshire.² It was on 11th December 1495 that James IV. erected the village of Torry into a free burgh in barony. The deed is dated at 'the monastery of Abirbrothok,' where at the time the king had been staying. It bears that the erection was for the singular devotion which James bore to St Thomas and to St Fotinus, the latter the patron saint of Torry, and also for the love which he bore towards David, abbot of Arbroath. A reason which possibly had more effect with the king, was 'for the relief and support of strangers, &c., sojourning in said village, who coming beyond the hills towards the burgh of Abirdene or other northern parts of the kingdom, might perchance, on account of the inclemency of the weather, be unable to cross the water of Dee.' The deed of erection granted to the inhabitants of Torry, with consent of the abbot and his successors, the power of electing bailies, and that they should have a cross with a weekly market and also a yearly market.³

While as yet the monastery had only a portion, though a large portion, of this vast property, Pope Honorius III., on 13th May 1220, issued a bull in which he took 'the convent of St Thomas the Martyr, in Scotland, along with all its possessions, under the protection of the Apostolic See.'⁴

With regard to the cell of Arbroath Abbey at Fyvie, Pius II., who, as Æneas Sylvius Piccolomini, had himself visited Scotland, 'ordered the Abbot of Deer, the prior of Restennant, on the water Idil, canon of Aberdeen, to unite the priory of Fyvie to the monastery of Arbroath.' The same Pope, on the 9th of March 1462, granted to the Abbey that the vicars of the parochial churches subject to them 'should not be subject to any bishop but to the bishop under whom the convent is.'⁵

From the detailed statement it appears that the Abbey of Arbroath possessed something, and for the most part a great deal, of all that in the mediæval ages constituted wealth. There is further indication of its riches in the ecclesiastical

¹ Lord Hailes observes, from this commutation of four oxen into two marks silver, that 'it appears that the price of an ox was 6s. 8d.'—'Annals of Scotland,' vol. ii. p. 296.

² See the successive grants, as recorded in the 'Registrorum Abbacie de Aberbrothoc,' the primary source of information with regard to the possessions of the monastery; and also Miller's 'Arbroath and its Abbey,' pp. 157-167, where,

compiled from the Registers, there is a careful statement of the properties of the monks, and from which account the notice in the text is mainly, in abridged form, derived.

³ Reg. of Great Seal, 1424-1513, p. 486, No. 2292.

⁴ Reg. Vet. de Aberbrothoc, p. 158. See also Theiner's Vetera Monumenta, p. 15.

⁵ Theiner's Vetera Monumenta, p. 435.

taxation down to the middle of the sixteenth century, which proceeded upon what served the purpose of a modern valuation, the roll of Bosimund de Vicci, commonly called the Bosimund Roll. Almost all the possessions of the monastery can be distinctly traced in its Registers. There is also trace of them in the fact that the Crown, having ultimately fallen heir to the monastery, is the sole capitular of the tithes on its lands; while in the same way it continued to be possessed of the patronage of almost all the churches of the Abbey until the passing of the Act of Parliament of 1874, which vests church patronage in Scotland in the communicants and adherents of the parish churches.

Great as was the wealth of the Abbey, it gradually, like that of the English monasteries, became dilapidated. Cardinal Beaton has been accused of wasting its possessions, but the process of alienation, which took the form of a surrender of lands for feu-duties, frequently very small, had begun long before he became Abbot. Yet even at the secularization, or partial secularization, the income of the monastery, though much below what it must have been in the best days of the establishment, was considerable. In 1561, when an arrangement was made by which the ecclesiastical revenues were divided into thirds, two of which were retained by the incumbents of the benefices, and the other third apportioned between the Crown and the reformed clergy, a list of those revenues was made in what was called the 'Book of Assumption of Thirds.' The rents of the monastery, in money and victual, are entered in the 'Book of Assumption' at figures which in their total amount correspond, as closely as can be calculated, to between nine and ten thousand pounds sterling of present value. The items are these: In money, £2873, 14s. Scots; wheat, 35 chalders; bere, 156 chalders 2 bolls 2 firlots; meal, 200 chalders 3 bolls 2 firlots; oats, 27 chalders 2 bolls; salmon, 37 barrels; grilse, 2 barrels; 'kayne fowlis and other small duties omitted.' It does not appear from the account of the collector-general that the rents produced so much as the assumption. 'The rent payed to the king of the superplus of the thirds of benefices' was, for Arbroath Abbey, £800. In 1571 the Commissioners of the Kirk assigned to the king's house of the crop of that year and in time coming £3631, 3s. 5d., of which there was 'the money of the thrid of the Abbay of Abirbrothok, £827, 15s.'¹ In the year 1592 there was prepared a list of 'the charge of the Temporalitie of the hail Kirklandis of quhatsumiver Benefices within this realm annexit to our Soveraine Lordis Crowne.' In this list a full detail is given of the feu-duties payable, in money and kind, on the lands of the Abbey, together with the names of the feuars, in the counties of Forfar, Aberdeen, Banff, Perth, and Kincardine. The money rents then amounted to £1507, 19s. 4d. Scots, and the rents payable in bere, meal, poultry, &c., were still considerable.²

Traces of the possessions of the monastery are seen in the charters of the

¹ Reg. Privy Council, vol. ii. p. 112.

² Reg. Nig. de Aberbrothoc—App. to Preface, pp. xxxiv.—xlii.

family of Maule of Panmure, to whom the lordship and barony of Aberbrothock ultimately descended. A minute account of these possessions, as belonging to the family at the time, is given in the retour of service of George, Earl of Panmure, on 1st April 1662. It generally corresponds to that which is given above. Mention is made of the various possessions of the abbacy, 'as well the spirituality as the temporality thereof,' the spirituality being the patronage and teinds of the churches. There is included in this retour of service, as belonging to the Earls of Panmure, 'the place, seat, desk, and shrine in the said church of Aberbrothock, which formerly belonged to the said abbacy and lords of erection of the same, in any time byepast, together with the ward, the hay meadows, and the common firth and moor of Aberbrothock; the lands [superiorities] of Guind, Brax, Grange of Conan, Kirkton of Aberbrothock, and the manorplace and precinct of the said lordship and abbacy of Aberbrothock,'¹ &c.

Many valuable privileges were possessed by the Abbey. It enjoyed the special right of sanctuary, which was in addition to the ordinary right of sanctuary conferred by ecclesiastical law on all churches possessing the right of baptism, or to which a cemetery was attached. It was custom-free, and passed its exports of wool, hidex, tallow, and salmon by its own coket.² The Abbey was also toll-free, which in ages when trade was subjected to harassing restrictions was a privilege of considerable importance. This privilege was conferred by Alexander II., in a writ dated at Edinburgh, addressed to the burgesses and provosts of his burghs. It exempted 'the men of the convent of Aberbrothoc' from toll and custom.³ A case of contravention of the privilege was tried in the court of the justiciar of the north of the Forth, held at Forfar on 17th July 1348. Certain burgesses of Dundee compeared in court for the purpose of repledging one of their number accused of having exacted toll from a man of the Abbey of Aberbrothock, contrary to the privilege conferred in the royal charter and Papal confirmation. The accused, on hearing his indictment read, acknowledged his fault, and on bended knees and with clasped hands besought the Abbot's pardon and absolution, which were granted.⁴ The 'men' of the convent, whose privilege was thus maintained in court, included the citizens of Arbroath. Sometimes the Abbey, in defending its possessions and privileges, came into collision with its great territorial neighbours as well as with burgesses. One of its writs records a perambulation of the boundaries between the lands of Conan and Tulach, made on 22nd June 1254, being the day of St Alban the Martyr, in consequence of disputes as to the boundaries having arisen between the Abbot and convent on the one part, and Peter de Maule, lord of Panmure, and Christian his wife, on the other.⁵ The Earl of Buchan, justiciar of Scotland, was present at the perambulation, which took place at Cairnconan.

¹ Reg. de Panmure, pp. 333-34.

² Reg. Nigrum de Aberbrothoc, pp. 25, 26.

³ Reg. Vetus de Aberbrothoc, p. 78.

⁴ Reg. Nigrum de Aberbrothoc, p. 20.

⁵ Reg. Vet. de Aberbrothoc, p. 322.

It was not only in Scotland that the Abbey was free from toll and custom. In the seventh year of his reign, King John of England, on the petition of William, King of Scotland, 'granted to the Abbot and monks of Abbertbrothoc that they might sell and buy for their own use through his whole land free of toll and all other custom, saving the liberty of the city of London.' The charter was dated at Carlisle, 19th February 1206, and was witnessed by Roger de Lasey, constable of Chester, and others.¹ It is interesting, as showing that the Norman lords of England had taken no umbrage at the dedication of the Abbey to the saint whom Henry II. had assisted to his title of martyr. The privilege conferred by the charter of King John extended to the burgesses of the Abbot's burgh of Arbroath, and it was pleaded so recently as in 1750 by one of them, who was travelling in England as a chapman. On production of a copy of the charter, the plea was sustained, and this son of St Thomas was allowed to open shop in an English town. The Rev. James Hall, who held curacies in Warwickshire, in a book of travels published by him in 1807, and writing of Arbroath, says that being introduced to some of the inhabitants of the burgh, he found that at that time they 'piqued themselves much on their privileges, since a freeman of this burgh has certain rights and privileges all over the kingdom; these peculiar privileges,' he adds, 'having been granted to one of the Abbots of Aberbrothock, and all the burgesses, on account of his and their steady adherence to the Crown during the rebellion of the nobles in the reign of James III.' In fact, the privilege, as has been seen, is of much older date. In 1357, David II., of Scotland, granted to the Abbey 'the great custom arising from merchandise and goods in the burgh, port, and regality of Arbroath, with the right of coquet.' This is noticed in the Supplement to the Acts of the Parliament, prefixed to the General Index, where also is given a *facsimile* of King David's charter from the original in the Panmure charter chest. The grant, however, does not seem to have been of the whole customs of the burgh. It appears from the Exchequer Rolls that a proportion, from a third to a fourth, was paid to the Abbot, and the balance, after deduction of fees, was paid to the king's chamberlain.

The Abbey possessed rights and privileges of a different nature from those of trade, or which brought in wealth. It became heir to the greatest of the Culdee houses. Along with the church of Abernethy, granted by King William, the monks obtained a half of its tithes; the other half was reserved to the Culdees of Abernethy and their 'abbot,' who was simply a secular proprietor. As incidental to this gift, the Abbey of Arbroath obtained the custody of the great Culdee symbol, the Brechennach, literally, the 'variegated' or 'spotted' banner. The Brechennach was the consecrated banner of St Columba. Its custody was held of the Abbot, in the beginning of the fourteenth century, by the knightly family of Monymusk of that ilk, from whom it passed to the Urrys

¹ Calendar of Documents relating to Scotland in H.M. Public Record Office, vol. i. pp. 438, 439.

and the Frasers, becoming vested, about the year 1420, in the Irvines of Drum,¹ a family which still survives in the male line. The lands of Forglen, the church of which was dedicated to St Adarnan, the biographer of St Columba, were granted to the monks for the maintenance of the Brecebennach.²

By permission from Rome, the Abbots of Arbroath wore ring, mitre, and crosier. They further enjoyed a Papal exemption from attendance at synods. The Abbots had also the privilege of conferring minor orders, and of consecrating the furniture of the altar. This privilege was obtained from Rome on their own request, and on account of the perils attendant on crossing the sea from Arbroath to St Andrews,³ a reason which gives a glimpse into the difficulties of travelling in those times. The Abbots thus exercised episcopal functions, and within their domain they must have been more powerful than the neighbouring Bishops of Brechin. But the Abbots had occasional disputes with the bishops, and they did not always gain their point. The monastery had a connection both with the bishopric of Brechin and with the primatial see of St Andrews. Both diocesans claimed the episcopal subsidy, which the monastery paid, but under protest. The Abbot paid Canterbury alms. The amount of these dues in 1290, for two years, was £10; in 1359 the sum paid was £7, 10s.⁴ The payment of Canterbury alms by a Scottish abbot seems worthy of note. For long there was a firm resistance on the part of the Church of Scotland to encroachments by the English Church, and indeed, as appears from the letter of the Estates to the Pope in 1320, Scotland was as anxious for the independence of her Church as for the independence of the State from foreign interference, Church and State being then regarded as inseparably connected. The clergy refused to recognise or obey the Papal legate unless he was commissioned to Scotland. But there were frequent encroachments by the English Church. It appears to be one of these which is mentioned by Fordun, who states that the Prior of Durham and the Archdeacon of York, being sent by the Papal legate of England, visited Scotland for the purpose of giving absolution to the clergy. They went through the country from Berwick to Arbroath, assembling the clergy in cities and in boroughs, and exacting from them a sworn pledge that they would abide by the legate's commands. The clergy, standing bare-foot before the doors of the churches, received absolution.⁵ This proceeding, transacted among other places at Arbroath Abbey, seems to have been intended for confirming the subjection of the clergy of the National Church to Rome.

The lands of the monastery were held in free regality, a tenure which gave the Abbot sovereign power over his people, with an unlimited criminal jurisdiction. In 1435, the Abbot, in virtue of his right of regality, compounded with Andrew

¹ Reg. Vetus de Aberbrothoc—Pref., p. xxxiii.

⁴ Exchequer Rolls, vol. i. pp. 50-591.

² *Ibid.*, p. 10.

³ Reg. Nig. de Aberb., pp. 51, 52.

⁵ Skene's Fordun, p. 287.

Lychtoun, and granted him a remission for the slaughter of one James Gibsoun.¹ This power of regality continued till the abolition of heritable jurisdictions, and thus, even after the Abbey had ceased to exist as a religious house, its bailies of regality exercised an authority which enabled them to rescue prisoners from the king's justiciar, and 'repledge' them into their own court, if the prisoners had been dwelling within their bounds. There is on record a case of four men accused of murder having been thus rescued.² Several of the commissions to the Ogilvys of Airlie, as bailies of the regality, illustrate the system of repledging from other jurisdictions to that of the Abbot, tenants of the monastery who had been cited to foreign courts.³

The officer who administered the civil and criminal jurisdiction of the Abbey was the bailie of the regality or justiciar. A similar office exists in the continental monasteries. The monks appointed their bailie, but the office was latterly hereditary in the Airlie family. The Earls of Airlie continued to hold the office of bailie of the regality of Arbroath till it was abolished in 1748. Its value in money at the date of its abolition was reckoned at £1400 sterling, the sum paid to Lord Airlie as compensation for its loss, independently of £41, 13s. 4d. paid to each of two regality clerks. The duties of the bailie were discharged by a deputy, who held his head court in the regality-rooms in the gate of the monastery. The head courts were continued long after the church of the Abbey was a ruin, and, according to a manuscript in the Advocates' Library, the ordinary courts were held in the 'new church,' by which is meant the parish church. The same authority, evidently speaking of the post-Reformation period, says that the bailie of regality was not in use to exercise civil jurisdiction within the town, although he did so in the case of great crimes tried by juries, and in which the criminals might be subjected to considerable fines. Other civil officers of the Abbot were the 'mair' and coroner, who were executors of the law within the bounds of the regality, and the judex or dempster, who tried and pronounced sentence on criminals. The latter office became hereditary in the family who held the lands of Caraldston, to whom it gave name.⁴ The duties, like those of the bailie, were generally performed by deputy. In 1370, Andrew Dempster of Caraldston became bound to the Abbot and convent that he and his heirs would furnish a person, residing within the shire of Aberbrothock, to administer justice within the courts of the Abbey. The annual salary of 20s. sterling was to be paid to the deputy, and it was to be paid out of the issues of the courts.⁵ The Abbey had a salaried advocate, and the office was given to a high functionary of the law, the one who held what anciently represented the office, though not precisely the present duties, of Lord Justice-Clerk. The more domestic duties connected with the

¹ Reg. Nig. de Aberb., pp. 67, 68.

² Pitcairn's Criminal Trials, 1570, p. 16.

³ Second Report Hist. MSS. Com., p. 187.

⁴ Reg. Vet. de Aberbrothoc—Preface, p. xxvi.

⁵ Reg. Nig. de Aberbrothoc, p. 31.

administration of the affairs of the Abbey were performed by a chamberlain, steward, granitor (who had charge of the granaries), sacristan, cellarer, &c., some of which offices were held by members of the brotherhood. The ecclesiastical office of sub-prior was of course held by one of the monks; the sub-prior ranked immediately after the Abbot. We likewise hear of a pedagogue as one of the Abbey officers, and a professor of theology,—possibly one and the same. The pedagogue had the usual stipend of a parochial vicar, which was ten marks, 'besides his daily portion with the monks.' A covenant was entered into, on 5th April 1486, with Archibald Lamy, pedagogue, on these terms.¹

Such was the constitution, and such the powers, privileges, and possessions of the monastic establishment of Arbroath. As Mr Innes has said, 'the lord Abbot of such a house as Arbroath, whether bearing the crosier or mitre, or buckling on more carnal armour, whether sitting in the high places of Council and Parliament, or taking homage and dispensing law among his vassals and serfs, or following his sovereign to battle, was, in virtue of his official position, his revenues, his followers, and actual power, by far the greatest person in the shire.'² It is worth while to bear in mind, as bringing out a democratic phase of the Mediæval Church, that while the parochial clergy were for the most part drawn from good families, the regular clergy, or the monks, were often of the common people. The Abbots, who were elected by the monks, generally from among themselves, were of the same origin; at any rate, this state of things continued as long as the monastic system was pure and vigorous. It thus happened that the greatest men in a county did homage, on bended knee and with joined hands, to a poor's man's son; that proud barons were honoured by acting as his deputy; and that, on being called upon, they followed with alacrity his standard.

The seal of the Abbey, attached by the Abbot as a lord of Parliament and a lord of the Council to State papers, or as head of his own establishment to charters or other documents granted by the monastery, was round, and measured $3\frac{1}{2}$ inches in diameter. It represented on one side the murder of Becket by the four knights, with the inscription: '*Sigillum abbatis et conventus sci Thome martiris de Aberbrothoc.*' The counter seal represented a shrine, with folding doors, displaying the Virgin and Child, seated and crowned. The legend on this side was: '*Porta salutis ave: per te patet exitus a ve: venit ab eva ve: ve quia tollis ave.*' This was the chapter seal, or seal of the convent; but several of the Abbots had seals of their own, all of them containing some representation of the assassination of St Thomas.

¹ Reg. Nig. de Aberbrothoc, p. 245.

² *Ibid.*—Preface, pp. xv., xvi.

CHAPTER V.

THE USES OF THE ABBEY.

ARBROATH ABBEY was not erected merely as a dwelling-place for forty or fifty monks, nor was it with a view to their enrichment that much of the wealth of wide districts was drained away to the monastery. One of his successors, James I., poet and patriot king, described David I., in allusion to his bearing the title of saint, as a 'sair sanct to the Crown.'¹ But David, and his immediate successors on the Scottish throne, including the founder of the Abbey of Arbroath, could have given no higher proof at the time of their patriotism and statesmanship, as well as of their piety, than by raising up, either from the ruins of Culdee churches, or as entirely new erections, those great religious houses which served as centres of civilization to the districts in which they were placed. It was similar motives—the conservation of freedom, the setting up of a power in the country capable of holding its own against the great power of the feudal nobility—which led the same enlightened princes who established the monasteries to grant charters of incorporation to burghs. The burghs and the monasteries were both popular forces, powers whose influence was on the side of liberty, and peace, and order, and which, in their contentions with turbulent barons, were steady supporters of the central authority of the State. There need, then, be no doubt as to the object which William the Lion had in erecting and endowing the monastery of Arbroath. He, and other kings and nobles who contributed to its revenues, had in view in what they did and gave the salvation of their souls; they themselves say so; but it may be assumed as certain that William was not thinking of his own soul only, or even exclusively of any spiritual interests, when he founded the Abbey. He thought of setting up a strong power which would be loyal to the Crown, and in many ways beneficial to the province in which it was placed. And in their best days the Abbey of Arbroath, and other establishments of a like character, served the purpose of their erection. The church lands were green and cultivated spots amid what was often the surrounding desolation wrought in lawless times: in Scotland, before the establishment in the fifteenth century of the three older Universities, the monasteries were the sole lights of learning. From the existence at Arbroath of the official called the professor of theology, it may be inferred

¹ 'King James the First, roy of this regioun,

Said that he was ane sair sanct to the crown.'

—Works of Sir David Lyndsay (Edin. 1871), vo. ii. p. 245.

that the Abbey was a school of the prophets, as well as one of the custodiers of whatever of secular knowledge, of literature and the arts, the mediæval ages possessed. Relative to what we have to show as the accumulated wisdom of succeeding centuries, the learning of the twelfth century, and on to the revival of letters in the fifteenth, may indeed seem as puerile as its religion was superstitious; but it has to be borne in mind that, in an age when no printed book was in existence, the knowledge of letters might have died out altogether but for the guardianship of the churchmen, who had the credit of taking the leading part in their revival. It is known that the monks of Arbroath did take an interest in such literature as their age possessed, for they had a library which in the beginning of the sixteenth century consisted of fully two hundred volumes.¹ They devoted a portion of their revenues to the maintenance of this library, and of their time to its increase by copying. Of the monastic school of Arbroath little is known, but it would be a mistake to conclude that there was little about it which was worth knowing. As John Barbour, archdeacon of Aberdeen, the father of Scottish poetry, received his early education at the Abbey, it produced one name which has lived in our national literature.

In alliance with the learning of civilized states is law. Most interesting is the relation of the Abbey of Arbroath to the early laws of Scotland. Besides the references to the much earlier laws of the reign of King David, there is printed in the Chartulary a body of statutes of the reign of Robert the Bruce, year 1318.² Concerning those statutes, the editors remark that they are the only body of general laws of the reign of Robert I., and that they 'derived additional authority and interest from the fact that Bernard, the Abbot of Arbroath, as chancellor of the kingdom, probably either framed them or presided in Parliament when they were passed, and thought them of sufficient importance to have place in the Register of his Abbey.'

Important duties were committed to the monastery and its Abbots in the administration of law and justice, sometimes beyond as well as within their own jurisdiction. In the year 1286, when Scotland was ruled by guardians for the Maid of Norway, a commission, dated 25th September, was addressed by the guardians to Henry, Abbot of Aberbrothock, and David de Betune, who were 'directed to inquire by good and faithful men of the country in what state the pasture belonging to the land of Strin [Scryne, near Arbroath], in the tenement of Panmure, was on the day on which the late King Alexander of good memory died. And if the holding of Christian of Maule in relation to the said pasture was altered, they were to restore her to the same state therein as she was on the day of the king's death. The commissioners reported that, in presence of Ingeram of Baillale, William of Brechin, Henry of Gorlay, Robert of Betune, knights, and other trustworthy men, on the Monday next before the Feast of

¹ *Supra*, p. 36.

² *Reg. Vet. de Aberbrothoc*, pp. 248-259.

St Luke Evangelist, they had made strict inquest by suitors of the baronies of Angus, and other true men, sworn and examined, and had found that the said pasture, which is called Salmanmore, of right belongs to the lands of Strin in the tenement of Pannemore, and was in peaceful occupation of the said Christian on the day of the king's death, and they therefore, in terms of their commission, restored the said Christian to her former right of said pasture.¹

A somewhat similar commission was issued in 1325 by King Robert the Bruce. It was dated 'at Aberbrothock the 22d day of June, and in the twentieth year of our reign.' The commission was addressed to Bernard, Abbot of Arbroath, chancellor, and Alexander Fraser, the king's chamberlain, who were instructed to ascertain what liberties the burgh of Dundee possessed under former Scottish kings. At this time the country was emerging from the long War of Independence, and the burghs, with the return of peace, were resuming their trade, and looking to the preservation of their liberties, the evidence of which had in many cases been lost in the war. It was not until two years after the commission was issued that it was acted upon. In 1327 the commissioners repaired to Dundee, where they examined a great many witnesses, not only burgesses of the town, but persons from Arbroath, Montrose, Forfar, and more distant burghs. The result of the examination was the issue of a royal charter, confirming to the town of Dundee its old privileges and liberties. The original of this document is still preserved in the burgh archives of Dundee.²

Nor was it only in the preservation of laws and learning, the administration of justice, and the conservation of popular rights, that the monasteries did useful work. Their contributions to the material comfort of the people tended in an important degree to the growth of civilization. It was not by their personal example alone, as handicraftsmen in the best days of their system, that the monks encouraged the arts. The erection and maintenance of their great churches gave employment to workmen, who in other ways also enjoyed the patronage of the monks. Then we are indebted to the monasteries for what may seem perhaps not a very large, but which was really an important gift—the introduction into this country of many of our kitchen vegetables, as well as fruits, which had been previously unknown in Scotland. There is a small local trace of the service of the monks of Arbroath in this direction in the numerous orchards which used to be within the burgh and its liberties, and in the 'Arbroath ozlin,' a sweet-tasted apple, originally brought from the Continent by one of the Abbots, and planted in his own garden. Some of these apple

¹This interesting 'Note of Return by the Commissioners of the Guardians of Scotland' was printed from the original in the Harleian Collection in the 'Registrum Vetus de Aberbrothoe,' pp. 332, 333. It has also been printed in

'Documents Illustrative of the History of Scotland,' pp. 25, 26, published under the direction of the Lord Clerk Register, and in the 'Registrum de Panmure,' Preface, pp. clxvii., clxviii.

²Municipal History of Dundee, pp. 19, 20.

trees are still to be found in the gardens of the town. Poultry and the dairy were also not beneath the fostering care of the monks.

Agriculture owes much to the prudence, as well as liberality, with which the monasteries managed their extensive estates. In the Registers of Arbroath we have evidence that the monks were good landlords. At a time when probably no lay landlord acted in the same manner, and when, indeed, the unsettled state of society must have been a great barrier in the way of landlords doing so, however well disposed they might be, the monks of Arbroath granted leases for the now ordinary term of nineteen years, and frequently for longer periods. When they had a good tenant, they gave him all reasonable encouragement to stay on his farm. At the same time, they appear to have been anxious to guard against persons not fully approved by them being admitted as their tenants. This gave rise to a curious regulation. Widows, being tenants of the Abbey, were not allowed to marry without the Abbot's consent. The prædial arrangements of the monks made it incumbent on many of their tenants and cottars to give service in harvest work, and other forms of agricultural labour. Some were required to provide wool, wood, peats, and slates, but military service exempted from prædial service.¹ From their interest in agriculture, it follows, as a matter of course, that trade was encouraged by the monks, and in one of the Arbroath Registers we have some notices of early banking.² The monks took considerable interest in fishings, from which, as has been seen, part of their revenue was derived, and which were of special importance to them, as supplying an article of diet indispensable during the numerous fasts of the Church. They are found giving permission to take bait from the shores of Monifieth, which belonged to the monastery. The permission was given to the white fishers of Port-in-Craig, who paid for the privilege six white fish for every day's fishing of each small line.³ The fact of herrings in salt and barrel being a portion of the Abbey rents from Inverness⁴ is curious, but it can scarcely mean that herrings were not then found off the Forfarshire coast.

The erection of bridges was a sign of internal prosperity, and the editors of the Arbroath Chartulary notice that early in the thirteenth century the monastery had built bridges over the streams on their lands. They mention this as a proof of 'the great progress in civilization which Scotland had made during the reign of William and the peaceful times of the two Alexanders.'⁵ Few of those bridges survived the wars of the beginning of the fourteenth century, and it was long before they were rebuilt.

A few glimpses into the domestic manners of the people are given in the Abbey Registers. The monks had a lodging, or 'hostilage,' in more than one of the Scottish burghs. In the burgh of Peebles they possessed land, which was

¹ Reg. Nig. de Aberbrothoc—Pref. p. xvii.

⁴ Reg. Nig. de Aberbrothoc, pp. 68, 69.

² Reg. Nig. de Aberb., p. 297. ³ *Ibid.* pp. 156, 157. ⁵ Reg. Vet. de Aberbrothoc—Preface, p. xxix.

granted in 1317 by the Abbot and convent to 'William, called Maceon,' burgess of Peebles, and his heirs, for a feu-duty of 'two shillings of silver in each year at the feast of the Holy Trinity, and finding honest lodging for the Abbot of Arbroath who shall be for the time, and for his monks, associates, and clerks, their bailies and attorneys, coming for the business and causes of the monastery, as often as they shall arrive, each according to his station, with their domestics; a hall in which they may becomingly eat, with a table, trestles, and other furniture, a spence with a buttery, a chamber or chambers where they may comfortably sleep, a decent kitchen, and a stable for their horses; they shall provide also, on the coming of the aforesaid persons, sufficient fuel as well in the hall and chamber as in the kitchen, white candles of tallow, which are commonly called candles of Paris, straw or rushes for the hall and chamber, and salt for the tables. Moreover, when the messengers or runners of the Abbot shall come to dwell there, they shall be admitted without gainsaying, but the said William and his heirs shall not be liable for the cost of their food.¹ Grants of hostilages (tenements) in Stirling and Dundee contain similar stipulations with regard to accommodation for the Abbot and monks. The charters indicate the style of furnishing of a good class of lodging in Scottish towns early in the fourteenth century. One of the accessories of the Stirling hostilage was a stable capable of receiving thirty horses.

To observe hospitality was one of the objects for which every monastic establishment existed, and the possessions of Arbroath Abbey were large enough to enable the monks to perform this duty with princely liberality. The poor, persons of the pauper class, which was a very numerous class under the monastic system, received regular relief at the almonry. The Abbot was frequently called upon to provide entertainment for another class—great persons of the land. Among the visitors to the Abbey in the year 1488 there were the king and the archbishop.² These royal and episcopal visits were incidentally noticed by Abbot David Lichtone, in an ordinance which he made, about the year 1489, for the provisioning of the Abbey. It appears from this order that the monks used annually 800 wedders, nine score of marts [salted beeves] and fresh, all the year; salted codfish, 1500; salmon, from the Abbey's fishings at Dundee, Broughty Ferry, and Montrose, 11 barrels; dry haddocks and speldings, 1200; large supplies of fresh sea fish, to be bought daily, £60 a-year being allowed for the purpose; eggs and butter, to the value of 20 merks; lamb, veal, grice, and chickens, £20; two dozen swine and boars; wheat, 30 chalders; oatmeal, 40 chalders; malt, 82 chalders; with large quantities of spices, and £20 for candles. The officers, granitor and cellarer, are warned not to be slothful in the discharge of their duty,

¹ *Regis. Vet. de Aberb.*, pp. 300, 301. This charter has been reprinted, with a translation, by the Scottish Burgh Records Society, in 'Charters and

Documents relating to the Burgh of Peebles,' pp. 6-8.

² *Reg. Nig. de Aberbrothoc*, p. 262.

'sen God, of His grace, has given the place largely to live upon.' It was added, as a memorandum, that in the year 1488, when 'the kinges hienes was heir twys, the archebischof thris, and the lordis of the realme and all otheris hospitality keipit,' the charges of the old cellarer were but £500, 29s 4d. [Scots], and that this sum was now exceeded in the 'memoriale,' or estimate, by £27.¹ These supplies are indicative of a large hospitality. It is probably to some one who had been entertained at the Abbey that we are indebted for the venerable local proverb: 'St Thomas is kind to strangers.'

CHAPTER VI.

CIVIL HISTORY OF THE ABBEY—THE WAR OF INDEPENDENCE—CONVENTION OF THE ESTATES AT THE ABBEY—BATTLE OF ARBROATH.

DURING the first century of its existence, the monastery of Arbroath shared in the prosperity which Scotland enjoyed in the later period of the reign of its royal founder, and in the reigns of his son and grandson, the Second and Third Alexanders. The Abbot of his own monastery was a trusted minister of King William. He was one of an embassy sent to the English Court in 1200 to obtain a safe conduct for his royal master, which was issued at Gloucester on 30th October in that year.² William and the Alexanders visited the Abbey frequently, according to the itinerant habit of Scottish royalty in those early ages. Kings were apt to spend a large part of their revenues upon the retinue of the court, and perhaps it was in this way that even the prudent Alexander II. found himself under the necessity of borrowing a sum of money from the monks of Arbroath. The king got the money, and he undertook that neither the monks nor their convent should suffer any loss by extending to him their credit. Alexander 'kept merrily at Forfar' the Christmas of 1215, where he met the Queen his mother, and thereafter they set out together for Aberbrothoc, to see the grave of King William, of pious memory.³

The Abbey had not been long founded when the names of successive abbots appear in connection with documents of national importance. The seal of the monastery is attached to the ratification of a treaty with France.⁴ In 1290 the Abbot's seal was set to an act memorable in Scottish history, the confirmation

¹ *Registrum Nigrum de Aberbrothoc*, pp. 262, 263.

² *Skene's Fordun*, p. 283.

³ *Calendar of Documents, Scotland*, i. pp. 46, 47.

⁴ *General Index to Acts of Parliaments*.

by the Parliament which met at Brigham, near Berwick, of the treaty of Salisbury, respecting the settlement of the estate of Lady Margaret, queen and princess of Scotland—the treaty which, made in the presence of Edward, king of England,¹ provided that the rights, laws, and liberties of Scotland should continue entire. During the reign of Alexander III. the Abbot seems to have had frequent business in England either on the affairs of the State or of his monastery. In 1269, on 20th April, letters of protection, to endure for three years, were issued at the instance of the English king's son in favour of the Abbot and convent of Aberbrothoc.²

The Abbey and two of its Abbots occupy a prominent place in the history of the period, so disastrous to the nation, which followed the death of Alexander III. On 27th June 1292, about five months before John Baliol accepted the crown on condition of doing homage to the king of England, and consequently before the war had emerged, Edward I. directed an order from Berwick-on-Tweed, in which one of the monks of Arbroath was nearly concerned, and of which this is a translation from the Latin of the original document:—

'For Master Alan of Dumfries and Adam of Aberbrothok.

'The king, and lord superior of the kingdom of Scotland, to his beloved and trusty Master Alan of Dumfries, chancellor of Scotland, greeting. Because by intimation of certain of our trusty friends we have heard that you and our beloved Adam of Aberbrothok, a clerk [clergyman] associated with you in the chancellor's office of the kingdom of Scotland in the time of A— of good memory, late Bishop of Caithness, chancellor of Scotland, were delayed at Edinburgh at your own charges in waiting our pleasure, while the office of the foresaid chancellorship was vacant, for fifteen weeks, and after the death of

*William of Dumfries, late chancellor of the same kingdom, for twenty days: We, wishing to order your above-mentioned charges, have conceded to each of you for the same time two shillings sterling a-day, to be received for your foresaid charges; and therefore we enjoin you that, by letters patent, sealed with the seal assigned to the government of Scotland, you give command to our beloved and trusty Alexander de Baliol, chamberlain of Scotland, that he cause to be paid to each of you, for the said fifteen weeks and twenty days, two shillings a-day, without delay. That which he shall have paid to you we wish to be placed in his accounts.'*³

This order shows the king of England in the active exercise of the government of Scotland, as its 'lord superior.' On 7th August 1292, Alan de Dumfries and Adam de Aberbrothok gave acknowledgment of the sums thus granted to them.

When Baliol resolved on renouncing his allegiance to Edward I., it was Henry, Abbot of Arbroath, accompanied by the Prior of the Abbey, who carried the message to this effect from his king to the English monarch, then at Berwick, on his way north. A graphic account is given by Wyntoun of the Abbot's mission. After describing the irritation of the Scots at the homage extorted from Baliol by Edward, and their determination to send some 'gret man that

¹ Documents Illus. of Hist. of Scot., vol. i. p. 129.

³ Cal. of Documents relating to Scot., vol. i. p. 508.

² Rotuli Scotie, vol. i. p. 9.

was lele,' with the king's renunciation of his homage, the poet describes the rage of Edward, suggesting that it was a cause of danger to the Abbot:

And, for his cwndyt was nere gane,
Langare cwndyt he askyd nane;
Bot frs he this charge had dwne,

In Scotland hame he sped hym swne.
Nevyrtheles he wes in dowe,
Or his cwndyt wes worne outt.¹

Fordun differs from Wyntoun in one respect as to this embassy on which the Abbot of Arbroath was sent by the Scottish Parliament. He sets forth that the Abbot had become obnoxious to a number of the nobility, and that it was out of spite that he was sent on what was regarded as a dangerous embassy. But the historian is at one with the poet as to the danger, for he says that 'owing to the shortness of the time which was left before his safe-conduct ran out the Abbot scarcely escaped alive.'² It may be questioned, however, if these statements by Fordun and Wyntoun are correct. Edward was not a prince who was likely to have been tempted into any act of useless violence. Early in the same year, 23d February, Abbot Henry had a letter of protection from King Edward, issued at Thetford, of which this is a translation from the Latin original in the Public Record Office:—'Whereas the religious men, the Abbot of Aberbrothock and the Prior of that place, having been lately sent out of the territory of the king of Scotland on an embassy to us, are now about to return to the parts of Scotland, we commend you not to inflict, nor permit to be inflicted, on said Abbot and Prior and their trains or belongings, when returning to the foresaid parts, any injury, annoyance, hurt, impediment or inconvenience.'³

Abbot Henry was soon followed into Scotland by Edward and the English army, and at Brechin Baliol laid down his uneasy crown. On his way to Brechin, Edward proceeded by way of Arbroath. He arrived at Forfar on the 3rd of July 1296, and on the 6th of the same month he was at Arbroath. On the day of his arrival, Edward seems to have left Arbroath for Farnell and Montrose, but he did not take his departure from the Abbey before he had exacted homage from the monks, together with four knights. Abbot Henry was one of those who swore fealty to the English sovereign at the Abbey, as he had also done five years before in the church of the Black Friars at Berwick.⁴ After depriving Baliol of his royalty, the English monarch marched northwards to Elgin, with the purpose of bringing the whole kingdom of Scotland under his obedience. In his southern march, Edward again came by way of Arbroath. He arrived at the Abbey on the 5th of August, and fixed his quarters there for the night, leaving next day for Dundee.⁵ In the following year, Edward

¹ Wyntoun's *Cronykil* (Edin. 1872), vol. ii. p. 327.

² Skene's *Fordun*, p. 322.

³ The original Latin is printed in *Documents Illustrative of Hist. of Scot.*, vol. ii.

⁴ *Calendar of Documents relating to Scotland*, vol. ii. p. 125.

⁵ *Bannatyne Miscellany*, vol. i. p. 280.

made an order, addressed to the Earl of Surrey, 'his custodier of the country and kingdom of Scotland,' in favour of the Abbot and convent to this effect:—

'On the part of ours in Christ, the Abbot and convent of Aberbroth, it has been shown to us that when Alexander, late king of Scotland, by his different charters, had given and conceded to the same Abbot and convent fourteen pounds six shillings and eightpence yearly to be received through the hands of the Sheriffs of Forfar and Fife, from the dues charged from their bailiffs, and to be applied to pious uses by the same Abbot and convent, as is contained more fully in the foresaid charters, and our Sheriffs of the foresaid counties withhold the foresaid money

from the foresaid Abbot and convent, and refuse to pay it to them, to the no small loss and trouble of that Abbot and convent; and because an account of our reverence for the blessed Thomas the Martyr, the patron of the same Abbey, we wish to show favour to the foresaid Abbot and convent, with this view we charge that if it is found by you to be so, then to cause satisfaction to be given to them concerning the foresaid fourteen pounds six shillings and eightpence of annals.'¹

Although winning the battle of Falkirk in 1298, Edward found it necessary to make a third expedition into Scotland in 1303. In that year he again visited Arbroath, arriving there on 1st August.² It appears from the Household Roll of Edward, Prince of Wales, that on the day of the King's arrival at Arbroath, being the day of St Peter *ad vincula*, eightpence was paid for oblations in the Prince's chapel, at the mass in the saint's honour.³ From Arbroath, Edward marched north by Brechin to Aberdeen and Moray, in his progress meeting with no serious opposition, and on 20th February 1303-4 peace was notified to, among other dignitaries of the kingdom, the Abbot of Aberbrothock. A curious illustration of the disturbed state of the country, the result of these wars, occurs in connection with Arbroath Abbey. In 1304-5 Hamelin de Trup represented to Edward and his Council 'that Sir Duncan de Feringdrant, who dwells in the Abbot of Aberbrothock's liberty, maintains thieves and robbers there, who lately plundered Thomas le Graunt of his goods and chattels, and cut off his hands, and then betook themselves to Sir Duncan, and remain there against the king's franchise and all law and right.' The statement to the king and council concluded with a prayer for inquiry into the truth 'by good men of Scotland,' that is, men loyal to the king. It is emphatically endorsed, 'Let the lieutenant inquire and do justice.'⁴ In the same year the abbot and convent petitioned King Edward 'as to their disseisin by John de Balliol of their lands and woods in a place called Moillectre in the county of Forfar.'⁵ The response was 'Let them sue before the lieutenant in Scotland.' The sovereignty which the English monarchs were exercising over Scotland did not pass unchallenged. The nation was but waiting to assert its independence, and thus in December 1307, when Edward II. was about to set out to Boulogne, he found it necessary to

¹ Rotuli Scotiae, i. p. 40. ² *Ibid.* i. p. 58.

⁴ Calendar of Documents relating to Scot., vol.

³ Cal. of Documents relating to Scot., ii. p. 364. ii. p. 469. ⁵ *Ibid.* iv., No. 1815.

beg the clergy and certain great dignitaries, among whom was the Abbot of Arbroath, to keep the peace in that realm.¹

The victory of Bannockburn, won in 1314, did not wholly end the attempts of the English kings to bring Scotland under their sovereignty. Edward II. invoked the authority of the Papal See to do that for him which at Bannockburn his own arms had failed to accomplish. In reply to the appeal made to him by the English king, the Pope, as supreme Christian pastor, exerted his influence in favour of peace. But the injunctions of his Holiness were addressed unequally to the two Powers. The king of England was treated with the formal respect due to a sovereign prince, and it was into England that there was sent the bull threatening Bruce with excommunication if he should renew the war within two years. The king of Scots, on the other hand, in the sealed letters sent to him, was addressed only as 'Robert Bruce, governing in Scotland.' Bruce was at the Abbey of Arbroath, in the year 1317, when he received the Papal envoys (two cardinals), and read the Pope such a lesson in courtesy as in that age few persons would have ventured to address to the occupant of St Peter's chair. 'Among my barons,' said the king, 'there are many named Robert Bruce, who share in the government of Scotland; these letters may possibly be addressed to them, but they are not addressed to me, who am king of Scotland.'² And so the messengers of his Holiness had to take back their letters, Bruce insisting on his recognition by the Pope as king of Scotland, as an essential preliminary to his agreeing to any cessation of hostilities.

It was three years after this discomfiture of the Pope in the persons of his messengers, that, on the 6th of April 1320, a memorable Convention of the Estates of Scotland was held at the Abbey. The immediate cause of this convention was the continued negotiation of the king of England with Pope John, which resulted in the Pope sending a nuncio, threatening the king and whole nation of Scotland with excommunication if they refused to accept Edward II. as lord-paramount of the kingdom. Bruce presided at the Convention, and it was probably his chancellor, Bernard de Linton, Abbot of Arbroath, who drew up the remarkable letter which the Estates agreed to send to Rome. The original of this letter is preserved in the General Register House, Edinburgh, and it is printed, together with a *fac-simile*, in the Acts of the Parliaments.³ When the *fac-simile* was made the document was in a perfect state of preservation. Since then it has suffered from damp, or some such cause, and is a good deal decayed, particularly in the upper part. A *fac-simile* of it in its present state is printed in the second volume of the National Manuscripts. In the letter of the Estates the barons briefly describe the desolations which had been wrought in Scotland by the ambition of the king of England, who had attacked the country at a time 'when

¹ Cal. of Documents, Scot. iii. 5.

² *Foedera*, iii. 649.

³ Acts of the Parliaments of Scotland, vol. i. pp. 114, 115.

it was without a king or head, and when the people were unacquainted with wars and invasions.' The deliverance wrought by King Robert, who, like 'another Joshua or Maccabæus, had most cheerfully undergone all manner of toil, fatigue, hardship, and hazard,' is then set forth, and Bruce is declared to have been made king by Divine Providence, by the right of succession according to law and custom, and by the assent and consent of the people. With much the same independence and energy which the English barons had displayed at Runymede, when they extorted the Great Charter from John, the barons of Scotland tell the Pope that they adhere to their king both on account of his right and merit, and 'as being the person who has restored the people's safety and defended their liberties. But,' they add, 'if this prince should leave the principles he has so nobly pursued, and consent that we, or our kingdom, be subjected to the king or people of England, we shall immediately endeavour to expel him as our enemy, and as the subverter both of his own and our rights, and will make us a king who will defend our liberties; for so long as there shall but one hundred of us remain alive, we will never subject us to the dominion of the English. It is not glory, it is not riches, neither is it honour, but it is liberty alone that we fight and contend for, which no honest man will lose but with his life.' The letter is dated 'at the monastery of Aberbrothock, in Scotland, the 6th day of April in the year of our Lord 1320, and of the reign of our said king the 15th year.'

This appeal to the Pope is one of the noblest State papers which the mediæval or any other age has produced. It answered its purpose. The English king, who had thought to carry his point by secret diplomacy, declined, when called upon, to debate the matter at Rome, and the independence of Scotland, its Church, and king, were recognised by the Papal See. The Pope suspended the sentence of excommunication. He also sent a letter to the king of England, exhorting him to make peace with the Scots, in order that the war against the Infidels in the Holy Land might go on without being impeded by the hostilities of one Christian nation against another.

Scotland thus regained its independent existence as a nation, but it was centuries before it recovered the prosperity which the War of Independence had destroyed. In a litigation which arose between the Abbot and convent of Arbroath and William, perpetual vicar of Arbirlot, there is seen a trace of the ruin which the long wars produced in the immediate neighbourhood of the town of Arbroath. The cause, which was heard in the court of the Bishop of St Andrews, was about an annual payment of two merks due by the vicar to the Abbot, with arrears for twenty years. It was settled thus: The Abbot and convent, considering the state of the vicarage, its inability, sterility, and the devastation of the parish in bygone times by war, remitted all the arrears until Pentecost in the year of grace 1323, excepting one merk of silver, to be paid at the festivals of Pasch and St Michael the Archangel in 1324, in equal apportionments,

and the vicar bound himself to pay yearly what was contained in a former decree by David, bishop of St Andrews.¹

During the wars the Abbey contributed to the Crown the liberal subsidy of a twentieth mark of their lands. The lands of the Abbey were enfranchised, and, except in cases of national emergency, the holders of such lands could not be called upon for subsidies. It was on such an occasion that the Abbey aided the Crown



THE ABBEY: TOWERS AND DOORWAY.

with its money. But, according to custom, the Crown made a declaration that the granting of this aid should not interfere with the privileges of the Abbey, among which were the exemption of its lands from common aids and contributions. The declaration was made by Robert the Steward on behalf of David II. The subsidy was described as 'pure alms, contributed by the monks of their own free will,' when the town of Perth was besieged, and 'because those who were liable in the common aid could not then fully perform what the emergency of the time

¹ Reg. Vet. de Aberbrothoc, pp. 308, 309.

required.' It was added that 'this act of grace should not be used to their prejudice hereafter.'¹

The wars with England weakened the central authority of the State, and thus had the ultimate effect of giving rise to much lawlessness. A conspicuous instance of feudal violence is that which is known in history as the battle of Arbroath. The battle was fought in the minority of James II., when the great house of Douglas was proving almost more than a match for the royal house of Stuart, and when tumults of the dimensions of civil war raged all over the country. The battle of Arbroath broke out on Sunday, 23d January 1445, at the Abbey gate.² As furnishing a striking illustration of the disturbed state of the country, it has been reported by all Scottish historians; and although there are some differences in detail, on the main facts they are agreed. The cause of the strife was the appointment by the monks of the Master of Crawford to be their chief justiciar, or bailie of regality, to whom, in virtue of that office, it fell to dispense law and justice throughout the domain of the monastery. The Lindsays, whose chief was the Earl of Crawford, were allied with the Douglasses, and were at that time the most powerful family in Angus. It was doubtless a consideration of this which led the monks to confer the bailiwick of the Abbey on the Earl's eldest son, thus placing themselves under the protection of the Lindsays. But the Master of Crawford was a man who even in that lawless age was marked out by the fierceness of his character. When he came to be head of his house he was variously known as 'The Tiger Earl' and 'Earl Beardie,' the former appellation being suggested by his ferocity, the latter by his long, bushy beard. Lindsay, after being made their justiciar, gave Abbot Walter and his monks a good deal of trouble. He quartered large bands of his followers upon the Abbey, and it may well be supposed that with such a master the men were not particularly temperate in their behaviour. It was thus that the Master of Crawford proved himself 'uneasy to the convent;' and the monks, not feeling that they were under obligation to retain even one of the great Lindsays when they were dissatisfied with him, dismissed him from his office. The bailiwick was then conferred upon a member of another of the powerful families of Angus, Alexander Ogilvy of Inverquharity. The monks were entitled to dispose of it as they pleased, but the Ogilvys, in addition to the right of election, had a hereditary claim to the office. However, it was easier for the monks to elect a new justiciar than to give him peaceable possession. The Master of Crawford disputed the right of Ogilvy, and after sundry vain attempts to reconcile the conflicting interests, the matter came to the arbitrament of the sword. It was characteristic of this melancholy period that 'bonds' were entered into by one feudal chief to assist

¹ Reg. Prioratus S. Andree, p. 224.

² The yer of God M.CCCC.XLV., the xxiii. day of Jannar, the Erll of Huntlie, and the Ogilbeis with

him, on the ta part, and the Erll of Craufurd on the tother part, met at the yettis of Arbroth on ane Sondag laite, and faucht.'—'Auchinleck Chronicle.'

another in the petty wars which he might wage against his neighbours, and indeed it was difficult for any proprietor of the soil to resist being drawn into those ignoble feuds. It was in terms of such a bond that Douglas sent a party of the Hamiltons from Clydesdale to help the Master of Crawford in his quarrel. The Lindsays, it is said, appeared before the Abbey with an army of a thousand men. On the other side, Ogilvy of Inverquharity mustered his vassals. He had an advantage in happening to entertain a party of his friends at the time when the strife was impending; for they, in compliance with the feudal custom which required the guest to espouse his host's quarrel, fought on the side of the Ogilvys. One of Ogilvy's friends was Sir Alexander Seton of Gordon, afterwards Earl of Huntly and 'Cock of the North,' who was on his way to Strathbogie when he broke his journey at the Castle of Inverquharity. Others of Ogilvy's guests were Sir John Oliphant of Aberdage, Maxwell of Tealing, Brucklay of Gartley, Forbes of Pitsligo, and Gordon of Borrowfield. These gentlemen and their attendants accompanied the Ogilvys to Arbroath. They appear to have been outnumbered by their opponents, but they did not shrink from the strife, and the two armies drew up in line of battle. It was when they were in this position, when the combat was about to begin, that the Earl of Crawford arrived on the field. He had ridden in hot haste from Dundee to Arbroath to make an attempt to prevent the conflict. With this purpose he rode between the lines, in order to confer with Ogilvy, when one of the latter's men threw a spear, which struck the Earl in the mouth, so that he fell mortally wounded. The death of Crawford was brought about by accident rather than intention; at any rate, the accounts say that the man who wounded him was ignorant of his rank and peaceable purpose. But the occurrence put an end to all hope of an amicable solution of the difficulty. Crawford's clansmen, with the Hamilton's, rushed furiously upon the Ogilvys, who did not long withstand their onset. In addition to the advantage of their probably superior numbers, it appears, from the account of the battle given by Buchanan, that the Lindsays resorted to a stratagem, which told in their favour. Buchanan says that while both armies stood with their spears upright, appearing in the form of a grove, one of the Lindsays cried out, 'Why do you bring those goads with you, as if you had to do with oxen? Pray, throw them away, and let us fight it out with our swords, hand to hand, by true valour, as becomes men.' The result of this appeal was that the men on both sides threw away their spears, except a hundred of the Clydesdale men. These are said to have held the tops or points of their spears in their hands, trailing them at their backs; 'but when they came to hand blows, then they held their spears out as a thick fence before them, and broke the ranks of their enemies, daunted at the sight of weapons which they did not expect.'¹ Thus overpowered, the Ogilvys were driven from the field; but about three miles from the town, at the Loan of the Leys, near what is now the

¹ Buchanan's History of Scotland, book xi.

village of Leysmill, they rallied, and turned desperately upon their pursuers. The fight at the Leys lasted for several hours, till the sun went down, and it resulted in the death of Ogilvy and of Forbes of Pitsligo. About five hundred of the Ogilvys are said to have fallen in the battle at Arbroath and at the Leys. The Lindsays also, although victorious, suffered severely, and received such a check at the second engagement as prevented them from continuing the pursuit of their enemy, who retreated to Kinnell. The Earl of Crawford lived for a week in lingering torture from his wound. His body lay four days unburied, since, in the awful words of a contemporary chronicler, 'No man durst earth to him,' till Bishop Kennedy sent the Prior of St Andrews to take off the excommunication and pronounce forgiveness over the dust of his enemy. The battle of Arbroath had been fought on that day twelvemonth that the Earl with his followers had ravaged 'St Andrew's land' in Fife.¹ After the battle, the Lord of Gordon, mounting a horse, got safely away to the North. As for the Laird of Inverquharity, the accounts that are given of his fate differ somewhat from each other. It has been generally stated that, being wounded, he was captured on the field by the Lindsays. Holinshed says that he was led to the Castle of Finhaven, 'where shortly after he died of his hurts.'² Buchanan says that he died of his wounds 'and grief of mind together, while he was in the hands of his enemies.' Another version of the matter is, that, being taken prisoner, he was carried to the Castle of Finhaven, where he was smothered in bed by his cousin-german, the Countess of Crawford, in revenge for the death of her husband. The local tradition is different from these accounts. According to it, Ogilvy was killed outright in the engagement at the Loan of the Leys, and his men, on retiring upon Kinnell, carried away his body and that of Forbes of Pitsligo. In a field near the church of Kinnell, since called the 'Threap Meadow,' they debated what was to be done with the corpse of their leader, and the reasonable conclusion was come to that it should be interred in the aisle of the neighbouring church. This part of the building got the name of the 'Ogilvy aisle,' and it bore this inscription :

'While girss grows green and water rins clear,
Let nane but Ogilvys lie here.'

The aisle existed till the demolition of the old church of Kinnell in 1855. On the death of the late Rev. Dr Walker, minister of the parish, the ground on which the Ogilvy aisle had stood was opened for his interment, and the remains of two males and a female were brought to light. The female is believed to have been Marion, or Mariota, Ogilvy, the morganatic wife of Cardinal Beaton. Her father possessed Braikie, in the parish of Kinnell. One of the males whose remains were discovered had been of gigantic size, which accords with the description given of Ogilvy's stature. It is so far confirmatory of the truth of the local tradition that Ogilvy's

¹ Lord Lindsay's 'Lives of the Lindsays,' i. p. 128.

² Scottish Chronicle (Arbroath edit.), vol. ii. p. 84.

boots and spur long hung in the church aisle. The boots, much decayed, are said to have been seen early in this century. The spur is still in existence. When the old church was demolished, Dr Walker took charge of the spur, and it is now fixed in the vestibule of the present church of Kinnell. The spur is of large size.

After the battle, the Tiger Earl let loose his army upon the estates of his enemies, 'and the flames of their castles, the slaughter of their vassals, the plunder of their property, and the captivity of their wives and children, instructed the remotest adherents of the justiciar of Arbroath how terrible was the vengeance which they had provoked.'¹ It was this battle which originated the couplet :

'An Ogilvy in green
Should never be seen.'

The allusion in the rhyme is to the circumstance that when they fought at Arbroath the defeated side wore green tartan, to which the clan ever afterwards had a strong aversion. The same couplet, with the sole alteration of the name, is applied to the Lindsays, who soon after the battle of Arbroath fought at Brechin, under Earl Beardie, against the royal forces commanded by the Earl of Huntly, and were defeated. It is stated by Jervise that Thomas Ogilvy, younger brother of the laird of Inverquharity, fought against his clan at the battle of Arbroath, and he 'took part at an after period in the destruction of the castle of his birth. For this he had a grant of the lands of Clova from Crawford, who was then the possessor of them, and thus founded the Clova branch of the Ogilvys.'²

The battle of Arbroath was commemorated in an old ballad, only four lines of which have come down to this age. They run thus :

'At Arbrod yett the pley began,
To the Loan o' the Leys they did rin,
An' there the battle did begin,
An' the Lindsays ower the Ogilbys ran.'

From time to time, uncoffined, or rudely coffined, remains have been turned up in Arbroath, which are believed to be those of persons who fell in battle on that winter day upwards of four centuries ago. At the Leys, too, many cairns were erected over the slain. One of those cairns, carefully protected, still exists. It is situated on the estate of Middleton, a few hundred yards from the Friockheim station of the Caledonian Railway.³

¹ Tytler's History of Scotland, vol. iv. p. 59.

² Land of the Lindsays, p. 144.

³ At a later period than the date of their battle with the Ogilvys the Lindsays held property in Arbroath and its immediate neighbourhood. Jervise, in 'The Land of the Lindsays,' mentions that David, the last Lindsay who was laird of Edzell, after selling that estate to the Earl of

Panmure, acquired Newgate, in Arbroath, and held it for a short time, removing ultimately to Kirkwall, in the Orkney Islands, where he died in the capacity of an hostler at an inn about the middle of last century. The Lindsays held several dwelling-houses and some portions of arable land within the burgh, together with the Lady Chapel, at the harbour; the Darngate

In 1488, forty-three years after the battle of Arbroath, the monks twice in the course of the year gave peaceable entertainment to King James III. and his suite. They also in the same year had three visits from the Archbishop of St Andrews, with his retinue, besides visits from sundry nobles. These were the visits referred to in the ordinance of Abbot David Lichtone as to the provisioning of the Abbey.¹ Kings frequently lodged at the monastery. James IV. was there soon after, through the tragic death of his father, he ascended the throne. The king, then in his eighteenth year, was at Dundee on 18th July 1490, and after visiting Arbroath he went in the beginning of August to Perth. Seven years afterwards, on 17th December 1497, this item occurs in the accounts of the Lord Treasurer: 'To Dande Doule, to fe (hire) hors to carry the king's gere frae Sanctandros to Arbroth xs.'² James V., 'King of the Commons,' the jovial Prince who yet turned his face to the wall and died in bed of a broken heart, was at the Abbey in none of his frequent disguises, but with the retinue of royalty. The daughter of James passed through Arbroath early in November 1562, when she was on her way south from her and Lord Moray's northern expedition, in which, at the battle of Corrichie, the power of the Gordons was for a time crushed. The battle was fought on 28th October 1562, and 'upon the 4th of November,' says Pitscottie, 'the queen came from Aberdeen to Dunnottar, and from thence to Bonnington, Arbroath, and Dundee.'³ It is probable that on this occasion Queen Mary visited the Abbey and was entertained by its commendator, a zealous supporter of her throne, Lord John Hamilton. If so, the queen was the last royal person who was at the Abbey of Arbroath. But in 1570 it was the scene of one of the many conflicts between her adherents and those of her son, in the civil tumults of that unhappy time. On this occasion, as in 1445, a Douglas and

Croft; the granary croft of the Abbey, situated at the north corner of the burial-ground; and St Ninian's Heuch, at the Ness. It was not till ten years after the sale of Edzell that these properties were parted with. As a connection with this immediate neighbourhood, it may be mentioned that the Kinblethmont branch of the family of Lindsay are now the only remaining proprietors in Forfarshire lineally descended of the great Earls of Crawford. The founder of this branch was Alexander, youngest son of the tenth Earl, by his wife Margaret Beaton. He was a favourite of James VI., and was of the party selected to accompany him to Denmark to bring home the Princess Anne as his wife. Lindsay, however, was taken ill in Germany, so that he was unable

to proceed further; but the king (says *Jervise*) addressing him as 'Sandie,' wrote to him a characteristic and consolatory letter from Denmark, promising that when they got back to Scotland he would with the consent of Parliament give him a grant of the temporalities of the See of Moray in lieu of ten thousand gold crowns which Lindsay advanced towards defraying the expenses of the king's journey. James kept his word, and, together with the grant of the temporalities, conferred on Alexander Lindsay and his heirs the title of Lord Spynie, in Moray. Mr Lindsay Carnegie, of Spynie and Boysack, held the patronage of the Church of Spynie until the abolition of patronage in the Church of Scotland in 1874.

¹ *Supra*, pp. 56, 57. ² Accounts of Lord High Treasurer, i. Pref. cii. and p. 371.

³ Pitscottie's *Hist. of Scot.* (Edin. 1778), p. 334.

a Gordon were on opposite sides. George Douglas, who was on the king's side, took possession of the Abbey, to which he had been postulated as commendator. He was besieged in it by the Earl of Huntly, but the siege was raised by the Earl of Morton, and Huntly retreated to Brechin, followed by Morton, who obtained the advantage over him. This occasion is the last on which the Abbey of Arbroath appears in the civil history of the nation.

CHAPTER VII.

THE ABBOTS.

ALMOST nothing is known of the personal history of the monks of Arbroath, with the exception of the Abbots, and the majority of them even, although in their day they exerted a considerable power, are mere mitred shadows. The very surnames of the earlier Abbots are unknown. Reginald, the first Abbot, died in the year—1178—of his removal from Kelso to the new monastery at Arbroath. Henry, another of the monks of Kelso, succeeded him in the following year, and held the abbacy till about 1201. The editors of the Chartulary, who in their prefaces to that work give a list of the Abbots, were not quite agreed as to two of them. One of these was the third on the list, to whom the name of Ralph is given, but about whose existence Mr Innes was not so clear as was his co-editor, Mr Chalmers. Gilbert, who had been prior of the monastery, became Abbot in 1214, and held the office for about eight or ten years. During the time of these Abbots, the Abbey buildings had been in course of erection. They were completed in the time of Gilbert's successor, another Ralph (Radolphus de Lamley), and he was Abbot when, on the 8th of the Ides of March 1233, the Abbey Church was dedicated. Ralph became Bishop of Aberdeen in 1239, when he is supposed to have resigned the abbacy. The next Abbot whose name appears in the Chartulary was Adam, who was in office in 1245. Walter, who followed in the succession, was Abbot in 1252, and his name appears in charters granted in 1256. In his time, or his predecessor's, the year being 1249, there was a dispute between the Abbot and convent and the vicars of their parish churches. The vicars complained that their stipends were not sufficient for their sustenance. The matter was inquired into at Arbroath by the diocesan, the Bishop of St Andrews, and the result was that he made an order determining the amount of stipend which should be paid to the vicars.¹ Abbot Walter appears to have been

¹ *Registrum Vetus de Aberbrothoc*, p. 169.

succeeded by Robert, who was in office in December 1261. Six years after, this Abbot was expelled from the monastery by his own monks, for what cause is not stated. He appealed to Rome.¹ Probably his appeal was not successful, for in 1267, the year of his expulsion, Sabrinus was in the abbacy. Sabrinus was witness to the foundation charter of Maison Dieu at Brechin. His tenure appears to have been brief, for in 1268 an abbot John, the tenth in the abbacy, was in office. Adam of Inverlouane was the successor of John. Fordun states that he was Abbot in 1270, and died in 1275. William was in office from 1276 to 1288. On 18th December 1284, Pope Martin IV. confirmed his election to the see of Dunblane.²

The next Abbot was one of the few whose names stand out with any prominence. Abbot Henry, the messenger of the Scottish Estates to Edward I., lives in history as a patriot as well as a churchman. Henry's successor was Nicholas. On 13th November 1301 this Abbot was promoted by Pope Boniface VIII. to the see of Dunblane, and his election was confirmed in 1307 by Clement V.³ Abbot John, his successor, had certainly not been subservient to the English sovereign, whom in 1303 he had to entertain at the Abbey, for he was made a prisoner of war and carried into England. He either resigned or was removed in 1309.

Bernard de Linton, the next Abbot, was a man imbued with the same spirit as Abbot Henry. The editors of the Chartulary say that he seems to have been appointed to the abbacy in 1311, when he had been chancellor of Scotland for some years.⁴ He was chancellor during almost the whole of the reign of Robert the Bruce, and was also auditor of the accounts of the Lord High Treasurer. Abbot Bernard was scholar and poet as well as churchman, warrior, and statesman. He wrote a Latin poem on the Scottish victory at Bannockburn, in which battle he doubtless fought beside his sovereign. The Abbot was also employed by Bruce as a diplomatist. In 1312 the Abbot of Arbroath, who could then be no other than Bernard de Linton, 'passed to Norway on the king's affairs.' There is evidence that although thus, like many of the great churchmen of the middle ages, largely engaged in State employments, he found time to discharge his duties as an ecclesiastic, and well maintained the discipline of the establishment at the head of which he was placed. He resigned the abbacy in 1328, on his becoming Bishop of Sodor. At the same time he received a temporary grant of a portion of the Abbey revenues, which appears to have been given partly as compensation for outlays on the monastery, and partly in recognition of his distinguished services to his country.⁵

Geoffrey was Abbot from 1328 to the end of 1342. Almost the only thing recorded of him is that he was one of the party who submitted, in 1332, to Edward

¹ Fordun, x. 21.

² Theiner, p. 128. ³ *Ibid.* pp. 169, 178.

⁴ Reg. Vetus de Aberbrothoc—Pref. p. xv.

⁵ Reg. Vetus de Aberbrothoc, pp. 316, 317.

Baliol. It was his successor, William, who, in the court of the justiciar at Forfar, was successful in vindicating the freedom of the Abbey from toll, which the bailies of Dundee had attempted to enforce against it in their burgh.

John Gedy held office from 1370, or perhaps a few years earlier, to about 1395. His seal is appended to the Act of Parliament settling the succession of the crown, but he is better known as the builder of the first harbour of Arbroath. There was a bitter controversy between Abbot John and the Bishop of Moray, the latter, probably, being in a measure moved by that jealousy of abbots which was common to the episcopate. The Abbot of Arbroath had appealed to Gregory XI., on the ground that the Bishop of Moray had refused him or his procurators a copy of a process in a case of tithes between the Abbot and the vicar of Inverness, and had despoiled the Abbot and convent of thirty-five shillings sterling from their church of Aberchirdor [Marnoch]. Inverness and Aberchirdor, two of the Abbey churches, were situated within the diocese of Moray. The Bishop, in reply, wrote a long letter to the Pope. Glancing at 'the over-abundance of wealth' of monks who professed to be dead to the world, he charged them with provoking revolts against their superiors, which the bishops claimed to be. Referring to the process between the Abbot and the vicar of Inverness, he accused the former of having 'placed at said church and town of Inverness powerful laymen, whose power and ferocity could not in any way be resisted, as, for instance, the noble, and a man of great power, W[illiam] de F[entoun], who in name and on the part of said Abbot, with an armed and great host, violently entered the houses of the foresaid vicar, broke and caused to be broken lockfast places and doors, destroying, plundering, and even carrying away with him into his den the victuals and various other things found there, and in divers ways doing injury to the person and friends of said vicar. He also threatened the vicar himself with death.' The Bishop further charged the Abbot with having 'appointed powerful laymen, who spoil and deprive his poor vicars of the pensions due them, and henceforth they can but spend a miserable life.' These laymen, it was added, 'oppress the common people. They deprive churches and souls of the accustomed services to such a degree that because of the power of such seculars the ordinaries are not able, even with their common ornaments, to do in their churches as is provided for.' The Bishop proceeded to say that for violent invasion and spoliation within his diocese he had excommunicated the Abbot.¹ Probably there was truth in his allegations with regard to the injury done to parish churches and their vicars by the exactions of the monastery.

The twentieth Abbot was Walter Paniter, of the family of Newmanswalls, near Montrose. He was Abbot in the year 1411. It was in the time of this Abbot that the battle of Arbroath was fought. In 1433 he attended the Council of

¹ *Registrum Episcopatus Moraviensis*, pp. 175-180. The Abbot's appeal and the Bishop's letter are also printed in '*Invernessiana*'—a work containing documents relating to Inverness.

Basle, which was held for the purpose of taking measures against the followers of Wycliff. On 10th May 1433, Henry VI. gave a safe-conduct to Abbot Walter, 'and ten Scotsmen in his company,' to enter and pass out of England, and 'through the king's town of Calais, on their way to the general council presently sitting at Basle.'¹ In the time of this Abbot, and probably in part through his advice, there was a persecution of the early reformers in Scotland. In his administration of the affairs of the monastery, Abbot Walter, on 20th January 1434, granted a nineteen years' lease of the lands of Muirdrum, near Kinnaldy,² being the first lease of the kind noticed in the Registers. While this Abbot held office, Pope Eugenius IV., on 10th July 1436, granted to the Bishop of Glasgow and the Abbot of Arbroath a charitable subsidy—a thousand ducats—in return for the sum which they had given to Antony, Bishop of Urbino, his nuncio.³ Walter Paniter resigned the abbacy in consequence of old age.

The next Abbot whose name appears in the Chartulary, after Abbot Walter, is his prior, Richard Guthrie; but there appears to have been an Abbot Alexander in office in 1451, though possibly there may be some confusion of names. 'Alexander, Abbot of Aberbrothoc,' is one of twenty high dignitaries of the Church and State who are named in a safe-conduct granted, in 1451, by Henry VI. to the Bishop of Glasgow and others, as commissioners of the king of Scotland, to proceed as far as Newcastle-on-Tyne, or the city of Durham, with a hundred attendants and as many horses.⁴ Richard Guthrie resigned after holding office for about five years. But an indifferent character is given of this Abbot by his successor, who complained that he was 'nocht active nor gaif intendens for remeid of wrangis dune to the haly place,'⁵ a reference to dilapidation of the monastic revenues. His successor was Malcolm Brydy, who previously to his appointment had been prior of the subordinate house of Fyvie. He was Abbot on 27th July 1456. In 1468 he received a safe-conduct from the King of England in passing through the king's dominions to France, Brittany, Flanders, &c. That care over the possessions of the Abbey which led to his complaint against his predecessor brought himself into difficulty. He quarrelled, says Mr Innes, with the Bishop of St Andrews, whom he accused of extortion and oppression, especially in visiting the monastery not in a pastoral manner, and with a lawful number of followers, but with a hundred or two hundred horsemen in company. The result of the contention, which took place about the year 1470, was that the Abbot, having fallen into the power of the Bishop, was thrown by the latter into his dungeon at St Andrews. He was ultimately deprived, and Richard Guthrie, prior, and professor of theology, was elected in his room.⁶ This Richard Guthrie, who was in office in May 1471, may have been the same who resigned office fifteen years

¹ Rotuli Scotiæ, vol. ii. p. 286.

² Registrum Nigrum de Aberbrothoc, pp. 65, 66.

³ Theiner's Veters Monumenta, p. 375.

⁴ Rotuli Scotiæ, vol. ii. p. 347.

⁵ Registrum Nigrum de Aberbrothoc, p. 108.

⁶ *Ibid.* pp. 165, 166.

before, notwithstanding Abbot Malcolm's unsatisfactory account of him. On 11th April 1471, Pope Paul II. granted 'the provision of the abbacy to Richard Guther [Guthrie], the king's confessor.'¹ Abbot Richard was not long in the abbacy, for it appears, from a writ dated 29th July 1472,² that at that time an Abbot George was in office. This Abbot continued till his death in 1482.

The monks, on 8th August 1482, unanimously elected one of their number, William Bonkyl. This Abbot received high commendation from the sub-prior, who proposed his election. He was described as 'a man come of a good family, meek, quiet, and zealous for peace, loving God and the Church, humble, pious, and sweet-tempered, and of good manners; a great councillor and defender of the Church in its affairs, likewise charitable and good; of age about fifty; a bountiful almsgiver, very discreet in spiritual and temporal matters; born of lawful wedlock, affable, a good friend, and merciful in the communion of the faithful.'³ Than the sub-prior, Thomas Bet, no man could desire a better chronicler. The election of Abbot William, as was probably customary, was followed by the singing of the *Te Deum* in the church, and by the ringing of the Abbey bells. On the supposition that all which the sub-prior said was true, it was unfortunate for the monastery that this good Abbot lived only about a year after his election.

There was a division in the monastery with regard to the election of a successor to William Bonkyl. The chapter assembled for the purpose on 29th July 1483, when, in consequence of the difference of opinion among them, they, by the advice of the Archbishop of St Andrews, who was present, elected Sir Alexander Mason, prior of Fyvie, 'compromissar' for choosing the Abbot. He nominated to the office Sir David Lichtone, clerk to the king's treasury and archdeacon of Ross. This arrangement was satisfactory, for it is added that the new Abbot was received 'with great joy.' A sum of 3000 gold ducats had to be spent on expediting the Papal bulls confirming his appointment,⁴ and this debt was long a burden on the Abbey. Such taxes, drained away to Rome from a poor country, were reasonably felt as a grievance. They constituted one of the charges brought by Sir David Lyndsay against the ecclesiastical system of his time. Sir David Lichtone, or Leighton, Auditor, and then Lord High Treasurer, was in the latter office in 1486. James III. took with him to the battle of Sauchie, in 1488, some coffers of his hoarded wealth. After the king's defeat in this battle, and his death, these coffers were recovered, and they were delivered up by the Abbot of Arbroath, who is then described as 'the late treasurer.'⁵ Along with other ecclesiastics, the Abbot was in 1489 summoned with his forces to the siege of Dumbarton, and in 1497 he contributed 1000 merks to the Raid of Norham. The accounts of the Lord High Treasurer contain this entry under date 15th July 1497: 'Item,

¹ Thesaur. Vetera Monumenta, p. 465.

² Regis. Nig. de Aber., pp. 184-186. ⁴ *Ibid.* p. 211.

³ Regis. Nigrum de Aberbrothoc, pp. 167, 168.

⁵ Accounts of Lord High Treasurer, i. 345.

to ane man to pass to Arbroth to the Abbot, with the kingis letter for silver he aucht the king for taxt, viijs.' In December 1502 Sir David Lichtone was still in the abbacy.

Sir David Lichtone was the last Abbot about whose election the monks had any trouble. Henceforth the election by the brotherhood must have been merely a matter of form. When Abbot David died, the sixteenth century had begun—the century which, when it had half run its course, was to witness the entire overthrow of the monastic system in Great Britain. That system had some adaptation to the state of society, political and social, in the primitive and mediæval ages, but it contained within itself the causes of its dissolution. Culdee monasticism had ended in the ruin of the churches and the secularization of their revenues; the revived monasticism of David, the First and Second Alexanders, and of William the Lion, however worthy the motives which led to its revival, fell as did the earlier monasteries. One cause of its fall was doubtless that it had fulfilled its day, and was no longer of use to the new day which had come. Thus, the abounding hospitality of such a house as Arbroath was for centuries its great virtue and one of its chief uses. But there came a time when, in the new social state of the country, the practice of this hospitality was not required,—when, in fact, the benevolence of the monks, instead of doing good in the relief of that terribly abject poverty which afflicted the middle ages, was only a fresh cause and feeder of pauperism. Then, while some good was served by conferring on the monasteries the tithes of the parish churches,—good to learning and civilization, as distinguished from religion, for the abbeys failed as religious teachers,—it was in the end seen to be a great blunder to take away the property which had been intended for the support of the parochial clergy. This arrangement proved ultimately disastrous in two ways. The parish cures came to be occupied by inferior and ignorant men, who may in general have set before their parishioners the example of a decent life, but were unqualified to be their instructors,—and, on the contrary, fostered the superstition of the people. While this was going on, the power of the abbeys and their wealth were becoming a means of social and political corruption, a reward often bestowed by royal influence upon unworthy favourites or unscrupulous supporters. An incident of this state of things was the frequency of pluralism. Thus, James, Duke of Ross, brother of King James IV., who, coming after Sir David Lichtone, is numbered as the twenty-seventh or twenty-eighth Abbot of Arbroath, was likewise Archbishop of St Andrews. He held the abbacy *in commendam*, the plain meaning of which is, that he drew the revenues, while discharging none of the duties of the office. In the same way he held the abbacies of Dunfermline and Holyrood, and he was likewise chancellor of the kingdom. And this man, occupying the patriarchal office of Primate of Scotland, and being nominally at the head of three of its greatest religious houses, was only twenty-

eight years of age when he died. The Duke of Ross was immortalised by Ariosto in his 'Orlando Furioso':

Non è un sì bello in tante altre persone ;
 Natura il fece, e poi ruppe la stampa ;
 Non è in cui tal virtù tal grazia luca
 O tal pessanza ; ed è di Roscia duca.

The Abbot who succeeded the Duke of Ross was of a family which, in a succeeding generation, had a disastrous influence on the royal house of which the Duke was a member. This was George Hepburn, of the family of Bothwell, who, being probably nominated by the king, was unanimously chosen by the monks. His election by the chapter took place on 3d February 1503. Hepburn, like his predecessor, was a pluralist. When appointed to the Abbey, he was provost of the collegiate church of Lincluden. In 1509 he obtained the bishopric of the Isles, and after that he held the abbacy of Arbroath *in commendam*. He likewise possessed the abbey of Iona as commendator. In 1509-10 he was Lord High Treasurer. Such men as these two last-mentioned Abbots were of a different order from the simple yet powerful ecclesiastics who ruled the monastery in the earlier centuries of its existence ; but although they can scarcely be regarded as churchmen at all, they were brave Scottish gentlemen, and thus Abbot George Hepburn fell, where so many of 'the flowers of the Forest were wede away,' fighting beside his king at Flodden.

The abbacy of Arbroath was not the only great Scottish benefice which was vacated on that fatal day at Flodden—there were many of them ; and while the country was suffering acutely from its still open wounds, there was much and eager grasping after the vacant offices in the Church and the State. For a time it seemed that the abbacy of Arbroath would be conferred on Gawin Douglas, the translator of Virgil into the Scottish of his day. But at this time the power of the prelates in Scotland was greater than even that of the house of Douglas, and Gawin, the scholar of the house, had to content himself with the bishopric of Dunkeld, while Arbroath was granted by the regent, the Duke of Albany, to James Beaton, Bishop of Glasgow. Beaton was the son of a Fifeshire laird, John Beaton of Balfour. He was chancellor of the kingdom when he obtained the abbacy, which he held as commendator till, in 1523, he was appointed archbishop of St Andrews. Mr Innes says that he then resigned the abbacy in favour of his nephew.¹ The language of Knox on the subject implies that he held both offices at once, along with other high places both in the Church and the State : 'As he sought the world, it fled him nott, for it was weil knowin that at onis he was Archbishop of Sanctandrosse, Abbot of Dunfermeling, Abirbroth, Kylwynnyng, and Chancellare of Scotland.'² The fact appears to be that he did resign Arbroath on getting the primacy, but that he retained the half of the revenues during his

¹ Registrum Nigrum de Aberbrothoc—Preface, p. xii. ² History of the Reformation, vol. i. p. 13.

lifetime. This Abbot James Beaton was responsible for the condemnation of Patrick Hamilton, the first in Scotland of the sixteenth-century martyrs. Another fact of quite a different kind has to be reported of him. He was a liberal patron of learning. The Beatons, uncle and nephew, erected and endowed St Mary's College in St Andrews.

David Beaton, the nephew, became the thirtieth Abbot of Arbroath when he was twenty-nine years of age. That was in the year 1524. On the 20th April of that year, 'John, the governor of Scotland [the Regent Albany], petitioned the Pope to confer upon David Beaton the abbacy of Arbroath, vacant by the resignation of his uncle, James, Archbishop of St Andrews,'¹ and the petition



THE ABBEY: LOOKING WEST.

was granted. Beaton rose rapidly to the highest offices in the kingdom. His first ecclesiastical preferment was the rectorship of Campsie, which he obtained in 1519. Previously consecrated Bishop of Mirapoix, in France, he was made Cardinal in 1538, by the title of 'Sti. Stephani, in Monte Celio,' two years after the date of the last of his charters as Abbot of Arbroath, which also is the last in the Registers. He succeeded his uncle as Archbishop of St Andrews, was chancellor of the kingdom, and Papal legate, being *legatus natus* and *legatus a latere*. The Cardinal became a mark high enough for the enmity of Henry VIII. to be shot at. He was a favourite of James V., whom, with five hundred of the Fifeshire men, he accompanied on an expedition round the Scottish coasts, which was partly designed to overawe the chieftains of the north and west.² In

¹ Theiner's *Vetera Monumenta*, p. 541.

² Tytler's *History of Scotland*, vol. v. p. 276.

1533 he was sent on an embassy to France, where the state of affairs required all his diligence.¹ In 1535 he was, along with the Bishop of Aberdeen, the Earl of Montrose, and Lord Erskine appointed ambassador to Henry VIII.² Beaton was also employed to negotiate the king's two marriages, the first with Magdalen, daughter of Francis I., the second with Mary of Lorraine. He made a journey into France, attended by a magnificent retinue, for the purpose of arranging about the latter marriage. Afterwards, his diplomatic talent led to his being despatched on an embassy to Rome. Beaton had prevailed upon James V. to execute his will in the matter of suppressing heresy, and it is supposed that his mission to Rome was to engage Scotland in a European league against the Protestants. He was for years the foremost and ablest man in Scotland. Sir David Lyndsay speaks of his habits as characterised by princely prodigality. On this authority, we have it that on one night at play he staked 3000 crowns of gold.³ It was while he was in the midst of his power and grandeur that the Cardinal was struck down. On the morning of the 29th of May 1546 he was murdered, in the Castle of St Andrews, by a band of conspirators. This crime was most probably hastened by the burning of George Wishart a short time previously, and by Beaton's insolent gloating over the sufferings of the martyr. Tytler, however, has shown, by documents in the State Paper Office, that the murder of the Cardinal had been long planned, that Henry VIII. encouraged the conspiracy, and that Beaton himself was not ignorant of the designs against his life.⁴ In the end, it was the detestable prompting of private revenge and mercenary considerations which nerved the assassins to do a deed which delayed, instead of hastening, the triumph of the Reformation.

Sir David Lyndsay, himself a favourite at Court, must have known the Cardinal well. It is plain, too, that he had no liking for him. But it was not only the Cardinal whom Lyndsay disliked; he had no love for any priests, and the higher clergy in particular were the theme of his bitterest satires. He makes Beaton from his grave—which he did not reach till seven months after his death, his body all that while lying 'saltit' and 'closit in ane kyste'⁵—address the prelates thus:

'Eschame ye nocht to be Christis servitouris,
And for your fee hes great temporal landis:
Synne of your office can nocht take the curis,
As cannone law and Scripture you commandis!
Ye will nocht want teind scheif, nor offerandis,
Teind woll, teind lambs, teind calf, teind gryce, and guse;
To mak servyce ye are all out of use.'

¹ Cal. of State Papers relating to Scot. p. 31.

² Hamilton Papers, i. 15.

³ Works of Sir D. Lyndsay, vol. i. p. 144.

⁴ Tytler's Hist. of Scotland, vol. v. pp. 453-470.

⁵ The words quoted are from Lyndsay's verse. Knox (History of the Reformation, vol. i. pp. 178, 179), in his narrative of the assassination of the Cardinal, says: 'Now, because the wether was

It is possible that in his picture of life at a Scottish abbey in the first half of the sixteenth century, as given in his long dramatic poem, 'Ane Pleasant Satyre of the Thrie Estatis,' Lyndsay had in view the Abbey of Arbroath, which he probably visited in the train of James V. It is certain that Beaton did not himself attempt to realize the system of a celibate clergy. The historians speak of him as a voluptuary; even Tytler, a writer with no bias against him, mentions the Cardinal's gallantry and licentiousness as a matter of notoriety. In Forfarshire his name in this connection is localized at more than one house or castle—Colliston, which he is said to have built, being one of them. Ethie, a seat of the Earl of Northesk, was one of Beaton's dwelling-places. Considerable



COLLISTON CASTLE.

additions have been made to it, but the older portion of the house is still much in the same state in which it was when occupied by the Cardinal. Like almost all Scottish houses, it has its 'haunted' chamber, which is in one of the attics. 'One of the stories connected with Ethie Castle is that at a certain hour of the night a sound is heard resembling the tramp of a foot, which is believed to be the Cardinal's, and is popularly called his *leg*, walking up and down the original stone stair, which still connects the ground flat with the

hote, and his funerallis could not suddandy be prepared, it was thought best, to keep him from styneking, to geve him great salt ynewcht, a cop of lead, and a nuk [corner] in the boddome of the

Sea-toore, (a place whare many of Goddis children had been empreasoned befoir,) to await what exequeis [obsequies] his brethrene the bischoppes wold prepare for him.'

second storey of the house. . . . Beaton's chapel is used as a store-room by the Ethie family.¹ What is assuredly known of Beaton's gallantries is that he had one mistress, Marion Ogilvy, daughter of Sir James Ogilvy, who was created Lord Ogilvy of Airlie. Mr Jervise has come to the conclusion that it may be found possible to whitewash Cardinal Beaton. He does something in that way himself by discrediting the stories about the Cardinal's numerous paramours. Quoting 'Archæologia' (vol. xxxiv. p. 35), he says it is probable that Beaton was allied to Marion Ogilvy, the mother of all his children, 'by that sort of morganatic marriage frequent among churchmen of that period.'² Knox in his 'History,' indicates with adequate plainness of speech what he



ETHIE CASTLE.

thought of the connection. The law spoke as plainly as Knox on this subject. In 1539 there is recorded in the Register of the Great Seal that 'the king granted letters of legitimation to James Betoun, Alexander Betoun, and John Betoun, bastards, natural sons of David, Archbishop of St Andrews, &c.'³ The character of Beaton's alliance with Marion Ogilvy did not stand in the way of his marrying his daughter Margaret to the heir of the first of the noble families of Angus. The lady married David Lindsay, Master, and afterwards Earl, of Crawford. The marriage took place at Finhaven Castle, in the course of the three months which intervened between the martyrdom of Wishart and the murder of the Cardinal. Beaton was present, and Knox says he 'caused

¹ History of the Carnegies—Introd., p. xxix.² Land of the Lindsays, p. 201.³ Vol. 1513—46. No. 2037.

the wedding to be celebrate with such state as if she had been a prince's lawful daughter.¹ The bride received a dowry of 4000 marks, which is said to have been the largest ever bestowed on any bride of the period.² Beaton was also liberal in conferring a portion of his wealth on his morganatic wife. One of her possessions, now the estate of Hospitalfield, had anciently belonged to the hospital of Arbroath Abbey, and she had the Castle of Melgund, in Aberlemno, from which she derived the title of Lady Melgund. It also appears that she had liferent leases of the lands of Burnton of Ethie, of the Kirkton of St Vigeans, with the Muirfauld and the toft of St Vigeans. She had a nineteen years' lease of part of the lands of Auchmithie, and on 10th March 1534 the Abbot feued to her a piece of land in Arbroath in the 'Sandypots,' lying outside the walls of the monastery.³ These leases and feus were given on easy terms. Marion Ogilvy died in June 1575. In her testament mention is made of her son, David Beaton of Melgund, and Mr Alexander Beaton, 'archdene of Lothian.' 'This Alexander, it is said became a Protestant minister.'⁴

In public life, Beaton was merciless to opponents, and unscrupulous in the promotion of his aims. Like several of his predecessors in the abbacy, he is scarcely to be judged as a churchman. He entered the Church as being almost the only place at that time for an educated gentleman, and as furnishing the readiest avenue of advancement to a man in his condition of life. In Scotland, he sustained the Nationalist in opposition to the English party, and, notwithstanding his persecution of the Protestants, he was thus for a long time popular. Beaton found Church and State in revolution, and his abilities were exerted to stem the tide of change. But the Cardinal was committed to a lost cause, and he went down himself in the general ruin that fell upon the Mediæval Church of Scotland.

CHAPTER VIII.

THE COMMENDATORS—SECULARIZATION OF THE ABBACY.

CARDINAL BEATON was the last of the Abbots of Arbroath who performed the clerical duties of the abbacy. In 1541, when for a short time he was in disfavour, during the regency of the Earl of Arran, the monastery was conferred *in commendam* on the regent's second son, Lord John Hamilton, who was afterwards Marquis of Hamilton. James Beaton, nephew

¹ History of the Reformation (various readings from David Buchanan's edit.), vol. i. p. 486.

² Land of Lindsays, p. 155. ³ Reg. Nig. p. 521.

⁴ Hist. of the Reformation, vol. i. p. 175, note.

of the Cardinal, had a gift of the abbacy. In a document in the State Paper Office he is described as 'Commendator of Aberbrothock.' In this document, dated October 17, 1546, Beaton's representative at Rome, William Walcar, states his efforts to procure his appointment to the abbey, and requests him to send money for expediting delivery of the Papal bulls. On 12th December 1546, about the same time that James Beaton was seeking to expedite the bulls from Rome in his own interest, George Douglas was nominated by the Queen, with the advice and consent of her tutor and governor, 'to the abbay and place of Abirbrothok,' and the Lord Governor declares 'that he will fortyfie manteine, and defend the gift grantit and gevin to the said George Dowgles of the said benefice.'¹

Notwithstanding Douglas's nomination, James Beaton probably obtained possession about this time, and he may have been commendator when, in 1547, on the capture of St Coln's Inch by the English, the Privy Council ordained the abbot and monks of that convent to resort for shelter and lodging to St Andrews, Arbroath, Scone, Lindores, and other religious houses.² Beaton is said to have granted the lands of Guynd to George Beaton, of Balquharry, perhaps a relation of his own, as a reward for services performed by him, and, amongst others, 'the defence of the monastery against the invaders of the church liberties in these times when the Lutherans are endeavouring to invade the same.'³ The date of this alleged charter was 1549, and by that time the registration of such writs in the Registers of the Abbey had ceased.

George Douglas, a natural son of Archibald, Earl of Angus, was postulated to the abbey about the time that James Beaton obtained possession. In a troubled time in Scotland, he was one of the most daring and masterful spirits in the country. He was accused of taking a part in the murder of Rizzio. It may have some bearing on the competition between him and James Beaton for the abbacy that in March 1546 Archibald Betoun declared to the Privy Council 'how he was taken to Tantallon by George Douglas, Postulat of Aberbrothok.' When Douglas was nominated to the abbacy, the lordship of Abernethy was excepted, 'the Queen's Advocate to take possession of it and keep it from Douglas and all other claimants.'⁴ Douglas was on 8th June 1566 denounced as a rebel. At a meeting of the Privy Council held at Stirling on 5th May 1572, complaint was brought against him by the Town Council of Dundee:

Anent our Soverane Lordis letters purchest be the Baillies and Counsall of Dundee, makand mentiou :-that quhair upoun the xxv day of August last bipast sundrie of thair nichtbouris, induellaris of the said toun, returnand from Berthilmo Fair, belevand na evill of ony persoun

or persounis bot to have levit under Godis peax and oure Soverane Lordis as his Hienes fre liegis; notwithstanding George Commendatir of Abirbrothok, accompanyit with a grit nowmer of hagbuttaris and utheris persounis bodin in feir of weir, at the fute and end of Carnomonth, come and

¹ Reg. of Privy Council, i. 57. ² *Ibid.* i. 80.

³ New Statistical Account of Scotland—Forfarshire, p. 356. The author of the account of the parish

of Carmyllie gives 'documents quoted or referred to in process regarding the stipend of Carmyllie, 1808,' as his authority. ⁴ Reg. Privy CL, i. 203.

tuik perforce certaine of the inhabitantis thairof as presoneris, videlicit, Robert Jak, David Jak, Thomas Rattray, — Rattray his sone, and Johnne Craigtoun, with sindrie thair guidis and geir, and had and careit thame away to Abirbrothok, and thair detenit thame as presoneris quhill thai wer constrenit to find caution, ilk ane of thame under the pane of twa hundrith merkis, that thay sould enter again as thay sould be requirit upoun thre dayis warning; and yit the said Commendatar, not content of this wrang and injurie committit he him, upoun the xxviii day of the same moneth, came to Ernemouth, betwix Dundee and Sanct Johnstoun, to the mercat or fair callit Sanct Johnnis Fair, had and careit the same away with him, and yit hes the guidis in his handis and keping to the valu of v or vi^m merkis, quhairthrow the awnaris thairof as alluterlie hereit, the same being the maist part of the guidis they had to win the leving and sustentatioun of thameselffis, thair wyffis, and childring; and attoure, chasit sindrie utheris boittis beand alsua passand up the same watter, schott hagbuttis and daggis at the personis being thairin, and hes hurt Williame Gold alias Withytan and diverse utheris to the effusion of thair blude in grit quantitie; and yit dalie and continewallie awaittis alsweill for thair slauchteris as for forder spulyeing and reving of thair guidis and geir, in hie and manifest contemptioun of oure Sovereine Lord his auctoritie and lawis, and to the evill exempill of utheris to do the like gif this be

sufferit to remane unpunish. And anent the charge gevin to the said Commendatar, to deliver the saidis guidis and geir intromettit with be him and his complices at his command as said is to ony ane of the awnaris of the samin havand commissioun of the rest within xxxiii houris nixt after the charge; or ellis to compeir personalie befoir my Lord Regentis Grace and Lordis of Secret Counsall, this day—as the third day after the charge, and answer to this complaint, and als to underly sic uther ordour as sould be imput to him for the weill and quietness of the cuntrie under the pane of rebellious and putting of him to the horne; with certificatioun to him and he faillyeit, the said day being bipast, letters sould be direct simpliciter to put him to the horne, and to eschete and inbring all his movable guidis to our Sovereine Lordis use, for his contemptioun, lyke as at mair lenth is contenit in the saidis letters, executioun and indorsatioun thairof; the saidis Baillies and Counsall of Dundee comperand be Maister James Halyburtoun thair Provost, and Peter Clayhills ane of the Burgesis of the samyn, and the said Commendatar being oftymes callit and not comperand, my Lord Regentis Grace, with avise of the saidis Lordis, ordainis letters to be direct to officiaris of armes, Shereffis in that part, chargeing thame to denunce the said Commendatar our Sovereine Lordis rebell and put him to the horne, and to eschete, &c., after the forme and tennour of the saidis letteris.¹

The putting of Douglas 'to the horne' does not seem to have been a serious matter for him. About the same time that he was accused of these extraordinary acts of violence, his appointment to the see of Moray was made. At a meeting of the Privy Council, held at Holyrood on 10th July 1574, he was sued as Bishop of Moray by his successor in the abbacy of Arbroath, Lord John Hamilton, who alleged 'that he spulyeit, awaytuke resett awa withheld fra the said Commendatar at diverse tymes within the tyme of abstinence concludit, furth of the place of Abirbrothok houssis and biggingis thairof, off diverse guidis geir plenissing and utheris; and als fra the said Commendatar his fewaris tenentis and parochinaris of sindrie his landis and kirkis—of diverse soumes of money, victuall, and fermes, extending to greit quantitie.' The Bishop was called upon to restore and deliver the same to him again. It was also asked that he be required to 'big up and repair certaine partis, biggingis, and houssis of the said Abbay allegeit demolishit, distroyit and cassin down be him,—lyke as at mair lenth is contenit in the said Judgeis [Lords Justices] precept direct in the said

¹ Reg. Privy Council, ii. p. 163, 4.

matter.' The Bishop was further sued by certain monks of the abbey—'our Sovereane Lordis inobedient subjects for the tyme—for non-pament of thair portionis and pensionis of the said Abbay.'¹ The monks called the king's 'inobedient subjects for the tyme' are described as having partaken with manifest conspirators and rebels during the troubles of the period. Douglas was 'put to the horn,' but subsequently he petitioned the Council to have the matter opened up, and he was reponed, so as to be enabled to proceed according to law. It appears from the charter of James VI. in favour of the burgh that Douglas, on being appointed to the bishopric of Moray, not only pillaged the abbey, but took away with him documents belonging to the burgh of Arbroath.

Lord John Hamilton regained possession of the abbacy on the removal of James Beaton to the see of Glasgow, but his possession of it was again and again interrupted, while it was held by George Douglas, and as the result of repeated forfeitures incurred by Lord John and his family for espousing the cause of Queen Mary. In 1576 it was brought under the notice of the regent that the commendator of Arbroath, while riding through Fife with a force had fallen into 'controversy and displeasour' with William Douglas of Lochlevin. Both were ordered by the Council to give assurance that they would keep the peace to each other, and Douglas, refusing to comply, was further entered into ward in Edinburgh. In consequence of the prescription and flight of Lord John and Lord Claud Hamilton, following on an Act of Attainder after the murder of the Regent Murray by Hamilton of Bothwellhaugh, the abbeys of Arbroath and Paisley were vacant. On 2nd June 1579, the Protestant ministers petitioned the Crown respecting them. Describing them as 'twa of the gretest prelacies within this realm,' they asked that the haille fruits, or at least such a reasonable part as might be necessary for the maintenance of the ministers be given to the Church. It is indicative of the importance which still attached to the possession of these great abbeys that the English ambassador, as appears from the Calendar of State Papers, writing to his Government at one of the times when the Hamilton influence was in the ascendant, mentions that 'the Regent is about to restore the Abbeys of Arbroath and Paisley to the Duke's sons,' but adds, 'they must be recovered by force.' The movement made in 1579 by the Protestant ministers was without result. Notwithstanding a resolution of the Council that neither the abbacy of Arbroath nor any other vacancy should be filled up, while consultations on church polity pointing to a dissolution of the monasteries were in progress, the French Esmé Stuart, Lord D'Aubigny, who was created Earl and Duke of Lennox, one of the king's favourites, obtained Arbroath *in commendam*.² He held the abbacy, with its emoluments, till his death, in exile in France, in 1583. About two years after, Lord John Hamilton returned from banishment in France, and the Act of Attainder having been

¹ Reg. Privy Council, ii. pp. 380, 381. ² *Ibid.* ii. 114, 155, 193, 598; iii. 177, 191.

removed, he was restored to his honours and possessions, including the abbacy of Arbroath. While Abbot of Arbroath, he, with the rest of the Hamiltons, became Protestant. In his time there was further alienation of the lands of the monastery as perpetual feus. Lord John Hamilton resigned the abbacy on being created Marquis of Hamilton, and it was conferred on his eldest son Lord James Hamilton. The Marquis had taken a prominent part in public affairs in the reign of Queen Mary, and in the long and troubled minority of her son. Next heir to the throne, after James VI., he was warmly attached to the cause of the Queen; and, although that was no proof of this attachment, he was one of the jury who acquitted the Earl of Bothwell of the charge of murdering her husband.¹ Before the Queen's execution at Fotheringay, she sent him a ring, as a token of her esteem of his and his family's loyalty. He was the thirty-third or thirty-fourth, and last, in the abbacy of Arbroath. For half a century before his death, the abbey as a religious establishment had ceased to exist, but, notwithstanding, this last of the abbots frequently occupied the Abbot's house. In that stormy time, when the country was distracted by the contentions of king's-men and queen's-men, it must often have been a matter of convenience to retreat to a quiet refuge north of the Tay.

After the death of the Marquis of Hamilton, his son James, the second marquis, had the abbacy erected into a temporal lordship in his own favour. This was done on 9th July 1606, by the king, with the consent of Parliament. On the same day, the abbacies of Cupar (in Angus), Balmerino, Dryburgh, Cambuskenneth, Lindores, Jedburgh, Coldingham, Scone, and Dundrennan, and the priories of Inchmahomo, St Andrews, and Pittenweem, were erected into temporal lordships. The Act in regard to Arbroath sets forth that its erection into a temporal lordship was in consideration that the Marquis of Hamilton was nearly descended of his Majesty's blood, and of the services to the Crown of his grandfather the Duke of Chatelherault, and his father the first Marquis, particularly to 'his hieness umquill darrest [dearest] mother, in mony of the trublis and afflictionis quharin scho fell'—services involving loss of estate. The Act goes on to declare 'that the temporalitie, propirtie, and superioritie, with the fewfermis and pertinentis of the monasterie of Abirbrothok, being in his Majesteis handis be the general anexatioun of the hail kirklandis of the realme of Scotland to the Crowne, togidder with the spiritualitie of the said abbacie, being in his Majesteis handis be dimissioun and resignatioun maid thair of be the Abbot and convent of the samin,' shall be incorporated into a free lordship and barony, to belong, together with the dignity of a lord of Parliament, to the Marquis and his heirs. The lands of the abbey were accordingly dissolved from the Crown, the Act further declaring: 'And to the effect foirsaid his Majestie and Estaittis of Parliament hes suppressit and extinguischit the memorie of the said abbacie of Aberbrothok, that thair sall be na successor provydit thairto, nor na farder mentioun maid of the samin in ony tyme heirefter.' The Act concludes

¹Keith's Hist., vol. ii. pp. 541-548.

with a reservation which was customary in these Acts of erection: 'Reserveand and exceptand alwayes furth of this present act and erectioun foirsaid all regalitie and all privileges thair of possessit be the Abbotis and titularis of Aberbrothok of befoir, To remane with our soverane lord, his heines successoris, and thair crowne, inseparablie in all tyme heireftir.'¹

Notwithstanding the many spoliations to which it had been subjected, the abbacy with its feus was still of much value when it was erected into a temporal lordship. There are a good many notices in the national records, in the latter part of the sixteenth century, of dealing with its fruits. Thus, in 1579 an order was made by the Privy Council to pay Alexander Erskine, Master of Mar, £528 16s. 8d. from the 'twa part of the Abbey of Abirbrothock.' In 1584 a payment was ordered to be made out of the third of the bere of the abbey towards the maintenance of Edinburgh Castle. The Marquis of Hamilton received in 1600 a grant of the monks' portions of the abbey, and a supplication of Sir Thomas Lyon of Auldbar claiming the monks' portion was remitted to the next Parliament.² Among other indications of the relations of the neighbouring landlords with the abbacy, there is in the Register of the Privy Council, under date 12th January 1595-96, an order on 'Robert Guthrie of Kinblathmont for Alexander, Lord Spynie, to pay 100 merks for his escheat or obtain nullity of the horning used against him before Johnne, Lord Hammiltoun, for not relieving him of his part of the said taxation of the abbacy of Arbroth.' On 15th October 1579, at a meeting of the Privy Council, caution was given 'by Mr David Gardin of that Ilk that Arthour Granger, sometime chamberlain of Aberbrothok, shall pay to Lord Ruthven, treasurer, 21 bolls of meal, 24 bolls of beir, 11 chalders of oats, together with the teind sheaves of Abirbrothok, of the crop of 1578, if it be found that he ought to pay the same.'³

Mention has been made of the desire of the Protestant ministers to obtain a provision for the Church out of the fruits of the abbacies, as these became vacant. Mr Robert Bruce, one of the ministers of Edinburgh, had a life pension of twenty-four chalders of victual out of the rents of the Abbey of Arbroath. At one time a favourite of James VI., he lost that favour through the inflexibility of his Presbyterian principles, and his pension was taken from him and transferred to Lord Hamilton. Bruce raised an action in the Court of Session for its recovery. The king was present at the hearing, and his presence gave occasion for an exercise of royal tyranny. Seeing that the case was going against him, he openly dared the judges to oppose his will. This was on or about 10th March 1598-9. As a punishment, the treasurer was committed to the Castle.⁴

Unjust as was the king to the Presbyterian ministers, his favour for Episcopacy was not permitted to interfere with the demands of the Crown or of those nobles whom he favoured on the possessions of the Church. About the time that the

¹ Acts of the Parls. of Scot., vol. iv. pp. 321-323.

² Reg. of Privy Council, iii. 228.

³ General Index to Acts of Parl.

⁴ *Ibid.* vol. v.—Pref., lxxxix., xo.

abbacy of Arbroath was being transferred in perpetuity to the Marquis of Hamilton as a temporal lordship, and when James was engaged in a project on which he had set his heart, that of reconstructing the Scottish hierarchy, George Abbot, Archbishop of Canterbury, remonstrated in this fashion against the gift of the abbacy to Lord Hamilton: 'It seemeth that your Majesty is about to assure the Abbey of Arbroath unto a certain nobleman, which I could have wished with all my heart might have been annexed to some of your Majesty's poor bishoprics, the nature of those kinds of livings considered.' The Archbishop hoped at least that two of the parochial clergy would receive certain small holdings promised to them as a provision out of the grain domain. One of these, Patrick Lindsay, minister of St Vigean, complains to the king: 'Although your Highness did write very earnestly unto the Marquis of Hamilton, desiring him, as he would give proof of thankfulness for that great lordship and living of Arbroath freely granted unto him by your Majesty, to suffer willingly my little piece of land, with the farms and duties thereof, to be reserved furth of his erection, according to your Highness's warrant graciously granted me thereupon, for which I render many humble and hearty thanks; yet, nevertheless, the Marquis has sa little regarded your Majesty's desire thereanent that he would neither obey the same nor yet would he and his friends and favourers suffer your Highness's warrant to be read nor voted, neither by the Lords of the Articles nor in public Parliament, but has obtained his erection without any reservation.'¹ The Marquis of Hamilton was powerful enough in Parliament at this time to be able to do all that the minister of St Vigean complained to the king that he had done in disregard of his wishes. Lindsay, however, subsequently received the king's favour, he having been promoted to the bishopric of Ross.

A confirmation of a charter of the ward lands of the abbey, granted in 1577, gives a precise definition of local boundaries:

The king, &c., confirmed a charter made by John, perpetual commendator of Abirbrothok and his convent, by which, for great sums of money paid, they dispoind in feu-form to George Balfoure de Tarre and Alisone Ogilvie his spouse the lands called the 'Ward de Abirbrothok, mereland to the landis callit the Waird-dykis on the eist and southeist pairts, and fra that passand to ane pairt of the said Waird callit the Waird yet on the south, and fra thyne to the landis of Dammisdaill on the south and southwest, and fra thyne passand ower the watter of Brothok as the proper dyke gangis to the southwest nuik of the landis of Carnie, and the saidis lands of Carnie on the southwest and west pairtis, of the landis of Kirkton on the northwest pairtis, and frae the Kirkton richt north to the northeist

nuke of Sanct Wigeand kirk-yaird, fra that furth passand richt eist ower the watter of Brothok as the auld watter-gang passis of the burne callit the Deneburne unto the furde thairof, passand the hie commoun gait frae Abirbrothok to Brechin, and frae the said furde passand southeist as the commoun gait gangis unto the partissing of the gaitis passand betwix Abirbrothok and Nogh-Tarrie entrend to the propir dyke of the said Waird, with their teinds included which were never accustomed to be separated from them; in the regality of Abirbrothok and county of Forfar: Giving in return £10 of original feu-duty, and 13s. 8d. of augmentation and a duplicound on the entry of heirs: with precept of sasine directed to Arthur Grainger, chamberlain of said monastery.— At the Monastery of Abirbrothok, 20th May 1577.²

¹ Original Letters, &c., Bannatyne Club, 55, 57, quoted in Burton's Hist. of Scotland, v. 445, 446.

² Reg. of Great Seal, vol. 1546-80, No. 2687.

Another confirmation by the king of a charter granted by Lord John Hamilton also gives a particular statement of local boundaries. It was a charter by which the lands called 'Barne-greyne' were conveyed to David Peirson, burges of Arbroath, and they were described as 'beginnand at the north end nuik of the buikis-yaird, and frae that ascending the gait quhilk ledis to Montrois our the rynnir quhill it cum onne to the Hais-dyk be the merche quhilk dividis the samyn fra the landis of Ower Terrye and merche-stanis input, and fra that as the Hayis-dyk ledis one to the north nuik of beir granell and sa including the beir granell, malt barne and windinhou as be thair awld wals thai war dividit frae the Granitaris-craft, discending the dyk of the said croft, quhill it cum to the commowne kirk-yaird of Abirbrothok, and fra that as the said dyk ledis quhill it com to the eist nuik of the said buikis-yaird.'¹

The abbacy of Arbroath, as a temporal lordship, descended to a third Marquis, afterwards Duke, of Hamilton. He resigned it on 6th July 1636, retaining, however, the title of Baron Aberbrothok, conferred with the lordship of Arbroath in 1606, and which is still one of the subordinate titles of the Dukes of Hamilton. On his resignation of Arbroath, the Marquis received compensation, which included 'the lands and barony of Lesmahagow, as well property as superiority thereof, together with the mines of gold and silver within the same, with the teinds, parsonage, and vicarage thereof, with right of patronage of the parish kirk and parish of Lesmahago.'² William Murray, son of the Rev. William Murray, minister of Dysart, preceptor to Charles I., was the next holder of the lordship of Arbroath.³ This gentleman, who was closely related to noble families, was himself raised to the peerage, on 3rd August 1643, as Lord Huntingtower and Earl of Dysart.⁴ A year before his elevation, he sold the lordship of Arbroath to Patrick Maule of Panmure, who, like his predecessor in that possession, was a gentleman of the bedchamber to the king, and was raised to the peerage by the title of Earl of Panmure. It is stated that the lordship of Arbroath was acquired by Patrick Maule 'at a very dear rate.'⁵ He obtained from Charles I. his charter of infeftment, under the Great Seal, at Oxford, 28th November 1642, the charter including the right to the thirty-four churches of the Abbey as well as the superiority of its lands, 'together with the right of nomination of the bailies of Aberbrothok, one or more, and place of vote and the suffrage for electing of the rest of the bailies and other office-bearers within the burgh of Aberbrothok,' 'to be holden of his Majestie and his royall successors, in free barony and regalitie for payment of the sume of two hundreth pund Scots money yeerly, at two termes in the year, Whitsunday and Mertinmes, be equal portions.'⁶ The infeftment was ratified in Parliament on 27th July 1644. Lord Panmure presented a supplication to Parliament 'that a reservation of his infeftment of the abbacy of Arbroath

¹ Reg. Great Seal, 1546-1580, No. 2846.

² Acts Parl., vii. 578. ³ *Ibid.* vii. 109.

⁴ Burke's Peerage (Lond. 1869), p. 387.

⁵ Acts Parl., vi. 409. ⁶ *Ibid.* vi. 109.

be inserted in the Act annexing superiorities of church lands to the Crown, because he bought the feu-duties from William Murray, and hence he could not be ordained to dispose to the Crown, much less to a vassal, as he did not derive his right to the feu-duties from the reservation in the Act 1633.¹ This petition was granted. There was another ratification, on 3rd April 1661, of the charter of infeftment in favour of the Earl of Panmure, and immediately afterwards, on the same day, the following protest, in the interest of the burgh, was given in by the Provost of Arbroath, who was also commissioner from the burgh to the Parliament: 'The which day John Ochterlony, present provost of the burgh of Aberbrothock, and commissioner from the same, protested that the ratification past in favours of the Earle of Panmure shall not preindge the said burgh in their rights and priviledges in any maner of way conforme to their infeftments, rights, and securities of the same, granted in favours of the provost, bailies, councill, and communitie of the said burgh and thair prediceors, and thervpon asked and tooke instruments.'²

The Act of Erection in favour of the Marquis of Hamilton, in 1606, was in the most ample form, and it seems to have included the Abbey precinct as well as the other possessions of the monastery. The manor place and precinct are also explicitly mentioned in the retour of service of George, Earl of Panmure.³ Yet on 10th October 1636 the buildings, yards, and orchards within the precinct were granted to Charles I., along with 5000 merks Scots, as an endowment of the bishopric of Brechin. Then, it appears from notes of a charter by Charles I. to James, Lord Carnegy (afterwards second Earl of Southesk), dated 17th November 1641—the notes being by the late Mr D. D. Black, Town Clerk of Brechin—that by this charter Lord Carnegy was constituted keeper for life of the houses, yards, and lands within the precincts and walls of the Abbey of Arbroath, with a right after his death to his heirs male for the space of three nineteen years. The letter narrates that these houses will become ruinous except some course be taken for upholding the same, and the grantee is taken bound to keep up as many of the houses as the Lords Commissioners of Exchequer should think expedient, the same being first put into a state of repair by the said Lords.⁴ It seems evident from this grant to Lord Carnegy that in the erection in favour of Lord Hamilton, and subsequently, the Abbey precinct had been reserved to the Crown. The grant to the Bishop of Brechin was in abeyance during the Commonwealth, but it was ratified in Parliament (September 9, 1662) after the Restoration. On the abolition of the episcopate at the Revolution the precinct again reverted to the Crown, in whom the church of the monastery is still vested. With regard to the lordship, on the forfeiture of the fourth Earl of Panmure after the insurrection of 1715, it also,

¹ General Index to Acts of Parliaments.

³ *Supra*, p. 47.

² Acts of the Parliaments of Scotland, vol. vii. p. 110.

⁴ Proceedings Society of Antiquaries Scot., 12th June 1876, vol. xi.

with its church patronages, became vested in the Crown. It was sold to the York Buildings Company; but when they bought back their estates in 1764, it was again acquired by the Panmure family, now represented by Arthur George Maule Ramsay, fourteenth Earl of Dalhousie.

CHAPTER IX.

THE ABBEY IN RUINS.

FROM time to time, war and the elements beat heavily upon the monastic buildings of Arbroath. The church suffered from a great storm in 1272, not quite forty years after its completion. That year was a calamitous one, the land, says Fordun, being barren, the sea unproductive, and there being sickness both among men and cattle. It was in this year, on Saturday of the Octaves of Epiphany, at midnight, that a violent wind from the north, with hail, blew down houses and lofty buildings, 'and fire,' says the historian, 'breaking out in consequence, burned the church of Arbroath, and many others.'¹ Boece narrates the same disaster, stating that the church was consumed, and that the bells which hung in the towers were partly broken and partly melted. On this occasion the church was probably so much injured that it may have taken years to repair the damage, but it must not be concluded from the language of the old writers that it was completely consumed. The monastic buildings existed in their grandeur at the outbreak of the War of Independence; but when that war occurred, and the English fleets could sweep at pleasure the Scottish seas, the Abbey suffered so much that more than a generation passed away before it was repaired. It was in the year 1350, thirty-six years after the battle of Bannockburn was fought, that William, Bishop of St Andrews, in making a grant to the Abbey, stated that 'the church of the monastery of Arbroath, placed on the brink of the sea, had suffered almost irreparable injuries from the frequent assaults of the English shipping.'² The Bishop's grant was to enable the monks to complete the repair of the church.

The monks had probably got their church once more restored to its pristine magnificence, when in 1380 another disastrous accident befell it. In that year it was again burned.³ The cause of the fire has not been stated, further than that it was ascribed by the Bishop of St Andrews to the agency of the Devil. It was the roofs of the choir, nave, and transept that principally suffered on this occasion.

¹ Fordun, x. 30.² Registrum Nigrum de Aberbrothoc, pp. 22, 23.³ Fordun, xiv. 44.

So great was the damage that the monastic establishment was temporarily broken up, the monks being distributed among other religious houses till their own church was repaired. A rigid economy was practised in order that means might be found to make the necessary restorations. The Abbot was enjoined by the Bishop to restrain his expenses, to receive no guests, and to live solitarily and privately in his own chamber. Each monk was to be content with twelve merks yearly for food and clothing. The contract with the plumber, 'for theking of the mekil quer with lede' at this time, is still preserved.¹ It is written in the lowland Scotch of the period.

The church is said to have been burned at the battle between the Lindsays and the Ogilvys in 1445; but there is no evidence of this, nor of its having been damaged at any time in domestic wars. The authority of the Church in those days was great enough to make even the boldest barons hesitate before engaging in a wanton attack upon its property. But the foreign enemy burned abbeys, whose brotherhood were sometimes not unfamiliar with the panoply of war, as readily as they battered down castles. It is likely that Arbroath may have suffered in this way from the English privateers who scoured the Scottish seas in the reigns of James III. and James IV., till they suffered a check in the victory won by Sir Andrew Wood, in the naval engagement which took place between him and Stephen Bull, in 1490, between May Island and the mouth of the Tay. In the year 1470 a new *dormitorium* was built at the Abbey, with timber brought from Norway.²

During the minority of Queen Mary, Henry VIII. proposed to do as great an injury to Arbroath as any of his ancestors had done. On 5th September 1543, Sir Ralph Sadler sent a letter to Lords Suffolk and Tunstall, enclosing also a letter to Henry VIII. The ambassador wrote: 'There be newes com this day to this towne, that the Lorde Gray, being as ye know one of the Kynges majestes prysoners, and the Lorde Ogleby, with a good bande, have sacked the Cardynalles abbey of Arbrogh, and that they have taken out all thordenaunce and artillery out of the Frensh shippes which were chased into Dundee and Mountrosse by our men, with the which artyllery they did besige the saide abbey, intending in lyke wyse to procede to the reste within theyr boundes and countrys. This is sayed here comonly to be trew, but whether it be so or not I cannot tell; whereof I shall advertyse further as I shall knowe the trowth.'³ It may be that damage was done to the abbey at this time, though not to the extent that Sir Ralph Sadler thus cautiously reported. A few months afterwards, Hertford and others, on 17th April 1544, writing to the English king, inform him that 'a Scottisheman called Wysshert had brought that day a letter from Brunstone to Hertford, and that Wysshert with his letters and credence were dispatched to Henry by post.

¹ Reg. Nig. de Aberbrothoc, pp. 35, 36, 42, 43. ² *Ibid.* pp. 163, 167. ³ Hamilton Papers, ii. 21.

His credence was twofold—(1) that Grange, the late treasurer of Scotland, the Master of Rothes, and John Charters would attempt to apprehend or slay the Cardinal on his passage through Fife, if Henry approved the plan; and (2) these persons wished pay for 1000 or 1500 men, with whom, when the English were in Scotland, they joining the Earl Marischal, Calder, and Lord Gray's friends, would destroy the Cardinal's abbey and town of Arbroath, and other bishops' and abbots' houses north of Forth, when the forces of these last should have gone to resist the English; that Wysshert guaranteed that all these persons should bind themselves by writing under their seals, before they asked any money.' To this communication the English Privy Council replied to Hertford on 26th April informing him that 'Wysshert, which cam from Bronstoun, had been with Henry and declared his credence, and had been assured that if the noblemen and gentlemen named by him would do the "feate" against the Cardinal, a refuge would be given them in England. As there was not time to communicate before the English army entered Scotland, if the above persons would do their best to burn and destroy churchmen's lands, and give hostages to Hertford, he was authorised to pay them £1000 for their charges.'¹ These passages relate to one of the most interesting episodes in Scottish history in the first half of the sixteenth century, including the controversy as to the identity of the 'Scotisheman called Wysshert, with George Wishart the martyr, but they are quoted here only as showing that the destruction of the abbey of Arbroath, as belonging to his determined enemy the Cardinal, was a favourite project of Henry VIII.

In the winter of 1547-48, the Scottish coasts were much molested by the English. Broughty Ferry was at that time captured by the enemy, and Knox says: 'The Englishmen begane to fortifie upoun the hill above Broughty hous, which was called the Forte of Broughty, and was verrey noysome to Dondy, which it brunt and laid waist; and so did it the moist parte of Anguss which was not assured and under freindschipe with thame.'² There is reason to think that at that time Arbroath was 'assured' and under friendship with the English, and consequently escaped those ravages of war with which other parts of Angus were visited. Mr David Laing states that in the treasurer's accounts for November 1549, 'Maister James Betoun, postulat of Aberbrothock,' was ordered to find surety 'to underly the lawis, for tressonable intercommunynge with Schir Johnn Dudlie, Inglisman, sumtyme capitane of the Fort of Brochty,' and persons were sent 'to Aberbrothock to requyre the place thairof to be given oure to my lord governouris grace, becaus Maister James Betoun was at the horne.'³ The Abbey experienced many vicissitudes, being in this respect a mirror of the fortunes of the country in those troubled times.

¹ State Papers, quoted in Hamilton Papers, vol. ii. ² Knox's History of the Reformation, vol. i. p. 215.

³ *Ibid.* p. 181, note.

There is a local tradition that the Abbey was burned in the time of the last of the Abbots, Lord John Hamilton, by a neighbouring laird, Ochterlony of Kelly. The statement is, that he was in arrear with his feu-duties, or ground-rents, and adopted this method of paying his debt. Ochterlony, it is said, rode from Kelly to Arbroath, accompanied by three hundred retainers, and set fire to the church, the lead from the roof of which, being fused by the conflagration, flowed in a stream through Lordburn. Further, tradition, with its usual leaning towards poetical justice, alleges that the sacrilegious laird did not escape the vengeance of Heaven; for as he was riding home to Kelly from his work of destruction his bowels burst out, and he thus perished miserably. There is nothing to show that the Abbey was burned or destroyed by anybody at the Reformation. The church would be stripped of its rich furniture and all moveables of value, but it is more likely that this was done by one or other of the commendators than by a tumultuous concourse of people, or by any laird. The abbacy, like the other great ecclesiastical lordships, was destined to become private property, and the Hamiltons might be trusted to defend a property which they regarded as their own long before it legally became so. It may safely be affirmed that the lead of the roof of the church, the lead which William of Tweeddale contracted to supply, never ran down Lordburn in a molten state. It is much more probable that it was stripped from the roof to be cast into bullets to be used by king's-men or queen's-men in the civil wars of the minority of James VI., or that it was turned into money for the payment of the troops. The roofs of several of the great Scottish churches were put to such uses at that time. It is probable that the Abbey suffered some damage when, in 1570, George Douglas was besieged in it by the Earl of Huntly, and it is certain that it was despoiled by Douglas. But the church, which was not required for the reformed worship, and for the maintenance of which, after the revenues had been alienated, there were no funds, must have gradually fallen to ruins; and when once the building began to give way, the ruin would be more thorough and speedy because of the gigantic character of the structure. Then, the dormitory, when deserted by the monks, would speedily become ruinous. It was probably in that condition when, in 1580, the Magistrates applied to the commendator of the Abbey for a grant of the stones, timber, and pertinents of the house, for the building of the parish church. In the end of the year 1872, in the course of a search which was made in the offices of the Court of Session for documents belonging to the Corporation, there was discovered the original of a precept by the Duke of Lennox making such a grant to the burgh. The precept is as follows:—

'Chalmelain capitane of the house of Arbroath, and all others our servands. Yis precept from us sall suffice bailzies, consall, and communitie of Arbroath to intromit and tak away all and hail ye stainis, tymmer, and other pertinents of our house, ye dormitory in ye said Abbey, and that ye mak yeis nay impedimen in

away takyn and down castin of ye same, but ye may have free passage therewith, because we haiv disponit ye sam to them for biggyn of ane kirk. And this in nay ways ye leif ondone. Be this our precept writn and subscriuit with our hand at Melgrund, ye xxvi. of June ye year of God 1580. LENNOX.¹

This document has lain among the unextracted processes of the Court of Session for upwards of two centuries, and it had long ago ceased to be known that the Magistrates had ever received such a grant. But that was still known towards the close of the seventeenth century. The dormitory, with other domestic buildings of the Abbey, had been a quarry more than sufficient to supply stones for the building of the parish church; at any rate, a large portion of the dwelling-place of the monks existed in the seventeenth century, when the Magistrates took the stones in order to build a tolbooth. The tolbooth was the old house which until the year 1865 stood on the site, on the east side of High Street, now occupied by the Commercial Bank. The disposition by the Duke of Lennox was plainly limited to the purpose of building a church: it did not confer upon the Magistrates the right to use the stones for the walls of a prison. So, at all events, thought the Bishop of Aberdeen, who appears to have had an interest in the matter, although it was the bishopric of Brechin which received a grant of the precinct. When the Magistrates appropriated the stones of the dormitory for their tolbooth, the Bishop of Aberdeen, as they put it, 'through force, fear, raising letters, and citing the Magistrates before the Secret Council, exacted a bond for 200 merks expenses from the Magistrates as the price of the stones.' In 1691, after the Revolution, and when bishoprics in Scotland had been abolished, an action was raised at the instance of 'Henry Fithie, late provost, and the Town Council of Arbroath, against the late Bishop of Aberdeen,' to have the bond which he had exacted cancelled. The Magistrates pleaded in this action the gift of the Duke of Lennox as a reason why the bond for 200 merks should be 'reduced.' They lodged the document itself in process, and there it has ever since remained. The Duke of Lennox who granted this gift to the burgh was Esmé Stuart D'Aubigne, whose short period of power in Scotland was terminated by the Raid of Ruthven.

Other charters of considerable interest as relating to the abbey were granted by the Duke of Lennox, as commendator, and confirmed by the king. By one of these, dated at Arbroath in February 1580, the Convent 'for good service,' disposed to Mr James Melvill, minister at Arbroath, and his heirs, 'the unoccupied walls of the house called the charter-house, and the unoccupied ground adjacent thereto in which the bodies of the brothers of the convent of said monastery were accustomed to be interred; as also the garden possessed by Richard Craik, with the teinds included (between the palace and the palace garden), the wall of said monastery, the walls of the church and of the dormitory

¹ Original in the Parliament House, Edinburgh.

thereof; paying annually to said monastery 40 pence, and a double feuduty on the entry of heirs or assignees.¹ The 'charter-house' here mentioned seems to have been the chapter-house. On 31st October 1582 the king confirmed a charter by which the Duke of Lennox 'disponed in feu to James, Lord Ogilvie, and Lady Jean Forbes, his spouse, and the longest liver of them, in liferent, and to James, Master of Ogilvie, their son, his heirs whomsoever and assignees, in fee, the tower or fortalice of his monastery, with the ruined walls called Nunehous adjacent to the tower and to the house above his entrance or part called the Belhous; and with the unoccupied land between the above described subjects and the garden containing the dove-cot, and all the gardens within the walls of said monastery, with the teinds included, excepting the gardens of Mr James Melvill and that part on which the new church has been built; and reserving to said convent the liferents of the gardens of the houses possessed by themselves: paying to said monastery 33 shillings of original feuduty and six shillings and eight pence of augmentation, and a double feuduty on the entry of heirs or assignees.'² By this charter the tower, or castle, and a large part of the gardens of the monastery were feued to Lord Ogilvie, the bailie of regality. It appears from the charter that in 1582, twelve years after the Douglas raid, the regality buildings were in a ruinous state. Previous to Douglas's visit they had been in a good state of preservation.

Besides the grant of the dormitory, there is evidence to show that the ruin of the abbey buildings was accelerated through their being made use of as a quarry, out of which the citizens of Arbroath got stones for the erection of their dwelling-houses. Stones which had formed part of the abbey church have frequently been found on the removal of old houses in the town. When, a good many years ago, there was taken down an old mansion which stood where the British Linen Company's Bank now stands, it was found that the house had been largely constructed of stones from the abbey. Often it must have been the case that such stones were those that had already fallen, or were taken from portions of the building which were pulled down as being dangerous; but in the seventeenth and eighteenth centuries the ruins of abbeys were of but small account in Scotland: they were not much regarded as traces of a closed chapter in the history of the nation; and a body of citizens may have thought it was the most reasonable thing in the world to put to some use, in however humble a way, the broken remains of a building which to them had no other value. But there were some even in those times who took a different view. One of them was Mr John Ochterlony, laird of Guynd, who, in his account, written about 1682, gives the earliest description we have of the abbey after the Reformation. Mr Ochterlony speaks of the abbey as having been the 'beautie and decorement' of Arbroath. He says of King William that he 'lyes buried there in a piece of very stately

¹ Transl. from Latin of Great Seal Reg., 1580-93, No. 348. ² Great Seal Reg. vol. 1580-93, No. 453.

work built by himself for that purpose, and is a very stately work of three storie high. The whole fabric of the buriall-place is still entier as at first, and if it be not throwne down may continue so for many generations.' Mr Ochterlony has mistaken the vestry for the tomb of the royal founder of the abbey.¹ His was probably the common opinion at the time when he wrote. It is gratifying that the vestry still remains, but the charter-house, which was above the vestry, is broken down. Mr Ochterlony, in his description of the abbey, as he saw it upwards of two hundred years ago, says :—

'There is one lodging remaining yet entier. It had a most stately church, with two great steeples on the west end thereof. Most part of the church is ruined, but it was the largest, both for breadth and length, it is thought, in Scotland. There is much of the walls thereof as yet standing in many places. The tower, three storie high, is standing yet entier, and the roof on it. There was ane excellent room called the fish-hall standing, with an excellent oak roof, but that, with much more of the building, by the avarice of the towns people about there, is all broken down and taken away. There was beside the cathedral church, four chaples, viz., St Thomas chaple, the Abbey being dedicated to St Thomas Becket,

Archbishop of Canterberrie. It was richly furnished, and, as a gentleman told me, he saw the very things in a chapple at Parish [Paris], and was told they were removed thither by the monks of Arbroath the tyme of reformation, extraordinare riche but of ane antique fashione; Lady chapple, St Ninian's chapple. The Almshouse chapple is now possess be James Philp of Almeryclose. His hous is built of the stones thereof, and has all the apartments belonging thereto. The fabrick was great and excellent, having many fyne gardines and orchards, now converted to arable ground, about which is a high stone wall, and now by the king's gift belongs to the Bishop of Brechine.'²

The lodging which Mr Ochterlony speaks of as entire is the Abbot's House. It will be observed that this old writer, while denouncing the avarice of the townspeople, says nothing of the conduct of the laird of Almerieclove in taking the stones of the chapel of the eleemosynary for the building of his own house. The Laird of Guynd's description of the abbey, while interesting so far as it goes, is not very accurate. The church was not a cathedral, and although one of the largest, it was not the largest, in Scotland.

About the time that Mr Ochterlony wrote his account of the abbey, the ruins were sketched by Captain John Slezer.³ His is the oldest picture we have of the abbey. The general effect of the picture is not greatly different from a view of the abbey now, or from what was its appearance before the floor of the church was cleared by the removal of the mounds of fallen masonry. Those mounds are a conspicuous feature in Slezer's engraving. A soil formed over them, and in a later time ash trees took root there and flourished. In 'Slezer' the crow-stepped roof of the tower, with the bartizan, appears entire. The western towers of the church, although broken, still retained in 1693 a strong suggestion of their former magnificence, and somewhat more of the chancel walls was standing than is to be seen now. But in other respects the church had then very much the

¹ *Supra*, p. 33. ² Spottiswoode Miscellany, pp. 343, 344. ³ *Theatrum Scotiæ* (edit. 1874), plate 41.

appearance which it has at present. The whole of its southern side and its clustered pillars were gone. After Slezer, Pennant, Grose, and Cardonnel sketched the ruins of the abbey.

In a storm which occurred on 20th January 1739, about ten feet of the north-west tower of the church was blown down. The next incident in the history of the monastic buildings is chronicled in the proceedings of the Town Council. The Corporation had a lease of the Abbot's House from the Crown, and they had sub-let it to a firm, that of Wallace, Gardyne & Co., who were engaged in the manufacture of thread. At a meeting of the Council on 16th April 1745, this firm represented that they had laid out upwards of £100 sterling in reparation of the Abbey House;



THE ABBOT'S HOUSE.

they prayed that their tack might be continued at the rent they had been paying and that they might have liberty to enclose about twenty yards square before the house for drying their thread—all which was agreed to.¹ The 'repairs' must have been peculiar which were necessary in order to make a thread factory of the Abbot's House. Then, and afterwards, much of carved work was destroyed. Two small doors, good specimens of Scottish carving, remain to suggest how much has been lost. These and the great arched kitchen are what chiefly recall the Abbot's House of the mediæval period. The house has seen many mutations. Before it was converted into a thread factory, it was for some time the residence of the minister of the parish. Mr John Fergusson, who became minister of Arbroath in 1699, had a grant from the Exchequer, during his lifetime, of the Abbot's House

¹ Minutes of Town Council, vol. ii. p. 51.

and garden. This gift was made to him as an indemnification for losses incurred in consequence of the failure of the Darien expedition. For many years the Abbot's House was private property. It was in 1879 that it was bought by the Town Council, in order to the carrying out of a scheme for the improvement of the neighbourhood of the Abbey, and it still remains corporate property. It is an inhabited house, being let to a tenant, and is in a good state of preservation. It was in 1753 that the Corporation, which from about the time of Mr Fergusson's death had had a lease of the Abbot's House and the precinct, obtained a gift of those properties from the Crown, on payment of a yearly feu-duty of £8 sterling. The minute of Council which records this grant is dated 14th August 1753, and reads thus :

'John Wallace, late provost, presented a charter from the Crown in favour of the Magistrates and Council and community, of the precinct of the Abbey, with a letter from Charles Guthrie, the town's agent, directed to him, and bearing that it was chiefly by his interest with the Earl of Panmure, and as an acknowledgment of the favours his lordship had received from the town by his means. And the provost having represented to the Council that Provost John Wallace had been in possession as tenant of the enclosed yard in which the dovecot stands for some years past for £14 Scots of yearly rent, and that he wanted to have an irredeemable right to that yard, and the little yard on the north end thereof, including the tower, and to have the dyke on the east side of the yard straightened and made square at the south end, the Magistrates and members convened agree to grant a feu-charter to the said John Wallace of the two yards so described, bearing £14 Scots yearly feu-duty, and appoint the clerk, as soon as the Magistrates and Council are infeft in the charter from the Crown, to make out a charter of the two yards to John Wallace, to be subscribed by them.'¹

From a statement made by Provost John Wallace to the Council, on 6th September 1754, it appears that the precinct was granted to the town 'for the encouragement of the linen and thread manufactures.'² It was long believed that subsequent to the grant of the precinct the town obtained a gift of the feu-duty of £8 sterling with which the first gift was burdened. But in 1879, the Crown, after a very long interval, made a demand for payment of this feu-duty, and on investigation being made no evidence could be found that it had ever been gifted to the community. The Crown, accepting an offer by the Magistrates, compounded the matter for a payment of £200 in full of the Crown's claim to the annual feu-duty in all time coming and the arrears.

The gift of the Abbey precinct led to a litigation of long continuance. The Magistrates appear to have concluded that this gift carried with it not only the Abbot's House but all the other monastic buildings, including the church and its site. They were long in that belief. Indeed, it may be stated by the way that at

¹ Minutes of Town Council, vol. ii. pp. 110, 111.

² *Ibid.* p. 119.

a much earlier period than this they acted on the assumption, correct or incorrect, that they had important rights in the precinct. One instance of this, out of several, occurred in 1589, when there was granted by David Pierson, John Hailes, and Adam Mikesone, acting apparently in an official capacity, sasine in favour of David Lyell of a garden possessed by umquhile John Pierson and Nicolas Purves, lying within the walls of the monastery.¹ In 1769, on the 18th of August, an application was made to the Magistrates by Mr John Ochterlony of Guynd, a descendant of the Ochterlony who is said by tradition to have burned the Abbey Church, for the feu of a piece of ground in the church for a burial place. The Magistrates agreed to grant a feu at the 'ordinary rate.' Two years afterwards it was granted irredeemably to Mrs Ann Ochterlony, eldest daughter of Mr Ochterlony, who had meanwhile died. The feu consisted of 'fifty-four square ells of the Abbey Kirk,' and was given on payment of £3, 15s., being thirty years' purchase of the feu-duty which Mrs Ochterlony's father had agreed to pay. The issue of this matter was, that about the year 1822 the officers of State raised an action to interdict the family of Ochterlony from burying their dead in the ground within the Abbey Church which had been feued to them by the Magistrates. The Court of Session, taking the view that the Abbey was not the property of the Town Council, granted the interdict craved, and this decision was, on appeal, affirmed by the House of Lords.

That breaking down of the Abbey by the citizens, and the carrying away of the stones, which was denounced by the Laird of Guynd in 1685, was continued after his time. As their records show, it was to some extent participated in by the Town Council. But it should be borne in mind that the Crown had not at that time taken any interest in the preservation of the Abbey buildings, that no money was expended for this purpose, that consequently falls of the ruins were frequent, and that sometimes it was necessary to take down portions which had become dangerous. At a somewhat early date the Town Council had passed an Act to prevent the ruins from being used as a quarry, at least without their liberty. This appears from the following record, under date 5th June 1702, of a case tried in the Burgh Court:—

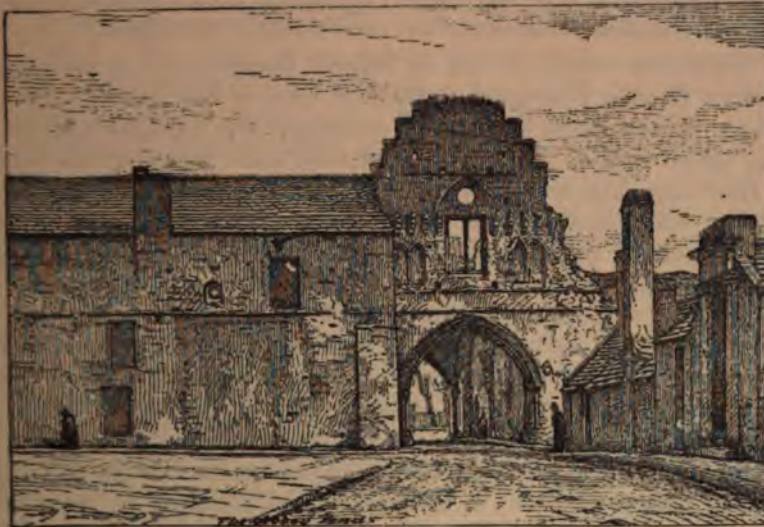
'Provost and bailies present. Alexander Peirson, of Smiddie Croft, fined £20 Scots, conform to an Act of the Town Council, for taking away Abbey stones, and building his house in Hamilton Green, and in respect he appeared personally and confessed.'²

On the 7th of February 1771, it was represented to the Council that the couples of the Abbey gate—the gatehouse—were in danger of falling. The Council thereupon appointed the couples to be taken down, 'in so far as the same is absolutely necessary, and no more.'³ In the limitation here there is discernible something like a reverent care of the ruins. The stones were ordered to be sold

¹ Burgh Register of Sasines. ² Burgh Court Book. ³ Minutes of Town Council, vol. iii. p. 72.

by auction for payment of the workmen who took them down, and if any balance remained it was to be paid to the collector of the town's revenue, for behoof of the community. In March of the following year, 1772, so much of the south-west tower fell as to block up the entrance to the churchyard. The Council gave orders to have the fallen stones sold, and the entrance to the churchyard opened.¹ Pennant says of this fall that 'it destroyed much the beauty of the place.'² On 31st October 1799, twenty-five feet of the same south-west tower fell.

It appears that about this time the Magistrates were in the habit of letting the vestry as a kind of warehouse. Thus, in 1808, it was let to a joiner named Shepherd for two guineas a-year 'to hold his wood,' and the tenant was taken



THE ABBEY GATEHOUSE.

bound to 'allow accommodation to the gravediggers as formerly.'³ About the end of last century, a strong stone recess off the vestry was made use of by the Magistrates for the custody of lunatics. If any of the unfortunate persons confined there were not really mad when committed to their prison, they must very soon have become so. From the name of its last occupant the place used to be known as 'Jenny Butter's Hole.'

Pennant visited the Abbey on the 31st of August 1772. It received another notable traveller just a year afterwards. This was Dr Johnson, who was accompanied by Boswell, both being then on their famous journey to the Hebrides. Johnson stopped a while at Dundee, 'where he could remember

¹ Minutes of Town Council, vol. iii. p. 92. ² Pennant's Tour in Scotland (edit. 1776), vol. ii. p. 134.

³ Minutes of Town Council, vol. v. p. 142.

nothing remarkable,' and, taking chaise, proceeded to Arbroath. He appears to have gone on the same night to Montrose. The Doctor saw nothing in the town of Arbroath, more than in Dundee, worthy of his notice, but his eyes rested with complacency on the Abbey :

'The monastery of Aberbrothock,' Johnson wrote, 'is of great renown in the history of Scotland. Its ruins afford ample testimony of its ancient magnificence. The arch of one of the gates is entire, and of another only so far dilapidated as to diversify the appearance. A square apartment of great loftiness is yet standing; its use I could not conjecture, as its elevation was very disproportionate to its area. Two corner towers particularly attracted our attention. Mr

Boswell, whose inquisitiveness is seconded by great activity, scrambled in at a high window, but found the stairs within broken, and could not reach the top. Of the other tower, we were told that the inhabitants sometimes climbed it, but we did not immediately discern the entrance, and as the night was gathering upon us, thought proper to desist. . . . I should scarcely have regretted my journey had it afforded nothing more than a sight of Aberbrothock.'¹

The Abbey was visited in 1782 by Francis Douglas, who in the same year published 'A General Description of the East Coast of Scotland from Edinburgh to Cullen.' Douglas gives a particular account of the appearance of the ruins when he visited them.² He mentions that 'till some time after the beginning of this (the eighteenth) century, there was, a little south of the church, a grand reservoir for water, constructed of stones accurately cut, and supported by nine columns, so strongly put together that it might have stood for many ages as a specimen of the fine taste and excellent workmanship of our ancestors.' Douglas goes on to narrate the demolition of this structure by the Rev. John Fergusson, for the purpose of building a tomb to himself within the church, the tomb afterwards being in turn demolished by the Magistrates, when they erected a new Town House (the old Guild Hall) for the purpose of building a strongly vaulted cell for the detention of mad people or dangerous criminals. The interesting point in this paragraph from 'Douglas' is the mention of the Abbey reservoir as having been still in existence at the beginning of the eighteenth century. The Rev. James Hall, who in 1807 published a book entitled 'Travels in Scotland,' visited the Abbey, and wrote of it in his book that it was then less in a state of decay than any deserted monasteries he had seen either in Scotland or England.

Some steps were taken about the beginning of the nineteenth century to preserve the Abbey buildings. The first order on the subject was given by the Barons of the Scottish Exchequer in 1815, and it was supported by a grant of £250 from the Government. The work of preservation was begun with the remaining transept, which was repaired in 1815, and the circular window, 'the Round O,' which had sunk somewhat in the head, was taken down and rebuilt.³ In the following year the north-west tower of the church was rebuilt, and its top raised to nearly its original height. On 20th March 1816, the tomb of the

¹ Journey to Western Islands (edit. 1795), p. 12. ² General Description, pp. 51, 56.

³ MS. Memoranda of the Abbey and Town, written in 1816.

founder, William the Lion, was discovered by some workmen who were employed in clearing the area of the church from the accumulated rubbish of centuries. The tomb was situated where Fordun had said the king was buried, '*ante majus altare.*' The coffin, of stone, contained the bones of a man of good stature; they were not much decayed. The tomb was covered with a blue shelly marble block. This block is in the form of a statue cut in high relief, and now headless, the feet of which rest on a lion. It is supposed, with strong probability, to have been a statue of the king. But it appeared that the tomb had been disturbed at some previous period, for the sculptured stone which covered it 'was found to be lying irregularly across the coffin, which was broken. The bones were taken out, put into a box, and lodged in the charter-house. A stone of similar size, but of coarser quality, was also found, with the figure of a lioness at the feet of a human body.¹ The king's grave is now covered with a monumental stone taken from the tomb of the Fithie family. In a grave near the king's were found bones, supposed to be those of a female, sewn up in leather. It was this skeleton which was believed to have been that of Queen Ermengarde, but which, while not the queen's, was probably that of a lady of high rank. At the time that the king's tomb was discovered there was found in one of the western towers the headless statue of a crosiered ecclesiastic. The statue is of fine sandstone. The lace on the dress of this figure is elaborately and beautifully wrought. Another statue which was found among the ruins also represents an ecclesiastic, but it is much worn and mutilated. These relics, with some other sculptured stones, one of them from an altar-tomb, are preserved in the vestry, as are also one or two of the tiles with which part of the church was floored. The area of the church was completely cleared out in 1835, by direction of the Commissioners of Woods and Forests, since which time the ruins have been carefully attended to.

While the Crown has been careful to preserve the ruins, a good deal has been done by the Corporation, especially of late years, to improve the surroundings of the Abbey. The first work of this kind, done at the instance of the Exchequer, was the removal in 1838 of the Shambles, which then adjoined the Tower Nook, or Abbey Tower. When the Town Council acquired the Abbot's House, in 1878, they converted a part of the garden into a public bowling green, and by removing some old houses and a high wall in the upper part of Abbey Park, close to the ruins of the church, opened up a communication between the garden and the Abbey Green. It was in the course of doing this and levelling the ground that the foundations of the chapter-house were exposed. The only part of this building which had been seen for a century or more was the tall and massive fragment locally known as 'The Pint Stoup,' but the dimensions of the building are now distinctly seen. The north wall is about ten feet from the wall of the church, between which and the chapter-house there had been the arched passage or

¹ MS. Memoranda of the Abbey and Town, 1816, pp. 17, 18.

slype, leading into the dormitory. The chapter-house had been lofty and spacious, its roof arched, and with stone seats or stalls extending round its sides. During the drainage operations in 1878,¹ a lump of lead, seven or eight pounds weight, mixed with a small proportion of brass or copper, was found in the Abbey Green. The lead had in all likelihood formed part of the roof of one of the monastic buildings, from which it had apparently dropped in a molten state. The cutting made by the workmen showed in some places a layer of ashes and the remains of charred wood some inches thick. There were thus indications of fire. A good deal of the soil of the Abbey Green has been 'made up,' and it doubtless comprises much of the debris of the ruins, so that the lead which was found may not have been picked up from precisely the same spot where it fell from a burning roof. Other relics have been found from time to time within the interior of the church, or in the immediate neighbourhood. A bell and other of the monastic relics are deposited in the Museum of the Society of Antiquaries in Edinburgh. From time immemorial the Kirk-Session of Arbroath has possessed two circular bronze offertory plates of considerable size. They are of finely embossed work. On one is a beautiful representation of the Annunciation; the other represents a flower, and there are the illegible remains of an inscription in old characters round the rim of this plate. Nothing is certainly known of how these articles became the property of the Kirk-Session; but seeing that the Magistrates had a gift of Abbey stones with which to build the church, it is probable that they obtained the plates from the monastery also. They are utensils which have the appearance, from their style of art, of having belonged to a religious establishment of the mediæval period.

¹ *Supra*, p. 33.

PART III.

HISTORY OF THE BURGH TO THE EIGHTEENTH CENTURY.

CHAPTER I.

EARLY HISTORY OF THE BURGH.

THE great abbeys and cathedrals were generally the nucleus of the population which grew up around their walls, but there is documentary evidence that the Abbey of Aberbrothock was not the beginning of the town of Arbroath. Before the Abbey was founded the town had existed in the condition of a village. The charter of King William conveys to the monks 'the village of Aberbrothock,' with the shire of that name, and the parish church and its teinds.¹ The village was probably a fishing village, and not simply the kirk town. The productive character of the fishing grounds extending from the coast of Forfarshire outward to the mouth of the Firth of Forth was known in the mediæval period; and as the numerous fasts of the Church caused fish to be much in demand, this industry was sedulously prosecuted off the Scottish coasts at an early date. In the reign of King William, as at present, the sea off Arbroath was resorted to not only by fishermen of the district, but by foreign fishermen also, from England and Flanders. In this connection it is worthy of notice that the Priory of the Isle of May, where was situated what was then the principal fishing station between the Lothians and Angus, possessed a croft on the north side of Ladyloan of Arbroath, in close proximity to the sea-shore. As owner of this piece of ground, the prior was bound to give attendance at the head court of the burgh; and on one occasion, when Abbot David Beaton was presiding in the court, the prior was fined for absence.² It is not against the supposition that Arbroath, both before and subsequent to the foundation of the Abbey, was a fishing place, that part of the rents which the

¹Reg. Vetus de Aberbrothoc, p. 3.

²Fragment of Burgh Court Book.

monks drew from Inverness was paid in herrings in salt and in barrel. The extent to which the white fishings were prosecuted in the neighbourhood of the Bell Rock, and the interest which the monks of Arbroath took in all maritime matters, must have led to the discovery that there were herrings off their own coast as well as in the Moray Firth, but the white fishings were then, as now, the chief industry of the local fishermen. A kind of popular evidence of the interest which the monks took in sailors and fishermen is seen in the tradition of their having erected a warning bell on the Inchcape Rock, better known now as the Bell Rock. The traditionary story of Ralph the Rover, who maliciously removed the bell, and was himself in consequence wrecked on the Rock, is the theme of Southey's ballad.

The charter of King William gave to the monks the right to erect the village of Aberbrothock and the adjoining lands into a burgh, with a port and a weekly market; and the churchmen of that time, partly no doubt from recognizing the advantages which would accrue to themselves by their drawing prosperous trading communities around the great religious houses, and also as seconding the efforts of the Crown to establish centres of civic liberty and of resistance to baronial oppression, founded many burghal communities. To the village lying outside their walls, the monks of Arbroath gave the constitution of a burgh long before the building of their own monastery was completed. Two burgesses of Arbroath were witnesses to grants made to the Abbey in 1180, which was only two years after the Abbey was founded. Two others were witnesses to a like deed in 1214, and these in the Chartulary are described as provosts of Arbroath—Roger of Balcathie and Nicholas of Wartria.¹ The office of those provosts could not have been exactly analogous to that which is known by the same title now. Arbroath was not the only burgh in which there was more than one provost at a time, and it seems probable that the office was synonymous with that of bailie. It was after this date that the chief magistrate of a burgh was generally known as its provost. This title, and that of bailie, as also the title of dean of guild, were derived from France. They were brought from that country, as were so many other Scottish names and things, during the close alliance between France and Scotland. The ancient title of the chief magistrate of a Scottish burgh was mayor, or 'mair,' the same as in the boroughs of England. The Sheriffdom of Forfar had four bailiwicks—Dundee, Kirriemuir, Brechin, and Arbroath, each of which had a 'mair.'

There has been some question as to what was the rank of the burgh of Arbroath during the time of the monastery,—whether it was a burgh of regality, under the superiority of the monks, or whether it was at an early date erected into a royal burgh. The doubt on this subject has been suggested by the terms of the charter granted by James VI. to the burgh in 1599. This charter bears to be a 'novodamus,' or renewal of a former grant; and the reason assigned in the

¹ *Registrum Vetus de Aberbrothoc*, p. 55.

charter itself for this renewed grant is that George Douglas, postulate of Arbroath, took away from the Abbey what the Town-Clerk, writing in 1742, describes as the 'old evidences of the royalty' of the burgh.¹ It has been shown in a preceding part of this work that Douglas did make free with many of the possessions of the Abbey, and probably papers belonging to the burgh were included in his spoils; but Arbroath, while its citizens possessed many privileges, was not a royal burgh prior to 1599 in the sense in which it has been so since that date. It is confirmatory of the position of Arbroath as 'the Abbot's burgh,' that while the Abbots had a seat in Parliament, the burgh had no representative there, except in one year, until it received its charter from King James. The one year was 1579, when the abbacy was temporarily in the possession of the Crown, through the forfeiture of Lord John Hamilton, and when David Pierson, commissioner from Arbroath, appeared in Parliament by his attorney.²

The question as to the rank of the burgh prior to the charter of 1599 has been settled conclusively by the re-issue, since the publication of the first edition of this work, of the sixth volume of the Acts of the Parliaments of Scotland. Among the new matter in the volume (p. 82) there is ratification of a charter by James IV. to the Abbot and monastery of Paisley, erecting the town of Paisley into a 'free burgh of barronie,' and in this charter Paisley was empowered, among other things, to hold fairs, 'in all respectis as the burgh of Dunfermling, Newburgh, and Aberbrothok, or any other burgh of barronie within this kingdom.' Paisley, Arbroath, Dunfermline, and Newburgh were all burghs the superiority of which was held by monastic houses.

The royal founder of Arbroath Abbey was a liberal patron of the burghs. He founded many of them, Dundee and Inverness being among the number, and he added to the privileges of all. Ultimately, in the time of Bruce, when money was wanted to carry on the wars with England, the burghs obtained a place beside the nobility and clergy in the great council of the nation. The first Parliament in which there is distinct evidence of a formal representation of the burghs was that which met at Arbroath in 1320.

In the early period of its history, the burgh of Arbroath, which is now the second in point of population and wealth in its shire, was the smallest of the Angus burghs, Dundee, Montrose, Forfar, and Brechin being all larger than it. From the Chamberlain's Rolls it appears that the dues paid by Arbroath into the national exchequer amounted in 1328 to no more than 17s. 6d. Scots. The customs of the burgh for the period from 28th January 1392 to 21st March 1393 were—Custom of 4 lasts 8 st. wool (£53, 15s. 7d), 329 woolfells (£2, 3s. 2d), and the last 4 daces 5 hides (£3, 5s. 4d.) in 3 boats at port of Arbroath; £59, 4s. 2d. Discharge—Fee of custumars, 19s. 9d.; of tronar, 3s. 5d. To Abbot of Arbroath, £14, 10s. 3d. Sum, £15, 13s. 5d. Balance of £43, 10s. 9d. paid to Walter of

¹ MS. Account of Arbroath, 1742.

² Acts of Parls. of Scot., vol. iii. p. 124.

Tulach, deputy Chamberlain.¹ In the same year the customs of Montrose were £303, 14s. 8½d. In these early years there is frequently an item such as this in connection with the entry of the Arbroath customs in the Exchequer Rolls, 'in two ships at port of Montrose.' On 4th May 1392 a charter was granted to the Abbot and monastery and their successors for ever, giving them one-fourth of the customs of the burgh in honour of St. Thomas the Martyr.² Doubtless in consideration of his interest in the customs, the Abbot paid in 1409 one-fourth part of the cost of repairing the tron. In the year 1492 the Comptroller's receipt of the customs of Arbroath was for £15, 5s.; Dundee, £39, 17s. 2d.

An important event in the history of the town took place in 1394, this being the founding by Abbot John Gedy of its first harbour. During the wars with England the trade of Scotland had been exceedingly depressed, and it was not until the middle of the fourteenth century, in the reign of David II., that trade began to revive. It was in almost the very first years of the revival that the public-spirited Abbot founded Arbroath harbour. But while a trade did spring up at Arbroath, it was for a long period very small, the dues received at the harbour being insignificant. In the year 1483 the tax-roll of the burghs north of the Forth was modified by the Commissioners of Burghs at Edinburgh. This roll has been printed by the Spalding Club, and it is also printed in the first volume of the Records of the Convention of Royal Burghs. The tax-roll, like the valuation rolls now, proceeded upon an estimate of the value of the property of the respective towns. This ancient roll is the earliest document enabling us to compare Arbroath with other burghs. It appears from it that the modified tax of Arbroath was £2; Dundee, £26, 13s. 4d.; Forfar, £1, 6s. 8d.; Montrose, £5, 6s. 8d.; Brechin, £4; St Andrews, £10; Aberdeen, £26, 13s. 4d.; Bervie, which was then the smallest of the burghs north of the Forth, as it still is one of the smallest, 10s.³ It thus appears that in the fifteenth century, Arbroath, no doubt owing to its harbour, had been enabled to get in advance of Forfar, obtaining a position towards the head burgh of the shire which it still retains, but in 1483 it continued to be a long way behind Brechin. The Records of the Convention contain a number of later extent rolls, showing the taxation of the respective burghs for various purposes. Several of these rolls are printed from a manuscript volume of the records of the Town Council of Edinburgh, preserved in the Advocates' Library. The king frequently committed to the Edinburgh Town Council the task of allocating assessments on the burghs. In 1535, £20,000 Scots was granted by Parliament to James V. 'for sustaining his honourable expenses in the parts of France,' when he journeyed thither to woo the Princess Magdalen. Of this sum, 5000 merks were allocated on the burghs, of which Arbroath was assessed at £45; Dundee, £321, 17s. 6d.; Forfar, £16, 17s. 6d.; Brechin, £56, 5s.; Montrose, £90.⁴ In the half century which had elapsed since

¹ Ex. Rolls, iii. 325.² *Ibid.* iii. 297, 298.³ Records of Burghs, i. 543.⁴ *Ibid.* i. 514.

1483, Arbroath had made progress in comparison with Forfar and Brechin; but it was still, it may be presumed, only half as populous and wealthy as Montrose. The population, as appears from the statement of Sir Arthur Boece,¹ did not exceed a thousand—'two hundred hearths,'—and it was probably not much more than that at any time prior to the seventeenth century. In 1550 the burgh was assessed 32 'crowns of the sone' [sun, the name of a coin then current] for furnishing of the embassy toward the emperor for peace.² By a precept of Queen Mary in 1556, £666, 13s. 4d. was levied on the burghs, to be granted to her Majesty, and of this sum Arbroath was assessed at £9.³ In this and the other rolls quoted, only about forty-two of the burghs appear, a number of the smaller burghs, among which Arbroath did not rank, being exempted on the ground of poverty. In 1556 there was another assessment, £2188, 14s. 8d. Scots, the occasion of which was that 'Gavine Commendatour of Kylwynning and James Maxuell burges of Rowane hes disbursit greitt soumes of money' on account of goods bought by Scots merchants at Rouen and Dieppe. The assessment was to reimburse them, and the amount paid by Arbroath was £29, 5s.⁴ From one of those old extent or assessment rolls we learn how much the burgh of Arbroath paid to defray the expenses of Queen Mary's marriage with the Dauphin of France. The assessment was levied in 1557, and the amount charged on the burghs was £10,000, being their proportion of £60,000 imposed on the whole kingdom. Arbroath paid £135; Dundee, £1265, 11s; Montrose, £270; Brechin, £168, 15s.; Forfar, £50, 12s. 6d.⁵

The Records of the Convention of Royal Burghs shed light on the early history of the respective burghs. Thus, the figures which are here quoted from the extent rolls of the fifteenth and sixteenth centuries indicate the relative importance of Arbroath in comparison with neighbouring towns. The early records of the Convention, from the end of the thirteenth century to 1552, have been derived from various sources, principally the records of the burghs of Edinburgh and Aberdeen; but the Convention's regular minutes begin in 1552, and we find that three years afterwards, in a meeting at Dundee on 18th September 1555, Arbroath, a free but not then a royal burgh, was represented by two commissioners, John Lyne and John Dunlop.⁶ At this meeting there was 'heavy complaint made by some burghs that they were oppressed and greatly defrauded of their privileges by great men of the country, tending to put them to utter decay.' On this complaint being made, the Convention agreed that if any of the burghs were 'oppressed or hurt in their freedom or privileges,' all the rest would support them 'in counsel, geir, money, and, if further need requires, as law will.'

There is nothing to show that Arbroath ever required to be helped by other

¹ *Supra*, p. 36.

² Records of Royal Burghs, ii. 520.

³ *Ibid.* 522.

⁴ *Ibid.* 523.

⁵ *Ibid.* i. 526.

⁶ *Ibid.* 10.

burghs to resist the oppressions of great men. From an early period there had been great baronial residences in its neighbourhood. Kelly Castle and its barony, lying close to the town, had been held by a succession of powerful families. Panmure had for ages been possessed by the Maules, who obtained the barony in the reign of Alexander II., by the marriage of one of them to the heiress of the place, daughter of Sir William de Valoniis, lord chamberlain. Then the battle of Arbroath showed the power of the families of the Lindsays and the Ogilvys, while the Carnegies also were a great baronial family in the neighbourhood of the burgh. But Arbroath does not seem at any time to have had its privileges and liberties threatened by its great neighbours, not even when the contest for the justiciarship of the Abbey took place. It had a powerful protector in the monastery. Indeed, the presumption is that the burgesses owed something to the 'great men' in their vicinity, who, with other men, great and small, must have been attracted to the burgh in considerable numbers by the renown and by the hospitality of the Abbey, and whose presence no doubt helped what little trade there was in the place.

Ale was the great beverage of the people in the olden time, and brewers were consequently among the most numerous and influential of the trading fraternities. In Arbroath there was a trade, from a somewhat early period, in the exportation of ale, and it continued down to the eighteenth century.

The numerous retinues which attended on the frequent royal, episcopal, and baronial visitants to the Abbey were probably at times more than the monks could find accommodation for within their own walls, extensive as were the monastic buildings. The religious houses were at first the only hotels in the country, but the necessity for inns began to be felt. Persons travelling through the country were in the habit of taking up their quarters with the parochial clergy and the farmers, and in order to prevent an abuse of hospitality, Parliament ordered the erection of inns in all burghs. In the reign of James I. private persons in travelling were expressly prohibited from lodging with friends, or anywhere except in the public hosteleries. This statute appears to have been passed at the request, and for the encouragement, of the innkeepers. At an early period Arbroath possessed an inn of considerable extent, for the entertainment of the many persons who visited the town while the monastic establishment was in existence. It was situated in High Street, just outside the precinct wall of the Abbey. This ancient hostelry is believed to have been represented by what was latterly known as the Lemon Tree Inn, removed in 1851.

It may well be believed that there was not much of ornamentation about the two or three streets of humble houses which constituted the old burgh, but in the earliest notice of the streets mention is made of a sun-dial, which was probably an article of ornament as well as of public use. This sun-dial was situated in 'Covgate,' the lower part of High Street, and it stood there in the year 1303. It was the work of Adam, 'the son of Martin.'

Nicholas Horner, who may have given his name to Horner's Wynd, was a leading burghess towards the end of the fifteenth century. His name occurs along with those of William Scott, Charles Brown, Patrick Painter, David Clark, Duncan Buchan, Robert Scott, William Brown, John Grant, Robert Watson, Thomas Gibson, Alexander Mar, John Bonar, John Lyell, and John Dickson, all burghesses of Arbroath, in a protest by their procurators before the Lords of Council, on 27th November 1490, against an action taken by William Ramsay, which they declined to follow.¹

The contract which was entered into on 16th February 1394 between the Abbot and William the plumber, burghess of St Andrews, for 'theking the mekil quer' of the Abbey Church with lead, gives us a glimpse not only into the business-like manner in which the monks conducted their affairs, but also into the state of craftsmen in Scotland in the fourteenth century. The plumber was to be paid thirty-five merks for thatching the great choir, and guttering it all about with lead. The money was to be paid in instalments, and five merks were to remain in the Abbot's hands till the work was finished. Together with these five merks, the plumber was to receive a gown and a hood. The Abbot and the plumber were each to provide a labouring man at their own cost till the work was fully ended. There was a clause binding the Abbot to find the necessary material, and for each day he worked he was to have a penny to his 'noynsankys' [luncheon]. The work was to be done by the contractor 'sufficiandly as his craft askys.'² The latter clause means that the work was to be to the satisfaction of the contractor's trade, corporations of craftsmen being in existence as early as the fourteenth century.

Tradesmen and others took life easily in those olden times. According to Holinshed, the Saturday half-holiday is as old as the time of the founder of Arbroath Abbey. The chronicler says that in the reign of William the Lion it was ordained that Saturday should be kept as a holiday from noon, 'a great punishment being appointed for those who transgressed this ordinance by doing any bodily work from Saturday at noon till Monday in the morning.'³ In some respects, the life of people then must have been harder than that of citizens now-a-days, but they lived pleasantly, had plenty of athletic exercise, with dancing and music in their amusements. In Arbroath, with a great Abbey for its near neighbour, to which kings and prelates with splendid retinues were every now and then visitors, there must have been a good deal of picturesqueness in the old burgh life. There is a notice in the Exchequer Rolls of a direction to Lord de Ramesay, Viscount of Forfar, 'for things to be provided against the birthday of our lord the king at Arbroath, in the year 1362.'⁴ About the same time there is mention in the Rolls of Rhine wine being sent to the town at Christmas. Books

¹ Acts of Lords of Council in Civil Causes, p. 167.

² Reg. Nig. de Aberb. 42, 43.

³ Scottish Chronicle, i. 386.

⁴ Ex. Rolls, ii. 114.

were scarce, and it may be taken for granted that the people generally had little of book learning; but, as previously noticed, there was a school at the monastery. Those monastic schools were for a high social class, and perhaps chiefly for the education of the clergy; but the monasteries also established burghal schools, and it may be assumed that there was a burgh school in Arbroath long before the Reformation. The Abbey of Kelso, the mother Abbey of Arbroath, had established schools at Kelso and Roxburgh in the twelfth century. It appears that the schools of the country were not so well frequented as they should have been, for in 1494 Parliament found it necessary to enact that all barons and freeholders of substance should put their eldest sons and heirs to the schools from six to nine years of age, to remain at the grammar schools till they were perfect in Latin, and thereafter to remain three years at the schools of art and law, so that as sheriffs and judges they might be able to administer the laws of the country.¹ As to the religion of the inhabitants of the old burgh, the Abbey did not profess to be a popular religious teacher, and it may be questioned how far the parochial vicars were fitted for the office; but piety was not unknown, and in the *post obit* form at least it was sincere and zealous. We may judge so, even making all abatements for the rapacity of the clergy, from the fact that at the Reformation a large part of the heritage of the burgh of Arbroath had been 'mortified' as endowments for the altars in the Lady Chapel. When the honest burghess saw that the time was drawing near when masses, as he believed, would be of more value to him than rents, he sent for a lawyer and a priest—frequently the two professions were represented in one person—and got his house and his land conveyed to Holy Church, in order that prayers might be offered periodically for his soul, for his wife's soul, for the souls of his kindred, and of 'all the faithful departed.'

CHAPTER II.

THE BURGH RECORDS.

INDEPENDENTLY of the Registers of the Abbey, which give a little insight into the state of the burgh in the mediæval ages, the records of the burgh itself, although only fragmentary in the earlier period, go further back than until lately was known. A few years ago, a portion of an early Court-Book of the Regality, consisting of eighty-eight small pages, of the

¹ Acts of the Parliaments of Scotland, vol. ii. p. 238.

contracted style of writing which was common in the fifteenth and sixteenth centuries, was discovered in the Town House. The narrative in this old burgh record is chiefly of the years from 1528 to 1530, but the earliest date is 1491, and the latest is 1550. The record possesses a good deal of interest. From its latest date to the first in what may be numbered as the second Court-Book there is an interval of thirteen years. This second book begins at Michaelmas 1563—some of the first leaves are wanting,—and goes on continuously to 1575. A blank of thirty years intervenes between the second and third Court-Books. The third book begins in 1605, and its latest date is in 1647. It had been for a long time in the possession of the family of Panmure, but it is now in the Town House. The next known record is a fourth Court-Book, which is also in the possession of the Corporation. This fourth book dates from November 1681 to 1704.

These early records consist of the judgments of the Magistrates in the Burgh Court, in the exercise of their civil and criminal jurisdiction; occasional minutes of the election of councillors and office-bearers; entries of admissions of burgesses; and statements of the treasurer's accounts. They appear to have been the only minutes of the business of the burgh which were kept at that time. There are separate statements of the treasurer's accounts from about the commencement of the eighteenth century onwards.

The Burgh Register of Sasines is nearly complete from the year 1576 down to the present time.

It is probable that it was about the commencement of the eighteenth century that the Town-Clerk—in 1724 the office was filled by Alexander Doig—first began to keep minutes of the meetings of the Town Council. The minutes in the possession of the Corporation begin in February 1727. From that time to the present, minutes have been regularly kept. The various minute-books, fourteen in number, are in excellent order, not one leaf of any of them being wanting. But there had been an earlier minute-book, probably only one, covering the period from 1727 back to 1704, the last date in the most modern of the Court-Books. This book has not been in the possession of the Corporation since the end of the eighteenth century. The Incorporation of Bakers had a suit in the Court of Session in the first years of the nineteenth century, and having to make reference to a minute of Council of date 1724, they in one of their papers informed the Court that 'the Council records prior to 1727 were transmitted to Edinburgh to be produced in a process of declarator which depended between the Magistrates and the Guildry, since which time they have never been returned to Arbroath.'¹ The date of this paper is 1804, and the action between the Magistrates and the Guildry was spoken of as 'some years ago.' Mr Colvill, Town-Clerk, who had at the time been eighteen years in office, gave evidence in the Bakers' case. He stated that he had never

¹ Record of the Bakers' Incorporation.

seen any earlier records than those of 1727, but that he had heard there were earlier records, which had been sent to Edinburgh. About the year 1873 the Town Council authorised a search for the missing records, and a search was made accordingly in the offices of the Court of Session ; but the book was not discovered. It was in the course of this search that the original of the grant by the Duke of Lennox to the Magistrates was found. There exists a tradition of the early minute-book having been burned ; but if it was burned, the burning apparently must have been in Edinburgh, not in Arbroath.

It is from the municipal records, supplemented by those of the ecclesiastical bodies of the district, and of the various Incorporations of the town, that the material for the history of the burgh, as contained in the chapters which follow, is principally derived.

CHAPTER III.

BURGH LAWS IN THE FIRST HALF OF THE SIXTEENTH CENTURY.

THE burgh record for the first half of the sixteenth century shows unmistakably that at that time there was no want of local government in Arbroath. The authority of the Magistrates and Town Council was extensive. It entered into many details of everyday life which people are now permitted to regulate for themselves. The municipal government consisted of two Bailies and a Council. The Council was generally composed of twelve members, including the Magistrates. Under them there were various officers. The more important of these were called 'lyners' and 'dyke-prissers.' The duty of the lyners was to mark off the boundaries of land, and to see that they were observed. The dyke-prissers had committed to them the charge of seeing that boundary walls were kept in good order. Every burgess being in the occupation of some land, the lyners and dyke-prissers had a good deal of official duty to discharge. The Town Council, besides appointing these officers, passed enactments for the proper maintenance of dykes. The following is the earliest on record, its date being 3rd October 1491 :—

'The quhilk day jt statut and ordanit in plan court be the balzes consall and hale communitie of the said burght that thar yard dykis within burght in tym cummyn be uphaldyn and maid sufficient for the away haldyne and resistyne of incummand bestis that sall happyn to cum in our thar yard dykis for to ete draw out or destroye the cornis mawit or biggit [cut or stacked] kaill plantit and sett inwith thar yardis and quhais dykis that beis nocht maid sufficient be the personis awinaris [owners] of the sammyn incontinent efter the proclamation of

the belman at the balzes rais of sic personis and uptak viijs onforgewin [unforgiven] and elikwis at the awinaris of onlawchfull dykis sall amend the skath [harm] done be sic bestia to ony quhatsoeuer person or personis and nocht thaj at aw the bestis thameselfis.'

This Act of the Council reveals a burghal community each member of which, entitled to the privileges of the burgh, cultivated his own land, and reared his own bestial. Seaware was valuable to the burghal husbandman as a manure. It was enacted on 10th October 1528, 'at na nychbour dwelland within the burght gedder wayr in hepis within the flud mark by barrowis and cartis and gyf ony man dois the contrar it salbe lesum [lawful] to ony at plesis led or beir wayr tak of the sad hepis and led or beir as he lykis best.' The bailies and neighbours found it necessary to re-enact this law in the month of February following. On the occasion of the re-enactment, it was likewise ordained that there 'be na wair layit in the common gyrss [grass] except on the se bank at our awin wair heip.'

The following shows the kind of applications which were made to the Burgh Court for 'lynyng of landis,' or marking off boundaries. The date is 22nd April 1529 :—

'The quhilk da alex^r lyell askit lynyng at thom[as] bro[wn] of the landis lyand at the west part of mawdy gramis cors [cross] the quhilk landis thom brown occupijs and pertenis to aleson bennet moder to jamis lyn and protestit at sa lang as the sad land lay vnlynnit at it hurt nocht his rycht and heretagis and tuk and iustrument thairapon the quhilk t. bro. askit to be actit at the balze n[inian] l[yell] said that the land abon writin allegit to be his is alex^r lyellis his sonnys and nocht his and gif ony lynnyng be maid at it hurt nocht his master on to the tym he be present and se the same lynit.'

Both parties in the cause were thus heard. Besides the lyners and dyke-prissers, there were flesh-prissers,—a kind of market inspectors, and tunners of ale, who discharged a similar duty. There were also 'a master of works,' and sergeants, the latter being the persons employed to enforce the orders of the Magistrates. To officers called 'punders' was entrusted the charge of the grass and corn belonging to the community. At the court held on 22nd April 1529 these officers were instructed, conform to acts which were then described as old, to take care that unfreemen and others were not permitted to destroy the moor by taking away turf. On the same occasion, the Bailie and Council 'chose certain personis to stent the moyr and to pairt the samine amangis the nychbouris pwyr and riche anent thair fewall [fuel] to be takin of the samine yerlie.' The community also enacted on this subject, on the same day, as follows :—

'The quhilk da the balze and haill town hes ordand thes personis wilzeam blau^r ste[phen] mar t[homas] br[own] alex^r m[ar] and h[enry] s[eras] to be searchearis of the common moir at thaj sall serche and sek all onfremenis turris [turfs] in the moyr and gar appris thaim to fremen and gar the fremen pay for the

castin of thaim and winnyng and siclik at thaj serche all owt menis [landward men] tarris and dispone thaim on that samyng sort.'

Soon after this it was found necessary to appoint Stephen Mar and Henry Scras overseers of the 'punders.' They were instructed to take 4d. for each beast they found in the common grass, and if they neglected to do so they were to be fined 8s. Not long after this enactment, which it was stated was in accordance with custom, the penalty of fines was inflicted both on punders and overseers.

Frequent mention is made in the early records of the common lands and common grass of the burgh. Each burgess had a right of pasture for his cows on the extensive moor belonging to the town. Numerous acts were made from time to time with regard to cattle and sheep pasturing on the common lands. Here is one of them, enacted at the Head Court of the burgh on 5th April 1529:—

'The quhilk da the balnes and nyghbouris hes ordand the commune hyrd jhone lyell to call furth the nolt ilk da at morne be four houris vnder the pane of tynsall [loss] of his fe and at ilk best at is put to civit [other] hyrdis pay elyik to the common hyrd with the best at gais with the sad hyrd himself to feid and pastur and in lyk wys hes ordand ste[ph]en mar h[enry] se [ras] de gut[hrie] and j[ohn] ram[say] to serche and put furth the scablit hors out of the occomon gars at beis in it funding.'

A confirmatory act was passed at the court held on 29th April 1529 in regard to cattle and sheep straying in the common grass:—

'The nyghbouris hes consentit at gif ony nyghbour fynd outhir nolt hors or scheip in the common gyrss it salbe lesun to the said nyghbour to pund that gud quhill he haf gottyne the pundlane [fine] eftir the tenour of the ackis mad thairapon ofoyr that is to say of nolt hors and scheip ilk best ane penny als oft as thair ar gottyne in the common gyrss.'

This statute was passed on the same day, prohibitory of sheep coming beneath Emislaw:—

'The balnes and nyghbouris hes statut at thair cum na scheip beneth emeislaw vnder the pane of the takin of ane penny for ilk scheip at beis funding and gif the swinar will nocht lowss thair gudis na borow thaim fra the punderis it sal be lesun to the punderis to appris ane scheip for thair pundlan gif thair be sa mony scheip as extendis thairto.'

Seeing the stringent nature of the regulations which he had to administer, it is not surprising that the town's herd occasionally got into difficulties in the performance of his duties. At a court held on 1st July 1528, it is recorded that 'w. l. is cum in the balneis will for the strubling of the common hyrd and in lyk wys for the deforsing of the officer, thome ramsay.' On 4th February 1529, it is noted that 'w. browne hes tane the towne nolt to keip, and sall enter with thaim incontinent, and sall haf als mekle fee, as j. lyell gat for the kepyn of the nolt.'

This act was passed on 4th October 1529 :—

'The hail court hes wardit and consentit at gyf ony swyn be fundin lows wrow [without] bandis in ane oderis skayth it salbe lesum to ony man that plesis to sla thaim that prewis in his scayth.'

The common-folds were let in lots of an acre or so, sometimes for a period of years. The 'common firlottis' were let one year for 43s. The anchorage dues and petty customs were other sources of burgh revenue. With regard to lands, R. D. is found asking the Magistrates to order the lynes to 'measure his acre in the common-faulds and mak him equal with his nychbouris,' and he promises to 'pay them for their travell.' Again, T. W. was admitted by the bailies to an acre in the common-faulds, and it is recorded that he had half an acre before in his own hands. Sir D. Cunningham, a clergyman, procurator for A. H., canon of Scone, son and heir to umquhile [deceased] V. H., burges of Arbroath, appeared before the Magistrates, and protested that he intended to pursue J. Seras for occupation of the lands called Bog and Parklands, lying within the burgh roods. On St Thomas Day, 1528, the bailies met in the Lady Chapel, at eight o'clock in the morning, to decide a claim to land in Newgate which had belonged to a deceased burges.

It was common for parties to appear in the Burgh Court by their 'forspeikers. These procurators were frequently clergymen. Thus, on 6th April 1530, Sir John Smith, vicar of Airlie, appeared as 'forspeiker' in a horse case.

One of the two bailies represented the Abbey, or 'Place,' as it was called. The Abbot and convent were entitled to nominate both bailies, and the lay commendators who succeeded them, as also the subsequent lords of the regality, were in the practice of nominating one, but it appears that the Abbots associated the community with themselves in the election of both. The first election of which any record remains—and the record is brief—took place on 5th October 1528 :—

'The quhilk day henry g[uthrie] and n[inian] l[yell] are chosyne balzeis ramsay and grant seriandis [sergeants] cunnaris al. m. w. skyr t. b. m. w. scott henry se[ras] rob. gemlo j. ouchterlony.'

There is a fuller notice of the election which took place in the year 1530 apparently, but the precise date is not given in the record. Cardinal Beaton, before his elevation to the cardinalate, occasionally presided in the Regality Court, as the lord superior of the burgh in virtue of his being Abbot. He was present, together with the community, at the election in 1530, which was preceded by the admission of a burges :—

'The quhilk day in plane court j. a. in presens of ane venerabil fader our derrest lorde da^d abbot of arbroth and of the baillies befor nemmyt with the consent and assent of the hale communitie of this burght is maid burges and freman the fredome and priuilege of the sad burght to ws and bruk [use and possess] within

the sammyn as otheris burges and fremen dois in tym to cum and as ws and consuetude is of burght the gret aith tharupon be him suorne that he sal obserf kep and defend the priuilege tharof and pay to the depositors etc.

'Communis electio balliuorum.

'V. l. and v. s. be the said abbot and hale comonite ar chosine ballies to exerce and use the office of the sam within the burght for this zeir the gret aith thairupon be thaim sworn that thai sal obserf mantene and kep all the comon lawis and rychtus consuetudis usit of the barrovs maid and ordanit be the seuer [sure] consaile of kings and in our tym led efter thair power and that thai sal nocht do nane iniure [injury] na vrang til ony person fer thair hatrent dred na luf [hatred, dread, nor love] na that thai sal nocht spare to do iustice vpon ony for cwsynage na tynsale [cozenage nor loss] of gud bot be the law constitution and iugement of the wys worthy men of the toune baith to pair and rich alzua the sam tym j. stedan and v. s. are chosine seriands to minister vnder thame and ar suorn that thai sal be trew to the kyng and till the ballies and til all the burgissis of the toun and at thai sal do thair office leillely and truly and nocht spare for thair hatrent dred na luf and in likewise al. p. i. c. r. v. and al. mar the sam day ar chosin cunnaris and flesche prisers.'

The names of Scott, Davidson, Lychton, Guthrie, Lyell, and Seras, are among those which occur in the magistracy in the first half of the sixteenth century.

The oath taken by the treasurer, or depositor, as he was then called, was simpler than the 'great aith' required of the bailies. The treasurer, who was chosen 'by consent of the bailies and the haill community,' swore to be 'leill and trew to his office.' The duties of that office, in the matter of collection, were to 'gather in the common goods, baith mails [rents] of common faulds, freedom silver, and small customs for the common profit.' The treasurer's discharge was given annually 'in presence of the bailies, council, and certain other neighbours' chosen to hear his account.

Mention is made of an appointment, on 11th July 1530, by the Earl of Airlie, the bailie of the regality, of persons, lay and clerical, to be his procurators in the Burgh Court. They were: Thomas Balfour, in Tarry; William Ochterlony, in Seton; Dominum David Edward, vicar of Strathmartine; and William Scott.

It was at a sitting of the Head Court of the burgh in 1491 that the prior of May was fined for absence. At the same court, the heirs of John Sympson, the wife of umquhile Patrick Gardyne, and the laird of 'Balleisak,' were also fined for absence. The modern 'Boysack' will scarcely be recognised in its original Gaelic form of 'Balleisak,' a word which seems to mean 'Isaac's town.' This old entry of the fines at the Head Court is in Latin. The fragmentary and abbreviated character of the record causes some uncertainty, but it appears to have been on the day on which these fines were imposed that a burgess, initialed as R. W., 'in presens of my lord da^d abbot of arbroth,' and of the bailies, resigned his right to a

rood of land in Marketgate, on the north side, to Thomas Baxter, heir of Richard Baxter. Supposing the date to be 1491, the Abbot who was present on this occasion was Sir David Lichtone. On 22nd April 1529, 'ane rycht honorabil man w. ouch[terlony] of that ilk' appeared in the Burgh Court as suitor 'anent ane waist tenement of land lyand in mylgait.'

The 'neighbours' had an important part in the government of the burgh. Sometimes the community at large joined with the Magistrates in making enactments, but more generally a number of them were selected for this purpose. The neighbours assisted as jurymen in the Burgh Court in the trial of civil and criminal causes. In the first half of the sixteenth century, the Magistrates, in the exercise of their jurisdiction, generally availed themselves of the assistance of a jury; later, summary procedure became common. Occasionally, but not often, it happened that a case had to be continued to a future court-day because enough of jurymen had not come forward. With regard to meetings of the Town Council, absent members were fined. It was ordained on 12th October 1528 that members of Council who were absent 'sall pa ane gallone of ayll to the balze for thair absence sa thai be warnit lauchfully a nycht afoyr and be at hame.' At the election in October 1530 the fine for absence was fixed at half a gallon of ale, which was to be paid not to the bailie exclusively, but to 'the personis comperand.'

The ordinary courts were not held at stated intervals, but according as there was business to transact. Frequently there were courts on successive days, and two or three weeks was about the longest interval between one court and another. A good deal of the business was administrative, and what of it was judicial was mostly of a civil character. Considering, however, that the population of the town at this time was not much over a thousand, the amount of litigation was considerable. Service of heirs was about the most common duty which the Magistrates had to perform in the exercise of their civil jurisdiction. The following, in regard to a monk of Dundrennan, is quoted as being somewhat peculiar. Mention being made of nineteen persons who had given evidence in the matter, it is recorded:—

'It is fundin be thir personis abone writyne that dene jamis hethyne ane religios man of the abbay of dundranane wes fundine ane of the nerrest and lauchfull ayris of ane fyft part of ane tenement of land lyand within the said burght on thest syd of cobgait pertenant to wmqhill j. brone of the rowis his eyme [uncle] burgess of the sad burgh and this was done at the command of the suprior and comissis [commissary] of the place and abbay of arbroth, because he wes ane religios man fer fra his awyn hame and mycht nocht tarry on ane brief and the seill of the chapell ves nocht presentit and this wes the caus he wes seruit be ane ward.'

Another common process before the Burgh Court related to the bairns' part of goods of a deceased father or mother. Complaint is sometimes made now-a-days of the wordiness of legal proceedings, but there is hardly anything in the ordinary

administration of law now equal to the verbosity of the sixteenth century. An assize of the Burgh Court found that Robert Watt had borrowed 40s. from another, of which there remained due 24s. He was ordained by the bailies 'to pay the sammyn to the sad v. vithin xv dais nixt herefter followand the quhilk and he do nocht that he remeid reforme refund restor recour vpset vprich and mak dew satisfactioun and recouerance till the said v. for the costis and skathhis laubouris and expensis that he has maid and is to mak at his handis for the requiring seking asking crawling and getting of the said xxiiijs and the saidis costis and expensis to be payit to gydder with the principale some of xxiiijs for the lache and tarysum dreich and lang delay of pament of the sammyn and dom gewin tharapon.' The value of articles was often appraised in the court, by persons appointed by the bailies for the purpose. Thus, a belt of red crammesee and a pair of querall beads were found of the value of 38s. 'Ane blak gown lynit with quhit lam skinis laid in wed,' was declared to be worth £4, 4s. A pot and 14s. were reckoned a fair equivalent for a feather bed. Seals, caught on the sea-shore at Arbroath, where seals are seldom seen now, were an article of commerce. The bailies granted warrant, under a penalty of £20, for delivery of three seals to J. Butchart, to whom they had been sold.

It is an indication of the largely agricultural character of the burghal population in the sixteenth century that horse cases were common in court. There was a litigation at the court held on 5th April 1529 about a black horse, which was alleged to have been sold by one burgess to another on the day of the Nativity of our Lady. A number of witnesses were examined, and the horse itself was brought into court, to be in view of the bailies, the witnesses, and the jury.

Various matters of trade were superintended by the bailies. At their court on 22nd April 1529 they enacted as follows with regard to a case of master and servant:—

'D. sowtar is content to mak t. c. cordinar service for viij owkis [weeks] in to cum and sall enter to his service incontinent and fynd him souerte for his remanyng he fyndand cacione [caution] at the said da^d salbe harmles of the sad tho^{as} anentis his persone.'

From this it appears that a workman had to secure himself against personal violence at the hands of his employer. On 11th August 1528 a burgess was fined for withholding ten ells of 'raw hois claith' which he had sold to another, and he was ordered to deliver up the goods to the purchaser. A similar case in 1530 relates to a sale of linen cloth which had been transacted on Palm Sunday. The privileges of the burgh were rigidly maintained against persons who had not its freedom. It was enacted in 1529, that 'gif ony freman byis bayr with onfremenis siluer it beand prewit the sad freman sall tyn and hes tynt be the uertue of this act his fredome.' Another act made on the same day was: 'That na out flescharis that ar onfremen brek flesche within the burght smaller than quarteris in beif or

mwttone na yit na fremen brek it to thaim quhill [till] it be sellit to the nychbouris.' The price of the freedom of the burgh appears to have varied. On the last day of October 1530, three persons were admitted, and the instruction to the treasurer in regard to the three was that each of them should pay twenty shillings, 'and mare gif thaj ma get it.'

Among the very miscellaneous duties of the magistracy was that of weighing the bread baked for sale within the burgh. The ordinances in regard to unfreemen, fleshers, and others, were followed by one, 'that na baxteris sell thar breid nouthir to huxteris nor to nane wderis fra it be tane furth of the owyn onto the tyme the balye be warnit to wey the same.' Disputes with regard to boats sometimes came before the court for settlement. One that is recorded appears to have arisen from the boat having had a number of owners. This case having been called in court, 'henri gut[hrie] balse and dane da^d cay cellarer desyrit at the sadis personis thar ansuer quhj thaj will nocht wphald the sad boit this is thair ansuir thaj ar content to gif thair men als mekle fe [wages] as ony fyscharis gettis betuix aberdene and dunde sa that the sad sallerer wald caus the sad men pas and laubour in the sad boit in my lordis naim jn the meyntyme thaj sall fynd an sufficient boit to pass in ay and quhill thair partinaris beit thair awin boit.' Cases of landlord and tenant also occurred. In one of these, decree was granted for damages because a house had not been upheld watertight.

On 12th October 1528 an ordinance was passed appointing the weekly market to be held on Tuesday :—

'The quhillk day the hail town and balyies with the awys [advice] of master bernerd balye chawmerlane to my lord has statut that the mercat day of this burght be proclamit to the twisda allanerly [only] and at na maner of person mak mercat apon ane oder da than the twisda except flesch.'

The following act was passed on 4th February 1529, requiring conterminous proprietors to keep the channel of the Brothock, or perhaps the millrace, clear from obstruction :—

'The quhillk da the assis of the burgh anent the assiss of aqueductu deliveris be the mowthis of wilzeam ouchter[lony] jhone seras and t. browne at the watter pas throw allex^r harwaris land and at the watter at passis sowtht tharfra throw the landis of master w. scott the landis of sanct dwthow [St Duthac] the landis of wilyeam scott the landis of jamis straquhin and tharfra betuix the landis of jamis straquhin and steuin mar equallye and tharfra betuix stewart and sanct dwthow and to seik on the south part of and^{ro} scottis landis and the balye to put this act to execution in all punctis and ilk person red [clear] the wattergang for his awin part of the personis abon writine red the same within viij dais.'

In regard to the act anent the wattergang, Stephen Mar protested beforehand that it should 'hurt nocht his heritage.'

A Scottish town in the sixteenth century was not remarkable for cleanliness.

On 12th October 1528, the bailies ordered all persons to 'tak away thair myddinis [dung heaps] within sax dais of the cawsay onder the pane of ane onlaw [fine] of viijs.' It may be noticed here, that in the succeeding half century the time during which 'middens' might be allowed to remain on the streets was extended to eight days. It was enacted in February 1563-64, that they were not to remain longer than that time, and also that stones and clay were not to lie on the streets longer than a year and a day, under the moderate penalty of a fine of 8s. Again, on 20th June 1565, it was made a law by the bailies and community that 'na muck turfs clay nor stones be laid upon the cawsay within four feet to the rigging-stone upon every side.' Each man was to have the causeway cleaned opposite his own property every fifteen days, an exception being made in the case of stones and clay which were being used in building. There were no public scavengers, and it is evident that the burgesses were satisfied with a very moderate amount of cleanliness in their streets.

Modern sanitary science would have no difficulty in establishing a connection between the filthy state of the streets of the old burgh and the frequent attacks of 'pest,' or plague, from which, in common with other towns, it suffered. Strict laws were enacted by the Magistrates and the community with regard to the plague. A secret inquisition was held by an assize on 26th January 1528, at which it was ordained that a number of persons should be expelled from the burgh 'for sawite [safety] of the towne fra the pest and oder scaithis.' Others were ordained to 'herbrj na strangeris onder tha pane of banesyng of the town and at tha pas nocht to dunde onder siclik pane and at jhone nyc. sonis wyf reset nocht her sonis nor nane oderis onder siclik panis and at nane within the town herbry strangeris bot with the sycht and awys of the quarter master of the town or of the balye onder siclik pane.' Quartermasters were forthwith appointed: 'The quhilk day the hail town hes chosyn thir persons to be quarter masteris in lord[burn] w. w. j. akman in cobgait d. watt, j. se[ras] c. b[rown] d. durwart in merkatgait j. r. t. b. al. m. in the est quarter d. fa. ste[phen] mar johne oucht[erlony] and at ilk quarter enter ane sufficient man daly to the watch at the command of the quarter masteris onder the pain of viijs and at the sad quarter masteris hef power to distres and pund for the same if need be.'

Similar appointments of quartermasters were made at the Head Court on 4th October 1529:—

'Jt is decretit and concludit be the balze with the awyis and hail consent of the nychbouris werray necessary and convenable to waiche and walk the town nychtly for sauffing and kepine of the same fra pestilence with tua nychbouris sufficient in proper personis on the da and wder ij on the nycht and the town quarterlie to walk about and the wedowis [widows] to fynd ane sufficient nychbour man for thaim and quha faillis in the premissis thair geir [goods] salbe escheittit and thair selfis baneist of the town and ane byrne yron laid

on thair cheik and thir four personis j. akman j. se[ras] stevin mar and j. ra[msay] to be quarter masteris to produce and sett furth the waich and thaj to be freit and releuit of waching for the setting furth of.'

The following was also enacted on the same day :—

'Jt is sene rycht expedient and lauchfull be the balye and tounschip at quha resettis or harbryis ony strangeris without the awyis and consent of the balzes in this present tyme of pestilence thar geyr salbe escheit and thar sellfis baneist of the town and ane bryn yrne lait on thar cheik.'

On a subsequent day, it was enacted, with consent of the inhabitants, that all the four watchmen should watch 'on the da lycht ii of thaim at our ladj chapell and ij at alex' mustardis hows.'

As a measure of ordinary defence against aggressors, the following was enacted. The date does not appear in the fragment :—

'That thar walk iiij sufficient men nychtly quhill paice [till Easter] and to begine at the ta end of the towne and ay throch swa to the tothir end for the wtilitie and common profeit of the haille toun and thaj to warn the laif [rest] of nebouris gyf any aggres or cumyn to invading and at invadyne and access of lurdanis or thewis cumis in the toune outhir in aperti or preuate vnprocrysidly and sodanly [inroad of vagabonds or thieves, in a party or privately, unawares and suddenly] to invayd ony nebouris and all nybouris to rys and cum quhar euer the cry be and quha sa euer cumis nocht the balzes and haille communitie ar content that he be exulit [banished] the tovne for ane yer tharefter.'

The old record contains a brief notice of the amusements of the people. In July 1528, 'the balzes consall and commonite hes ordaned char. br. [the treasurer], to gif ane merk of monay to al. ly. and his companyonis to by thaim ane barrell of ayll with to thair play.' The play was perhaps one of the dramatic 'mysteries' of the time, or one of those curious burlesques on the solemnities of worship which were tolerated by the Church. Probably it was to be enacted on St Thomas' Day, which fell in July.

Deputations had to be sent to Edinburgh occasionally from the burgh. The common way of remitting taxes to the collector in the capital was for one of the bailies to go there himself, taking the amount with him. Thus, Ninian Lyell was sent in 1529 with a tax of £7, 10s., and the treasurer was instructed to pay him 14s. of the common-fold mails gathered in the year 1527 to cover his expenses. In the previous year the Bailie and the Town-Clerk were authorised to 'ryd to Edinburgh the gedder to my lord' the Abbot (Cardinal Beaton), to endeavour to obtain remission of a fine which had been imposed on the burgh for the deforcement of an officer. They were allowed 40s. as their expenses.

The criminal business transacted in the Burgh Court was neither great in amount nor of a serious kind. Nearly all the cases of this nature were cases of 'strublens,' a word which signifies disturbance, and which, as used in the criminal

proceedings of the burgh, comprehended assault, with or without effusion of blood, as well as simple breaches of the peace. The cases which came before the Court were mostly neighbours' quarrels. On 6th August 1528 it was ordained as follows, that satisfaction should be given for a severe assault on a woman :—

'The quhilk day j. l. is in amerciament be his awin confession for the strublyne of margaret thorn and brekking of her arme and sall gyf xiijs and iiij penneis to the sad m. and thairof fyf s in hand that is ilk day to susteine the beirn [child] quhill scho be heill [well] ane plak [equal to a third of an English penny] and sall pay the leiche [doctor] xs and sall gyf the beirne ane kyrtile [gown] worth fywe s or than vs.'

Here is a case in which one of the other sex was the aggressor, and in it also pecuniary compensation was to be given to the injured person :—

'Andro wychandis wyf is in amerciament of this court for the strubling of j. schacartis wyf and sall gyf to the sad j. s. wyf xiiijs to ane mendis [amends] within xxj dais and that wes gewin for dome and the sad an^{ro} is cum seuerte for his sad spows to the balzes in jujisment.'

There is a case, of date 6th April 1530, of a husband fined for his wife's fault :—

'J. c. is in amerciament for strublance done till christene peyrson be the sad jhonis wyif and in lykwyis the sad jhone is amerciati for the wrangus complant makin apon the said chrystene.'

A somewhat complicated case of assault to the effusion of blood, in which women were concerned, was tried by the bailies, with the assistance of a jury, on 11th July 1530. Jonat Lyell and her servant Bessie Brut were found guilty of 'the bluid drawin of elizabeth talzour and was amerciati tharfor and was ordand be the assize to amend the skayth done be thaim to the sad elizabeth and the sad jonat is cum gud to the chamerlane for the blud both for hyrself and hir sad seruitrix.' In addition, this severe punishment was to be inflicted on the servant : 'The assis vnderwritine deliuerit at besse brut suld ask eliz talzour forgifnes on hir kneis and to syt on the cwkstwill [cucking-stool] xxiiiij houris at the will of the balze.'

The process known in Scots criminal law as lawburrows was common in the Burgh Court. Cases somewhat analogous to modern prosecutions in the court under the public-house statutes sometimes occurred. Thus, on 6th February 1528, a person was fined 'for brekin of the statut of the balzes and the town for the selling of xvj penny ayll.'

CHAPTER IV.

THE MAGISTRATES AND THE PRE-REFORMATION CHURCH.

THE names of deans and sirs in abundance occur in the oldest of the burgh records. The 'deans' were the monks of the Abbey, every member of the brotherhood enjoying that ecclesiastical title; and the 'sirs' were the chaplains of the Lady Chapel and of the Kirk of St Vigeans, none of the other district churches and chapels being mentioned in the record. In the early period of its history, Arbroath stood in no want of clergy, regular and secular. Abbots, priors, monks, vicars of churches, chaplains of chapels, must have been familiar figures on its streets, while the visit of a bishop was a common occurrence.

In the old Court-Book the Church is seen chiefly in those relations towards the world which arose through its being the possessor of a great deal of property within the burgh, and as claiming rights which did not admit of question. The Abbot was a great person within the burgh, and to him was given the first of service. The following was enacted at a Head Court held by Henry Guthrie, bailie, on 5th October 1528:—

'The quhilk day the nychbouris ar content at thar be ane act mad in this sort that efter followis that thai at feis [hires] thair cartis to ony personis be reddy to serf my lord with thair cartis and hors afoyr ony oderis thai beand varnit on the nycht befor for siclyk pament as oderis gewis thaim and gif thai get nocht thankfull pament this act to be distroyit and depulsit and haf nane effect.'

The concluding proviso reveals some independence on the part of the burgesses of their lord superior. There was an official of the monastery who bore the title of 'Master of the Common of the Abbey of Arbroath.' This officer looked well after the various properties within the burgh in which the brotherhood possessed any interest. There was a ruinous kiln in Seagate, the site of which belonged to the monks, and year after year the Master of Common appeared in the Burgh Court to claim his feu-duty. Ultimately, the debtors, two burgesses, promised to pay 21d. a-year each, being the annual due by them. Again, 's^r j. a^r granitour to my lord of arbroth warnit all the nybouris in jugement that hes land of my lord in the punderlaw feld and dischland to pay in thar fermes to hym efter the tenour of thar assedation [lease] wnder the payn of tynsall of thar tackis conforme to the assedation.'

It is chiefly to the Lady Chapel and its endowments that the ecclesiastical notices in the burgh record refer. The Magistrates were patrons of the chapel,—

it is expressly stated in the record that the patronage pertained to them,—and they possessed some power in the administration of its affairs, both temporal and spiritual. Among the considerable properties of the alterages was the Greenyard, a large garden extending westward from Lordburn, and the name of which is preserved in that of 'The Greens,' a remaining fragment of the Greenyard. The yard had originally belonged to the monks, who continued to retain an interest in it down to the Reformation, though they had surrendered the principal property in it for the endowment of the altar of St Nicholas in the chapel. In 1529 the Greenyard was 'feued to W. Bridge and J. Aikman for 25s of annual feu-duty to the chaplain of St Nicholas altar in the chapel, and 5s to St Nicholas altar in the Abbey Kirk, with the king's mail.' There were dues paid to the chaplains even from the tolbooth of the burgh; they amounted to four merks. Every now and then the clergy became possessed of some property within the burgh, bequeathed by its possessor for the saying or singing of masses for the repose of his soul. On 22nd April 1528, Sir J. Scott, 'chaplain of our Lady Chapel at the brig-end of Arbroath,' and collector of its annuals and mails, appeared before the bailie, Ninian Lyell, and informed him that umquhile David Aldstone had bequeathed a property in 'Cobgait,' adjoining James Lord Ogilvy's, 'for ane obsequies yearly to be done in the said chapel' for his own soul and those of his wife and parents. The property was in a dilapidated condition, but a burghess came forward and offered for it a perpetual feu-duty of 8s., the sum which the chapel had been receiving; and the offer being accepted, the bailie ratified the bargain. In the same year a ruinous barn was set in feu, the duty being paid to the chaplain of the altarage of St Nicholas in the chapel. Other donations to the chaplains are recorded. Some of them took the form of gifts of wax for the candles on the altars. Several of the rents were also paid in wax. A pound of wax was the yearly rent of a bleaching-green lying on the north side of the chapel, and possessed in the year 1529 by 'John Paramoris.' The Town Council ordained that the owners of horses and carts which 'callit [passed] over the brig of our Lady Chapel shall pay ane pound of wax to our lady lycht.' As the bridge was the principal access to the burgh from the south, this tax must have amounted to a considerable sum. The wax was to be paid to the kirkmaster, who was an officer of the Council, and who kept the accounts of the chapel. The office was held in 1528 by Henry Seras. The Council appointed auditors yearly to examine the accounts of the kirkmaster.

Mention is made of a process before the Burgh Court in which one chaplain was successful in withstanding the claim of another to an annual. Sir J. Scott, of the Lady Chapel, appeared as procurator for Jonat Scott, relict of umquhile J. Nicolson, in a cause moved by Sir Alexander Brown, chaplain of St Sebastian's altar in the kirk of St Vigeans, who pursued for a yearly rent of 18d. from a tenement in Arbroath. The claim of the pursuer was disallowed by the Court. This Sir John Scott was brother of the burghess who founded the altar of St Duthac in the chapel.

The founder of the altar of St Nicholas was Charles Brown. He bequeathed two roods of land for its support, with the condition that they might be redeemed for fifty shillings. It appears from a proceeding in the Burgh Court on 21st January 1530, that they were at that date redeemed by Dean Robert, one of the monks of the Abbey. In this case there is a notice of 'the gait callit ald mercatgait,' a name which has long since disappeared from the burgh, and which was used to distinguish the locality from the street now known as Marketgate. The two roods of land lay on the north part of Old Marketgate, 'lyand within our ladi lone,'—Ladyloan, accordingly, being the situation of this old 'gait,' or road.

The bailies sometimes used the Lady Chapel as their court-house. On the last day of June 1528, they resolved, in further hearing of a civil case, to 'conwene on wednesday nixt efter sanct thomas day at viij houris afoir nwyne [noon] into our lady chapell at the brig end and tak the decisione of the saidis debatis in and on thaim.' Sunday was fixed upon for the hearing of another case, but it was in the tolbooth that the Court assembled on that occasion.

There was a case in which the jurisdiction of the ecclesiastical courts was pleaded in bar of that of the Burgh Court. It occurred about the year 1528, and the parties to it were Stephen Mar and Adam Pekyman, both leading burgesses at the time. The matter in dispute was the heirship of goods 'contentit in the testament of eliz sklater umquhill the spows of stewin mar.' Mar appeared in court, and declared that 'he suld nocht ansuir to the clame productit be adam pekyman and his spows eliz t[aylor] because the said mater ves in pley [process] befor ane oder juge spirituall in the consistory of sanctandris allegiand that he is nocht haldin to ansuir afoir tua jugis.' Afterwards, Mar's procurator pleaded in court, concerning this case, that it 'pertenis nocht to the balzes to sitt nor determine tharapon bot to the juge or jugis of halikyrc and protestit quhat that the balzes dois in the sad mater that jt hurt nocht the sad st[ephen] because it is testit gud quhartil thaj ar nocht competent jugis.' This protest was of no avail. After the case had been in court for a number of years, decree was given against Stephen Mar for £7, 7s. 6d., but the bailie struck off the 7s 6d., because Pekyman had 'received ane pair brynstane beads fra the said stephen.'

The old record of the burgh supplies some proof of the fact that in the first half of the sixteenth century churches in Scotland were allowed to fall into ruins, through the supineness or greed of the clergy, public worship being neglected. But in Arbroath this evil seems to have gone only a very little way. That was not because the clergy of the burgh were better than those of other places, but for the reason that the Magistrates and the community, who were honourably zealous for the maintenance of the ordinances of religion, appear, as administrators of the endowments of the Lady Chapel, to have possessed the power of the purse, by means of a judicious exercise of which they were able to compel the chaplains to do their duty. On the 6th of April 1530, the bailie, Ninian Lyell, and the Town

Council, being convened in the tolbooth, had their attention turned to the state of the Lady Chapel. The roof, they found, was in a dilapidated condition. It was enacted, for 'wphaldin of goddis seruyce to be done in our ladj chapell at the brig end of arbroth for the wphaldin of the thak [roof] apone the sad chapell be s^r jhone scott chaplene of the said chapell efter the tenour of his gyft and donation at all the annuallis and maillis pertenying to the said chapellanry be fensit [arrested] into the handis at aw thaim ay and quhill the sad schir jhone mak the sad chapell watertycht and quha sa dois the contrar gyf he be ane burges at dois it to tyne his fredome and wderis to be expellit and banesit the towne for the contemptioun.' There was heard another complaint against the chaplains at the same meeting of the Council. They had 'faillit to do thair seruyce in the passion tyme last bypast,' that is, had neglected their clerical duties in holy week. The Council ordered a commission to be made out, under the common seal of the burgh, to Henry Seras, with room to others, 'to complene vnto the bishop in the senze [synod] apone the chapellanis and to get remeyd tharapon.'

On the same day, 6th April 1530, the Town Council made this law 'anent ryngene of the bellis to the he mes' [high mass] :—

'The quhilk da the balzes and hail consall chargit the clerk to ring the bellis till the he mes the fyrst bell be nyne houris and the laif [rest] of the bellis be rungyne sa at the he mes be begon be ten houris at the ferrast and at the fyrst bell to ewin sang be rungyn in tyme to cum at thre houris and that bell ring sa lang as ane man may eisily cum fra the abay yet [gate] to the chapell and at the second bell be rungyn half als lang and all jn to the ewynsang conforme to the second bell and at the clark quhat euer he be for the tyme kep this act as he will ansuir to the balzes consall and communitie in tyme to cum vnder the pane of tynsall of his office and seruyce.'

It appears from this that the hours at which public worship began in Arbroath in 1530 were ten o'clock in the morning, and about a quarter past three o'clock in the afternoon. After fixing these hours, the Council 'compromited,' or arranged with the three chaplains. The matters at issue had been referred to the monks of the Abbey for arbitration. The result of the arbitration was in favour of the Council, the chaplains being obliged to attend to their duties. The record of the conclusion of this matter is as follows :—

'And that ilka da the balze abon writin consall and communitie on that ane part s^r j. s[cott] s^r t. s[cott] and s^r w. pettillo chappellanis on that wder part of thar awin fre will grantid and oblist thaim to fulfill the decreit and sentence definitive of rycht venerable faderis that is to say of dane jhone bad [acting] suprior of abay of arbroth dane jhone dumbrek dane tho^{as} neysche and dane an^{ro} scott religios men of the said abbay as jujis arbitouris and amyabill compositouris chosing be the saidis parteis the quhilk decreit and sentence dane an^{ro} scott forsad in name of the sad supriour and his brethir forsad pronuncit and red in jugement the quhilk is

regesterit in the regester of the towne at the command of the sadis parteis in takyne [token] of keypne of the samyne in all poyntis in tyme to cum and ane part of the saim decreit to be gewin be the clark wnder forme of jnstrument according with the regester in all punctis and articlis to the principall chapellane and at ilk chaplene at beis fre he mes or ewynsang on festuall dais without ane reasonable essenze [excuse] he sall pay twa d ilk tyme he beis absent fra owthir mes or ewinsang in tyme to cum and at thar be ane collectour of the same quhilk salbe the principall chaplane and the saim to be as wthir collegeis dois.'

Perhaps this arrangement wrought satisfactorily, but a fine of twopence was not a heavy penalty, even as money was reckoned in those days, to inflict upon a clergyman for neglecting to conduct public worship.

CHAPTER V.

BURGH LAWS IN THE SECOND HALF OF THE SIXTEENTH CENTURY.

WHATEVER may have been the feelings with which the downfall of the monastery was regarded, it appears from the records of the burgh that at the Reformation there was complete concord between the civil and ecclesiastical authorities in Arbroath. The Town Council are found formally undertaking to give civil sanction, anent the order of the kirk, to 'quhatsumevir be decernit be the mynister, elders, and deconis for observing of gud ordour.' This was on 9th October 1573. Still earlier, in 1564, the Council took up the matter of Sabbath observance, by ordaining that 'thair be na mercats upon the sabouith day before aucht hours, noder flesh nor uder merchandeis, on the pain of viijs.' It would sound strangely were the Town Council now to give such a tacit assent as is here implied to the holding of public markets within the burgh on Sunday at all. But it was not until a considerable time after the establishment of the Reformed Church that the practice of holding markets on Sunday was abandoned. Sunday markets were first given up in the burghs. At a Convention held in Stirling in 1574, at which Arbroath was represented by David Pierson and John Tyrie, it was resolved to request the General Assembly of the Church to discharge all markets on Sunday at landward kirks, as they had already been given up within the burghs. But this petition to the Assembly, while it indicates a wish for the cessation of secular business on Sunday, was prompted rather by a consideration of the trading interest of the burghs than by any zeal for Sabbath observance. That is proved by the permission which was given to such burghs as

were 'greitlie hurt' by the keeping of markets at landward kirks to continue their own Sunday markets as they were wont.¹ The subject of these markets came up again for consideration at a Convention held in Dundee in 1578, when James Ramsay appeared for Arbroath. At this Convention ordinances against Sunday markets were passed. They were declared to be against the laws of God and the Acts of Parliament, and those held at landward kirks were 'of great hurt to the free burghs.' The burghs experiencing this hurt were instructed to take proceedings against the inhabitants of towns where such markets were held, and also against persons sending goods to those markets. At the same time, it was ordained that no market should be held on Sunday within a free burgh under a penalty of £10.² The Convention thus came forward to the aid of Parliament and the General Assembly; but in the northern and midland districts of Scotland, notwithstanding the decrees of Church and State, the seventeenth century was far advanced before Sunday fairs had ceased.

Witchcraft was another matter in which the State and the Church acted in harmony with each other in the sixteenth century, and down to a later time. On 26th November 1563, the Magistrates directed that 'Richard Brown sall pass to the chapell the morne, and ask Jonat Cary and Jhon Ramsay, her son, forgyffness for calling her ane she witch and him ane he witch.' John, however, had also been in fault towards Richard, whose forgiveness he was to ask for calling him a thief. It would have been well if the bailies and all other judges had always adjudicated in witch cases after this manner. Even in that dark time there was in some minds a doubt as to the reality of witchcraft; at any rate, it is found that George Hailes,—member of a family who, with the Piersons and Ramsays, had much influence in the burgh in the sixteenth century,—in bringing an accusation against a certain Jonat Lamb, said she was a witch, 'gyf ther wes any sik thing.' However, in May 1568 it is recorded that 'the Counsall decernit that Agnes Fergusson, witch, suld be put in the pit, and have bott vd ilk day.' The pit here mentioned was doubtless the lowest dungeon in the Abbey tower, which was a hard enough fate for the unfortunate woman, charged with an imaginary crime, even if the zeal of the clergy and bailies, in their proscription of witches, allowed her ultimately to escape with life.

The recorded proceedings in the second Burgh Court-Book are, like those in the earlier record, of a miscellaneous nature. Their prevailing character is judicial. Mention is made for the first time of a procurator-fiscal, who appears also to have held the office of town treasurer. The cases before the Court were for the most part simple police cases. In September 1564 there was an application for law-burrows against a magistrate. It was made by William Christie, who took oath that he dreaded bodily harm of William Scott, bailie. Bailie Scott's brother magistrate, Bailie David Pierson, became his security. This matter came before

¹ Records of the Convention of Burghs, vol. i. p. 35.

² *Ibid.* p. 69.

the Court immediately after the complainant, William Christie, had been fined by the two bailies for breaking a law of the burgh in selling his ale dearer than threepence per pint. The price of bread as well as ale continued to be fixed by the bailies. If baker or brewer attempted to get a higher price than the legal one, the bread or ale was confiscated for the use of the poor, and, in addition, a fine of eight shillings was imposed. The price of ale stood pretty steadily at threepence per pint; twopence was the standard price of a loaf of bread, and the fluctuations in the price of grain were represented to the consumer not by a difference of price, but by an alteration in the weight of the loaf. Thus, in January 1565-66, the weight was fixed at seven ounces, and in October of the same year at ten ounces. In April 1566, it was ordained by the bailies and neighbours that 'na manner of comoun meill sellars hald within thair house mair mail nor ane firloft, and will not sell to the nychbours, the kepars of the said meill sall pay viijs the first tyme, and the secound tyme to tyne [lose] thair fredom; and gyf he be commandit be the bailyeis or officers to sell his meill and disobey, they sall be banist the toun for yeir and day.' The fishers were ordained, on 8th October 1574, to 'put thair fische to the schoir, then to the mercat, for the space of three houris, vnder the penalty of aucht sh.' In November 1563, 'Magy Thornton, of her awin fre will, oblist her to pay vjs to the bailyeis and town, gyf she took in ony brandy to sell in tym to cum without leif of the bailyeis.'

Occasionally, in this matter of interference with fleshers, bakers, brewers, and generally with everybody who had anything to sell, some premature free-traders stood up against it, and consequently it was necessary to meet the case of those too advanced thinkers. It was ordained in February 1563-64, that 'gyf ony man mispersone [abuse in language] any of the townis flesh prissers and ony uder officers in the execution of the office thairof, they, be burgess or his wyf, sal pay viijs for the first tym, and xvjs for the nyxt tym, and sa oft as they mak falt to be doublit.' To this law there was added a clause which brings out an aspect of the importance of the freedom of the burgh in those times. If the offender were an unfreeman, he or she was to pay in person instead of purse, the man being put in the stocks, and the woman in the 'gowis,' for the first offence; if they offended a second time, they were to be banished from the town for a year and a day.

Sometimes the Magistrates were called upon in their court to listen to the quarrels of husband and wife. Alexander Watt compeared before them on 19th January 1564-65, and alleged that Jonat Paterson, his wife, 'did mony divers thyngs by [without] his comand and counsall. It does not appear that the Court was able to give the poor man any redress. He protested, however, that whatever his wife should do to his hurt in time to come should not be to his hurt nor skaith.

In trying a case which came before the Court on 18th April 1567, the minister, elders, and deacons were associated with the bailies. Together, the ecclesiastical

and civil authorities decerned that 'gyf John Ramsay, webster [weaver], missay Jonat Law his moder with wordis of injurie, he sall tyme his fredome and comon lands the first tym, and the second tym to be banist the toun.' About ten days before the Magistrates, minister, and elders had thus formed one tribunal for the time, there was heard in the Burgh Court an appeal by one William Sturrock against a judgment of the Kirk-Session,—'the elders and deacons,'—in regard to words of injury given to him by John Lyne and Bessie Hunter his spouse. It does not appear that the civil authority undertook to reverse the decision of the ecclesiastical. If the respective powers of the two bodies were not very clearly defined, difficulties were usually avoided by the harmonious resolution of elders and bailies to put down whatever they chose to regard as an offence. Both bailies and elders were reasonably jealous of their dignity being slighted. There is an instance of this as regards the bailies in Alexander Gardyn of Brax having been committed to the tolbooth, in October 1566, till he should ask the bailies' forgiveness for missaying them. David Ferrer gave security that Alexander would come to the burgh on the Friday following to fulfil the will of the Court, and pay his fines.

Offenders were sometimes manacled. On 2d November 1573, the bailies and Court found that John Watson had done wrong in troubling John Lamb, and if he molested Lamb or any other person in time to come he was to be put in 'the irins during the pleasure of the bailies. Banishment from the town was a frequent punishment, but not for a first offence. On 15th November 1574, a blasphemous fellow, William Guthrie, had an appropriate punishment. For wishing to have the pest in Arbroath, or a three days' acquaintance with the locality in the next world for which he appeared to be qualifying, he was sentenced to be bound to the cross till the preaching was done. After sermon, he was to be carried to the sea, and dipped in it thrice, besides which he was to pay eight shillings. If he committed any such offence again, he was to be banished from the town for ever. The cross to which Guthrie was bound, like many of the market-crosses of the Scottish burghs, was crowned with the figure of a unicorn in stone. This cross came by some damage in 1564. On 27th July of that year, there was heard a complaint against Alexander Paterson, burgess in Dundee, for breaking the market-cross of the burgh, and taking away part of it. Paterson had 'passed to his merchandise furth of the realm.' The complainant, John Hailes, undertook that on his return he should be warded in the tolbooth; but as the entry is deleted in the record, it is probable that no further proceedings were taken.

The plague in the second half of the sixteenth century, as in the first, gave the burgh authorities much consideration, and, as formerly, stringent laws were enacted with regard to it. In 1566, on 26th August, it was ordained that no person within the burgh should receive a stranger or 'out man' within his house, day or night, without licence from the bailies, under pain of losing his freedom

and common lands. Quartermasters were to pass through the burgh every night. Four weeks after their appointment, it was found that Alexander Aikman had received his brother-in-law, from Montrose, into his house. He was fined, and was told that if he did the like again he would lose his freedom and be banished the town for a year and a day. On the same day, 20th September, John Aikman, probably of the same family as the other offender, 'oblist hym under the payn of his lyf, lands, and guidis, that thair sall cum na danger nor skaith to this town throw his resaiuing of George Brown or his wyf; and gyf he dwis siklik in tym to cum he sall tyne his fredome and his comon landis.' Three days after this, the bailies and Court found that John Hynd had broken the law of the burgh anent the pest, by passing to Brechin market without leave of the bailies; his freedom was taken from him, and his common lands were declared vacant. At the same time, a similar punishment was inflicted on Archibald Matthew for 'giving meat and drink' to a person from beyond the burgh, without having obtained the leave of the bailies. In 1580 a ship arrived in the Tay 'infected with the pest,' and by authority of the Privy Council proclamation was made in Arbroath and other towns warning the inhabitants not to hold any communication with the crew under the penalty of death.¹

When the Church was consolidated, the duty of superintending the relief of the poor was left to the Kirk-Session; but in the years immediately succeeding the establishment of the reformed religion, the Magistrates are found making occasional grants to the poor. In 1565, they and the neighbours instructed their treasurer, James Ramsay, to give £10 out of the common good to John Farar, litstar [dyer], to help him 'quhill God releve the said John that he be abill to pay the samin again.' Thomas Lyndsay, the collector, was commanded, on 26th July 1566, to 'gyf John Paramor xls of our Lady aneuils becaus he is ane purr man.' This charity was bestowed out of that portion of the endowments of the Lady Chapel which had been reserved to the town for the support within it of the Reformed Church and for the relief of the poor. For about thirty years after this date there continued to be property attached to the Lady Chapel, although the chapel itself as a place of divine worship had been discontinued. Thus, confirmation was granted on 5th August 1592 of a charter 'by the late D. William Petillok, chaplain of the chaplainry and altar of the Blessed Virgin Mary at the bridge-end of Arbroath, by which, with consent of the bailies, council, and community, the patrons of the chaplainry, he disponed in feu to John Haillis, burgess, and Elizabeth Brown his spouse, and the longest liver of them, in conjunct fee, and Ninian Haillis their son in ultimate fee, and his heirs, the land known as Ladyebank lying on the south side of Ponderlaw.'²

There are many notices of the administration by the bailies and Council of the common good of the burgh in the second half of the sixteenth century. Some of

¹ Reg. Privy Council, iii. 330.

² Great Seal Reg., vol. 1589-93, No. 215.

them relate to the burgh mill. It and the multures were ordained by the ballies and Council, on 8th October 1568, to be 'set to three or four neighbours who will gif maist thairfor, and find sufficient surety and caution for payment.' The mill was let on the same day to John Hailes, John Aikman, John Pierson, and Stephen Mekyson, for a year, for £84 Scots. In March 1568-69, the Town Council ordered that all the common grass should be divided, and set to every man, poor and rich, that was pleased to take part of it. This was done for 'divers causes concerning the comon weill and relief of the taxation fra the rayd of Brechin.' The raid of Brechin here referred to was one of several conflicts between king's-men and queen's-men which took place in the neighbourhood of that town during the minority of James VI. There was another in 1572. In that year six burgesses were chosen to ride with my lord the commendator of the Abbey to the raid of Brechin, and 'all the rest of the honest men of the town obligst tham to ryid thair tym when requirit.' Some months prior to the date of this entry, 'taxtars' had been chosen to 'stent the town for furnishing eight men to ryd with my lord to the Regent.' The Regent was the Earl of Mar, and 'my lord' was no doubt Lord John Hamilton. Early in the same year the Hamiltons had submitted to the king.

In the sixteenth century Arbroath was represented with a good deal of regularity at the Conventions of Royal Burghs; but with all the other burghs in turn, it obtained periodical exemptions from attendance at the meetings. As five or six Conventions, particular or general, were sometimes held in the course of a year, it must have been of importance to the burghs, at a time when travelling was difficult and expensive, to obtain exemption. Occasionally the burgh was fined for non-attendance. This happened at Edinburgh in April 1581, when Arbroath, with fourteen other burghs, was fined £30 'for absence and contumacy from this Convention.' The burgh was again fined at the Cupar Convention in 1586, and at one held at Dundee in 1587. The fine was commonly £20, but that imposed at Dundee was partly remitted. At Edinburgh, in 1587, it was ordered that the unlaw of Arbroath be paid to Alexander Wedderburn, Town-Clerk of Dundee, because he had been 'vnrecompansitt for his paynis and travellis tane in directing of missives to the burrowis of this realme for keping of the last generall assemblie' at Dundee. Arbroath was again unawed £20 at Dysart in 1593, for not sending a commissioner to the Convention, and along with seven more burghs, was fined another £20 for not having sent its proportion of the stipend of John Guthrie, the Convention clerk. In the following year, at Stirling, Arbroath and other burghs were each unawed £10, 'in cais thai mak nocht payment to Iames Wynrame, agent, of thair parts of the said Iames and Ihonn Guther's stipend.' At a Convention at Cupar, in 1578, the burgh was represented by James Ramsay; at Edinburgh, in 1579, by Adam Pierson; at Aberdeen, in 1580, by James Ramsay; at Edinburgh, in October 1581, by David Pierson; at Perth, in 1582,

by Archibald Pierson; and at Edinburgh, in 1587, by John Hailes. At Montrose, in 1591, when Thomas Pierson appeared as commissioner from Arbroath, the burgh was exempted for three years from 'keeping Conventions.' This exemption does not seem to have been taken advantage of, for in the following year, at Edinburgh, Thomas Pierson was present as commissioner. In 1595, Arbroath was exempted for a year from all Conventions south of the Tay. In 1599, at Linlithgow, the commissioner from Arbroath was Alexander Wood, who again appeared for the burgh at a Convention at Kinghorn in 1600. George Pierson was commissioner at the St Andrews Convention in 1601. At this Convention the town was exempted for three years from all meetings of the burghs held beyond the sheriffdom of Forfar, on giving a letter of ratification of all things done at the Conventions, and on paying the sums due. This letter of ratification was produced on behalf of the burgh by the Dundee commissioner, at the Ayr meeting in 1602. At the Convention in Edinburgh in 1587, the general tax roll of the burghs was altered and reformed, and of every £100 of taxation the proportions which fell upon the Angus burghs were: Arbroath, 20s.; Dundee, £10, 15s.; Montrose, 38s.; Forfar, 9s.; Brechin, 28s.

The Privy Council passed an Act on 13th March 1589-90, for rigging out 'sax shippis of the greitest birth that may be had within this realme, with men, munition, victuall, and all uther necessair provision.' These ships were for bringing home James VI. and the Queen from Norway, after their marriage. The ships were to have expert pilots, and each was to be manned by thirty mariners. They were to be rigged with flags, streamers of red taffety, red side cloths, and to have 'dekkit tops with the colours of red and yellow.' The ships were to be in the Firth of Forth by the following month of April. The burghs supplied these vessels, Dundee, assisted by Arbroath and Forfar, supplying one of them.

In the year 1575, Arbroath had a dispute with Perth and Dundee about its petty customs. The matter was debated at the Convention held in January 1575. It was referred to the next Convention, and meantime 'the comissaris of Dondy and Perth oblesis thame that na customes salbe acclamit of the inhabitants of Abirbrothok.' The dispute seems to have taken end in that way, for it was not brought up again at any subsequent meeting. It probably arose through the burgh asserting the right of its inhabitants to freedom from customs in consequence of the privilege of exemption which had been conferred on the Abbey.

CHAPTER VI.

DISTURBED STATE OF SOCIETY—SIEGE OF REDCASTLE.

THE disturbed state of Scotland in the second half of the sixteenth century, and later, was felt in the district of Arbroath, where the Abbey, and the interests which centred about it, with the residence in the neighbourhood of some turbulent lairds, were sufficient to give rise to feuds. The reformation in the Church unavoidably connected itself with these troubles, by assisting to break up old forms of society, and letting loose a large quantity of property to be struggled and fought for by every man who thought himself strong enough to obtain a share of it. Thus it happened that Scotland during the early years of the Reformed Church had hardly ever been more disturbed—a condition of affairs culminating in the conflicts between the parties of James VI. and his mother the dethroned Queen. About twenty years before the outbreak of these troubles there is a small indication of the close connection of Arbroath with the public affairs of the time in a letter from the Earl of Angus to Lord Dudley, written on 18th December 1547, praying him to be 'good and friendly to his servants and friends in Arbroath.'

On 19th October 1565, during a time of domestic trouble in the country, Thomas Craufurd, Chamberlain of Arbroath, was appointed keeper of the haven and common passage, and John Carnegie of Ethie was appointed keeper of the haven of Auchmithie. These appointments, with others of the same kind, were made 'not only because rebels daily and commonly at their pleasure repair and pass by sea and otherwise from the counties of Lothian, Fife, and Angus, but also diverse suspect and wicked persons passed and repassed to and from the said rebels.'¹

Sir William Drury, the English ambassador, reported to Lord Burghley, on 9th July 1572, the winning of Montrose, Arbroath, and Forfar by the Queen's party. About six months afterwards Killigrew reported to the English Government, 'Arbroath to be rendered,' and soon after this mention is made in the ambassador's correspondence of an 'attempt against Arbroath by some friends of the late Earl of Moray,'² the friends of the murdered regent making a hostile demonstration against the Hamiltons, in the person and possessions of a principal member of the family, the Commendator of Arbroath. Queen Mary had many friends in Angus, and they had actively espoused her cause on her escape from

¹ Reg. Privy Council, i. 380.

² Cal. of State Papers Scot., pp. 72, 358, 379, 392.

Lochleven Castle. In consequence, a commission was granted by the regent to 'attack the Earl of Crawford, Lord Ogilvy, and John Carnegy of Kinnaird, who with others in the sheriffdom of Forfar had since the escape of the Queen rebelled against the King's authority.'¹ The Provost of Dundee was instructed to seize the house of Kinnaird.

The wars between the adherents of James VI. and his mother were scarcely at an end when the whole of Britain was threatened with invasion by the Spanish Armada. On 1st August 1588 the Scottish Privy Council appointed a commission in view of this threatened danger. At that time the shattered Spanish fleet, though this was perhaps unknown in Scotland, was attempting to return to Spain by passing round the north-east and north coast, pursued by the English Admiral. David, Earl of Crawford, was appointed commissioner in the north of Angus and on the sea coast between the mouths of the North Water and the Water of Lunan; and Thomas, Master of Glamis, in Gowrie, Angus, and Stormont, east of the Tay and Isla.

In the midst of the public troubles in Scotland, and in some measure arising out of them, there were many private feuds. Orders in reference to these seem to have constituted a large part of the business of the Privy Council in the latter half of the sixteenth century, as narrated in its Register. All classes of the people, the clergy not excepted, were concerned in them. 'Alex. Falconner, apparent of Halkertoun, for Johnne Guthrie of Coliestoun, and the said Johnne for Mr Arthur Futhie, parson of Kynnell, William Guthrie of Gingamy, Henry Futhie, younger of Boysaik, Thomas Peirsoun, burgess of Aberbroith, David Futhie in Hedgetoun, had each to find caution in 1000 merks not to harm Edmond Arnold, Englishman.' The Arthur Fithie mentioned here was minister of Kinnell from 1587 to 1598.

On 28th December 1575 there was a serious complaint from Kinnell before the Council by Johnne Strireling of Easter Braikie against Johane Forbes, Lady Ogilvy, her servants, tenants, complices and others in her name 'in the distruction, douncasting and dimolissing of his myln hous, utheris houssis and biggings pertaining to him, and his tenentis upoun his heretage; and eftir the committing of the foirsaidis oppressionis in the menetye of his being at the said Lord Regent complicing thairupoun, the said Lady persevering and continewing in her oppressions in the said Johnnes absence be his self, his household, servandis, tententis of Boischen, Farnninvell, Kynnell and Carcare . . . under silence of nycht disgysit come to the said Johnnes hous in Eister Braky, and persaving his absence, and that thay could not apprehend him to execute thair purpois, cruellie kast down and distroyit his tenentis houssis, and dimolissit thame to the ground, and put violent handis in thair personis, tuke thame nakit furth of thair beddis, and sylit [blindfolded] thair eyis unto the tyme thay had

¹ Reg. Privy Council, i. 646.

distroyit the saidis houssis, and usit thame selfis, thair gudis and geir being thair-intill, at thair plesour; quhairhrew sensyne his said mylne, houssis, and utheris biggingis distroyit and douncastin as said is, hes lye doun, and he and his puyr tenentis allutirlic hereit and wrakkit for evir.' Both parties appeared before the Council, who ordained Lady Ogilvy of her own consent, and in name of Lord Ogilvy her spouse, to desist from all troubling of John Stireling, his men, tenants, and servants, in the peaceable using of the mill till 'he be lauchfullie callit and ordourlie put thairfra be the law.'

Two neighbouring lairds, those of Gardyne and Guthrie, were at variance. On 27th January 1578-79 caution was given 'by David Gardin of that Ilk and Gilbert Gardin of Beith for the appearance of themselves and of Andro Hereyeld in Brechin, Robert Gardin in Lathin and Alexander Gardin of Freok, before the King and Council on the same day, and for their good behaviour meanwhile to the Laird of Guthrie, the penalty to be a thousand pounds for each of the two principals, and 500 merks for each of the others.' The caution was renewed on 19th March, David and Gilbert Gardyne binding themselves not to molest Alexander Guthrie or his men or tenants. The quarrel, however, went on, and it was reported to the Council that Patrick Gardyne of that Ilk had been shot by William Guthrie, son of the laird of Guthrie, and his accomplices on 10th May 1578. On the complaint of 'bairns, kin, and friends,' the Council ordered precautions to be taken against the escape of the guilty or suspected by sea. About eighteen months afterwards, on 17th December 1579, it was reported to the Council that 'Alexander Guthrie of that Ilk having failed to find sufficient caution not to molest or trouble David Gardin of that Ilk and Gilbert Gardin of Beith had been commanded to remain in Stirling till he found such caution. He, however, left Stirling. After some further proceedings before the Council, the Lords on 12th February 1578 ordered caution to be found in £1000 by Alexander Guthrie and Alexander his son and heir 'that David Gardin shall not be invaded or molested.'

On 11th August 1591, a bond of caution was entered into by David Gairdin of that Ilk, Lord Ogilvy of Airlie, William Spalding at the mylne of Eloit, and others, that Alexander, Bishop of Brechin, and others, all of the name of Campbell, should be harmless of them.

A great feud arose towards the end of the sixteenth century about the possession of Redcastle, which was still at that time one of the strong places of Angus. On 6th April 1580 the Privy Council issued an order to denounce Patrick, Master of Gray, Sheriff of Forfarshire, for not having presented before the Council, in conformity with the charge given him, James Gray, son of Patrick, Lord Gray, and — Ogilvie of Kynnordie, who 'usupand upon thame his Majesties autoritie, convocat his Hienes liegis in weirlike maner, and upoun the — day of Februar last bipast circuit the hous of the Reidcastyll, assaigit and persewit the same be

all weirlike ingyne, for wyning and receverie thair of, and slauchter of sindrie his liegis being thairintill.' On the same day caution was given by 'David Gardin of that ilk for Lady Innermeith, intromitter with the fruits of Reidcastill, Inverkeilor and Innermeith, during 1580, that she will make the same forthcoming at the end of her action of divorce against James Gray, to all parties having interest thereto, Lord Innermeith undertaking to relieve the cautioner.'

Dame Elizabeth Betoun was a daughter of John Betoun of Creich, and widow of John Stewart, Lord Innermeith, whose family had held the barony of Redcastle from 1366-7. She married James Gray, son of Patrick Lord Gray, 'ane young gentilmnan unlandit or providit of learning, in hope that he sould have mantenit



REDCASTLE.

and defendit and done the dewtie of ane faithfull husband to her in her aige,' but it is added in the Register of the Privy Council that he had greatly deceived her. She accused him of having, while her case of divorce against him was in dependence, with his father Lord Gray, Sheriff of Forfar, the Earl of Crawford, James Lord Ogilvy, and others, attacked her house of Redcastle. Lady Innermeith obtained a decree for her support against her husband, who did not defend the action, and the Privy Council also gave her the use of Redcastle, the Mains, &c., for a year. The castle had been kept by the laird of Dun by the king's direction. The Privy Council's decree was issued on the 1st September 1579. Three weeks afterwards the lady found herself under the necessity of complaining to their lordships that the decree had proved inefficacious, her husband having 'na guidis nor gier poindable,' and having also already sold and made away with all the available property. Gray was 'at the horn,' or outlawed, accused of divers

crimes committed in 1579. The record, with reference to the siege of the castle, bears the report to the Privy Council on 1st March 1580-1, that Gray came, 'under silence of night,' upon 2nd February preceding, accompanied by Andrew Gray of Dunninald, and others, chiefly servants in the neighbourhood, to Redcastle, 'ledderit the same, enterit perforce thairintill, and put violent hands on the persons of the servants, whom he detained as prisoners.' It was also reported that 'James Gray, persoun of Kynnell,' was concerned in the siege of Redcastle.

Having a connection no doubt with the violent disputes at Redcastle, there was a complaint before the Council on 18th May 1609 by William Rowane of Bellindane to the effect 'that while he was in Edinburgh in December last, attending on the Session, the servants of Sir Robert Crichton of Cluny, with others, all armed, came at night to his lands of Courthill, broke up the doors of his houses, then occupied by "some women and bairnis only," misusit them, and reft all his geese, hens, and other bestial about his house. He further stated that in the same month, those persons with James Stewart, chamberlain of Redcastle, hounded on by the said Sir Robert, came to the complainer's lands of Gairdin, and threatened his tenants, charging them to acknowledge the said Sir Robert, and not to obey the complainer, under pain of their lives. They were accused of assaulting James Deucher, Bellindane's tenant, and that at their departing they reft the complainer's whole corns, and houghed the rest of his goods.' Again, it was set forth that 'in March last they took away all complainer's horses and oxen from his lands of Courthill, seized his houses, reft all his corns, and assaulted Christeane Barclay, his spouse.' The defenders, not appearing, were denounced as rebels.

The siege of Redcastle in 1579, and the acts of violence which followed later, resulting in the burning of part of the buildings, must have made the castle to a considerable extent ruinous. The barony, with the castle, became the property of Ruthven of Gardyne before the middle of the seventeenth century; it was subsequently in the hands of the Earl of Northesk; but was purchased by the Countess, Lady Mary Hamilton, for the Panmure estate in 1724.¹ The castle, or a part of it, is said to have been roofed down to about 1770. Its last occupant was the Rev. James Rait, who was minister of Inverkeilor at the Revolution.²

The long standing feud between the clans of Ogilvy and Lindsay was always liable to break out afresh if any provocation came in the way. It did so about the commencement of the seventeenth century, for an order dated 7th March 1600 sets forth that the King and Council understanding that there is 'ane grite trouble laillie fallin oute between James, Master of Ogilvy, Sir Johnne Ogilvy of the Craig, Mr David Ogilvy, George Ogilvy, all brothers, with their adherents, on the one part, and Alexander, Lord of Spynie, Sir Johnne Lindsay of

¹ Jervise's Memorials, edit. 1885, i. 17.

² Hist. of the Carnegies, Introd. p. lxxxii.

Ballinscho, Williame Stewart, brother to the Earl of Athoill, and their adherents on the other part,' anticipate 'forder inconvenientis.' There was therefore given order to charge those concerned in the feud to remain in ward in the following houses till freed and relieved, under pain of rebellion, 'James, Lord Ogilvy of Airlie, within his place of Arbroith, and the other Ogilvys above written within the place of Bodschan; Hary Lindsay of Kinfawnis, with the Lord of Spynie and the other Lindsays foresaid, Stewart included, within the place of Din' [Dun]. Both parties were ordered to subscribe such form of mutual assurance as should be presented to them, to endure till 1st January following, and were also to cause cautioners to subscribe the said assurances, all under large penalties. The Council, meeting at Montrose on 23rd March, passed an act for the settling of the feud between the Lindsays and the Ogilvys, ordaining, as security for its fulfilment, and the appearance of the guilty for trial, that Sir John Lindsay enter himself within the castle of Edinburgh and Sir John Ogilvy within the castle of Dumbarton; the others directed to abide within certain houses—'James, Lord Ogilvy of Airlie, duiring the hail tyme of his remaining within Angus, mak his residence within the toun of Arbroith, and that he hant in na uther parte of the countrie of Angus.' On 22nd March 1600 the Town Councils of Brechin and Forfar, and on the 31st of the same month the Town Council of Arbroath, came under obligation to the Privy Council not to take any part in the feud between the Earl of Crawford and Lord Ogilvy. Alexander Pearson of Wardmill registered the bond, and, it is added, subscribed for those persons who were unable to write. The bond was subscribed at Arbroath.

In 1602 Lord Maxwell, having refused to subscribe an assurance to Sir James Johnston of Dunskeillie, was ordered to remain in ward in the castle of Edinburgh till he should find caution that, on being set free, he should within forty-eight hours thereafter, 'repair to the palace of Kynneill, or else to the palace of Hammiltoun or the place of Arbroth, and keep ward within one of the said places and two miles about the same till 1st March next, the time appointed for his going abroad.'

On 7th May 1590 a bond of caution was entered into 'by John Thomson of that Ilk, and Gilbert Thornton, fiar thereof, for Patrick Maule, fiar of Panmure, and James Strachan of Carmyllie, in 1000 merks each, and for Andrew Gray in Firth, in 500 merks, that they will not harm Henry Maule, portioner in Seryne.'

In 1609, on 20th July, there was a complaint before the Lords of the Council by the King's Advocate, and by Donald Melvill, George Hunter, and John in Panlathie, that on the 9th of the same month George Strachan of Skethin, Henry Mauld, yr., portioner of Inverpeffer, David Crystie in Moss-end, William Wilkie in Skethin, Henry Tailyeour there, John Burn there, George Cowtie, servitor to the said George Strachan, James Lamb, servitor to Henry Mauld, James Philp in Newtown of Carmyllie, John Adam in the Goit, John Marnie in the Myletoun,

William Caird, Andrew Peter, and John Peter, his son, at the mill of Skethin, with others to the number of forty or fifty persons, all armed, learning that the complainers were after sunset that day to bring home peats and other fuel from Dilte Moss, waylaid them, set upon them, wounded all of them, and would have slain them "were not be the providence of God throw speid of foot they eschaped." The defenders loosed their horses and chased them off, and cut the carts in several pieces. Again, on the following day, Strachan, accompanied by others named above, with convocation of the lieges, forgathering with Donald Melvill while he was seeking his horse that had been driven away the preceding night, assaulted him and left him for dead. The Lords ordained Strachan to be committed to ward in the tolbooth of Edinburgh, and Andrew Peter was denounced rebel. Several other defenders who were present at the Council were assoilzied, and others were excused for their absence. On the same day, 20th July 1609, on which the complaint of these violent proceedings at Dilte Moss was heard, it was complained to the Council by James Strachan of Carmyllie and George Strachan in Skethin that on the night of the 8th of that month 'Robert Flesher of Inverpeffer and others his tenants came armed, and with twenty-four horses and carts, to the complainer's lands of Crosden, Dustiedrum, Mureheidis, Auchler, and Cottertoun, and made a passage through the growing corns of the same, and that night during the last twenty or thirty nights they have repaired with their horses and carts through the said lands.' The Lords assoilzied the defenders, the pursuer having failed in proof.

On 21st March 1616 the Privy Council heard a complaint by David Cletoun in Laverokhall, James Cletoun there, and James Dalzell, merchant, burges of Edinburgh, as their master, as follows:—On the last day of February last Thomas Gairdin of Legastoun, Johnne Gairdin, brother of — Gairdin of Dunbarrow, Alexander Gairdin, tailor in Freok, Henry Auchterlony in Midletoun, Johnne Fyff, officer in Kynell, and Johnne Spalding in Cotoun of Murryais, and some accomplices, all in arms, went to the dwelling-house of the said David and James Cletoun in Laverokhall, and 'with rungis and battenis schamefullie and unhonestlie strak and dang thame on sindrie pairtis of thair bodyis.' They also 'pat violent handis in Jonet Foothie, spous to the said David Cletoun, violentlie rasheit her to the earth, and cruellie and unmercifullie invalidit and persewit hir of her lyff, and left her for deid, quhair of sche is yet lyand bedfast.' The Lords found these charges not proven.

In those troubled times the town of Arbroath sometimes got into difficulties with neighbours, and quarrels arising among the burgesses themselves were brought under the notice of the Privy Council. On 1st March 1591-92, caution was given in 1000 merks by David Gairdin for the Provost, Bailies, Council, and inhabitants of Arbroith, 'that Mr Alexander Betoun of Hospitalfield, and David Betoun, his son, fiar thereof, shall be harmless of them, Andro Eliot, burges of

Arbroith, and Andro Eliot, his son, becoming cautioners in relief.' In 1602, on 24th December, there was a case of giving surety not to harm the community of the burgh: 'David Betoun, son of Mr Alexander Betoun of Carsgownie, as principal, and David Gairdin of Lawtoun, as surety, came under obligation not to harm the Provost, Bailies, Council, and inhabitants of Aberbrothok.'

The Privy Council Register contains the record of a number of feuds in and connected with the burgh in the earlier years of the seventeenth century. On 13th June 1602 Robert Lyell, burghess of Aberbrothok, for Daniell Lyell, burghess there, gave caution for 500 merks 'not to harm James Schakart, burghess there, and David Schakart, his son, in their bodies, goods, boats, or crears.' The family of Schakart are also mentioned in a case which was before the Council on 28th April 1609. On that date 'Thomas Aikman, burghess of Aberbrothok, for Johnne Allan, skinner, and Thomas Allane, burghesses there,' gave security not to harm William Schakart, skipper there. A similar obligation was given in the month of May following by 'Thomas Aikman and George Liddell, burghesses of Aberbrothok, for Thomas Persone and David Auchterlony, bailies, not to harm William Schakart, burghess.' On 2nd January 1609 'a bond was subscribed by Johnne Haillis, bailie of Arbroith, and David Fethie of Hodgebune, for Henry Fethie of Ballindoch, 200 merks, not to reset or intercommune with Alexander Fethie, his son, while at the horn for the slaughter of Alexander Leslie, conform to the charge given at the instance of Geillis Mylne, relict of said deceased, and Johnne Leslie, in Kirkton, his brother.' On 11th March 1609 a petition was presented to the Lords of the Council by David Ramsay, burghess of Arbroath, for summons against Gilbert Gairdin, another burghess, who having conceived 'a malice and haitrent' against complainer, lately came to his barn yard, 'and in a most insolent maner kaist doune a corne stak, away led and dispoit upon the same, and committis many uther points of oppression' upon the complainer. On the 29th day of the same month another petition was presented by David Ramsay against Gilbert Gairdin for having come, with his complices, 'under silence of nycht,' to complainer's barn yard within the burgh, 'kaist ane stak of aittis,' and caryit the same away with thame, and 'unlawfully disposit thairupoun at thair pleasour.' On 27th March a petition was presented by Christiane Gairdin, relect of Thomas Ramsay, burghess of Edinburgh, for letters of lawburrows against Gilbert Gairdin in Arbroath, who 'dalie and continewallie bragis, boistis, shoiris and minacies' her and her tenants and servants, and 'hes violentlie reft furth of her barne yard and corne stak, and has disposit thairupoun at his pleasour.'

On 8th June 1615, Alexander Ramsay was put to the horn at the instance of Mr Johnne Granger and Andrew Eliot, bailies, burghesses of Arbroath, for assaulting Mr Patrick Carnegy, chamberlain of Arbroath and one of the Council of the burgh, and for not appearing before the Lords of the Privy Council in answer to charges of (1) assaulting the said Mr Patrick Carnegy, (2) escaping from

the tolbooth of Arbroath, and attacking the bailies with a drawn sword ; besides other charges specified.

John Gibson, in Cadgertoun, met with a serious trouble on his way to attend St Thomas Market in 1621. He complained to the Privy Council that on July last he took journey from his own house in Cadgertoun 'with certain guidis and bestiall,' bound for 'the mercat kept at Abirbrothok callit St Thomas mercatt.' While on his way thither, during the night, John Wobster in Carriestoun, with John Traill in Garthe, Henry Rait there and William Hardie there, all armed, 'umbeset his way and lay await for him at the paith besyde Monyfuith. There foirgadding with the complainer about midnight, he being destitute of means to defend himself, the said persons attacked him, strak him from his horse to the ground cald dead, and, as he lay a swowne, they took his purse and silver thairin from him, with his horse, plaid, and sword, and reft him of his haill abuilyementis, and left him lyand naiked upoun the ground for dead.' The Lords found that John Gibson had not made out his case against the accused persons, but doubtless he had not simply imagined the trouble which had befallen him on his way to Arbroath.

In these lawless times the ministers had frequently a difficulty in enforcing payment of the grants which had been made to them out of the thirds of the benefices of the Church. Mr Robert Bruce, 'minister of Godis word,' complained to the Privy Council 'that Robert Montgomerie of Haltoun remained unrelaxed from a horning of 19th May 1615 for not paying 23 bolls of bere, 8 bolls of wheat, and 4 bolls of oatmeal, as a part of the teind duty for 1613 of the town and lands of Newtown of Abirbrothok, assignit to the said complenair in pairt of payment of his lyfrent stipend furth of the thridis of the abbacie of Abirbrothok,' and also for not paying 72 bolls of bere, 24 bolls of wheat, and 12 bolls of oat meal due from the same lands for 1614. No defence was offered.

CHAPTER VII.

THE BURGH CHARTER—OLD SETT OF THE BURGH.

TOWARDS the close of the sixteenth century, Arbroath received a new constitution, and was erected into a burgh royal by the charter of novodamus, or renewed grant, of King James VI. This charter was granted on 23d November 1599. It was witnessed by John Marquis of Hamilton ; John Earl of Montrose ; George Earl Marischal, of the King's Council ; Sir James Elphinstone, of Barnton, Secretary of State ; Richard Cockburn, yr. of Clerkington, Keeper of

the Privy Seal; Mr John Skeen, Clerk Register; Sir John Cockburn, Justice-Clerk; and Mr William Scott, of Grange Muir, Director of the Chancellery at Holyrood House. The preamble of the charter sets forth that the village of Aberbrothock was of old erected, confirmed, and endued with all the liberties, immunities, and privileges pertaining to a free burgh by the king's progenitors; and that the ancient infeftments and 'evidents' of the burgh were, in the time of the civil wars of the king's minority, taken by force and destroyed by George, Bishop of Moray, called Postulate of Aberbrothock, 'who, with his co-partners, by powerful hands violently thrust himself into the Abbey and monastery of Aberbrothock,' where the infeftments, evidents, and confirmations of the burgh were kept. The document proceeds to say that the king, wishing the advancement of his lieges, and their utility, and the police and beautifying of his kingdom, and for other reasons, ratifies and approves, and for ever confirms, the ancient erection of the burgh into a free burgh, with all rights and privileges belonging thereto, and as previously possessed by the burgesses. Further, the charter of new constituted, created, erected, and incorporated the village and burgh of Aberbrothock, with all and sundry houses, buildings, tenements, orchards, acres, tofts, crofts, and others lying within the burgh roods territory, into a free burgh and burgh royal, in all time coming. The charter disposes to the burgh, its provost, bailies, councillors, free burgesses, and inhabitants, and their successors, in the most ample terms, its whole property, of every conceivable kind, including the land lying within the burgh roods, and chiefly the lands of Muirlands, the common muir, with the common, common folds, common loans, together with all lands, annual rents, eleemosynaries, and others which the burgh possessed when the charter was granted. The harbour was erected into a free harbour. Special and full power was granted to the burgesses and freemen 'of making, electing, constituting, and creating a provost, bailies, burgesses, treasurer, dean of guild, guild brethren, councillors, officers, and other members whatsoever necessary within the said burgh for the government and ruling thereof, and of annually changing or retaining the same, one or all, as to themselves shall seem expedient.'

Full trading powers, in all kinds of staple goods and other merchandise, were conferred by the charter upon the burgh both at home and abroad; as also power to the provost, bailies, and council, of admitting and receiving within the burgh, bakers, brewers, butchers, fish-sellers, tailors, leather-dressers, weavers, carpenters, and all other artificers pertaining to a free burgh. They had also power to have a tolbooth,—not specially a prison in this connection, but the booth where the customs of the burgh were collected, which is the primary meaning of the word,—and a market-cross. There was to be a weekly market, which was appointed to be held on Saturday. The name of the day, as given in the charter, is *Dies Sabbati*; and these words, occurring not only in this but in similar documents, have sometimes been translated 'Sunday.' That translation, however, is erroneous. *Dies Sabbati*

is the Latin of our old records for Saturday. Sunday was *Dies Solis* or *Dies Dominica*. Besides the weekly market, the charter authorizes the Magistrates to hold four fairs yearly, namely, the fairs of St Thomas, St John, St Vigian, and St Ninian, held on the days of the respective saints. The Magistrates were further authorized to collect the small customs of the markets and fairs, and apply them to the common good of the burgh.

From the date of the charter the burgh acquired an independent authority under the Crown. Burgh Courts, to which the usual officers were to be appointed, were to be held, and transgressors were to be punished by the Magistrates conformably to the laws of the kingdom. The provost and bailies were entitled to receive the dues, fines, bloodwrits, and escheats of the burgh court, and to apply the same to their proper uses. They had the power of distraint, and of 'attaching, arresting, imprisoning, heading, hanging, drowning, and banishing' offenders, conform to the laws of the kingdom. Having thus had conferred upon them supreme feudal jurisdiction under the Crown, the provost, bailies, and councillors were formally entitled by the charter to repledge into their own court any inhabitant of the burgh who had been attached before the Justice-General of the kingdom, or before any other justiciar or judge. They were authorized to receive all anchorages, money, customs, and shore dues of ships, boats, or other vessels repairing to the harbour; and to apply the same for the repair, support, and defence of the harbour, haven, and bulwark. In return for the rights and privileges conferred, the burgh was to pay yearly forty shillings usual money of the kingdom into the royal exchequer, in name of feu-farm, and to give to the king and his successors the service of one free burgess.¹

The precept of sasine following on the charter is addressed 'to our bailie of Aberbrothock and his deputies, as also to our beloved James Bonar, sheriff-depute of Forfar.' The precept is dated at Holyrood on the day on which the charter was granted. Infeftment was taken on 10th July 1601 by Thomas Pierson of Lochlands, one of the bailies of the burgh, as 'attorney for the honourable men the provost, bailies, councillors, and burgesses.' Bailie Pierson, proceeding to the market-cross of the burgh, its seaport, and to the lands mentioned in the charter, presented the precept to John Hailes, elder and burgess of the burgh, and one of the depute-bailies of the regality, and to James Bonar, sheriff-depute, in presence of a notary-public. The precept was then read and explained to the bystanders, in the common language of the people,—the original of the charter being in Latin,—after which Bailie Pierson took possession in common form. This proceeding was witnessed by David Beaton, feuar of Carsegownie; Alexander Guthrie, of Peebles,—a small estate near Arbroath; William Guthrie, sometime in Kingarry; Henry Fithie, feuar of Boysack; James Lamb, in South Tarry; John Aikman, Andrew Elliot, Thomas Ramsay, Andrew Ochterlony, burgesses of Arbroath; and

¹ Original of the Charter in the Town House.

George Bell, Dundee. The sasine was duly registered in the same year in which the infektment was taken.

The language of the charter appears to imply that at the time at which it was granted there was a provost of the burgh. That office was sometimes held by the Earls of Airlie, bailies of the regality. The Abbey, after the Reformation, continued to be represented in the burgh magistracy by one of the bailies. This old right of the monastery descended to the Marquis of Hamilton, as lord of erection, notwithstanding that the town had meanwhile received the rank of a burgh royal, and accordingly the Marquis was in use, through his commissioner, to appoint one of the magistrates. On the Earls of Panmure acquiring the lordship of the abbacy, this right vested in them. It was lost by the forfeiture in 1716, from which time the burgh and its Town Council have elected the whole of their magistrates.

The sett of the burgh took the form of an Act of the Town Council, ratified by the Convention of Royal Burghs. The Town Council record containing the sett of the burgh is lost, but the sett is preserved in the records of the Convention of Burghs. In the year 1708 the Convention, for the prevention of irregularities and abuses in municipal elections, appointed each royal burgh to send up its sett to the clerk of the burghs to be recorded. The record of the burgh of Arbroath is as follows :

Sett of the Burgh of Aberbrothook conforme to the ancient custome of the burgh and acts of the Town Council thereof.

1^o The Council of the said burgh must consist of at least seventeen and not above nineteen (the present magistrats included) whereof the conveener chosen by the deacons of trades *ex officio* is always one, who at the election of magistrats has two votes, one as conveener and the other as councillor.

2^o None can be on the leit to be a baillie but he that exercised the office of a treasurer within the burgh, and none can be on the leit to be a provost but he that has been a baillie, and the baillies are only capable to be elected two years without intermission, and a provost three.

3^o The old council, previous to leiting, choses the new, and then the new council sua chosen leit two provosts and four baillies, which leit is sent yearly to the Earle of Panmure and his lordship choses a baillie, who is the first baillie of the burgh.

4^o After the Earle of Panmure has chosen his baillie, and the leit returned, the clerk transmits

copies of the leit to the respective incorporations, each of whom have a vote in the election of magistrats, and they impower one or two of their own number to go through each incorporation and take up the votes, and thereafter the council chosen as above meet, where those appointed by the incorporations appear and give in their votes, and the council elects a provost and another baillie out of the leit to serve for the ensuing year.

5^o In case of an equality of votes anent the election of magistrats or others, the provost, as praeses, or in his absence the next magistrat present at the time, has the casting vote, besides his vote as a counciler, providing he take the first vote as such.

6^o All commissioners to parliament and convention of burrows are chosen by the town council.

Extracted forth of the records of the town council of the said burgh, upon the twenty sixth day of June jm vije and ten years, by me

Sic subscribitur : GEO. ADAM, clerk.

This sett of the burgh had doubtless in substance been in operation from about

the time of the erection of Arbroath into a royal burgh. As stated later on, it was modified in 1725 by the institution of the Guildry, and again, in 1821, in compliance with a desire for popular representation. As a directory for the conducting of municipal elections, it was set aside by the passing of the Burgh Reform Act.

CHAPTER VIII.

CONVENTION OF ROYAL BURGHS AT ARBROATH.

IN the year 1606 the commissioner from Arbroath to the Dundee Convention of Royal Burghs was David Ochterlony, who was again present at the Convention held at Crail in 1610, and at the one at Stirling in 1611.

The Convention of Burghs held a meeting at Arbroath in 1612. The meetings, which extended over three days,—the 7th, 8th, and 9th July,—were probably held in the parish church. The church was the only building in the burgh at the time in which they could have been held conveniently. It was commonly used as a court-house and for other secular purposes. Several burghs—Jedburgh, Tain, Rothesay, Nairn, and Lochmaben—were fined for absence, but the Convention was largely attended. This considerable influx of the magnates of the Scottish burghs must have caused a strain on the lodging accommodation of the burgh, which was then but small. But the town contained burgesses of some substance, and the neighbouring landed gentry, who were also burgesses, had houses within its boundary, so that a decent lodging was no doubt found for every provost, bailie, and councillor who on this occasion honoured Arbroath with his presence. The Corporation itself extended its hospitality to the Convention. Among the accounts paid by the treasurer were: 'To David Lyel for wyne that the commissioners of burrowis drank quhen they sat heir vj lib. To Alex. Crestie for aill to the said conventione iiij lib. And to Johne Rennie, baxter, for ane peck floure of bread, and balking thairof to the said conventione iiij s. To Thomas Cuming for ane pund of butter to the bread vs.' This bread was probably a sort of fancy bread, what is described in the treasurer's accounts as 'scortchettis,'—shortbread, or cake. The treasurer's accounts contain a record of some other payments in connection with the Convention at Arbroath. An item of £6 for wine and sugar to the provost of Aberdeen appears to relate to this meeting, and there was one 'for aill to the commissioner of Montrose, when he cam from the conventione of burghs, vs.' There was paid 'to the post that brocht the billis for keeping of the conventione of burrowis haldin in this burgh xiijs iiij d,' and 'to the comoun post to

carie the billis for keeping of the said generall conventione of burrowis halden heir xx lib.¹

At the Arbroath Convention, Thomas Pierson of Lochlands and David Ochterlony were the commissioners for the burgh. It was customary for the Convention to choose as its moderator, or president, a commissioner from the burgh in which it held its sittings, and to this office Thomas Pierson was chosen. The Convention began its work each day at a primitive hour. It sat from eight o'clock in the morning till twelve at noon, and from two till six in the evening. Fines were imposed for being late and going away before the hour of adjournment. No commissioner was allowed to address the Convention till he had asked leave of the Moderator to do so, and had obtained his consent. As to the business transacted, a good deal of it had reference to unfree traders resident beyond the liberties of the burghs. The burgh of Forfar was specially enjoined to make greater diligence than it had been doing against unfreemen in its district who presumed to trade. At the Convention which met at Dunbar in 1613, Forfar reported its diligence in this matter. The Town Council had 'caused the inhabitants of Kirriemuir to desist from using of merchandise.' At the Arbroath Convention, the Montrose commissioner was instructed in the same way. There was some unfortunate Montrose man who had been deprived of his position as a burghess, and who yet continued to trade: this person was to be restrained and punished. A like order was issued to some other burghs. Glasgow, Dumbarton, and other towns in the west, were enjoined to rectify the measure and tightness of their barrels of salmon and herring. There was a question as to the teinds of herrings in the Isles, about which a negotiation was to be gone into with the Bishop of the Isles. Glasgow and other towns were enjoined to repair their causeways. A question of privilege came up, instruments being taken by the commissioner of Linlithgow against a letter from the Archbishop of St Andrews, in which he described himself as superior and lord of that burgh. This was the principal business on the first day of the Convention's sitting at Arbroath. The proceedings on the second day opened with the deprivation of 'outland burgesses' of various burghs. The right of the Flemings to fish in the Hebrides was under consideration, and the Convention was called on to settle sundry disputes between Wigtown and Ayr, Cupar and St Andrews, Dunfermline and Stirling, all as to matters of trade and the rights of freemen. Stonehaven petitioned for help to repair its harbour, and each burgh was requested to make a voluntary contribution for that purpose. On the third day the state of Arbroath harbour was considered. The burgh of Brechin petitioned for the king's authority for a general impost for the repair of their bridge, but the matter was continued, as was also a petition from Glasgow for an impost. Authority was given for an impost to Ayr for its harbour. There was heard a complaint by the burgh of Forfar against Brechin.

¹ Burgh Court-Book.

It bore that the deacon of the cordwainers at Brechin every market-day in that burgh molested the cordwainers of Forfar, under pretext of visitation of their shoes and other work, the consequence of which was that they lost the market. No doubt this 'visitation' was undertaken in order to protect the Brechin shoemakers from the competition of their fellow-tradesmen from Forfar. The commissioners from the two burghs having stated their case, the Convention ordered the deacon of the cordwainers in Brechin to desist from all such visitations in time to come as had been complained of, but without prejudice to the right of the Magistrates of Brechin to confiscate insufficient work within their burgh. The Convention sent a letter to the Privy Council respecting a proposed conference for reform of the Book of Rates.¹ The three days' sittings of the Convention in Arbroath were closed after the next general Convention had been appointed to be held at Dunbar.²

No commissioner from Arbroath appeared at the particular Convention which was held at Edinburgh in October 1612, and the burgh was fined £40 Scots. At the Dunbar Convention in 1613, Arbroath was represented by David Ochterlony. The burgh was again one of many that were absent from the Edinburgh meeting in September of the same year, and another fine of £40 was imposed. But this fine was remitted at the Kirkcaldy meeting in 1614, on the ground that the burgh had not been warned to attend under penalty. Arbroath was represented at the Kirkcaldy Convention by David Pierson.

CHAPTER IX.

BURGH AFFAIRS IN THE FIRST HALF OF THE SEVENTEENTH CENTURY.

THE Court-Book of the burgh beginning in 1605, extends to the year 1647. It is inscribed: '*Aspiet ceptis Jesus. 1605. Computa burgi de Abirbrothok, per me Magistrum Alexandrum Peirsonem clericum eiusdem conscripta, teste meis signo et subscriptione manualibus. A. PEIRSONE, N.P.*'

The first part of the book consists of a list of feu-duties within the burgh. This list is followed by the accounts of successive burgh treasurers. The first of these is from Michaelmas 1605 to the same term in 1606, in which year George Pierson was treasurer. This is the earliest complete account of intronisations with the common good of the burgh. The charge was entered as follows:—

'Annuellis lvij lib common fauldīs males iijc xxxv lib vjs 8d Mylne males xlvj lib xvij 8d locht males xvij lib vjs 8d Mairden maelēs vij lib richartsones

¹ Privy Council Reg. ix. 742, 743.

² Records of the Convention of Burghs, vol. ii. pp. 341-359.

maeles iiij lib xiijs 9d customes and anchorage liij lib vjs 8d Item for craik for the last pairt of his fredome [of the burgh] xls Joⁿ spink zounger and ninian spink his brother for the last pairt of thair fredome xls equallie betuix thame Item w^m ouchterlony James fethe cordiner w^m hill for the second pairt of thair fredome ilk ane of thame ls Item the Laird of guthrie for his fredome x lib charles fethe and andro vichtones fermes arrestit for payment thair of to be payit betuix youll and candilmes nixt Item gilbert gardine for his fredome marieng ane burgess dochter v lib gras in the toune sett to thomas ramsay quhilk ves allowit in his last compt and now dischargit Item the hors and key [cow] gras xxxij lib Item the gras of madigramis croce bullishill and newgait gyfin and set to ro^t crugshank for this zeir v merkis xs Item to be vptaking fra James ouchterlony v lib vnlaw for miscalling andro eliott thesaurer for the tyme Item dauid ouchterlony maltman and James gardine his nychbour in mercatget ilk ane of thame con^{vict} in xvjs vnlaw for nocht kepinge brige port sufficientlie conforme to the actis in tyme of pest Item thomas nicolson & henre kynner ilk ane of thame convict in xvjs vnlaw for troubling vtheris in the myln Item w^m schakart convict in ex lib vnlaw for striking w^m bischope seman in Dundie vpon the face with his hand and als for strikinge of him vpon the bak with his kneff and effusinge his bluid thairwith Item the said w^m bischope convict in x lib vnlaw for strikine the said w^m schakart and effusion of his bluid.

The following was the discharge of the treasurer in the same year :—

'Item to Joⁿ bardie and thre vtheris with him for beringe and leyinge together of the stones at the brig ende xxxiijs 4d Item to dauid rynd for mendinge of the calsay at lordburneheid ij lib Item to alex^r smyth and andro chryste for nailles and mendinge of the auld kirk door vs Item vpon the precept giffin to mr alex^r kynneir x lib Item spendit vpon S^b ninians ewin vpon my self and officiaris vjs 8d Item to ilk ane of your officiaris xls 8d Item to the menstrallis that day the merches vas rydinge xxvjs 8d Item for ane row of reid vax to seill your commissione xijd Item to dauid ouchterlony quhen he ged to the conventione of burrowis xxv merkis Item for nailis to mend the stuillis in the kirk vjs 6d Item to the menstrallis vjs 6d Item for ane barrel powder veyand vj pund and half v lib 4s Item to Joⁿ barde for careinge of lym and sand to the brig ijs. Item to ninian Logie for ij dailles to the portis xxs Item to the minister [Dr Philp] xxx lib Item to Andro chrystie for the mendinge of the portis xxxs iijd Item to Dauid Smyth for x vark nailis to the kirk port xld Item to him for xxx plensone naill to the kirk port and deidis door xxxd Item to Andro chryste for makinge of the gibott and setting of it xs Item to Andro chryste for fixing the tymmer and dailis at the myll vjs 8d Item to Andro chryste for nailis and nailling of the brig port ijs iijd Item to robert hunter for mendinge of the gutter stane at ninian vats door xld Item to Dauid Ouchterlony bally and me Dauid Peirson directit commissioneris to Dundie to inquyre anent the pest iiij merks.'

From this account it appears that the revenue of the burgh consisted of rents of grass, the meal-mill, customs, shore-dues, rents of sundry properties, besides feu-duties, considerable sums paid by burgesses on their admission, and fines imposed upon offenders. The disbursements include payments for keeping the properties of the burgh in repair. The 'brig-end' was the Lady Bridge. The 'auld kirk,' the door of which Alexander Smith and Andrew Christie were paid for mending, was doubtless the Abbey Church. The Lady Chapel is always described in the records as the 'Chapel,' and that building was not at this time the property of the Magistrates, for on 3rd April 1592 they conveyed to 'Andrew Ochterlony, burges of the burgh of Arbroath, a tenement of the said burgh formerly called St Mary's Chapel, lying on the west side of said burgh.'¹ The Chapel had been sold soon after the parish church was built and opened for worship. That church was quite a new building in 1606. The reference is therefore to the Abbey, as is also the item of '30 plensone nails to the kirk port and deidis door.' The 'kirk port' was the principal entrance to the Abbey Church. The 'deidis door' was the eastern entrance to the burying-ground. It obtained the name from its having been the gate through which the dead were formerly carried for interment, and it continued to be known as the 'deidis door' down to the beginning of the nineteenth century. The kirk, for the mending of stools in which, as stated in the treasurer's account, 6s. 6d. was paid, was the parish church. There were no pews in the church at that time, pews being a later introduction in most churches. The stools referred to in the record were probably those of the Magistrates.

The grass on Boulzie Hill appears from these accounts of the burgh treasurer to have been a property of the Corporation in the beginning of the seventeenth century. It was regularly let year by year. In 1608, it and the grass of Madiagraham Cross—a piece of grass land adjoining Seagate, supposed to have taken its name from an ancient cross which had stood there—were let for £4; the grass between the mill and the Chapel was in the same year let to Thomas Ramsay for 20s.; and the grass of the bleicher [bleaching] green at the shore, near Danger Point, was let to Charles Fithie for 8s. The ground from the mill to the Chapel, the mill being situated near the modern Brothock Bridge, was called the Paramour Dykes, and it was generally under that name that the grass was let. The name appears to have been derived from a family of the name of Paramoris, who in the fifteenth and sixteenth centuries had property in the neighbourhood. The grass of the Common Loans, from Demmorled up to the moor, was let for 50s. in the year 1618, and that of the common-fauld gates [roads] for 40s. The grass from the mill to the Green Yard was let for 3s. 4d. In 1627 the grass of Ladyloan was let for £60; that of West Inches for £33. The grass of Hercules Den is entered in 1638 as contributing to the revenue of the burgh, and also that from Millgate to the 'Pethfit.'

¹Burgh Register of Sasines.

The items in the treasurers' accounts for repairs relate largely to the bridges, the ports or gates of the burgh, and the mill. The bridge at Ladyloan, or the Shore, was stone; that at Millgate was of wood, and was of the simplest possible construction. In 1607, 6s. 5d. was spent for mending the bridge at Millgate, and it had to be repaired again in 1610, when the operation cost 16s. The mending consisted of putting trees, crossed by planks of wood, over the stream. Some of the repairs made upon the ports, as appears from the account for 1605-6, were done with the view of keeping out the plague. Andrew Christie and other tradesmen received payments for such services in 1607 and 1608.

It will be observed that in the account for 1605-6 there is an item of payment to Andrew Christie for making a 'gibbot.' Supposing that the article thus described was a gallows, which is not very clear, this is one of the few allusions in the burgh records to the punishment of death. The extreme penalty of the law appears to have been rarely executed within the burgh. The following extract from the Court-Book, under date 7th April 1623, contains a reference to capital punishment:—'The same day James Low compeired judicially and accepted vpon him banishment and neuer to be fundin be nicht or be day within any part of this burgh or territorie heirof vnder the pane of death.'

Workmen engaged in the business of the burgh were plentifully supplied with liquor. In the accounts of John Aikman, treasurer in 1608-9, there is an item of 8s. for 'costing of Lordburn dykes,' and, at the bailie's command, 3s. were given to the workmen for drink. Such entries about this time are frequent; indeed, allowances for drink to the workmen—sometimes there is such an entry as 'mair for drink to the varkmen'—constituted an ordinary item in the cost of work. Our ancestors of this period were given to festivity. We have no suggestion in the accounts of the successive treasurers of any ascetic influence exerted by the then recently established reformed religion. Saints' days were observed with mirth and music, and St Thomas' Day was specially honoured in this respect. The Corporation paid minstrels to discourse what music they could to the burgesses, and these minstrels accompanied the Magistrates at the ceremony of riding the marches. The escape of King James and his Parliament from the treason of Guy Fawkes was annually observed by the burning of some gunpowder and the drinking of wine; and the same monarch's deliverance from the earlier Gowrie conspiracy was commemorated by the loyal burgesses, who, with the Magistrates, drank wine to his Majesty's health, the minstrels playing the while. In 1610, the Incorporation of Wrights had a dinner, and the piper and fiddler who played at it had, at the bailie's command, 13s. 4d.

During the twenty or thirty years immediately succeeding the granting of King James's charter, a large number of landed proprietors, as well as freemen of other burghs, were admitted burgesses of Arbroath. These admissions offered an occasion for festivity which was not allowed to pass unimproved. The burgess

paid 'for his fredome and burgess banquet.' Thus, in 1610, James Peter had to pay £13, 6s. 8d. for the honour of being made a burgess and being permitted to entertain the Magistrates.

It was not only workmen who were treated to libations of ale at work, or the burgesses who were entertained with music on holidays; visitors of distinction to the burgh had hospitality extended to them somewhat in the same manner. Two centuries ago, traces of the ancient close alliance between France and Scotland were still common in the habits of the people, and we have such a trace in the practice of the Scottish burgesses of presenting confectionery stuffs, along with more solid viands, to distinguished visitors to their burghs. The Arbroath treasurers' accounts contain many entries of this kind. In the discharge for 1609-10 there is this item: 'four buistis of comfettis when the Bishop and the Earl of Crawford were here xlviiiis;'. 1610-11, 'for sugar when my Lord of Montrose was made a burgess xviss;'. in the same account, 'for two buistis of comfettis to Alexander Peter that night the Lady Marischall was in David Ochterlonys xxviss 8d;'. for wyne and sugar to my Lord of Burlie xlvis;'. to Katherine Hailes at command of the auld bailie for wyne to my Lord Marques [of Hamilton] xxxiis.'

Among some personal items there is, in 1608, a payment of 10s. to John Smith for bearing a letter to Edinburgh; in 1610, 26s. 8d. was disbursed for a journey to Montrose. These items occur in 1611: For the first time the said treasurer [Robert Lyell] rode to Forfar for his horse hire xiiis 4d. Item in the gudeman of Lours for Mr John and him xiiis. Item in Forfar for themselves and their horse xxvi 8d. Item to Ludowick Guthrie to run with them vis.' There was paid to the bailie 40s. to ride to the justice of peace [Justiciary Court] holden at Brechin. 'Wapon schawings,' equivalent to rifle practice in the present time, continued to be held regularly at every Scottish burgh in the seventeenth century, and the treasurers' accounts show payments for gunpowder for this purpose, 28s. 4d. being paid for twenty ounces.

The salmon fishings of the burgh were let in 1606-7 to David Ochterlony, on a fifteen years' lease, at the annual rent of 24s. In 1625, the salmon fishings, 'together with all other fishing within the hail bounds of the burghs liberties of the water of Brothok,' were leased for thirteen years to Andrew Wood for the yearly rent of 40s. These fishings were situated at the 'water mouth.' Much care was taken about this time to keep the Brothock in a pure state. There are frequent entries of payment of wages to workmen who were employed in cleansing the channel, particularly at the mouth of the burn. A century afterwards, as appears from the treasurers' accounts at that time, the payments for 'redding the burn mouth' were still continued.

If there was a good deal of merry-making in the burgh in the olden time, we find also that in the first half of the seventeenth century offences were somewhat

numerous, considering that the population at that time was only about fifteen hundred. It is in the record of the treasurers' receipts that we get information as to this matter also. The account for 1605-6, it will be observed, contains several such entries. A few others may be given. In 1610, the two officers of the Magistrates were in the list of offenders. John Schakart and William Mikesone were each fined 16s for abusing their offices in pounding James Law, maltman. Jonat Schakart was fined 16s for misreporting [slandering] Elspeth Ochterlony, spouse to William Mudie; and she was fined in another 16s for striking Catherine Ballantyne, her servant. This had been a complicated women's quarrel, and the baillie also fined 'the said Elspeth and Catherine ilk ane of them xviss for misreporting the said Jonat.' Robert Raitt, Montrose, was ordained to pay £10 for the effusion of the blood of James Low, maltman; £10 for the effusion of the blood of William Durward; £5 for the drawing of a knife, wherewith he struck them; and 16s. for troubling the town. In 1611, James Strachan and Alexander and David Spink were each fined 16s. for 'having stoupis [ale measures] not sufficiently conforme to the gauge.' David Christie was fined 40s. for not putting his meal to the market, refusing to sell the same to the neighbours, and forestalling the market. This offence was punished with greater severity than slander or 'troubling the town,' the ordinary penalty of which was a fine of 16s. That was the penalty, too, imposed upon one Thomas Young 'for giving irreverent language at the bar.' Ninian Spink was fined 16s. 'for abusing his father and breaking his bucket and stoup at the well.' A fine of £10 was the usual penalty for assault to the effusion of blood. It was inflicted on John Hailes, mariner, who assaulted 'ane poor man.' From the case of Robert Raitt it appears that there was an extra fine of £5 when a weapon was made use of. There was a case of that kind against Thomas Lyel, James Alexander, and Thomas Simpson, who were each fined £5 for drawing their swords, and £10 'for the effusing therewith of the blood of Thomas Hay.' Andrew Christie was fined £5 'for striking William Inglis and his wife in their own house, under silence of night, drawing ane dirk to have stricken them with.' The Magistrates, in the exercise of their criminal jurisdiction, appear to have taken notice of some things which were done beyond the bounds of the burgh. For example, they fined John Jack 32s. 'for striking ane poor man in the Grange of Conan.'

From the district, complaints of violence continued to come occasionally before the Lords of the Council. On 23rd October 1622 there was a petition 'by Walter Leslie in Dentoun-mylne of Gairne, tenant and servant to William Ruthven of Gairne, and by his master for his interest, and William Hynd, father-in-law of Walter,' alleging that 'James Graydene of Pressok, with Gilbert Graydene, burgess of Abirbrothok, John Henderson there, and others, all armed, came between 12 and 1 o'clock at night to Leslie's dwellinghouse, where he, his family, and William Hynd were in bed. They surrounded the house,' and with violence constrained Leslie to submit, 'and they carried him captive to Abir-

brothok, where they kept him prisoner for some time, until he was compelled for the sake of liberty to sign three bonds to the said James Grayden of certain sums of money, with a renunciation of his right and kindness of the said mylne of Dentoun, &c. Further, when they seized Leslie, the said persons 'trode, tramplit, and bruist' William Hynd, 'ane ageit wake man, lying in his bed, in such a manner that he has since lain bedfast in peril of his life.' The petition, with its allegations, was purely a civil action, its object being to cause production of the bonds and renunciation referred to. On 13th January 1625 there was a complaint to the Council by Walter Innes of Segetmiln, alleging assault and spoilation. The complainer had bargained with a county laird to deliver to him 'ten last of kelling' (cod) for the sum of 1200 merks. He received the money, but, having 'set out homeward, and gone into the town of Abirbrothock by the way, he was followed thither by the buyer, with some of his friends, all armed, and learning that he was in the house of Mr Patrick Carnegie, they went thither early in the morning before he was out of bed and entered the house,' alleging that the complainer had been paid a larger sum than 1200 merks. They first desired him to let it be counted; but as he refused to trust his money in their hands, 'they then, as he was lying in his bed, held drawn quhingeris to his breast and threatnit him with death to lay down the money unto thame.' The upshot of it was, according to the complaint, that the money was counted out, put into a purse, along with some more money and two gold rings, and carried away, Innes at the same time being maltreated. This was the accusation made by the petitioner. It was treated by the Lords as a matter for evidence in a civil action.¹

The record of the administration of the burgh in the earlier part of the seventeenth century begins in 1617, twelve years after the date of the first of the treasurer's accounts in the same volume. It is entitled, 'Second Court-Book of the Actis of the Burgh of Aberbrothok,' and the writer was Alexander Pierson, Town Clerk. The first minute is of 3rd September 1617. At that time Thomas Pierson and John Grainger were bailies. The election of magistrates in 1617 took place on 6th October, and the mode in which these elections were then gone about appears from the following minute of the proceeding:—

'The quhilk day the saidis baillies dimitting their offices be laying doune the wand of iustice removing furth of iugement Mr Patrik Carnegy is electit and choesin baillie for my lord marques of Hamilton Lord of Arbroith be vertew of my Lord Carnegyes Letter iudicialle productit haiffing commissione to that effect of my lord Marques David ramsay is electit baillie for this burgh for this yeir incuming be pluralite of voittis of the nychbouris theirol Quha sittand doune in iudgment gaiff thair aythis de fideli administracione to exerce iustice and iudgement without fead or favor'

The councillors elected were: 'George Pierson, M^r Jhone Granger, Thomas

¹ Register of Privy Council, xiii. 762, 670.

Piersons, Jhone Aikmane elder, M^r George Aikmane, Alex^r Rynd, Alex^r Peter, Robert Lyne, Andro Eliot, James Wood, Jhone Ochterlony, Robert Ochterlony.' The lyners appointed were all members of Council, the dyke-prissers were burgesses not in the Council, two of the four flesh and skin prissers appear to have been in the Council, and the same two were flesh-market overseers. The meal-market overseers were not in the Council, but, like the other officials, they were appointed by that body. Two constables and three officers were appointed. The bailies made as well as administered law, and they sometimes did so of their own authority, without the advice of the Council, as appears from the following with regard to trespass on corn lands, which was enacted on 18th May 1630 :—

'The quhilk day the Baillyes statutt and ordaned that no persone nor persones with cairt or hors cum vpon their nybouris lands efter the same salbe sawin with cornes or teild to the heid fur and that the pairtie failleour for the first falt sall pay 16s for the second falt 32s and so furth quhair of the ane half to the thesaurer to the behove of the toune the vther half to the pairtie grieved and that besyd and attour [over and above] the prysed skeyth.'

Besides the Burgh Court-Books, the records of the Convention of Burghs and the Register of the Privy Council preserve the names of members of the Town Council and other prominent burgesses in the early years of the seventeenth century. A complete list of the Town Council in 1600—the year after the granting of the burgh charter—is given in the band entered into by the members, under penalty of £1000, not to take any part in the feud between the Earl of Crawford and Lord Ogilvy. The Council consisted of Thomas Persoun, Johnne Aikman, Thomas Ramsay, bailies, and Alexander Wode, Patrick Balfour, Johnne Haillis, Robert Lyn, Robert Murray, Andro Auchterlony, Andro Dunlop, Andro Eliot, Abrahame Creychtoun, and Robert Persoun.

The burgh was represented at two meetings of the Convention of Royal Burghs in 1616 by Andrew Elliot, who attended the first of these Conventions, and by John Grainger, who was commissioner to the second; David Ramsay was commissioner in 1620; John Grainger in 1626; James Persoun in 1628; and David Ramsay in 1649 and 1650. At a Convention held in 1617 attention was directed to irregularities in the election of magistrates in the burghs. Arbroath and several other burghs were specially ordered to produce the form of their election, and the order was repeated two years afterwards. On neither occasion did Arbroath comply with the order. The first time the burgh was fined £20 for its non-compliance; the second time, £40. St Andrews, Selkirk, and Stirling were similarly fined.

When James VI. visited his native kingdom, in 1617, he went to Kinnaird Castle and hunted on Montrethmont Muir. All the parishes between Dundee and Kinnaird were required to provide transport for his bag and baggage. Among those parishes, Barry supplied 8 carts 16 horses; Panbride, 15 carts 30

horses; Carmyllie, 8 carts 16 horses; Arbirlott, 20 carts 40 horses; St Vigean, 20 carts 40 horses; Inverkeilor, 20 carts 40 horses.¹ The figures give a rough approximation to the relative population and wealth of the parishes at the time. On the occasion of the king's visit the Magistrates of Arbroath were required to provide suitable entertainment for some of his followers. A note of preparations for the king's visit states that, it being considered probable that some of his train and followers should 'make their address for lodgings in Forfar and Arbroath,' the Magistrates were written to for the purpose of causing the towns to be well and abundantly furnished with all kind of 'vieuers' for men and horse, and with good napery and bedding.²

CHAPTER X.

REPRESENTATIVES IN PARLIAMENT—THE CIVIL WAR—ARBROATH SOLDIERS AT ABERDEEN—THE ABBEY AND THE PRELATES—THE BISHOP OF MORAY—WAR TAXES—THE MARQUIS OF MONTROSE AT ARBROATH—CROMWELL'S SHIPS AND CARMICHAEL'S GUNS—THE RESTORATION—THE EARL OF PANMURE AND THE TOWN—THE WARDMILL—APPEARANCE OF THE TOWN IN 1685—NEIGHBOURING ESTATES.

THE volume of records from which the illustrations of burgh life in the earlier part of the seventeenth century are derived, beginning two years after the accession of James VI. to the English throne, terminates two years prior to the execution of his son, Charles I. Of the great events to the nation which were crowded into the later years of that period the record contains no trace whatever. But Arbroath, by its successive commissioners in Parliament, took some part in what was going on. From a period shortly after it obtained its charter, the burgh was continuously represented in the Scottish Parliaments till their abolition at the union in 1707. James Pierson ['Pearson' in the Acts] was commissioner for Arbroath in the Parliament of Charles I. which met in 1628.³ The burgh was represented in 1639-1640 by David Ramsay; in 1643-48 by John Ochterlony, in 1649 by David Ramsay, in 1654 by Sir Alexander Wedderburn of Blackness, in 1658 by Laurence Oxburgh. The latter two were the successive commissioners from this group of burghs to the English Parliament in the time of the Commonwealth. After the Restoration, the burgh commissioners to the restored Scottish Parliament were John Ochterlony, 1661-1662; Harie Fithie, 1667-73; John Kid, 1678-86; Patrick Stevine, 1689-1700; and John Hutchison.

¹ Privy Council Reg. x. 118.

² Melrose Papers, i. 290.

³ Acts of Parl. of Scot., v. 126.

1703-1707.¹ A majority of the commissioners were probably provosts of the burgh. It appears to have been the practice of the Town Council to elect their provost to represent them in Parliament, as well as in the Convention of Royal Burghs—a practice which must have added much to the importance of the office.

When David Ramsay first took his seat in Parliament the country was in the midst of the civil war. In the year 1639, there was a regiment of 'Angous men' at Aberdeen on the side of the Covenanters. The regiment comprised an Arbroath contingent, and Spalding relates that 'they took ane of the tounes cullouris of Abirdene, and gave it to the toun of Abirbrothokis soldiouris, becaus thay had none of thair owin, and quhilk wes not thair kynd to cary.'² It has been supposed that the Arbroath soldiers got a present of the Aberdeen flag as a reward for their gallant conduct, but the chronicler is silent on the point.

Through its Abbey as well as its soldiers, Arbroath had a connection with the civil disturbances of the seventeenth century. In the 'Charge of the Scottish Commissioners against the Archbishop of Canterbury and the Lieutenant of Ireland,' it is brought against them that they endeavoured 'to gane from the noble men, for the benefit of prelatie and their adherentis, the abbacie of Kelso, Abirbrothoc, S. Androis, and Lundoiris.'³ The charge was founded on a correspondence between the Bishops of St Andrews and Ross. Laud and Strafford were able men, but they would certainly never have succeeded, however earnestly they might have tried, in persuading 'the noble men,' the lords of erection, or their successors, to give up the abbacies.

The war between Crown and Covenant was an unfortunate business for prelates generally. One of them, the Bishop of Moray, was driven by the stress of the time to seek retirement in Arbroath. Spalding says of him, under date 1641:

'The sum tyme Bischop of Morray is set to liberte out of the tolbuith of Edinburgh, vpon cautione, and he gois to Angous, quhair with his brother — Guthrie, minister at Arbirlot, in Guthrie, and Abirbrothok, now and then he quyetlie remains, and neuer cam bak to Spynne agane.'⁴

In the following year the Bishop was joined by his wife and sons:

'Alusie, the bischopis wyf leaves Morray, and conveyit be his two sons, Mr Johne Guthrie, person of Duffus, and Mr Patrik Guthrie, cam to Old Abirdene vpon the 13th of May [1642], and from that past touardis Angous, hir husband remaining in Abirbrothok, who had neuer sein vther since hir husband wes takin south.'⁵

The Bishop of Moray and his brother, the minister of Arbirlot, were of the family of Guthrie of Guthrie.

In the spring of 1644, the Marquis of Huntly being then in arms against the Parliament, a Committee of the Estates was appointed, with instructions to 'go towards the north, and to have the government of the affairs of the forces to be

¹ From the Rolls of the Parliaments.

² Memorials of Trubles, p. 364. ⁴ *Ibid.* ii. 80.

³ Mem. of the Trubles in Scot. and Eng. i. 199.

⁵ *Ibid.* ii. 142.

sent thither, and to give their best advice and assistance to what may conduce to the good and safety of the same.¹ John Ochterlony, commissioner for Arbroath, was appointed a member of this Committee of the Estates, which was invested with virtually supreme authority, superintending the administration of affairs in the northern counties, and acting at the same time as a council of war. From his appointment on the committee to whom Parliament at a critical juncture had delegated its authority, it may be assumed that Ochterlony was regarded as a man of capacity and influence. On being re-elected a member of the third Parliament of Charles I., which met in 1644, he was again appointed on the Committee of the North. Subsequently, when Parliament appointed committees of war for the several shires, John Ochterlony was nominated on the committee for Angus.

Parliament, on 26th February 1645, passed an Act for the maintenance of the army. It required Arbroath to provide 10 men, and a monthly pay of £90; Dundee, 186 men, and £1674 monthly; Montrose, 53 men, and £477; Brechin, 20 men, and £180; Forfar, 6 men, and £54.² The proportions were fixed according to the taxed rolls of the burghs. The war taxation was altered from time to time. On 20th February 1647, the monthly payment by Arbroath was fixed for nine months at £81,³ and on 7th March 1649 it was ordered to be for three months at £97, 4s.⁴

In the spring of 1645, the civil war came close to Arbroath. On the 5th of April in that year, the burgesses, when they got out of bed, were probably a little surprised when they heard that overnight they had had a visit from the Marquis of Montrose and his wild Highlanders. Things were then going very badly with the Royalists; the game was nearly played out. In Scotland, the great Marquis, one of the last to keep the field for King Charles, had descended into the low country at the head of the Highland clans, carrying fire and sword wherever he appeared. But with his former friends the Covenanters in his front, Montrose deemed it prudent to fall back from the passes of the Forth to Dundee, which he partly sacked and burned. General Baillie, who was lying with his army at Perth, hearing of the march of Montrose to Dundee, immediately proceeded thither, and the Marquis withdrew his men towards Arbroath. Many of them were intoxicated, the wine cellars of Dundee having been broken into by the Highlanders, but the Marquis continued to retreat in fairly good order. Baillie had entered Dundee from the west just as Montrose was leaving the town by the eastern port, and two divisions of his army followed close in pursuit, one of them taking the coast road, which the Royalists had taken, and the other division striking inland, towards Forfar, with the view of cutting off the retreat of Montrose in that direction. The Marquis arrived at Arbroath about midnight; but an open country, with the sea on one side, and the enemy by skilful dispositions seeking to close him in, was not

¹ Acts of Parl. of Scot. vi. 91, 92. ² *Ibid.* vi. 171. ³ *Ibid.* 211. ⁴ *Ibid.* 402.

a safe situation, and accordingly Montrose, without resting at Arbroath, continued his retreat to the Grampians. His retreat was a masterly manœuvre, but neither it nor the victories with which it was followed up were sufficient to sustain the sinking fortunes of the Royalists, or to preserve either the king or his general in Scotland from perishing by the hands of the common executioner.

On 15th December Colonel Smart's regiment was ordained by the Scottish Estates 'forthwith to march to Arbroath, and quarter there till they receive further notice.' The quartering of soldiers on the burghs was frequently felt and complained of as burdensome, and thus, under date 9th February 1649, the following order occurs with regard to a petition from Arbroath :

'The Estats of Parlemt having taken to thair consideratioun the supplicatioun of the baillies Counsell and Comuntie of the burgh of Aberbrothok craving four hundreth men under the command of Colonell Johnne Innes quartered upon the said burgh be the space of fyve weeks outrun to be removed aff the said burgh of Aberbrothok and that in regaird not only of the oppressiounes plunderings locall and transient quarterings endured be the said burgh bot also in regaird of thair great straits both of meat and fyre as the

said supplicatioun at more length bears qlk being taken into consideratioun of the saids Estats of Parlemt they give and graunt warrand and command to the said Colonell Innes for removing of the said four hundreth men aff the said burgh of Aberbrothok to the toun of Dundee and that becaus the said four hundreth men hes assigned to them the hail shyre of Forfar for thair winter quarters wtin the qlk shyre the said toun of Dundee lyes.'¹

It must have been a serious matter for the little community which Arbroath then was to have had four hundred soldiers quartered upon it, and which burden was independent of the monthly payments that were required to be made under the Act of Maintenance. A detachment of the regiment commanded by Colonel Innes was stationed at Forfar, and on the same day in which Arbroath obtained relief, and for similar reasons, the Forfar detachment was also ordered to remove to Dundee. This was done on the petition of the 'Provost, Bailies, Counsell, and community of Forfar.' But such relief in these times was only of short duration, and thus it is found that on 1st June 1649, Wedderburn's regiment was 'ordered to quarter at Arbroath.'

After the death of Charles I., and in connection with the effort of the Scots to maintain the monarchy in the person of his son against the forces of the English Commonwealth, there occurred a memorable incident in local annals. This was an unsuccessful attempt made by Cromwell or one of his officers to land troops at Arbroath. Charles II. was with his army at Stirling, and the object of the English in seeking a landing at Arbroath was to take possession of Angus, and to shut the gate of the North at Perth. There is a notice in the records of the Kirk-Session of Brechin of this movement of the English upon Arbroath. The record bears that on 2nd July 1651 there was 'no session, neither sermon, this Wednesday, by reason all within this burgh was called to go to Aberbrothock, to assist

¹ Acts of Parls. vi. pt. ii. 170.

them against the pursuing enemy by sea.¹ Not only the people of Brechin, but those of the upper districts of the county generally, were summoned to the coast to prevent the English from landing. Arbroath was never a fortified town, and although there was civil war in the country it was at this time quite defenceless. In that state of matters, its chief men, Patrick Wallace and other burgesses, applied to one Alexander Carmichael, a prosperous shipowner and burgess of Dundee, for the loan of some cannon. Carmichael refused to give the guns until the applicants granted him an obligation 'to re-deliver the said guns free from all skaith, harm, or danger, or else to pay the sum of £500 as the price agreed upon, and that in respect that he forsook the guns were not only liable to great danger *ex sua natura*, but likewise because Aberbrothock was a naked town, wanting walls, men, and skill.' In consequence of this obligation being given, the guns were sent to Arbroath, and they appear to have done good service. That, at all events, was asserted in the Court of Session, where the matter ultimately appeared. In a pleading before the Court by Sir George Mackenzie, King's Advocate to Charles II., it is stated that 'the town of Aberbrothock did owe to the said guns the resistance they made to Cromwell's ships in three several attacks, wherein if they had wanted guns their town had been burnt.'² But although the guns were of use in the defence of the town, they fell into the hands of the enemy. In face of the resistance offered, the English force did not deem it prudent to do more than harass the coasts, and the ships were drawn off from Arbroath. But the English ships were still within sight when the Arbroath men, rather prematurely, were engaged in taking back to Dundee the borrowed guns. This proceeding was observed from the ships, and as it could hardly have occurred to the enemy that the guns were borrowed, and that all that was going forward was simply a return of the loan, it was concluded that the movement along the shore had a hostile object. The ships accordingly opened fire, and the party in charge of the guns were fain to bury them in the sandhills of Elliot or Barry, and beat a retreat. But as the English had observed how the cannon were disposed of, they landed some of their men, who took them on board the ships, so that the borrowed guns were seen no more by their owners. After the Restoration, Alexander Carmichael raised the action for restitution of the guns or their value; but notwithstanding that he had on his side the able advocacy of Sir George Mackenzie, the Court of Session decided the case in favour of Arbroath, on the ground that the cannon were used in defence of the sovereign, and that they were captured in war. The fact that Mr Carmichael lost his case does not seem to have led him to entertain any feeling of ill-will to the town; at all events, it was his son or grandson, John Carmichael, who, having settled in Arbroath, in 1735 instituted the charity known as 'Carmichael's Mortification.' Perhaps these Arbroath guns were included, with the captures which had been made by Commissary-General Whalley along the Fife

¹ Black's History of Brechin, p. 69.

² Works of Sir George Mackenzie—Pleadings, p. 35.

shore, in the statement given by Cromwell in his letter written from Rossend Castle, Burntisland, on 29th July 1651, and addressed to the Speaker of the House of Commons. The Protector speaks of 'great store of great artillery and divers ships having been captured,' and adds: 'The enemy's affairs are in some discomposure, as we hear. Surely the Lord will blow upon them.' The discomposure was very great. It was a few months after this letter was written that Dundee was captured by the Parliamentary forces under Monk,¹ and the whole of this district, as indeed all Scotland, was compelled to acknowledge the English Commonwealth.

In 1651 the English Commissioners in Scotland made propositions with a view to the union of the two countries, and on 16th March the assent of the deputies from Aberbrothock, along with those of other burghs, to the propositions were read before the English Parliament. Thomas Hamilton was appointed deputy from Arbroath to the conference with the Parliament. Ultimately, a scheme for the representation of Scotland in the Parliament at Westminster was devised. In accordance with it twenty members were allotted to the shires in Scotland, and ten to the burghs. Forfar, Dundee, Arbroath, Montrose, and Brechin were represented by one member, and according to an ordinance passed on 27th June 1654, Dundee was appointed to be the place of meeting for the election. On Christmas Day 1655, there was passed 'an order and declaration of His Highness' [the Lord Protector] Council in Scotland for the government thereof, for the more equal raising of the assessment of £10,000 by the month.' Under this ordinance, Commissioners of Excise were appointed for the various shires and burghs. Those for Arbroath were 'the Bailies for the time being, Alexander Kid, John Fithie, and John Auchterlonie, burgesses,' and the Magistrates were also appointed Justices of the Peace of Forfarshire. The sum of £6, 15s was the proportion of the assessment of £10,000 on Scotland which fell to be paid by the burgh of Arbroath. Similar appointments of commissioners were made in 1656 and 1659, and the Acts imposing taxation, passed at Westminster, set forth the proportions to be paid in Scotland.

It may be assumed that the Patrick Wallace who took a leading part in procuring Alexander Carmichael's guns for the defence of Arbroath held municipal office in the burgh, probably as provost. Two years afterwards, in 1653, John Ochterlony was provost, John Ramsay was one of the bailies, and James Pierson was town-clerk. In 1672 the office of provost was held by John Aikman, of the family of Cairnie. Patrick Wallace was provost of the burgh when, in 1675, he mortified, in the hands of the Kirk-Session, 100 merks to the poor.

In 1681 the Magistrates and Town Council took the oath directed against the

¹ Mr Mudie, who was Provost of Dundee when General Monk made his merciless assault on that town, on 1st September 1651, was afterwards

of Gilchorn, near Arbroath.—Dr R. Small's Statistical Account of the Parish and Town of Dundee in the year 1792.

Presbyterians and the Covenants. The oath was imposed upon all in any authority in the country. There does not appear to have been any hesitation on the part of the members of the Town Council to subscribe this oath, imposed by a servile Parliament at the command of a degenerate dynasty, then nearing its final downfall. On the contrary, in Arbroath, as elsewhere north of the Tay, there existed a strong popular sentiment in favour of the restored Government, whose arbitrary measures had not been felt in this part of the country. In those times, when communication between one part of Scotland and another was not so easy as it is now, there may have existed but an imperfect knowledge of the persecution to which the Presbyterians of the southern and western shires were being subjected. The oath was also subscribed by the deacons of the incorporated trades. The names of those subscribing it were: Patrick Wallace, provost; John Kydd, bailie; Patrick Steven, bailie; John Webster, James Moodie, William Ochterlony, Alexander Webster, James Stevenson, Henry Fithie, councillors; John Ramsay, late bailie; John Lyell, deacon convener; James Dalgetty, clerk; David Ogilvy, William Stevenson, councillors; John Duncan, councillor and deacon of the glovers; John Wallace, councillor and deacon of the shoemakers; John Colvill, deacon of the hammermen; James Will, deacon of the bakers; James Ferguson, deacon of the tailors; David Watson, deacon of the weavers; James Spink, councillor. The signatures are witnessed by — Fairweather, James Allardyce, and John Dalgetty, notaries.¹

Amidst the troubles of the country a local dispute of some importance, and which proved to be of long standing, found its way into the Scots Parliament and the Convention of Burghs. On 16th March 1649 Parliament granted a 'ratification in favour of David Sowtar of the mill of Arbroath.' Following closely on this ratification a question on the subject arose in the Convention of Burghs, as recorded in the printed records of that body. In 1648 the burgh had been ordained to produce its charter of the mill and mill lands, but it failed to do so, and at a Convention at Queensferry on 4th July 1649 it was fined £20 Scots for its failure, the order to produce the charter being also renewed under threat of the fine being doubled in the event of further failure. Nine days afterwards, at a Particular Convention at Edinburgh, an excuse by the burgh was accepted and the fine remitted; but the Council were again ordained to produce their documents concerning the mill. At a Convention held in Edinburgh five years afterwards—

'The commissioner of Arbroath "declaired that they had no chartar of thair milne and milne landis apairt, seing it was built be thair burgh vpon ane peace of thair commoun landis, with the which declaratione the present commissioneris ar satisfied." Anent the 8th act of the particular convention held in July 1649, the commissioner of

Arbroath produced the duplicate of the contract between them and Lord Ogilvie of their commony. The commissioneris ordained the burgh "to produce thair exact dilligence to the next generall conventione in prosecuting the recoverie of thair commoun milne and milne landis to be annex to thair commoun good."

¹ Burgh Court-Book.

The question of the rights in the burgh mill came up again at a Convention held at Haddington, 3rd July 1656 :

'Anent the 5 act of the last generall convention, compeared James Peddie of Monros [to whom the matter had been remitted] and produced ane perfyt inventur of the said David Sutor his richtis whairwith the saidis commissioneris wer content and did approve of his report, and ordaines

the said burgh of Arbroath, with concurrence of Montrois, Brichane, and Forfar, to doe farder diligence in the said matter, and with the concurrence of the agent if neid beis, upon thair owin proper chairges, to prosecute the samyn.'

At Edinburgh, on 2nd February 1660,

'The commissioners recommended to next general convention consideration of a supplication of the burgh of Arbroath for assistance "in defence of ane action to be intentit against thame

be David Sutor, possessour of thair comon milne, for building ane windmilne of thair owin and abstracting thair multuris from the said David his milne."

Five months afterwards, in July 1660, there was a General Convention at Edinburgh, which decided in the matter of the burgh mill of Arbroath as follows :

'The present commissioneris of burrowes ordaines the said burghes of Dundie, Munros, Brichane and Forfar to deall for accommodation betwixt the burgh of Arbroath and David Souter, possessor of thair comoun milne, and in caice of

not amicable agreement ordaines the agent at Edinburgh, upon the charges of the hail burrowis, to concurr and assist the said burgh of Arbroath in the prosecutiouns of the discussing thair of befor the ordinar judg.'

As the upshot of this controversy Mr Soutar seems to have carried his point ; for on 9th October 1663, Parliament ratified a contract entered into between the Magistrates and Council and 'David Johnstoun, *alias* Souter, of Wardmilne,' whereby 'for causes onerous therein mentioned,' the Provost, &c., not only ratified and approved the said contract in favour of Souter and his heirs of the mills called the common mill and Wardmill, but also 'of new thirled [bound] themselves and their successors, and the remanent hail [whole] inhabitants and community, in all time coming to grind at the same mills their hail corns.'¹

From about 1681 to 1684, the Magistrates of the burgh were Provost Wallace, Bailie Kydd, and Bailie Steven. Bailie Ochterlony took the place of Bailie Steven in 1684, and in 1685 Mr Steven became provost. John Kydd, who had sat in a previous Parliament, was commissioner for the burgh in the first Parliament of James VII., and on the opening of its second session, on 29th April 1686, he was one of a committee appointed 'to prepare an answer to his Majesty's gracious letter.'² He was provost in 1687, and along with him Bailies Ramsay and Ochterlony were in the magistracy.

The Convention of Burghs which met at Edinburgh on 12th July 1652 was held 'in obedience to the declaration of the Commissioneris of the Parliament of the Commounwealth of England.' At this Convention, Thomas Hamilton was the commissioner of Arbroath.' In subsequent Conventions Arbroath was represented—in 1653 and 1654, by Johne Auchterlonie ; in 1655, by John

¹ Acts of Parl. of Scotland, vii. 511.

² *Ibid.* viii. 580.

Ramsay; in 1656 and 1658, by John Auchterlonie; in 1659, by John Aikman; in 1660, by John Auchterlonie, who again represented Arbroath in General Conventions held at Edinburgh on 8th and 28th December 1660. After 1660, there was an interval of about nine years during which Arbroath did not send any commissioner to the meetings of the Convention. Henry Fithie was commissioner to the Convention which met at Edinburgh on 14th October 1669. John Aikman represented the burgh in the General Convention at Dundee, 4th July 1671, and in the Particular Convention at Edinburgh on 8th August of the same year. Henry Fithie was commissioner to the Conventions in 1674 and 1675.¹

It appears from the records of the Convention of Burghs that in the latter half of the seventeenth century Arbroath had a dispute with Robert Carnegie of Newgate, 'one of their own vassals,' about their right in Boulzie Hill, and other matters. The dispute had gone on for some years, until at length a Convention held at Glasgow on 8th July 1675, decided upon it thus:—'On the supplication of Arbrothock, the convention approved of an agreement between that burgh and Robert Carnegie of Newgate, and James Carnegie his son, anent the difference regarding a little piece of pasturage ground called the Boulshill, Seagate and Madiegroms Croce, and of a feu right granted by the burgh to them of the lands called the Mureden, with 10½ acres of arable land in the Murelands, and common pasturage in the muir.' This decision, however, does not seem to have finally settled the matter so far as Boulzie Hill was concerned. The question was not completely ended until about the year 1842, when the Town Council came to an arrangement with the then proprietor of Newgate, by which, for payment of a ground annual of £35, they acquired the sole right to the hill. In 1878 this feu-duty was redeemed at twenty-two and a half years' purchase.

From the record of the Glasgow Convention of 1675 it appears that the burgh was also at variance at that time with others of its neighbours, the Earls of Panmure and Airlie: 'The present convention of burrows upon a desyre from the commissioner of Arbrothock ordines the agent to concurre with and assist him in defence of ane action persewed by the Earles of Panmure and Airlie against their burgh in prejudice of their liberties.' It does not appear what this difference was about, but it is probable that it had a connection with the rights which the two Earls derived from the suppressed abbacy of Aberbrothock. The difference, as was not uncommon with lawsuits, may have gone on for years, and beyond the lifetime of the Earl of Panmure who was one of the pursuers. Perhaps it was with reference to it that his younger brother, Earl James, wrote to his kinsman and factor, John Maule, on 1st January 1687—eleven months after he had succeeded to the title and estate: 'I am informed that the Magistrates of the town of Aberbrothock have refused to have any debate with me; so I desire you to go to the town, and in my name give them thanks for it, and assure them of

¹ Records of Convention of Burghs, iii.

my kindness and friendship in all their concerns, and that I never mind to make use of any right I have but for the town's advantage.'¹

John Ochterlony of Guynd notices the appearance of the burgh at this period, and he describes the landed estates in its neighbourhood. He says of Arbroath :

'It is a pleasant sweet place, and excellent good land about it. They have a shore, some shipping, and a little small trade. It hath one long large street, and some bye-streets. It is tolerably well built, and hath some good houses in it. Hard by the towne upon the east syd is Newgait, belonging to a gentleman of

the name of Carnegy, of the family of Southesk, a very good house and pleasant place. Almry-close is in the head of the towne, and good house and yards. Smiddie Croft is a little interest belonging to a gentleman of the name of Peirson, who is ancient and without debait chief of his name.'²



NEWGATE HOUSE.

The Corporation of Arbroath were the landowners or superiors of Arbroath parish. From Ochterlony we learn that in 1685 the heritors in the parish of St Vigean were: The Earl of Panmure, who had Inverpeffer; North Tarry, 'well planted with yards and orchards,' belonged to the Earl of Northesk; Letham, on the west side of the water of Brothock, 'a pleasant place, with good yards and orchards, and a hay meadow,' belonged to Sir John Wood of Bonytoun; New Grange, on the east side of the Brothock, 'good yards, well planted, and pleasant meadows;' Colliston, Dr Gordon, by whom it had been recently purchased, 'a good house, planting, and meadow;' Parkconon and Cairnton, Ramsay; Muirhouse, the laird of Guynd; Easter Seaton, Crawford; Wester Seaton, Guthrie—'both lying together on the coast, good houses, yards, and planting;' South Tarry, Leslie; Hospitalfield and Kirkton, 'a pleasant place and

¹ Town Council Record.

² Spottiswoode Miscellany, 343, 344.

good land, belonging to a gentleman of the name of Fraser, of the family of Philorth, where they gather abundance of that *alga marina* wherewith they dung their land to their great advantage.' The parish of Arbirlot belonged at this time to the Earl of Panmure and his third brother, Henry Maule. The latter had the principal part of it, together with the house of Kelly. The laird of Guynd, to whose ancestors it had belonged, describes Kelly as 'a very great house, well planted, and stands very pleasantly on the water of Elliot.' The most part of the parish of Carmyllie belonged to the Earl of Panmure; Carnegy was the property of the Earl of Southesk, and gave a title to his eldest son; Guynd belonged to John Ochterlony, 'lineal successor and chief representative of the ancient family of



KELLY CASTLE.

Ochterlony;' Cononsyth, to Rait, of the family of Halgreen, a family in the Mearns.¹ With the exception of the barony of Panbride, which was the property of the Earl of Southesk, the whole parish of Panbride belonged to the Earl of Panmure. In 1685, the present house of Panmure, in this parish, was a new erection, near the site of the old castle of Panmure, the foundations of which have recently been exposed by the removal of grass-covered mounds with which for centuries they had been covered. Panmure House was begun about the year 1666, in the time of George, the second Earl, who, with his Countess, Jean Campbell, gifted to the church of Panbride the silver communion cups still in use there. Earl George, in building the new House of Panmure, was carrying out an intention of his father. John Milne, master mason to the king's Majesty, was 'the undertaker of the worke;' but Milne, a famous builder in his time, died in December 1667, when

¹ Spottiswoode Miscellany, 342-45.

the mason work was entrusted to Alexander Nisbet, who also became king's master mason. There is at Panmure a manuscript containing details with regard to the erection. In it are entered accounts for 'great tries,' brought to the harbours of Dundee and Arbroath in 'The Rising Sun of Leith,' 'The Gud Hope of Frazerburgh,' and other vessels. The slates were furnished from the Guynd quarries, and Andrew Low, Arbroath, was the slater.¹ The house was completed in the time of James, the third Earl. Mr Ochterlony says of it that it 'is thought by many, except Halyruidhouse, the best house in the kingdom of Scotland, with delicate gardens, with high stone walls, extraordinare much planting, young and old ; many great parks about the new and old houses ; brave



PANMURE HOUSE.

hay meadows, well ditched and hedged ; and, in a word, it is a most excellent sweet and delicate place.' This description by the old topographer is still generally applicable. The house, however, has been made to have a still more palatial appearance than it had two hundred years ago. The chief modern addition to it is a beautiful portico, erected about the year 1850 from a plan by Mr Bryce, of Edinburgh. The laird of Guynd's account of the Panmure family is that 'they are very ancient and honourable ; have always been very great ; and were reckoned, before they were ennobled, the first barons of the shire.' He speaks of their services to the king, of the manner in which 'the Earl's estate was spoiled and robbed by the usurper's [Cromwell] force here,' and the heavy fine [£10,000] which in the time of the Commonwealth was imposed upon the Lord of Panmure because of his adhesion to the Royal cause.

¹ Registrum de Panmure—Preface, xliv., xlv.

The landholders in the parish of Barry in 1685 were : the Earl of Panmure ; Kid, of Woodhill ; Watson, Grange of Barry ; the laird of Gardyne of that Ilk, Ravensby ; Alexander, Pitskelly ; Patrick Lyon, Carnoustie ; besides some smaller heritors. In Idvies, or Kirkden, the land was owned by the laird of Gardyne, Sir John Wood, and John Ogilvy. The heritors in Guthrie parish were : Guthrie of that Ilk, and Erskine, a cadet of the house of Dun, who possessed Kirkbuddo. The greater part of the parish of Kinnell belonged to the Earl of Southesk ; Easter Braikie was the property of Sir Francis Ogilvy, of New Grange ; and Wester Braikie belonged to a gentleman of the house of Gray. The principal portion of Inverkeilor was the property of the Earl of Northesk ; the laird of Boysack, of the house of Northesk, and the laird of Bonytoun, had a considerable interest in the parish ; Brianton belonged to John Rait, minister, of the house of Halgreen ; and Lawton, to Gardyne of that Ilk. Lunan belonged principally to the Earl of Northesk ; the other heritors were Ogilvy, brother of Inverquharity, and John Mudie, the latter of whom had Ardbikie.¹

Much of the land of the parishes about Arbroath is possessed at the present time by representatives of the families who were its owners in the time of the two sovereigns of the Restoration period.

CHAPTER XI.

BURGH ADMINISTRATION, 1683 TO 1704—PROVOST STEVEN AND THE 'ASSOCIATION'
—COMMISSIONERS TO CONVENTION OF BURGHS—SLEZER'S PICTURE OF THE TOWNS
—COMMON GOOD IN 1691—POVERTY OF THE BURGH—TAXATION—A DISPUTED
ELECTION—VISCOUNT DUNDEE'S STANDARD-BEARER.

THE last of the Burgh Court-Books extends from 1683 to 1704. Like the earlier Books, it consists chiefly of decisions by the Magistrates in the exercise of their civil and criminal jurisdiction, and the admissions of burgesses. Crimes of violence were common. Persons were brought before the Magistrates accused of 'striking and blooding,' or of being concerned in 'blood riots.' 'Riot' was the word which was used to describe the police offence now called breach of the peace, and when anybody in the affray had blood spilled the sanguinary adjective was prefixed to the complaint. Penalties almost always took the form of fines, and £5 Scots, or 8s. 4d. sterling, a large sum then, was common exaction from peace-breakers. The stocks were still in existence at Arbroath at the commencement of the eighteenth century, but they were seeming

¹ Spottiswoode Miscellany, 341-348.

not much in use. In 1702, a man was adjudged to sit in the stocks for beating the wife of a burghess named Gray in her own house. Those in authority were sometimes transgressors of law themselves. Provost Ochterlony, Bailie Ramsay, and Bailie Webster, convened in the Burgh Court 'for fining those selling malt not conform to Act of Parliament.' Among the persons who had sold their malt in an illegal way was this same Bailie Webster, who at the sitting of the Court at which he appeared as one of the judges was fined £10, and the malt, being ten bolls, was confiscated. At the same session, James Stevenson, late bailie, and John Wallace, deacon convener, and five others, were also fined for like offences. The only accused person who escaped was a certain George Hay, who declared that he had sold no malt, and his statement appears to have been believed. At a second court, ten more accused persons appeared, confessed, and were each fined £10, with confiscation of the malt sold.

After the Convention of the Scottish Estates had declared the throne vacant, an order was issued for the appointment of new magistrates in burghs. The Magistrates of Arbroath in 1689, appointed in compliance with this order, were Provost Steven, and Bailies Ochterlony and Stevenson. Patrick Steven, who was thus elected provost, succeeding William Ochterlony in that office, represented the burgh in the Convention of Estates called by the Prince of Orange,¹ and he continued commissioner to the first Parliament of William and Mary, which met at Edinburgh on 15th June 1689.² He was long member of Parliament for Arbroath. On 22nd July 1698, an objection was taken to his subscribing the Association, 'in respect he had absented himself from subscribing at the last session of Parliament.' This 'Association' arose in consequence of a conspiracy against the king; its object was to defend his Majesty's life, and to protect the kingdom from a Jacobite invasion. The objection to Provost Steven subscribing was remitted to the committee on contested elections, who a week after reported—

'That it was their unanimous opinion that Patrick Steven, commissioner for the burgh of Aberbrothock, ought yet to be admitted to sign the Association, and be continued a member for that place. . . . It appeared to the Committee that he was elected to serve in the meeting of Estates, and has ever since continued in all the subsequent sessions of this current Parliament; and that the said Patrick Steven was not come up when the Association was signed by the House; and that he had gone home before the date of the order appointing absent members to sign it; and had a probable cause of ignorance that there was

any certification or precise day affixed for signing thereof; and that his going home was occasioned by the season, being in harvest time. All which he solemnly declared, and was ready to depone in presence of the Committee. And seeing the Parliament had allowed other members of all the three Estates who had omitted to sign the Association yet to sign the same, and that the burgh of Aberbrothock had made no new election, and thereby had signified the continuation of their choice, there appeared to be no special reason why the said Patrick Steven ought to be excluded from the said favour.'

Provost Steven accordingly signed the Association, and was continued member for Arbroath.³

¹ Acts of Parl. of Scot., ix. 5.

² *Ibid.* 96.

³ *Ibid.* x. 127.

While Patrick Steven was in office as provost, one John Lamb appeared in the Burgh Court, on 15th August 1692, and declared that 'Almerieclose younger [Philp], and John Guthrie, had in a house in St Vigeans abused the Magistrates, calling them base and rascals, and that they were not worthy to sit in judgment, with many other opprobrious things.' The laird of Almerieclose had also abused the clerk, saying that he was not worthy of his office. The attachment of Philp to the Jacobite cause had doubtless something to do with his dislike of Magistrates appointed as being favourable to the new Government. At any rate, he and Guthrie were fined, and were ordered to stay in prison till the fines were paid.

Provost Steven continued in office as chief magistrate until 1695, when Bailie Ochterlony became provost. At the commencement of the next triennial period, in 1698, Patrick Steven returned to the provostship, and Bailies Hutchison and Knight were joined with him in the magistracy. At this time, John Ochterlony was town-clerk; George Proby, clerk of the regality; and Captain George Strachan, bailie-depute of the regality. Bailie Hutchison became provost in 1702.

During this period the burgh was pretty steadily represented at the meetings of the Convention of Royal Burghs. John Kidd, who was probably provost, was commissioner in 1678; Provost Steven was commissioner in 1679, 1682, 1684-86, 1689-90, 1694-95, 1697, in two Conventions held in 1699, and in one in 1700. In 1680 Henry Fithie was commissioner from Arbroath to the Convention of Burghs; in 1681, 1683, 1685, and 1688, John Kidd filled the office. Provost Auchterlony was commissioner in 1691-92, 1696, and 1698. In 1701 the commissioner was John Pearsons. Provost John Hutchison was appointed commissioner in 1702 to two Conventions which were held that year, and he continued to hold that office, and attend the meetings of the Convention, year after year, until 1715, except in 1712, when in two Conventions the burgh was represented by George Auchterlony. Patrick Wallace was commissioner to the Convention which met in March 1716. Provost Wallace was again commissioner in 1717 and 1718, and William Wallace in 1719. The burgh was not represented in the Conventions held in 1720 and 1721, and for its absence from the former it was excused. James Doig was commissioner in 1722 and 1723; William Wallace, in 1724 and 1725; Provost John Wallace, in 1726 and 1728; and Bailie James Doig, in 1727.

The trade of the town was at this period very small. It seems to have consisted chiefly in the manufacture, and exportation to Dutch ports, of malt liquors. The whole trade of Scotland, which had revived in the time of the Commonwealth, languished again under the restrictions imposed by the English Navigation Act of 1660; and the Darien expedition, in which the minister of Arbroath, Mr Fergusson, and probably other burgesses, took shares, aggravated by its disappointing failure the depression produced by decaying trade.

Slezer's picture of the town in 1693¹ shows it to have been then, as Mr Ochterlony had said some years previously, a pleasant place, lying amid cornfields, with orchards interspersed, but there do not appear in the picture many of the 'good houses' of which Mr Ochterlony said there were some. The royal burgh was still only of the dimensions of a village. From the Abbey to the sea, at Danger Point, there extended a long range of houses, mostly thatched cottages. The line terminated in the Abbot's harbour, a breakwater which, in the picture, is seen to shelter a Dutch galliot, a nationality that Captain Slezer had perhaps introduced as a compliment to his own country, or as indicating the principal trade of Arbroath at the time. The other streets in the town, as seen in the view, are Marketgate, Guthrie Port—the latter in a rudimentary state—Lordburn, and Millgate. Millgate was the only street west of the Brothock. The Dundee Road was continued along the line of Ladyloan and the Shore, but there were no houses in that district. The site of the present harbour was a grass field. The houses about South Tarry appear in the picture, but in the town the only prominent objects are the Abbey and the Parish Church. The Town House of the period was an undistinguishable building. It was the one which was erected, about the year 1686, with stones taken from the ruins of the dormitory of the Abbey. The building, which was both the Town House and prison of the burgh, was of a small and mean character. It had a projecting stair, leading up to the old Council Chamber. This stair, called the 'outer stair,' was long felt by the inhabitants to be an obstruction, but it was not removed till the year 1852. When it was taken down, there was found at its base an oblong stone slab with 'Aberbrothock, 1686,' carved upon it, a wreath of flowers surrounding the inscription. This old Town House, with an adjoining building, finally disappeared in 1864, when offices for the Commercial Bank were erected on its site.

The General Convention of Burghs which met on 14th July 1690 ordered an account to be given in by all the royal burghs of their annual income and expenditure. The following is the account of the burgh of Arbroath for the year ending at Michaelmas 1691:—

* An account of the yearly rent of the comon good of the burgh of Aberbrothock :		lib. s. d.
	Item, of land rent, - - - -	27 0 0
	Item, of the annual rent of four hundreth marks dew upon David Eplens house, - - - -	16 0 0
		686 2 7
Item, the yearly annual rents, comon fauld duties, new muir lands, loch mealls, Berrie Failld, King's mealls and teind lint silver, 198 9 3		
Item, the miln mealls, - - - 133 6 8		
Item, the shoar dewes casual ordinarily, 133 6 8		
Item, the land customes casual ordinarily, - - - - 50 0 0		
	Debts and burthen upon the comon good of the burgh of Aberbrothock, besides the yeirly repairing of the harbour and other incident chairges upon the burgh :	

¹ Slezer's *Theatrum Scotiae* (edit. 1874)—Plate 40.

	lib. s. d.		lib. s. d.
Imprimis, to Mr James Rait by bond		Item, to the drumer, - - - -	13 6 8
1000 lib. of principall, annual rent,	60 0 0	Item, to the toun's agent at law, -	30 0 0
Item, to David Scot, per bond 1000		Item, for the equie to the exchequer,	10 0 0
marks, annual rent, - - - -	40 0 0		
Item, to James Mudie, per bond 400			352 13 4
marks of principall, annual rent		At Aberbrothock the elleventh day of Septem-	
thereof, - - - - -	16 0 0	ber jm vjc nynie one years. This is the just and	
Item, to James Fraser of Kirktoone,		trew accompt chaige and discharge of the comon	
per bond 100 lib. of principall,		good of the said burgh, given up be the magistrats	
annual rent is - - - - -	6 0 0	and towne clerk, upon oath, to the visitors	
Item, to the minister for house rent, -	56 13 4	appointed by the royall borrows for that effect	
Item, to the schoolmaster, - - - -	46 13 4	and signed by the saids magistrates and towne	
Item, to the doctor (school assistant),	24 0 0	clerk day and place forsaid. <i>Sic subscribitur</i> :	
Item, to the man that attends the cloak,	20 0 0	Will. Aughtlerlonie, James Stevinson, Ja. Dal-	
Item, to the toun officers, - - - -	30 0 0	getty, clk.'	

These sums are in Scots money, but they represented two centuries ago a nearer approach to the present value of pounds, shillings, and pence sterling than to the value of Scots money as we reckon it now.

In a tax roll made up by the Convention of Burghs in 1683 Arbroath was assessed at 9s. ; Forfar, at 4s. ; Brechin, 11s. ; Montrose, £2 18s. ; Dundee, £5. By the year 1726 Arbroath had gone in advance of Brechin. In a tax roll prepared that year Arbroath was assessed at 10s., and Brechin at 9s. Forfar remained at 4s. ; the assessment on Montrose was £2 4s., and on Dundee, £4 10s. Sometimes complaints were made to the Convention arising out of the magistrates' powers of imposing local taxation. A complaint of this nature came before the Convention on 7th July 1719. It was 'by Thomas Wallace, merchant in Aberbrothock, against the Magistrates of that burgh for laying on an imposition on coals and sclates.' The matter was remitted to a committee, and nothing more is heard of it in the record.

The records of the Convention of Burghs which assembled in 1711 contain a protestation by Provost John Hutchison, as commissioner of the burgh, against an alteration in the allocation of the cess or land tax, the effect of which had been to increase the proportion payable by Arbroath. This document is as follows :

I, John Hutcheson, Commissioner for the Burgh of Aberbrothock Do adhere to the severall protestations taken by the Commissioners for the Burghs of Aberdeen and Glasgow against the procedure of this present Conventions for the reasons following, viz. :

1st. It's well known to this Board that the poor town I represent was augmented almost one half of their tax at the last alteration of the roll which heavy burden they have (tho' with no small difficulty) grappled with these six years by past.

2nd. They have no foreign trade only by the assistance of the Countrey gentlemen about them they are enabled to send a small ship to Norrway once a year for bringing home timber which was taken and ransomed last year.

3rd. They had nine small barks who were employed by transporting victuall up the water of Forth and bringing home salt, coalls, six whereof were lost within these two years and those remaining were taken some once some twice by French Pirrats and ransomed.

4th. Altho it can be made appear by the Custome house books that our Inhabitants did not export any linen cloth these seven years by past themselves excepting only fifteen thousand ells last year for London and yet our poor people were in some measure supported by manufacturing the same to trading merchants in our neighbouring burghs who are now so discouraged by the small demands therefor at London that they cannot afford any price whereby any poor weaver can have bread. Which has occasioned many of them turn Souldiers of late.

5th. I gave in a memoriall shewing the deplorable state and conditione of said burgh how their commone good was morgaged by building a new stone bridge over their water, building their schoolhouse which had lately fallen and likewise had panned their commone credit for a considerable sum of money which was bestowed on the repairing their harbour which was latly broken down by a great storm and that the said harbour

wanted yet to be furder helped, which the town would furder stretch themselves for had they but the assistance of a small sum whereby they were to procure three foot more water in their harbour which will be of great use for encouraging white fishing and for sheltering ships and barks either northward or southward bound who were stopped by contrary winds or pursued by Pirates.

6th. Without any regard to the said Representation this present Convention has added a fifth part to our former tax which is plain and evident to all indifferent persons who knows the conditione of said poor Burgh that they have met with singular bad treatment nay for these and other reasons Do humbly beg that this honourable board may take the lamentable state of the poor Burgh of Aberbrothock under their consideratione and let them share of the equall justice and commiseration that is becoming such a wise Judicatory. That this poor burgh may be preserved from utter ruine.

Although it is true that the Scottish burghs were generally in a poor and depressed state about the time that this protestation was made, it may be that Provost Hutchison's language presents the poverty of Arbroath at the time in the very strongest light. In the matter of his protestation, the Arbroath commissioner had not only the concurrence of the commissioners of Aberdeen and Glasgow, but was subsequently joined by those of other burghs. They were for a time met with strong opposition by the Convention. At the Convention of 1711 answers to the reasons of Arbroath, and to those of the other protesting burghs, were given in by John Duncan, Dean of Guild of Edinburgh, and adhered to by the representatives of the non-protesting burghs. The appeal of the burghs was, at the same Convention, described as a 'pretended appeal,' and a committee was appointed to report as to whether it could be entered in the records. But Glasgow, Aberdeen, and Arbroath resolved on taking the matter to Parliament, and on having the opinion of eminent counsel, the Lord Advocate and Sir David Dalrymple. Ultimately, the protesters compelled the Convention to appoint a new committee on the subject of altering the tax roll. This was done on 17th July 1713, and the commissioners of the protesting burghs of Perth, Dundee, Aberdeen, Glasgow, and Aberbrothock were included in the committee.

Encroachments on the burgh lands were in the olden time a standing grievance in the Town Council of Arbroath. On 5th August 1703 the Convention of Burghs appointed its agent to concur with and assist the burgh of Arbroath 'in the process intended at their instance befor the Privie Councill against Andrew Smeiton for his incoaching upon their property, and that he advance what money is necessarie for that effect.' But this intended litigation seems to have been

averted in the following year, when the Convention ratified the sale by the burgh of the lands called Badieshill, in favour of Captain Andrew Smieton of Greenlawhill, 'in regard the adequate price, being three thousand marks, is applied for payment of sae much of the town's debt.' Later, in 1729, the burgh had some grounds of difference with one of its neighbours, John Fraser of Hospitalfield and Kirkton. The burgh petitioned the Convention which met that year as to these differences, and the matter was remitted to the annual committee.

A disputed election to the Town Council occurred in 1705. The circumstances show that there was strong party feeling in the burgh at the time, and that it resulted in an appeal to mob law. The dispute seems to have arisen out of a popular protest against trade restrictions, specially taking the form of a refusal to pay multures to the town's mills. The matter was brought before the Convention of Burghs on the petition of several of the inhabitants. It was taken up at a meeting of the Convention committee on 25th January 1707. The record bears that it was alleged in the petition

'That at Michaelmas 1705 years there was a most illegall election of magistrats and counsellors of the said burgh, which upon applicatione to Her Majesty's Privy Counsell was declared void and null and a new electione appointed to be made, which was done accordingly, but the modificatione of the expences in prosecuting thereof was reserved till a report should be made of the said electione, which remains yet undone by reasone of severall differences not yet adjusted amongst the inhabitants of the said burgh, as also that the said illegall elected magistrats did take out of the towns charter chist severall papers which concerned the community, and that they still retained the same, craving therefor the committe would interpose their authority and appoint some of the neighbouring burrowes to endeavour to accommodat all differences amongst their saids inhabitants,

particularly in the matter above represented, as they are in use to do in like cases; which being considered by the committe they appoint the commissioners for the burghs of Perth, Dundie, Montross, Brichen, and Forfar, to meet at the said burgh of Aberbrothock upon the first day of Aprill next to come, and to adjourn themselves from time to time as they shall think fitt, to endeavour to compose all differences amongst the inhabitants of the said burgh, and particularly to get the persons who prosecuted the said illegall electione reimbursed of their expences and to see the saids papers restored and report to the next generall conventione, declaring that in case they shall refuse to submitt to the determination of the commissioners of the saids burghs our agent shall be furthwith appointed to concurr against them.'

The visitors who were appointed for the purpose of composing these differences did not come good speed, as appears from the report given in to the Convention at its meeting on 5th July the same year. The report stated that 'the offenders continued obstinat, refusing the mediatione of the visitors either as to modificatione of the expences disburst by privat persons for retring the priviledges of the burgh invaded by a moab or their adjusting other abuses committed be them, particularly their refusing to pay multur to the town's milns, conforme to ane contract of thirlage, whereby the saids mills are turned void of tenents and useless.' The report also took notice of damage done by a storm to the harbour. In the Convention's records nothing more is heard of the disturbance as to the mill multures or the disputed election. Neither is there anything about the abstraction of

papers from the town's charter chest. It may be that this alleged abstraction accounts for the paucity of local records of the period.

There is a connection between Arbroath and its neighbourhood and the attempt of the Scottish Jacobites, ending in the battle of Killiecrankie, to restore the fortunes of the Stuarts. The leader of that attempt, Graham of Claverhouse, Viscount Dundee, had for his mother a daughter of the first Earl of Northesk. The ruthless instrument of the Stuart Government, in its persecution of the Presbyterians of the southern and western shires, may not be regarded as much of an honour to any district; but Dundee had good capacity as a soldier, and his brief campaign in the north, in the early summer of 1689, ended in the loss to King James of the one man who, of all who in Scotland still maintained their allegiance to the fallen monarch, was most able to do him service.

One of Dundee's officers in his last campaign was still more closely connected with Arbroath than the general himself. This was James Philp of Almerieclose, the same whose son, three years after the dispersion of the Jacobite forces, was fined in the Burgh Court of Arbroath for slandering the Magistrates. James Philp was a descendant of Dr Henry Philp, minister of Arbroath, and was born about the year 1656. His father, a bailie of Arbroath, also bore the name of James; his mother was Margaret Graham, a kinswoman of Viscount Dundee. The post which Philp held in the rebel army was that of standard-bearer. He appears to have gone through the northern campaign which ended at Killiecrankie. Philp, who was a man of taste and a poet, was the Homer as well as the standard-bearer of Dundee's last battle. He wrote a Latin epic, 'The Grameid,' in which he described the exploits of Dundee and those of his army, and which, edited by the Rev. Canon Murdoch, who is a native of Forfarshire, was in 1888 printed by the Scottish Historical Society. Lord Macaulay, in the narrative which he gives in his 'History of England' of the Highland campaign of 1689, quotes, as one of his authorities, from an early English translation of Philp's poem. The Jacobite laird suffered imprisonment for his loyalty to the Stuarts. His family had also trouble with the ecclesiastical courts, and James Philp was ordered to appear in the public place of repentance in Arbroath. But this, judging from the precedent in 1692, may have been Philp the younger. Whether father or son, he declined to comply with the order, but proposed to appear in his own seat in church to be rebuked, and the Presbytery 'condescended to allow this.'¹ Philp died before 1752, as appears from a Chancery precept, dated 20th November in that year, in favour of Susannah Philp, as his heir. Susannah Philp and her husband parted with the lands of Almerieclose to Robert Barclay.

¹ Arbroath Presbytery Records.

CHAPTER XII.

THE UNION—PROVOST HUTCHISON'S VOTE—THE PRESBYTERY AND THE UNION—THE REBELLION IN 1715—EXACTIONS OF THE REBELS—THE EARLS OF PANMURE AND SOUTHESK—THE PRESBYTERY AND THE REBELLION—APPOINTMENT OF MAGISTRATES BY THE DUKE OF ARGYLL—THE EPISCOPALIAN CLERGY—THE REBELLION IN 1745—A LIST OF REBELS—BISHOP EDGAR—FORFEITURE.

PROVOST JOHN HUTCHISON sat in Parliament in 1703 as commissioner for the burgh.¹ But he was not permitted to take his seat without a contest.

There were competing commissions, the other being in favour of Patrick Steven, a former provost. Advocates were heard for each claimant for the seat, and, a vote having been taken on 17th August 1703, the commission in favour of John Hutchison was sustained.² From the ecclesiastical records it appears that David Ramsay, who was a bailie in 1702, was provost some years after Provost Hutchison, and from the same records we learn that a Provost Dickson was chief magistrate of the burgh about the year 1710. Provost John Wallace was in office in 1718; Provost John Lamb, in 1724; and Provost Wallace again in 1726.

When Provost Hutchison was elected commissioner for the burgh to the Parliament of Queen Anne, the proposal of a legislative union between Scotland and England was before the country, and it is probable that the local interest in what was then a subject of the greatest national importance was the reason why competing commissions were sent up from the burgh to the Parliament of 1703. The decision to sustain Provost Hutchison's commission gave a vote to the party who were opposed to union. In the vote of the Parliament, on 16th January 1707, to 'approve the Act ratifying and approving the Treaty of Union,' the commissioner for Arbroath voted for disapproval.³ He was also one of those who adhered to the protests of the Duke of Atholl, on 1st September 1705,⁴ and 4th November 1706,⁵ against the union.

The ecclesiastical authorities in Arbroath, as elsewhere, took the opposite side from that which was supported by the burgh's commissioner in Parliament. When the union was under consideration in Parliament and the country, and when there was much excitement on the subject, the Arbroath Presbytery agreed to—

¹ Recommend to the brethren to use their utmost endeavours for suppressing what erroneous books they can hear of; and likewise it is recommended

to all the brethren, if any disorders or tumults shall happen on account of the union which is not treating of, they shall do what in them lies to

¹ Acts of Parls. of Scot., xi. 31.

² *Ibid.* 75.

³ *Ibid.* 405.

⁴ *Ibid.* 237.

⁵ *Ibid.* 313.

countenance and discourage the said irregularities and tumults that tend to disturb the Government of our gracious sovereign the Queen, to whom we are in gratitude as well as duty under the highest obligations, seeing in the

kind providence of God we by her good and wise management enjoy so many advantages, and upon whose preservation the security of all that is dear to us, under God, must depend.'

The Church regarded the Patronage and Toleration Acts as but a poor return for its services to the State on this and other occasions, but its loyalty to the Government remained unshaken. Indeed, both it and the Government were in some danger from their common enemy. When, in 1715, the Earl of Mar raised the standard of the exiled Stuarts, he received influential support in Angus. He was joined, among others, by his uncle, James, fourth Earl of Panmure, then about sixty years of age; by the Earl's younger brother, Mr Harry Maule of Kelly, a gallant soldier and accomplished antiquary, who compiled the charters of his family, now edited and printed; and by James, fifth Earl of Southesk.

In its own organisation, the Church had the means of receiving and spreading early intelligence of public affairs. Thus, the members of the Presbytery of Arbroath having received intimation of the intended rising in the end of 1715, the Presbytery held a special meeting on 1st September of that year, of which this is the minute:

'The moderator laid before the Presbytery the reasons why he called them together, which were as follows:—That upon Monday last, several of the brethren having occasion to meet at Carnyllie, it was then suggested that it was very proper that the Presbytery should meet this day, in regard some of them had notice, and others probable presumptions, of an intended invasion of this land by the accomplices of a Popish Pretender, whereby the interests of the everlasting gospel, and the servants and people of God, were in great danger, whereby he hoped it would appear necessary for this Presbytery to consider upon and concert such measures as were most convenient for this Presbytery to do at such a juncture. The moderator asked the several members what grounds they had to suppose an invasion; and the different members present having delivered their several informations and accounts they had of the foresaid invasion, it was found that it was duty to consider what might

be done at this dangerous and critical time. And it was proposed that we should spend some time in prayer to God for light, direction, and protection. This being done, it was agreed, 1st, that the Presbytery should correspond with the Presbyteries of Brechin and Dundee, that particular information anent the invasion and invaders may be sent to and from each Presbytery, and that these shall be made use of for the good of Church and State as shall be found expedient; 2nd, that Mr Charteris, Mr Watson, and Mr Irvine should meet as a Committee on Monday, and if need be, then to write to Edinburgh anent the circumstances of their bounds; 3rd, that the point of the Association be considered at next meeting, and if need be, to contribute for money to the effect therein mentioned; 4th, that we should meet once every week till we see cause to alter this appointment.'

The presence of the enemy prevented the Presbytery from carrying out their resolution to meet once a-week. After that meeting on 1st September 1715, they did not meet again until 15th February in the following year. The rebels caused their power to be felt throughout all the district. While Mar was lying idly with his army at Perth, he levied contributions on, among other towns, Dundee,

Arbroath, and Montrose. On 22nd October 1715, at Perth, Mar issued the following order to Captain Thomas Lyell :

' You are hereby ordered to go to Arbroth, and receive from the Magistrates a company of men, which they have raised for his Majesty's service ; but if they have appointed an officer of their own to bring them up to Perth then you may proceed to Brechin and receive such men as the Magistrates have raised for the king's service, and bring them along with you when ye return to Perth.'¹

In 1730, James Gellatly, who had been treasurer of Arbroath in 1715, presented a claim to the Town Council for repayment of £140 15s. 8d. Scots, which by order of the Magistrates he advanced on the town's account to the Earl of Mar, and it was unanimously agreed to pay him the money. A neighbour of the town, the Earl of Northesk, suffered with his tenants from the levies alike of the royal and the rebel armies. His Lordship did not join the rebels, but he sympathised with them, and when they were at Perth he supplied them with arms and ammunition. This supply did not propitiate Lord Mar. In December 1715, a month after the battle of Sheriffmuir was fought, a party from the rebel army—the party being commanded by Lieutenant David Ramsay, of Panmure's regiment—marched on Ethie, and, having searched the cellars, took away a considerable quantity of claret, for which they granted a receipt, which, with Lord Mar's order for the raid is preserved at Ethie. The losses to Lord Northesk's tenants by the Duke of Argyll's army amounted to £1918 2s. 9d., and from the Earl of Mar's army, to £660 3s. 11d.²

The Earls of Panmure and Southesk fought at Sheriffmuir. The former, who was wounded, was taken prisoner, and put into a cottage under the guard of six dragoons. While lying there 'in a sorry bed,' according to the account of Mr James Maule, son of Mr Harry Maule, he was gallantly rescued by his brother, aided by his servants. The rescue was commemorated in a Jacobite ballad. James Maule blames the Earl of Mar for not giving help to the rescue, thus showing ingratitude, as he says, to his two uncles, and risking the loss to their party of two of the most considerable men they had.³

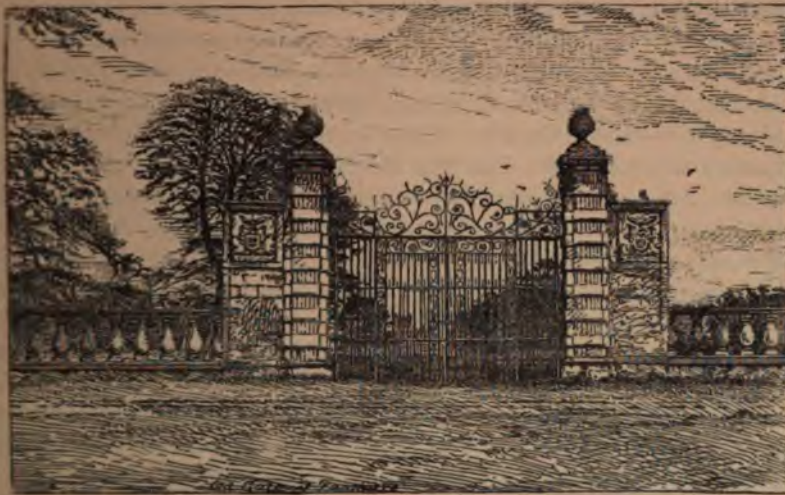
It was not until after the indecisive battle of Sheriffmuir that the Chevalier arrived in Scotland. Landing at Peterhead on 22nd December 1715, he was, while on his way south, entertained by Lord Panmure at Brechin Castle. Three weeks afterwards, Mar's army at Perth, which had been joined by the Pretender, dispersed, and the Jacobites retreated, by way of Dundee and Arbroath, to Montrose. James sailed from Montrose for France on 3rd February 1716, accompanied by a number of his principal adherents, among whom were the Earls of Mar and Panmure. Lord Panmure died at Paris on 22nd April 1723. According to tradition, the 'Old Gate' of Panmure has never been opened since Earl James quitted Panmure for

¹ Rev. Peter Rae's *Hist. of Rebellion*. Lond. 1746, p. 453.

² *History of the Carnegies*, vol. ii. p. 383.

³ *Reg. de Panmure—Preface*, xlix., l.

France. There was a good deal of magnanimity in his attachment to the cause of the dethroned dynasty. A zealous Episcopalian, he was also a thorough Protestant, and he had fallen into disgrace in the reign of James VII. for not supporting that king's design to restore the Roman Catholic religion. Notwithstanding this, he strenuously advocated the cause of King James at the Convention of the Estates in 1689, and no one was more cordial in welcoming his son when he landed in Scotland. The estates and honours of the Earls of Panmure and Southesk were forfeited to the Crown. For a short time at any rate after the forfeiture persons closely connected with the Earls were in the management of the estates. The factor on the Panmure estate was John Lumsden, Writer to the



OLD GATE OF PANMURE.

Signet, the Earl's agent, and Sir John Carnegie of Pitarrow was the factor on the Southesk estate. 'A Report from the Commissioners appointed to Enquire of the Estates of certain Traitors, &c., in that part of Great Britain called Scotland,' was presented to Parliament, and printed by the king's printer in 1717. It contains a memorial by Mr George Weemys, minister at Ferne, and Mr Ja. Scot, minister of Carmyllie, against the factors on the Southesk and Panmure estates. With respect to the latter, it was pointed out that John Lumsden 'was not only agent for the late Earl of Panmure, but his substitute patron; by virtue whereof he greatly obstructed the planting of churches, and proved very uneasy to presbyteries and synods; and since his admission, as said is, hath not abated anything of his disaffection, though in the service of the Government; as appears from his employing under him all the late Earl of Panmure's officers, who were most active

in the late unnatural rebellion.' The memorial further set forth that the factor had used servants of the Countess as his bailies and procurator-fiscal, and that among the persons he had employed who were unfriendly to the Government was his substitute at Brechin, John Ochterlonie, 'who thought it not sufficient for himself to take the test at Brechine, but prest many of the inhabitants, during the rebellion, to do the same, and to abjure our only lawful sovereign King George.' John Pilmor, writer in Dundee, was the sub-factor on the Panmure estate, and it appears from the Commissioners' report that, in virtue of his commission from Mr Lumsden, he held baron courts at Panmure. One of the representations made to the Commissioners took the form of a petition to them by a number of persons, 'formerly tenants to the late Earl of Panmure, and your and the public's tenants.' The petitioners were James Thompson, David Greig, William Strun, James Mudie, William Kid, William Pitillock, David Scot, Andrew Anderson, James Stiven, David Ramsey, James Bratten, Jean Dittitock, Robert Baird, John Morgane, William Jarren, W. J. (his mark). The petitioners set forth the losses they had sustained both from the rebels and being much exposed also to the king's army; they complained against the Countess of Panmure and her factor Mr Maule, praying the Commissioners for a suspension of any diligence against them in the matter of arrears of rent. They also pleaded that they had been imposed upon by the rebels, the petitioners, as they urged, 'being for the most part ignorant and inured to slavery.'¹ The memorial of the two ministers was doubtless largely prompted by party hostility; the complaint of the tenants appears to have resulted from the dislocation in the ownership of the estates consequent upon the forfeiture.

The estates were ultimately sold. From documents in the Register House, Edinburgh, 'it appears that the rental of the Panmure estates, which included the barony of Belhelvie in Aberdeenshire, amounted to £3168 9s. 6d. The commissioners for the sale exposed them at eighteen years' purchase, or £57,032 11s. 1½d.; and after a competition, in which Mr James Maule, writer, offered the sum of £60,300, the lands were disposed of to the agent of the York Buildings Company for the sum of £60,400.'² The Countess of Panmure obtained from the Company a long lease of Panmure House; and Mr Harry Maule, on his return from Holland, where he had found refuge after the rebellion, had a similar lease of Brechin Castle. Harry Maule's surviving son William, nephew of the Earl James who fought at Sheriffmuir, was in 1743 elevated to the Irish peerage by the title of Earl Panmure. 'In 1764 he purchased from the creditors of the York Buildings Company the Forfarshire estates of the family at the price of £49,157 18s. 4d. sterling, being at the rate of thirty years' purchase of the rental.'³ He died unmarried in 1782, when his titles became extinct. Jean Maule, eldest daughter of Harry Maule,

¹ Report from the Commissioners on Estates of Traitors.

² Reg. de Panmure—Preface, p. ix.

³ *Ibid.* p. lxxxv.

was married to George Lord Ramsay, eldest son of William, fifth Earl of Dalhousie, and thus the Panmure estates passed into the Dalhousie family. On the death of George, eighth Earl of Dalhousie, in 1787, they became vested, in terms of deeds of entail, in his second son, the Hon. William Ramsay, who assumed the arms and name of Maule of Panmure,¹ and who in 1831 was raised to the peerage of Great Britain by the title of Baron Panmure of Brechin and Navar. It was not the least of this nobleman's honours that he was an early and generous friend of the widow of the poet Burns. On Lord Panmure's death, his title descended to his eldest son Fox Maule, Earl of Dalhousie, who had two brothers, the Hon. William Maule and Colonel the Hon. Lauderdale Maule, by both of whom he was predeceased. On the death of Fox Maule, in 1874, the title of Baron Panmure became extinct. The Panmure estates are now held by Arthur George Maule Ramsay, fourteenth Earl of Dalhousie.

The Southesk estates, which were also disposed of by Government to the York Buildings Company, were, on the insolvency of the Company in 1764, re-purchased by Sir James Carnegie of Pitarrow, representative of the Southesk family. The title of Southesk was restored in favour of the present Earl, Sir James's great-grandson, who has also been raised to the British peerage by the title of Lord Balinhard.

It was not only earls in Angus and their retainers who espoused the cause of the Pretender; the Magistrates in burghs, with many of the burgesses, took the same side. There is reason to believe that the money sent to the Earl of Mar by the Magistrates of Arbroath was sent not unwillingly. At all events, after the defeat of the rebels the Magistrates had deemed it prudent to desert their office, which was done also by those in Dundee. When the Presbytery re-assembled in February 1716, there were only four of the brethren present—the ministers of Arbroath, St Vigeans, Kinnell, and Lunan. The first thing they did was to express their thanks in prayer for deliverance from 'the late unnatural rebellion.' But the Presbytery did not feel perfectly at ease, and 'the circumstances of the country obliging some to go presently off,' they entered upon no business. Another meeting was held on the 21st February, when Mr Francis Archibald, the minister of Barry, was excused for absence from the first meeting, 'as none could be got to carry a letter to him, by reason of the troubles by the way, occasioned by the passing and re-passing of soldiers.' It was not until a meeting held in March that Mr Bruce, the minister of Inverkeilor, deemed it prudent to leave his home to attend the Presbytery. He pleaded as an excuse for his absence from the earlier meetings that his house was on the highway, and as soldiers were passing along the road he feared for the safety of his family. The brethren admitted the validity of his excuse. At the meeting in March the Presbytery agreed to address the Duke of Argyll, congratulating him on his victory over the rebels. They also

¹ Reg. de Panmure—Preface, p. lxxxvii.

resolved to ask his Grace to 'appoint such governors in this place as would appear for the interest of the Government in Church and State.' Subsequently Mr Fergusson and Mr Watson, ministers of Arbroath and St Vigeans respectively, waited on the Duke as he marched with his army through Arbroath on his return from Aberdeen. They presented the Presbytery's address, and they also submitted a list of the well-affected in Arbroath who might be governors in the town. This list was accepted, and the persons named in it were forthwith appointed by the Duke to be the Magistrates of Arbroath. These were probably temporary governors, for an ordinary magistracy was in office in August of the same year. The Synod of Angus and Mearns had passed an Act in regard to 'the paucity of well affected persons to be magistrates.' This Act having in September been brought under the notice of the Presbytery, they adopted a resolution in regard to it which was not too flattering to the local magistracy, and which indicates a large amount of disaffection in this part of the country towards the Government. The Presbytery found, in regard to magistrates, 'that they are as well provided that way as the country will afford, and therefore know not how to mend the matter.'

With the suppression of the rebellion, a large amount of ecclesiastical as well as civil vengeance fell to be inflicted. During the months that Mar's army was in the field, and the Presbyterian ministers within the district of its operations were in hiding, the flocks of the latter accepted, seemingly without a murmur, the ministrations of the Episcopalian intruders who took their places. When Mr Fergusson withdrew from Arbroath, his pulpit was occupied by Alexander Guthrie; Mr Ochterlony, of the Guynd family, intruded at St Vigeans; James Grub, at Carmyllie; James Guthrie, at Guthrie; James Rait, at Lunan; James Watson and Charles Thomson, at Kinnell; — Auchinleck and John Straton, at Arbirlot. The schoolmasters had for the most part complied with the state of matters in the Church in the time of the intrusion, and on their conduct being complained of to the Presbytery, they were either suspended or deprived of their offices of precentor and session-clerk. Among those who were suspended was George Brocas, schoolmaster of St Vigeans, who had read Mar's proclamation, and heard the Pretender prayed for as James VIII. Even the beadles were taken cognisance of. The minister of Arbroath reported that his beadle, James Allan, was active in the time of the rebellion, and gave attendance on Mr Guthrie, the intruder. Similar reports were given with regard to the beadles of St Vigeans, Arbirlot, and other parishes. The Arbroath beadle was 'deposed,' and David Leslie, 'who had met with trouble in time of the rebellion,' got the office. James Lawrence, the St Vigeans beadle was also deposed for 'hearing Mr Ochterlony.' In the parish of Kirkden there was a certain Robert Tailor who was reported to the Presbytery to have been very active in the rebellion. It is added in the record, 'that as he now had a child to be baptised, he is to be rebuked;' the rebuke, it may be presumed, having no reference

to the latter circumstance, but to his conduct as a rebel. John Straton, schoolmaster at Arbroath, was prosecuted before the Presbytery. He was charged with intruding on the school, without signing the Confession of Faith; with intruding during the rebellion at the church of Arbirlot, and preaching there; and with officiating as clerk in conducting the English services in the meeting-house at Arbroath. Mr Straton, because of these proceedings of his, was represented as a person of unsound principles and wicked practices, who had caused an atrocious scandal. He admitted that he had joined a separate meeting-house, and that he had preached at Arbirlot; but as to praying for the Pretender, he had simply prayed for the king, without mentioning either King George or King James. He was deprived of his office of schoolmaster, and of his licence to preach. James Kid, who was precentor at Arbroath in time of the rebellion, and who kept a private school in the town, was handed over to the civil authority: he was to be discharged by the provost.

Panbride was a parish to which the Presbytery, on reassembling after the suppression of the rebellion, had soon to give their attention. Mr Maule, the incumbent, having followed the example of his kinsman the Earl in joining the Jacobites, was deposed.

Alexander Archibald, minister of Barry, gave the Presbytery a good deal of concern after the rebellion. One of the things which they did at their meeting in February 1716 was to rebuke him for preaching on a day appointed by the Episcopalian clergy at Dundee for prayer for the success of the rebels. A long investigation into his conduct was subsequently instituted, the general result of which went to show that the minister of Barry had temporized considerably in that trying time. He admitted having preached on the fast day appointed by rebel authority, but he said he did so against his inclination, on the request of the parishioners, who told him that if he did not preach the congregation would go to an Episcopalian meeting-house. Moreover, it would have gone hard with him, he said, if he had been singular in not preaching. In fact, he 'found himself in imminent hazard from the rage and fury of the country,' which was probably true, and which is one of the indications of the strength of the Jacobite cause in these parts. Mr Archibald made it a matter of merit that on this occasion he preached one of his old sermons, and his text, Amos v. 4, might well have baffled the ingenuity of even the most untextual preacher to hang a shred of treason upon. On the other hand, the text did not admit of being legitimately made the groundwork of a defence of the Hanoverian dynasty; yet Mr Archibald maintained that he spoke more freely that day for his Majesty's interest and the Protestant religion than he had done some time before, with the natural result that 'he found many in the country of the Jacobite interest who were more offended with him than if he had preached none that day.' In fact, the good man had tried to keep in favour with both sides, and had satisfied neither. After the rebellion he

was free to express grief for what he had done, 'as being in some respects a sympathizing with the rebels.' Henry Balfour and Robert Watson presented a petition from Barry, thoroughly loyal in its tone, speaking well of the minister, as possessing 'a most rousing, awakening, and edifying gift of preaching,' and praying for him the clemency of the Presbytery. There was a special representation from the lady of Pitskelly, Euphane Watson, at whose request Mr Archibald had been appointed to the parish. The lady asked the Presbytery to censure the minister for his fault, but not to deprive her and others of his ministry. The Presbytery knew the lady of Pitskelly to be a gentlewoman who was well affected to Church and State, and they contented themselves with reproving Mr Archibald in his own church and in the presence of his congregation. Subsequently the Synod thought it necessary to take cognisance of the matter, and it ordered a report of the circumstances to be made to the General Assembly; but as Mr Archibald's conduct since the rebellion had been satisfactory, the proceedings against him were allowed to drop.

In 1717 the threat of a Swedish invasion in support of the Stuarts gave rise to some alarm among the Hanoverians of the Arbroath district, and the minister of Carmyllie, ever on the alert, directed attention to it. The death of Charles XII. put an end to that apprehension. The Jacobite attempt of 1719 produced more disquietude, and the Presbytery of Arbroath, in view of the calamity of a foreign invasion, 'aided by rebels at home,' agreed to hold frequent meetings for prayer. They were once more delivered from their fears, however, by the Hanoverian victory at the battle of Glenshiel. About the same time the Presbytery had their attention turned to an Episcopalian meeting-house in Arbroath. They resolved to represent to the Commission of Assembly that when the preacher, Mr Robertson, prayed for King George, those who attended the meeting sat down, as a testimony for the Pretender; whence it appeared, the Presbytery concluded, that the design of the meeting was to make a discovery of how many could be had to support the Jacobite interest. The brethren, settled as they were among a population whose loyalty to the reigning house could not be depended upon, felt themselves in a difficult position, and they resolved to address the king for protection in case the then troubles should continue and increase. The 'prelatical meeting-house' in Arbroath was closed, but in April 1722 the Episcopalians again ventured to meet for worship, and Francis Rait and John Grub conducted their services. Complaint was made of this to the Presbytery by Mr Fergusson, the minister of the parish, and the Presbytery instructed their commissioners to the Assembly to see what was to be done in the matter. The Presbytery also asked the Magistrates of the burgh to put the law against intruders into execution; and after some hesitation, and having taken legal advice in Edinburgh, the Magistrates agreed to prohibit all persons within the burgh from giving the use of their houses for meeting-houses. The Episcopalian clergymen were also interdicted from preaching. It is plain that

the ecclesiastical authorities were even more zealous than the civil in seeking out and repressing disaffected persons.

At the last, as at the first, armed attempt of the exiled Stuarts to regain the throne of their ancestors, the Presbytery of Arbroath, with the whole Church of Scotland, were thoroughly loyal to the Hanoverian dynasty. In November 1745 the Presbytery prepared a pastoral admonition, which was read from the parish pulpits on Sunday, the 17th of the month. The Presbytery warned the people under their care against the efforts which were being made to draw them into an unnatural rebellion against King George, their lawful sovereign, 'in favour of one who was the enemy of their religion, under whose Government neither liberty nor property would be long secure.' They asserted that no one under King George had suffered in his person or his estate for the exercise of his religion. By the way, if that was so, the Presbytery had no merit in the fact, because, as appeared from their own proceedings, they would have caused a number of persons to suffer if they could have managed it. They recalled to the memory of those they addressed that the ancestors of the young man who was then seeking a throne had trampled upon the laws, and endeavoured to extirpate the Protestant religion. The Presbytery concluded their admonition by denouncing Prince Charles Edward as a bigoted Papist, who was supported by the Pope.

In Angus the support of the Pope would have been but of small avail to the young Pretender; but many of the gentry of the shire, and the people of all classes, were favourable to his cause. An Angus gentleman, James Edgar of Keithock, was the private secretary of the Chevalier de St George for nearly fifty years, and the friend of his son, the young prince. The Stuarts, in their adversity, had a more faithful servant in Edgar than in many who were ministers of their house in its prosperous days. Bishop Edgar, the secretary's younger brother, possessed, and valued highly, a walking-staff which had been presented to his brother by Prince Charles Edward. Relics of the Prince—a wig and tartan coat—are preserved in Kinblethmont House. They had been presented by the Prince to the then laird of Kinblethmont, who had for some time acted as his secretary.

The town of Montrose was the headquarters of the rebels in Angus. They also occupied Arbroath, and generally dominated over the whole of Forfarshire for a few weeks in the end of 1745. A glimpse into the state of matters at Arbroath during the rebellion is obtained from a minute of the Town Council, of date March 14, 1746. It appears from it, that after the Michaelmas election in the previous year the Town Council had 'delayed to qualify themselves by taking the oaths to the Government, expecting an opportunity of meeting for that purpose within the time prescribed by law, but that being overawed by the rebels, who were in possession of the town, and usurped the authority over the inhabitants, they could have no meeting for that end; and that after the rebels had marched off, and the king's troops arrived, they had applied to Mr Charles Guthrie, the town's

agent, in consequence whereof he had consulted Mr David Scrimgeour, advocate ; and Mr Guthrie having communicated Mr Scrimgeour's opinion to the Town-Clerk, by a letter dated the 10th day of March curt., advising them yet to qualify by taking the oaths, therefore the Magistrates and Councillors, being this day met for qualifying,—(the Provost objected against any members to qualify to King George who pretend to be well affected to his person and Government, and are conscious that they have given furtherance and assistance to the present rebellion, and continue to go to unlawful assemblies for worship),—the members proceeded to qualify, and swore the oaths of allegiance and adjuration, and subscribed the same, with the assurance to his Majesty King George the Second.'

According to the statement of 'Johnny Palmer,' who in his old age was well known in Forfarshire as a 'gaberlunzie,' the Jacobites in Arbroath celebrated the birthday of their Prince on 20th December 1745 with enthusiasm, and with a good deal of eating and drinking, particularly the latter. Palmer, who died in 1811, was a witness of the scene. He was then a young man of twenty-two, a soldier in the rebel army, in Lord Ogilvy's battalion. He used to tell, in his wanderings about the country, that on that day a table was spread at the market-cross of Arbroath, on which there was plenty of wine and sweetmeats. Barrels of beer were placed at the corners of the streets for all and sundry to help themselves. The old man summed up his pleased reminiscence by saying emphatically that 'Arbroath never saw sic a day since, and never wull noo.'

It was speedily made evident that Arbroath could have no such day again in honour of 'Prince Charlie.' The Duke of Cumberland, after his bloody victory at Culloden, arrived in Angus in May 1746. On the 8th of that month, the Town Council of Arbroath commissioned Provost Mann to attend a meeting of the annual committee of the Convention of Royal Burghs in Edinburgh, 'in order to congratulate his Majesty on the success of his army against the rebels, and to thank him for sending his Royal Highness the Duke to command the army, under whom a complete victory is obtained over them.'

Patrick Wallace, who raised two companies for the rebel army, was the chief of the Arbroath rebels.¹ It was as a reward for his zeal in the cause, and as a proof

¹ The names of rebels in the Arbroath district are contained in 'A List of Persons concerned in the Rebellion, transmitted to the Commissioners of Excise by the several Supervisors in Scotland in obedience to a General Letter of the 17th May 1746, and a Supplementary List with Evidences to prove the same.' This volume has been printed (1890) for the Scottish History Society from the manuscript in the possession of the Earl of Rosebery. The rebels connected with the Arbroath district were returned in the lists of the examiners of Excise in the Montrose and Dundee districts

respectively. The list, which probably is not exhaustive, gives in each case, as follows, the acts of rebellion and circumstances, and also a statement as to where the persons were at the time the list was prepared: William Archer, taylor, Arbroath, kept guard for the rebels, has submitted to His Majesty's mercy; at home. James Abbot, dyster, Arbroath, carried arms for the rebels, was hired by a tenant; not known where he is. David Bennet, Hatton Miln, Kinnel, carried arms at Inverury and Falkirk, and went to the north with the rebels; not known where he is. John Brown,

of the confidence reposed in him, that while the rebel headquarters in Angus were at Montrose he was appointed Governor of Arbroath. He had been Provost of the burgh for two triennial terms, first from 1729 to 1732, and then from 1741 to 1744. At the time of the rebellion it was Provost John Mann who was in office. Mr Mann was himself a Hanoverian, but a number of his colleagues in the Town Council sympathised with the rebellion, and during the rebel occupation of the burgh and the governorship of Provost Wallace the Magistracy effaced itself. After the rebellion, Mr Wallace was imprisoned in the Tower of London, and there—his wife having chosen to reside in the Tower with him during his imprisonment—his daughter, afterwards Mrs Stuart Scott, of Gilchorn, was born. Mr Wallace, notwithstanding his imprisonment, contrived to come better out of the rebellion than many of the other rebels. His family had been influential in Arbroath for generations before his time, and they continued for many years afterwards to have a prominent position in the trade of the town. On the other hand, Thomas Watson, a burgher of Arbroath, and who had been one of the

farmer, Boyshan, Kinnel, carried arms as Lieutenant, was active in decoying others into the rebellion, compelling some and oppressing others that would not join them, was at Culloden battle, and there said to be killed. David Barclay, brewer, Arbroath, hoisted a white flag (the Stuart flag) on the Shore at Arbroath and apprehended one of the Hazard sloop's crew making his escape (the Hazard, a sloop of war, had been captured by the rebels), and caused him to be severely whipped; a prisoner at Stirling. John Brown, tenant, Boshan, Kinnel, carried arms as a Lieutenant in Provost Patrick Wallace's company and levied money for the rebels; not known where he is. John Chalmers, servant, Kinnels Miln, carried arms with the rebels, and was with them in the North, now serving the Laird of Brunton. John Cosky, young man, Binaves, Kinnel, was hired out and carried arms at Inverury and Falkirk, and went north with the rebels; lurking. Thomas Crighton, mason, Arbroath, joined the rebels, went with them to England, and was very active in raising men; lurking. Alexander Crighton, senior, Arbroath, kept guard in Arbroath for the rebels. James Crighton, shoemaker, Arbroath, carried arms with the rebels into England. James Coupar, Arbroath, kept guard for the rebels, and collected the cess by their order. John Chalmers, Drunkendiel [the hamlet now known as Drucken-dub], St Vigeans, carried arms into England with the rebels; lurking. James Caird, servant to Geo. Miln, Balcathie, Arbirlot, went to Dundee in arms with his master; lurking at Balcathie. David

Dennies, young man, Binaves, Kinnel, was hired to the rebel service and carried arms at Culloden, &c.; lurking. John Duncan, brewer, Arbroath, carried arms for the rebels and assisted in collecting the Excise at Dundee, not known where he is. Alexander Duncan, taxman of the Customs, Arbroath, spoke treasonably, calling his Majesty an usurper; in prison. John Dorwood, weaver, Arbroath, carried arms with the rebels; at home. David Dorwood, land labourer, Arbroath, assisted the rebels in keeping the King tender from unriggering some ships; not known where he is. James Essie, senr., weaver, Arbroath, carried arms at Falkirk, has submitted himself at mercy; at home. James Fordue, wright, Arbroath, kept guard for the rebels; at home. Willm. Ferguson, discharged Excise officer, Arbroath, acted as officer of Excise for the rebels; at home. Robert Ferrier, farmer, Arbroath, carried arms as an Ensign of the rebels and was at the battle of Falkirk; not known where he is. John Fraser, a stranger lodged with William Crighton, Paddocks Mire, Kinnel, was advised or rather forced by his said landlord to enlist with the said rebels, which accordingly he did and went north with them; not known where he is. Willm. Gowans, servant, Kinnels Mill, Kinnel, carried arms being hired, and was at Culloden battle with the rebels; at home. David Garden, junr., Lawtoun, Kirkden, carried arms as Captain in Lord Ogilvie's rebel regiment; not known where he is. David Gray, brewer, Arbroath, carried arms as a private man (private soldier), kept guard and assisted in levy-

magistrates of the burgh, was ruined by the rebellion. Mr Watson was the eldest son of James Watson, tenant in Mains of Auchmithie, and grandson of Thomas Watson, minister of St Vigeans. He was in business in Arbroath as a tobacconist. At the close of the rebellion he was a prisoner, and, having been proceeded against by the Government, his property in Arbroath was forfeited to the Crown. It was sold by the Barons of Exchequer to James Johnston, a surgeon in Lieutenant-General Sir John Cope's regiment of Dragoons.¹

The district of Arbroath continued in a disturbed state for many months after the suppression of the rebellion. Bands of armed marauders prowled about the country. On 4th March 1747, the Presbytery had under their notice a robbery committed on Mr James Murison, minister of Kinnell, at his manse, by a band of armed men in Highland dress. Soon afterwards it was reported that a man named Davidson, the ringleader of this band, was apprehended, and his followers dispersed.

ing money for the rebels, submitted; at home. William Gillespie, sailor, Arbroath, assisted as pilot in sailing a French ship from Arbroath to Montrose; at home. James Grant, brewer, Arbroath, carried arms and was at the battle of Falkirk; lurking. James Hunter, Letham, Cottown, St Vigeans, carried arms and was at the battle of Falkirk with the rebels; lurking. John and Hary Hunter, Newtown of Arbirlot, both carried arms and went north with the rebels; lurking. Robert Henderson, cottar, Cotton of Kingblythmont, Kinnell, carried arms, was at Culloden battle, has carried off his wife and children, and is begging. Robert Hodge, farmer, Fannoksmire, Kinnell, carried arms and very much distressed the ministers and other people in the country by taking their horses, and plundering their houses, &c., was at Inverury skirmish and Falkirk battle and went North with the rebels; lurking. John Key, taylor, Alex. Kerrie, sailor, John Kerrie, merchant, all of Arbroath, all carried arms in the rebel service—the first at home, second not known, third a prisoner in Edinburgh. John Couper, smith, Arbroath, kept guard for the rebels and carried arms; not known where he is. Geo. Mill, tenent, Balcaithie, was a Lieut. in the rebel army and very active in levying men and money; lurking. Alexr. Mackie, Arbroath, carried arms at Falkirk, has now submitted; at home. Duncan Miller, weaver, Auchmithie, St Vigeans, carried arms in rebellion, being hired by tenant to save his levy money; not known where he is. James Moodie, Auchmithie,

voluntarily enlisted himself into the rebel army, accompanied them to England, was at Falkirk and went North; prisoner. James Nicol, taylor, Arbroath, carried arms and mounted guards for the rebels; at home. Alexr. Pierson, shipmaster, Arbroath, assisted in piloting a French ship from Arbroath to Montrose; prisoner. John Peddie, merchant, Arbroath, went along with the rebels to Dundee, and assisted in collecting the Excheise; at home. Alexr. Ritchie, thread maker, Arbroath, carried arms in the rebel army and was at the battle of Falkirk. Alexr. Robertson, servant, Letham, Cottown, St Vigeans, was hired by a tenant, carried arms, and went North with the rebels; prisoner in Montrose. Alexr. Smith, farmer, Boysuck Miln, Kinnell, carried arms at the battle of Falkirk, was very active in raising men and pressing horses for the Pretender's service and in plundering houses, was a serjeant; kill'd. Alexr. Smith, servant, Gilchorn, Invorkeller, was hired and carried arms at Falkirk and went North with the rebels; kill'd. John Strachan, cottarman, Cottown of Grange, Kinnell, carried arms at Culloden battle, being hired; kill'd. James Stouter, brewer, Willm. Smith, thread maker, Alexr. Smith, barber, David Shanks, weaver, John Shanks, weaver, David Scott, taylor, all of Arbroath, and David Scott, servant, Balcaithie, Arbirlot—all carried arms in the rebel service—first was at home, three next not known, John Shanks and Scott taylor, prisoners in Stirling, and Scott servant lurking. William Taylor, brewer, Cottown of Garden, was with the rebels in Eng-

¹ Burgh Reg. of Sasines.

As in 1716, the Presbytery in 1746 reinforced the civil authority in the punishing of the rebels. John Brown, tenant in Bolshan, an elder in the parish of Kinnell, having been notoriously engaged in the rebellion, was deposed from his eldership, and declared to be incapable in all time coming of holding that office. In February 1747, the Presbytery resolved that all who had carried arms in the rebellion should make public 'satisfaction' in church before receiving any church benefit; and that those who, having been forced into the rebellion, had voluntarily surrendered themselves upon the Duke of Cumberland's proclamation at Montrose, should escape with a sessional rebuke, intimation of which, however, was to be made to the congregation. Among local prosecutions was one of Mr (afterwards Bishop) Edgar, who was charged with a violation of law in praying for the Pretender, or omitting to mention King George in his prayer for the king. Mr Edgar does not seem to have suffered any pains or penalties in consequence of this charge. But the Episcopalians in the town, and throughout Scotland, were placed by law under disabilities, the last of which have been removed only within the

land and till the defeat at Culloden, where he is said to be kill'd. Robert Walker, young man, Boysham, Kinnell, behaved discreetly in the country, was Ensign in rebel army at Falkirk and went North with it; lurking. James Watson, cottar, Craig parish, carried arms voluntarily, and was at Falkirk and Culloden battles with the rebels; lurking about Arbroath. Patrick Wallace, Provost, Arbroath, had a commission as Governour of Arbroath for the rebels, raised and commanded two companies of men in their service, and was active in landing the French soldiers. Thomas Watson, merchant, Arbroath, carried arms in England, &c., with the rebels, worth 25 lib. yearly of land rent; prisoner. Thos. Wilkie, Arbroath, assisted in piloting a French ship from Arbroath to Montrose; prisoner. John Watson, brewer, Arbroath, carried arms with the rebel army, and was in England, &c., with them; prisoner. David Wilson, brewer, Arbroath, carried arms and kept guard for the rebels. Wood of Allardie, Letham, St Vigeans, was along at Edinr. and since in the North with the rebels, has 100 lbs. of land rent. John Webster, Chelsea pensioner, Arbroath, taught the rebels the exercise of the firelock and assisted them in levying money in the country; prisoner. Andrew Webster, wright, Arbroath, carried arms with the rebels at Falkirk, &c. John Wilson, son to Thos. Wilson, Tarrie, St Vigeans, was one of the rebel Hussars, went with them to England, and was taken prisoner.

In the list of rebels given by Mr George Cruick-shank, examiner, officiating at Dundee, some

names, as follows, comprised in the Arbroath district of parishes are found: David Butcher, servant, Pitschellie, Barry, carried arms with the rebels, was at Falkirk battle and Stirling siege; prisoner. James Clark, sailor, Greenhall, Barry, carried arms in the rebel army, was at the battles of Falkirk and Culloden; prisoner. James Greig, tenant, Woodhill, Burray, joined the rebels at Dundee 13th January 1745-6, and carried arms with them; in Arbroath prison. George Gourlie, Panbridge, carried arms in the rebel army, surrendered them after Culloden to the minister of the parish; at home. James Gourlie, Panbridge, did the same as the last above in all respects; at home. Robert Kerry, tenant, Newtown of Panmuir, Panbridge, enlisted himself and carried arms in the rebel army; in Arbroath, a prisoner. Andred Lovall, Panbridge, carried arms in the rebel army, surrend. to the parish minister on His R.H. proclamation; at home. James Lumgair, Panbridge, surrendered to the minister of the parish since the battle of Culloden; at home. William Main, tenant, Newton of Panmuir, Panbridge, enlisted and carried arms with the rebels; in Arbroath prison. James Ogilvy, tinker, Barry, carried arms in the rebel army and was at the battle of Falkirk and Culloden; prisoner. John Russell, weaver, Backmuir, Barry, carried arms, was at the battles of Falkirk and Culloden and Stirling siege, and wounded; in Arbroath prison. William Watt, servant, Greenlawhill, Barry, carried arms in the rebel army, was at the battle of Falkirk and Stirling siege; lurking.

present generation. So afraid was the Government lest their meetings for worship would be converted into convocations for treason, that for some time after the suppression of the rising in 1745-46, not more than four persons were permitted to meet for Episcopalian worship unless the service was conducted by a person who had qualified by taking the oaths to Government. In Arbroath the place of meeting was 'the Bishop's Palace,' a house on the west side of the lower part of High Street—which in 1888 was completely transformed by the erection of modern shops in front of it—and one of the duties of the soldiery then in the town was to see that no more than the legal number of persons were permitted to attend the services there. Expedients were resorted to in order that the law might be got over, but even at a somewhat late period of the eighteenth century an Arbroath lady was summoned before the Sheriff at Forfar for contravening the statute. The Sheriff prudently dismissed the case.

In the north wall of the Abbey Burying-Ground there is a memorial tablet which closely connects the last of the Stuart rebellions with the present time. It was erected in 1874, in memory of Mrs Strachan or Rattray, interred on 16th November 1833, aged 101 years. The tablet states that 'her husband, Mr John Rattray, in early life held a commission in the army of Prince Charles Edward, and was present at the battle of Culloden.' Their daughter, and only child, was married to Provost Duncan, whose surviving daughter, Marjory, and Mr George Canning, husband of their daughter Jane, who died in 1865, erected the tablet to the memory of the venerable lady. If the entry of her birth in the family Bible is to be depended upon, Mrs Rattray was a genuine centenarian. According to that authority, her 101st birthday was the day of her interment. Mr Canning, who long took an active interest in the public business of Arbroath, and was for some years in the magistracy, was a native of Kirkcudbright. He died at Edinburgh on 15th May 1881.

PART IV.

THE CHURCH, ITS MINISTERS AND DISCIPLINE, FROM THE REFORMATION TO
THE PRESENT TIME—SCHOOLS—THE POOR.

CHAPTER I.

LOCAL ECCLESIASTICAL RECORDS—WALTER MYLN—READERS IN THE REFORMED
CHURCH—THE REFORMATION IN ARBROATH—DEPOSITION OF A SCHOOLMASTER
—MINISTERS OF ARBROATH FROM THE REFORMATION TO THE PRESENT TIME.

THE Church in this district, as elsewhere, had a close connection with those national events which have already been mentioned in these pages, and the records of the ecclesiastical bodies in the locality also throw light on local history. At this stage of our narrative it will accordingly be convenient to notice the Church affairs of the town and district from the Reformation to the present time.

The oldest register of the Presbytery of Arbroath begins in the end of the year 1659, and goes on to 1687, after which there is a blank till 1704, the Presbytery of Arbroath having in the interval been joined to that of Brechin. From 1704 the record is kept continuously to the present time. An early volume of the Presbytery register, from 1606 to 1639, was delivered to Mr John Johnstone, minister of Barry, on 29th September 1664, to be transmitted to Andrew, Bishop of Orkney, at St Andrews.¹ This and other of the early volumes referred to in the existing records are not known to be in existence now. The interesting volume which relates to the period of the Restoration Church was recovered in an accidental manner about forty years ago. On 5th January 1709, the Presbytery resolved to make a demand on Mr David Strachan, Episcopalian incumbent at Carmyllie, son of Mr Patrick Strachan, formerly incumbent at St Vigeans, who was Moderator of the Presbytery at the Revolution, and on Mr Balvaird, who was Presbytery Clerk at the same time, to produce the records. It was reported to the brethren

¹ Arbroath Presbytery Records.

in the following month that Mr Balvaird had given the registers out of his hands, and that Mr Strachan had taken them to Carmyllie. These registers of the Restoration period were not recovered by the Presbytery at the time they were in search of them; but after having been missing for a century and a half, the volume was got by the late Rev. Dr Walker, minister of Kinnell, at a sale of old books in Edinburgh, and he bequeathed it to the Presbytery.

The oldest registers of the Kirk-Sessions of Arbroath and St Vigeans are also of the Restoration period, the Arbroath record beginning in 1669, and that of St Vigeans in October 1665. There are blanks in the Arbroath record. John Howie, schoolmaster, lost that part of the register extending from August 1680 to December 1681, with other papers belonging to the Session. He made a declaration to the effect that he 'had not concurred in losing them out of any sinister design,' and that he 'should be careful to use all ordinary means for their recovery.' This was in 1683. There is a long blank between 1684 and 1732. Again, in 1749, at the induction of the Rev. Mr Bell into the ministry of the parish, the Session, 'considering that they had had no regularly kept registers for some time, ordered the said Mr Aitkin [their clerk, afterwards minister of St Vigeans] to buy paper, and cause bind two large books for keeping the registers of their Session minutes, baptisms, marriages, &c.'¹ Since about that time the registers have been regularly kept. In some other parishes in the district, the records, so far as they are in the possession of the Kirk-Sessions, are scanty, but with many of the disciplinary records of the Sessions, the registers of births or baptisms were mixed, and these were removed to the Register House, Edinburgh, on the passing of the Registration Act.

The Reformation extended over a long period, but in Scotland it usually dates from the year (1560) in which the Reformed Church first received the recognition of Parliament. It was two years before that time when Walter Myln, the last of the martyrs of the Reformation period, suffered. Myln, who in his earlier years had travelled in Germany, where he became acquainted with the Reformed doctrines, was priest of the church of Lunan, one of the churches of Arbroath Abbey. An information had been laid against him for refusing to say mass in the time of Cardinal Beaton, and he then abandoned his cure. John Petrie, priest of Inverkeilor, another of the reformers of the Church, made his escape at the same time from the enmity of the Cardinal. Long afterwards, when Archbishop Hamilton was in the see of St Andrews, Walter Myln was taken in the town of Dysart by two priests, servants of the Primate, and carried to St Andrews. According to Foxe, he was offered a monk's portion for the remainder of his life in the Abbey of Dunfermline if he would recant. He refused, and having been condemned as a heretic, he was burned at St Andrews on 28th April 1558, in the eighty-third year

¹ Arbroath Kirk-Session Register.

of his age. Myln had married, and it is supposed that it was this circumstance which, while he was in the discharge of his pastoral duties at Lunan, first drew on him the suspicion of heresy. His widow survived him many years, and as appears from the accounts of the collector, she had a pension of £6 13s. 4d. out of the thirds of the benefices. In 1848 the heritors and parishioners of Lunan erected in their parish church a mural tablet, in marble, to the memory of the last of the Reformation martyrs.

The death of Cardinal Beaton, twelve years before Walter Myln suffered, was a distinct intimation to the burgesses of Arbroath that the Mediæval Church of Scotland had fulfilled its time. Abbots or commendators were nominated in succession to each other after Beaton's death, but the monastic establishment was broken up, the brethren were dispersed, and some of them were usefully employed as readers in the parish churches, or as teachers in the schools. It is a fact which has scarcely received enough of attention, that in Scotland as well as in England, while there was a great popular movement, and while the nobility here played an important but selfish part, the Church was mainly reformed by the clergy, many of whom accepted the Protestant doctrines. Some indeed took service in the Reformed Church who had no sympathy with it. That was especially so in Forfarshire, if we may judge from charges which were brought against Erskine, Superintendent of Angus. In one of the earliest of the General Assemblies, 'it was layed to the Superintendent of Angus his charge, that there were manie Popish preests unqualifeid, and of vitious life, admitted to be readers of kirks within his diocie.'¹ But the Superintendent, who was himself a zealous reformer, had probably no great choice in his selection of readers, for it was far from being the case in those times that everybody could read.

During the period of transition, it is possible that the inhabitants of Arbroath looked with mingled feelings upon what was going forward. The neighbouring town of Dundee took a zealous interest in the Reformation, but we are without evidence that there was a similar enthusiasm in Arbroath. The town was the 'Abbot's burgh'; under the protection and patronage of the monastery it had so far thriven, and it is certainly conceivable that the burgesses may at least have been divided in opinion as to the merits of a Reformation which was to lead to the Abbey falling into ruins. In such abbey towns as Arbroath, the ecclesiastical convulsion would appear like a flood sweeping away all but archæological traces of the past, and leaving nothing but a blank, to be occupied by the new institutions which were to arise. There is a small indication that the town did not get itself reformed all at once. In the General Assembly held on 28th December 1562, complaints were made that 'wicked men was permitted to be schoolmasters, and so to infect the youth; amongis whom one Master Robert Cumyn, schoolmaster in Aberbrothok, was compleaned upoun by the Laird of Dun [Superintendent of

¹ Calderwood's History of the Kirk, vol. ii. p. 205.

Angus and Mearns], and sentence pronounced against him.¹ The charge against Cumyn, or Cumming, was that of 'infecting the youth committed to his charge with idolatrie.' This schoolmaster of Arbroath had evidently a hankering after the old religion, of which, as may be inferred from his title of 'Master,' he had probably been a minister.

The first Reformed minister of Arbroath was Ninian Clement. He and his successor, James Melvill, brother of the more celebrated Andrew Melvill, must also have been ministers of St Vigeans, for it was not until the time of Melvill that Arbroath was disunited from St Vigeans, and became a separate parish. The Rev. John Aitkin, author of the Old Statistical Account of St Vigeans, says that it was about the year 1560 that Arbroath became a distinct parish, but that no legal division was ever made.² The latter statement appears to be correct, but Mr Aitkin has pre-dated the disjunction and erection by about fifteen or twenty years. Not much is known of Ninian Clement; but he was in the charge in 1564, for, as appears from one of the Burgh Court-Books, he on the 2nd of June that year was admitted a burges. The entry of his admission bears that he 'shall pay the spice and wine to the Bailies and Council.' There is another notice of Clement in the Court-Book. On 2nd March 1565, he complained to the Magistrates that a woman named Jonat Boyis had been 'myssaying hym, alegand that he cawit her to part with twa barnis.' The Bailie and Court, on investigation, found that Jonat's statement was not true. She was accordingly ordered to attend in the Chapel on the following Sunday, or as soon thereafter as she might be 'hail of body,' and, before the bailies and neighbours, ask the forgiveness of the minister. It was further ordained, that if in time to come she committed any similar offence she should be put in the 'gowis' [pillory], and sit there from sunrise till sunset, and further endure the bailie's will. The prospect of the 'gowis,' and the further will of the bailie, probably deterred Jonat Boyis from indulging in any more slander of the minister. But he had another court case, for in 1566 he complained upon a certain James Baxter, for interference with the roods of his yard in the Abbey, called 'Denichin yard.' In this case, the Magistrates once more interposed between the minister and his adversary. In 1568, they, along with the neighbours, made him a grant of the thirds of the Lady Chaplainry and the Saint Nicholas Chaplainry, 'gif thair be no relief gottyn thairfor within forty days.' Clement was in 1573 translated to Forfar.

In the time of the ministry of Ninian Clement, there was a reader at Arbroath, Thomas Lyndsay, who had been one of the monks of the Abbey. Lyndsay appears to have been employed to assist the minister, who had not only the spiritual interests of the burgh to attend to, but also the whole of the wide district comprehended within the original parish or 'shire' of Aberbrothock. He is mentioned several

¹ Knox's Hist. of Reformation, vol. ii. p. 363. ² Old Stat. Account of Scot., vol. xii. p. 166.

times in the Burgh Court-Book of the period. In 1565, on 27th July, the Bailies, Council, and community, as patrons of the Lady Chaplainry, which was declared to be vacant in their hands, granted to Thomas Lyndsay two roods of land, with a house and pertinents, on the east side of New Marketgate, all belonging to the chaplainry. This grant was made for the upholding of the Chapel, which was then ruinous, having probably continued in a somewhat unsatisfactory state from the time, in 1530, when the Magistrates sought to compel the chaplains to make it water-tight. In 1566 Lyndsay was appointed collector of the annuals and rents of the chaplainry. Four years afterwards, on 2nd June 1570, when he is described in the Court-Book as 'Thomas Lyndsay, reader, ane of the Convent of Arbroath,' he was, at a meeting of the inhabitants of the Eleemosynary, appointed collector and administrator of the dues which were payable on heritages in that part of the burgh for the relief of the poor. This appointment was made by the Commendator of the Abbey, and in his presence.

Lyndsay had a successor in the readership of Arbroath, the office having been continued until the time, at least, when the royalty became a separate parish. On 20th October 1579, complaint was made to the Privy Council 'by Mr John Granger, reader at Abirbrothock, that although he had been lawfully provided to the vicarage of the said abbacie [of Aberbrothock] by gift under the privy seal, and had been in possession for three years, yet John Douglas, chamberlain of the Abbey, "hes planelie inhibit the tenants to answer the said Mr John of the teind fischis pertaining to the vicarage, but most unlawfully withholds and causes them to withhold the same from him."' Having before complained of this oppression, he had obtained the king's missive letters desiring the chamberlain, because of the petitioner's office and poverty, not to trouble him in his possession, 'declaring to the said John Douglas that it was not his Highness' meaning that he in that office sould offend ony of the said Mr John's calling or vocatioun, but rather to be ane fortifear of thame.' Notwithstanding, John Douglas, upon 24th September last, 'maist stubbornlie contramandit the saidis tennetis to obey the said Mr John in any sort,' saying that in spite of any letter sent, or any command given therein, 'he wold mell with the saidis teind fischis upoun perrell of law.' The Lords decerned John Douglas 'to desist from his molestation, and to suffer the complainer to intromet, uptak, and dispone' of the said teind fishes, according to his said gift and decree already passed thereupon, because the said John Douglas failed to appear on summons.' This Mr John Granger, who had probably been a monk of the Abbey, seems to have been virtually performing the duties, and was endowed with a part of the stipend of the parish minister of Arbroath. The fish teinds mentioned in the quotation from the Register of the Privy Council were legally a part of the stipend, but have long been in abeyance.

James Melvill was inducted into the ministerial charge of St Vigeans and Arbroath shortly after Ninian Clement's translation to Forfar, in the year 1573.

Before his induction he had been in succession minister of the parishes of Fearn, Tannadice, and Menmuir, all in Angus. Melvill, like his brother Andrew, was a thorough Presbyterian, and took an active interest in the affairs of the Church. By ecclesiastical appointment, he was one of those who conferred with Archbishop Adamson in 1586, in an endeavour to bring him to submission to the tribunals of the Church, and so avert the sentence of excommunication. He was member of a committee appointed by the Privy Council in 1589 to see to the maintenance of true religion in the shire of Forfar. Dr Scott says that Melvill was removed from St Vigeans and admitted to Arbroath between 1574 and 1593.¹ It does not appear that his successor at St Vigeans was appointed till 1593, which was some years after Arbroath became a separate parish. When that event took place, Melvill continued his ministry in the town, not at St Vigeans, and he was minister of Arbroath at his death in 1596.

Dr M'Crie quotes a notice of the stipend of Arbroath while James Melvill was minister. In the year 1591, Thomas Ramsay, in Kirktown, bound himself 'to pay to the richt worchipful Mr James Melvill, minister of Aberbrothock, 4 bolls beir, wt. ane pek to the boll, and twa bolls aitmail, wt. the cheritie, guid and sufficient stuff—the mail to be for the said Mr James awin aeting, all guid and fyne as ony gentill man sall eat in the country adjacent about him; or, failing delivery, to pay for every boll four lib. of money.'² In the year of Melvill's death he obtained decret against John Richardson for the feu-farm of the kirk-lands of Aberbrothock, assigned to him by the Lords of Council, viz., 2 bolls wheat, 28 bolls bere, and 20 bolls oatmeal.

Melvill, the zealous Presbyterian, was succeeded as minister of Arbroath by Andrew Lamb, a churchman of a different order. Lamb was inducted in 1596, having previously been minister at Burntisland. He held the benefice only four years, being translated to South Leith in 1600. He was made a Dean of the Chapel Royal, and received several clerical preferments, including the commendatorship of the Abbey of Cupar. He was selected to preach the sermon at Holyrood on the morning of the King's departure to assume the English crown. In 1607, Lamb was appointed Bishop of Brechin, and he presented to the Cathedral of Brechin a beautiful chandelier, which is still an ornament of the church. Along with Spottiswoode, Archbishop of Glasgow, and Hamilton, Bishop of Galloway, he was consecrated in the chapel at London House on 21st October 1610. He was translated from the see of Brechin to that of Galloway in 1619, and he died in 1634. Bishop Lamb was a member of the Court of High Commission, and while he was pastor of Arbroath he was admitted a burgess of Dundee, 'for his aid about the advancement of the commonweal.'³

¹ Dr Scott's *Fasti Ecclesie Scotice*, vol. iii. p. 785.

² Register of Contracts of the Commissary of St Andrews, quoted in 'Life of Andrew Melvill.'

³ Roll of Eminent Burgesses of Dundee, p. 82.

In 1601, Bishop Lamb was succeeded at Arbroath by Henry Philp, who was translated from Creich, in Fife. During his incumbency he had the degree of D.D. conferred upon him by the University of St Andrews. Dr Philp's ecclesiastical politics were similar to those of his predecessor. He supported the measures of the king, a course which was taken by the majority of the clergy of Angus at that time. He officiated as clerk to the General Assembly held at Linlithgow in 1606, and he was a member of the conference at Falkland, 4th May 1609, for healing the divisions and promoting the discipline of the Church. Dr Philp also was a member of the Court of High Commission. From the employments with which he was entrusted by the Church and the king, it may be concluded that the minister of Arbroath was an able man. He was recommended in the letter of the king's commissioner to the General Assembly of 1618, Lord Binning, 'to the gracious remembrance of his majesty.' During his incumbency a decret of the Presbytery of Arbroath in a process respecting the right to the teinds of the lands of Langlandis was brought under the review of the Privy Council by the Laird of Guthrie and Sir Walter Lindsay. The Presbytery as cited to the Council were John Rige, moderator, Mr Johne Spaulding, clerk, Mr Henry Philpe, minister at Arbroithe, and remanent members. The Privy Council annulled the decision of the Presbytery in the case, and strongly censured that body for clerical excess and presumption. Spaulding protested that the production of the process 'sould be nowayis prejudiciall to the liberties and privilegis of the Kirk.'¹ In the time of Dr Philp, on 26th September 1610, a diocesan synod was held at Arbroath by the Bishop of St Andrews. Dr Philp appears to have been as much trusted in his own parish as he was by the king, for the Town Council conferred upon him the unusual honour of electing him an extraordinary member of their body. This position he held for many years, and he seems to have taken a lively interest in the local business of the community. He died in February 1628, leaving 'friegier' valued at £2401,² and his wife, Isobel Paterson, died in the following month. A monument marks their grave and those of their descendants in the Abbey Churchyard. Dr Philp was laird of Almerieclose, and was succeeded in that property by his son.

A record of subscriptions at Arbroath to the Scots Confession of Faith in the time of Dr Philp's ministry exists at Middleton House, near Arbroath, in a copy of the Confession printed at Edinburgh in 1590. The volume contains several fly-leaves, on some of which are the subscriptions to the Confession, among them being the following:—'At Aberbrothock, 3rd April 1606, Frans. Ogilvey. At do., 21st October 1606, Alex. Clarck, Patrick Guthrie, William Wood of Balblain. At do., 28th November 1621, Francis Ogilvy subscrifes yir Articles in so far as they agree with God's Word. (Signed) Frans. Ogilvey. 5th April 1622, John Gardyne. 17th April 1622, Harrie Guthrie of ——. 23rd June 1622, Gardyne of Lawton.'³

¹ Reg. Privy Council, vi.

² Murdoch's Translation of the Grameid.

³ Warden's Angus, iv. 83.

Simeon Durie succeeded Dr Philp as minister of Arbroath. Little is known of him, except that he was translated from Forgan in 1628, and continued at Arbroath till about 1653. His ministry thus extended over one of the most eventful periods of the Church—from the Episcopacy of James VI. and Charles I. to the restored Presbytery of 1638, and into the period of the Commonwealth. He was admitted a burghess of Arbroath on 26th February 1630. On 4th February 1646 Mr Durie presented a petition to Parliament against Patrick Guthrie of Auchmithie, craving that he might be apprehended till he made payment to the petitioner of the prices of thirteen bolls two firlotis meals, two bolls wheat, twelve bolls bere, and six bolls meal, as unpaid of the crops 1641 and 1642. On this petition Parliament granted a warrant to incarcerate Guthrie or to poind his goods.¹

James Fraser, of the family of Philorth, was Durie's successor. He was translated from Strathmartin to Arbroath, to the church of which he was inducted on 21st July 1653. Mr Fraser was thus admitted in the time of the Commonwealth and Presbytery, and he continued minister of Arbroath after the Restoration, with its revived Episcopal government of the Church. He married, on 14th March 1654, Isobel Philp, daughter of one of his predecessors, Dr Philp of Almerieclose. For her and himself he bought the lands of Hospitalfield and Kirkton in 1656. He was appointed moderator of the Presbytery on 2nd May 1661. In 1668 Mr Fraser quarrelled with the provost of the burgh, Provost Suthie. He complained to the Presbytery of the provost's 'carriage towards him on some particulars, and asked them to notice it and think upon a redress.' The Presbytery ordained him to give in to them a particular statement of his complaint, which he did at their meeting a week afterwards, on 29th October. It does not appear what the matter was; but the Presbytery had considered it important, for they referred the whole business to the Archbishop (Sharpe), and they appointed John Rait, their then moderator, and two of the other brethren, to go to St Andrews and lay it before the Primate. The issue of this proceeding was unfavourable to the complainant, for in December the Archbishop 'suspended Mr James Fraser from the exercise of his ministry, until he should take further cognisance of the matter and of the carriage of the said Mr James in his ministry.' Meanwhile, the brethren were instructed to see carefully to the supply of the church of Arbroath with religious ordinances. But it was found troublesome to supply the church, particularly in winter, and Mr Fraser was requested by the Presbytery to appoint a young man, an 'expectant,'—that is, a probationer or licentiate,—to do temporary service. Mr Fraser at once complied with this request, but very soon afterwards, on 21st April 1669, he demitted his charge. His demission appears to have been a voluntary act, but the immediate cause of it was his disagreement with the ruling authority in the burgh at the time, whose side of the dispute the Archbishop

¹ Acts of Parl. vol. vi. pt. i. 590.

had shown a tendency to espouse. Mr Fraser continued to reside on his estate of Hospitalfield till his death, which took place in December 1689.

Soon after Mr Fraser resigned, Bailie David Ramsay presented to the Presbytery a petition from Arbroath, that 'the brethren would intercede with the Lord Archbishop in their behalf for the speedy settling of the minister of that town.' A commissioner from the Presbytery, and one from the town, waited on the Archbishop at St Andrews in regard to this business. On the re-establishment of the episcopate, the patronage of those churches in the province which had formerly been in the gift of the Crown was placed in the hands of the Archbishop, and neither had the people any right of call or election, nor the Presbytery an independent right of institution. On 30th September 1669, the moderator of the Presbytery presented a letter from the Primate, 'ordering that an edict be served, with all convenience, at the kirk of Arbroath, for the admission of Mr James Carnegie, minister at Kilmarnock, to the charge of Arbroath, and that the same be returned, duly signed and endorsed, to his Grace.' By instruction of the moderator, the minister of Carmyllie had on the previous Sunday preached at Arbroath, and served the edict, returning it to the Archbishop, so that the business was well advanced before the Presbytery knew anything about it. At the meeting at which the Archbishop's letter was read, Mr Carnegie himself was present. He entreated that his admission into the ministry in Arbroath might be accelerated, as at Kilmarnock he was at such a great distance from the place, and as winter was coming on. The Presbytery appointed that his admission should be on the following Thursday, 'if order for the same shall timeously come from the Lord Archbishop.' The order did arrive in time, and Mr Carnegie was accordingly admitted minister of Arbroath, on 7th October 1669, by Mr Patrick Strachan, minister of St Vigeans, who had been appointed by the Presbytery to this duty, and had also received 'particular order from the Lord Archbishop.' This James Carnegie, besides being minister of Arbroath, was, says Dr Scott, parson of Kilmore and prebendary of Buttergill.¹ He died in 1686.

William Carnegie, who was translated from Hoddam, was admitted to the charge at Arbroath on 3rd November 1686. It is stated in the Presbytery record that at his admission the brethren of the Presbytery were present, and that he 'was readily and suitably received by the people.' He was continued on 4th June 1689, after the Revolution, and died prior to 15th December 1694.

The last Episcopalian minister of Arbroath thus remained in office for some years after the establishment of Presbytery, to which he did not conform. In the western shires the Episcopalian clergy were ejected, not without some roughness, by the Presbyterian people; and in many parishes the ministers of the Restoration Church were formally deposed, or removed by the civil power, for nonconformity. In the north, on the other hand, the people took the part of the incumbents,

¹ *Fasti Ecclesie Scoticane*, vol. iii. p. 786.

shielding them against the authority alike of the Crown and of the General Assembly. It was an important consideration with the Scottish administration under William III. how this state of matters was to be terminated. An Act of Parliament was passed in 1695 which allowed Episcopalian clergymen to remain in their benefices on condition of their taking the oaths to Government. Many of them did so. They continued in their parishes, doing the work of the ministry, but taking no part in the government of the Church in the ecclesiastical courts.

For a considerable number of years after 1695, the General Assembly, in consequence of the desolate state of the Church in these parts, found it necessary to send an annual commission 'for planting of vacant kirks on the north side of Tay,' and many ministers were drafted from southern parishes to churches in the north. The attenuated condition of the Presbyterian establishment in Angus and Mearns during the years immediately succeeding the Revolution Settlement of 1690 is seen in the fact that it was found necessary to unite the six presbyteries constituting the Synod of Angus and Mearns into one presbytery, the Synod itself being joined to that of Aberdeen. On 17th November 1698, the united Presbyteries of Angus and Mearns were divided into two presbyteries—Dundee, Forfar, and Meigle, one; and Fordoun, Brechin, and Arbroath, the other. The first meeting of the latter united Presbytery was held at Montrose on 1st December 1698. The minute of the meeting, having narrated the disjunction, proceeds thus: 'This presbrie did accordingly convene this day: whose fixed members were, Mr William Arrot, min^r at Montross; Mr Francis Melvil, min at Arbuthnot; Mr James Leslie, min^r at Eccles-grig; Mr James Arbuthnot, min^r at Bervie; and Mr James Muirson, min^r at Garvock. The meeting being constituted by prayer, sederunt—Messrs William Arrot, James Leslie, James Arbuthnot, and James Muirson.'¹ The 'fixed members' were the clerical members, not the elders, and it appears from this minute that eight or nine years after the Revolution Settlement there were only five Presbyterian ministers in the united presbyteries of Arbroath, Brechin, and Fordoun, comprising upwards of forty parishes. None of the five was settled in the district of the Arbroath Presbytery, all the parish churches of which continued in the possession of the Episcopalian incumbents, with the exception of the church of Arbroath, which was vacant, having been so for four or five years from the time of the death of the last Episcopalian minister of the parish.

In the year 1701, the General Assembly, finding that there was then a competent number of ministers legally settled in the two provinces, disjoined the Synod of Angus and Mearns from that of Aberdeen. Three years afterwards, the Synod passed an Act 'for the disjunction of the loyal Presbytery of Aberbrothock from the Presbytery of Brechin.' This disjunction also accordingly took place, and the first meeting of the Presbytery of Arbroath, after its revival as a separate

¹ Records of the United Presbyteries of Fordoun, Brechin, and Aberbrothock.

body, was held within the church of the burgh on 17th May 1704. A sermon was preached, and Mr John Fergusson, minister of Arbroath, was chosen moderator. As several of the parishes continued to be occupied by Episcopalian incumbents, the number of brethren who assembled in Presbytery was small.

Mr John Fergusson, admitted to Arbroath, was one of the southern ministers who were removed to the north. He was translated from Robertson, near Hawick, where he was ordained about the year 1696. He had a call to Montrose as well as the one to Arbroath, and he does not appear to have been willing to accept either. The General Assembly in 1698 'refused him to Montrose, and ordered him to be translated to Arbroath.' The translation did not take place immediately, and he and the parishioners of Robertson petitioned in the Assembly of 1699, session 10, that the sentence of the previous Assembly should be reconsidered. In session 12, the same year, the Assembly passed an Act 'taking off' the sentence of Mr John Fergusson, and appointing him to go to Aberbrothick.¹ He was accordingly, on 20th April 1699, inducted into the charge at Arbroath. Mr William Arrot, minister of Montrose, conducted the service, preaching on Heb. xiii. 17.² Mr Fergusson took a leading part in the affairs of the Presbytery. He frequently represented it in the General Assembly, by which body he was appointed a member of the special commissions for the settling of the Presbyterian Church in the north. This first of the ministers of Arbroath after the Revolution is said by tradition to have been a lively but eccentric preacher, and naturally his home-thrusts sometimes gave offence. Mr Fergusson went to law with the Magistrates, raising an action for payment of eighty merks as house rent. He won the case, the Lords of Session, on 22nd January 1715, finding the Magistrates of Arbroath liable for payment of eighty merks to their minister for house rent in all time coming.³ This action was raised after Mr Fergusson had obtained a gift from the Crown, during his lifetime, of the Abbey House and orchard.

In 1735, it was proposed by the minister and Kirk-Session that an assistant to Mr Fergusson, then an old man, should be appointed, who also should succeed him at his death. This was opposed in the Town Council by John Wallace, merchant. He, along with Bailie Gellatly, Bailie Mann, John Grant, Patrick Wallace, David Wallace, and Thomas Wallace, protested that no petition to that effect should be received by the Council. The opposition of that body, however, was ineffectual. James Purdie, M.A., a licentiate of the Presbytery of Glasgow, was ordained assistant on 29th October 1735. He was translated to Guthrie in 1737, and in May of the same year Mr Fergusson died, aged about eighty-two years.

James Purdie's translation to Guthrie having taken place before the death of Mr Fergusson, the charge became vacant when this happened. George Cruikshank then received the appointment. Mr Cruikshank was schoolmaster of the burgh, when,

¹ Indices to Unprinted Acts of Assemb., 1698-99. ² Records of Un. Presb. of For., Bn., and Aberb.

³ *Fasti Ecclesie Scotice*, vol. iii. p. 786.

on Mr Fergusson's demise, the Magistrates and Town Council, 'having certain knowledge and experience of his prudence, learning, and other good qualifications,' resolved to petition the Presbytery to moderate in a call to him, and to apply to the elders for their concurrence. He was called on 9th November 1737, and was ordained on 26th January 1738. Mr Cruikshank, after being minister of Arbroath for rather more than ten years, was translated to Kinnell on 18th February 1748. About six years after his removal to Kinnell he died of asthma, leaving three orphan children, two sons and a daughter. A touching story is told of the self-devotion of the minister's domestic servant, Margaret Matthew, in caring for the children. When Mr Cruikshank died, this admirable woman, removed from the manse at Kinnell, rented an attic room in Marketgate of Arbroath, where she brought up the orphans from childhood, toiling for them, and interesting other people in them. The house in Marketgate in an attic of which she resided was on the east side of the street, at the north corner of Ladybridge Street, the New Wynd. The late Miss Stirling Grahame of Duntrune justly gives 'Meg Matthew' the first place among her 'Worthies.' Describing her importunity for the children, she says: 'She did not ask like a mendicant, but said she must have such and such things for her bairns.' What was thus nobly done by Margaret Matthew may well be mentioned as a memorial of her. Nor was it done in vain. The faithful woman had the satisfaction of seeing the minister's 'bairns' doing well in the world. The sons attained to competency and honourable positions in the West Indies and Montreal respectively. One of them returned to Arbroath, where he died. Their sister married Mr Haldane, a manufacturer, of Haddington. Miss Stirling Grahame thus graphically portrays the benefactress of the Rev. Mr Cruikshank's children:

'Looking through the long vista of the present century, and far down into the past, I see myself, a little girl of five or six years old, sitting on a "creepy" [small stool] at the feet of a remarkable old woman, called Meg Matthew. Meg sat at her wheel spinning flax with both hands from the waist, while I gazed on her dear, homely, wrinkled face, drinking in the old world tales of her past life; her dress, a short-gown, woollen petticoat, a striped wincey apron, a close white mutch with a

black hood over it. . . . Meg went herself to London with the boys, to see them fitted out, and witness their departure; and she saw King George the Third, whom she described as being "like ony ither husbandman wi' a stand o' blue claes." . . . I remember her last illness, and seeing her laid in her coffin. Her dust rests within the cemetery of the old Abbey of Arbroath, embalmed in memory with things that are holy.'¹

It was while residing with her aunt, Alison Grahame, that Miss Stirling Grahame made the acquaintance of 'Meg Matthew.' Alison Grahame was long a familiar figure in Arbroath, where, in the burying-ground of her kinsmen, the Philps of Almerieclose, she was interred. Miss Stirling Grahame of Duntrune died on 23rd August 1877 in her ninety-sixth year, and was buried in the old churchyard of Mains. Two years before her death she launched at Dundee the

¹ Mystifications, pp. 72-75.

ship Duntrune. Miss Stirling Grahame was the representative of John Graham (Claverhouse), Viscount Dundee, whose patent of nobility she possessed. A delightful old lady, she was a perfect type of the Scottish gentlewoman.

William Bell, minister of Benholme, was Mr Cruikshank's successor at Arbroath. The Magistrates and Council agreed, on 17th June 1748, to petition the Presbytery in favour of Mr Bell, and to seek the concurrence of the elders, heritors, and male heads of families, 'which if they should agree to, so that there should be good grounds to hope for a unanimous settlement of Mr Bell, the Council agreed to acquiesce therein, and not to apply for a presentation in favour of him; but if the heritors, elders, and heads of families should not concur, so as a reasonable ground for the belief of a settlement could not be formed, the Magistrates and Council resolved to apply for a presentation to support Mr Bell's settlement.' For a long time after patronage was restored, it was common for presbyteries to induct on what was termed a popular call, without requiring a presentation. Mr Cruikshank had been inducted without a presentation, the Magistrates only seeking the concurrence of the elders. This was in accordance with the Act of Parliament of 1690, which provided that, as had been the practice before 1660, the calling of ministers to royal burghs, where there was no landward parish, should be by the magistrates, town council, and kirk-session of the burgh. In 1748 the Magistrates of Arbroath had recognised that besides the elders the concurrence of the heritors and the male heads of families was desirable; but they were resolved that at all events Mr Bell should have the parish, and accordingly, if objections were raised by the congregation, the Council were determined to put the law of patronage into force. This was not necessary. Mr Bell received a unanimous call. He then asked the Town Council to grant an obligation that they would procure for him, before Candlemas following, 'a decret of locality for the stipend as the same was formerly paid to Mr Cruikshank.' The Council, on considering the matter, were of opinion that such an obligation might be attended with inconvenience, and might be impracticable; but they undertook to 'contribute all in their power to make Mr Bell easy in the exercise of his office, and in procuring him payment of the stipend in the same manner as other ministers.' Mr Bell, not without reason, as will appear in a subsequent part of this work, disliked the matter being placed on that footing, and he declined the call, but ultimately accepted it, and was admitted on 1st December 1748.

In 1750 reports were presented to the General Assembly by the ministers of parishes, as bearing on a scheme to augment stipends, which generally were at that time small. The Assembly had appointed a committee on the subject, and the committee framed certain queries, which the ministers were asked to answer. The answers of Mr Bell, minister of Aberbrothock, were as follows:

The amount of the stipend of Aberbrothock, this country in the sale of lands at £5 Scots per
valuing the victual according to the conversion of boll, is £812 15s. 10d. Scots. In this stipend there

is paid of victual two bolls of wheat, twenty-eight bolls and one peck of bear, and twenty-three bolls two firlots and one peck of meal, but as the meal is paid at the weight of seven stone only per boll it reduces the quantity to twenty bolls and three firlots of current measure as it is computed in the above amount. Of money there is paid £418 14s. 10d. Scots. The said victual and money are paid by fifty-two different heritors. In this stipend there is also paid the tenth sheaf off some lands lying about the town, which sheaves when set in tack have for these several years bygone been let for £110 Scots yearly; and likewise the tenth fish brought into the harbour, which have for these several years bygone been set in tack for £30 Scots yearly; but the value of this last article hath much declined from what it was formerly, because the town is mostly supplied with fish from the neighbouring fishing villages

and not from the harbour of this place. All these particulars included together and valued as aforesaid make up the above amount of £812 15s. 10d. Scots. There is £50 Scots allowed by the Town for communion elements distinct from the above stipend. There is no manse, garden, or glebe belonging to the settlement, only £53 6s. 8d. Scots, which is included in the above mentioned stipend, is paid under the designation of house rent, and as to fuel there is none within the parish but coals which are brought by sea from the Firth of Forth and purchased at the usual rates of this country. There is no decret of locality for the stipend, which is a very considerable disadvantage in levying it, but the above particulars are exactly conform to the payments which were made to the former minister, and to all the documents which can be had of the matter about the place.

Mr Bell proceeds to say that he does not know of any other funds of the nature of tithes within the parish unless four or five acres of land commonly called the Abbey Garden, which in the time of Episcopacy had been given to the Bishop of Brechin, and of which the town of Aberbrothock had, at the date of Mr Bell's answers, a nineteen years' lease, of which six or seven were yet to run. The answers were dated 5th January 1749, and were witnessed by Alex. Ouchterlony and Alex. Keith. The report further gives a tabulated statement of the value of the stipend in Scots money and in sterling money. In the latter it was—Stipend, £67 14s. 7½d.; communion elements, £4 3s. 4d.; house rent, £4 3s. 10¾d.—total value of living, £76 1s 10½d.¹

It may be mentioned that the stipend of the parish of Arbroath is at present (1897) nineteen chalders, with £15 for communion elements, and an allowance for the churchyard grass.

There exists a tradition that during the ministry of Mr Bell a body of the press-gang entered the church during Divine service in order to make captures in the seamen's gallery. Mr Bell, from the pulpit, resented the intrusion, and made a strong suggestion of resistance. In the scene of confusion, most of the seamen, dropping down from their gallery into the area of the church, escaped.

In 1775, while Mr Bell was minister, the office of assistant-minister in the parish of Arbroath was created. The first endowment for it was given by John Miln, sometime convener of Trades, and his wife, Margaret Keith. They offered to the Session to pay £20 sterling a-year to an assistant-minister, as long as either of them lived; and subsequently, in 1778, Mr Miln gave £500, the interest of which was to be devoted to this purpose. Mr Miln's gift was supplemented

¹ General Assembly MS. Papers.

by subscriptions from heritors and burgesses, so that a stipend of between £40 and £50 was provided. Alexander Mackie became the first assistant-minister of Arbroath. He was a licentiate of the Presbytery of Stirling, and had been assistant at Dalmeny. Elected by the Kirk-Session and subscribers, he entered on his duties in Arbroath at Martinmas 1775. The Session resolved to apply to the Presbytery to put Mr Mackie 'into orders.'

Before Mr Mackie could be ordained, Mr Bell died, on 18th December 1775, a month after the assistant-minister had been appointed. The vacancy thus caused was brought under the notice of the Town Council on 12th January following, by means of a petition from the Guildry, the Incorporated Trades, the Kirk-Session, heritors, and inhabitants, that the Council would use their influence to obtain a presentation to the first charge of the church in favour of Mr Mackie. The Council took this course, and Mr Mackie, having received a presentation to the church in April, was ordained on 16th May 1776. The Rev. Patrick Bryce, Carmyllie, preached at the ordination service, and Mr Mackie was inducted into the charge 'to the great joy and satisfaction of his hearers, who had given him a very ample and harmonious call.'¹ The Rev. John Wesley, being at the time on a visit to the congregations of his connexion in the district, was present at the ordination, and appears to have been rather unfavourably impressed with the service. In his 'Journal,' under date, Thursday, May 16, 1776, he says: 'I attended an ordination at Arbroath. The service lasted about four hours; but it did not strike me. It was doubtless very grave; but I thought it was very dull.'

Mr Mackie continued as minister of Arbroath until his death on 29th December 1787. On the vacancy occurring, an effort was made to obtain a presentation from the Crown in favour of the assistant-minister, Mr Richard Watson, who on 7th August 1776 had been elected to the assistantship by the Kirk-Session and subscribers, and had filled the office of assistant during Mr Mackie's ministry. The Guildry and Incorporated Trades, all except the Glovers, petitioned the Town Council to do what they could in the matter, and the Council resolved unanimously to memorialize the Home Secretary for the issue of a presentation in Mr Watson's favour. The Kirk-Session also were unanimously on the side of the assistant-minister. In this instance, however, the Crown did not ratify the popular choice; for on 19th February 1788, George Gleig, a native of Brechin, was presented to the church. Mr Gleig, who had been educated for the Episcopal Church, was licensed by the Presbytery of Brechin. He officiated for some time as assistant in the parish of Garvock. His presentation to Arbroath was very unpopular, and a petition was sent to the king in person, by the community, asking him to cancel it, the petitioners believing that it was contrary to the privileges of the town, as a royal burgh,

¹ Dundee Weekly Magazine, 1776.

for a minister to be forced upon them whom they did not want. The Presbytery, on 31st July, moderated in a call to him, but with the exception of Mr George Kyd, late bailie, nobody offered to subscribe it. Subsequently, a call was made out, and signed by eleven heritors and others. At another meeting of Presbytery an appeal was taken in name of the Kirk-Session, and several of the heritors and inhabitants, against proceeding with the settlement, in respect that the call was not signed. The Presbytery resolved to proceed, and the matter having been taken by appeal to the Synod, that body supported the Presbytery in their resolution. A further appeal was taken by Provost Charles Allan to the General Assembly, but the Presbytery, disregarding this appeal, determined to proceed at once with Mr Gleig's ordination. So strong, however, was the popular feeling against the presentee, that it was considered expedient to hold the ordination service at Inverkeilor, it being apprehended that if it took place at Arbroath there would be a riot. Accordingly, contrary to the custom of the Church, Mr Gleig was not ordained in the parish church where he was to be minister, but in that of Inverkeilor. There was a great commotion in the town on the first Sunday after his ordination, when he officiated in the church, and had to be guarded to and from the White Hart Hotel to the church door by a procession of the Provost, Magistrates, and Incorporated Trades, attended by their officers.¹ Provost Allan's appeal came before the General Assembly in 1789, when it was agreed by a majority to 'waive the consideration of the appeal, and find that albeit the Presbytery have acted irregularly, and are subject to censure, yet the ordination and settlement of Mr Gleig are good and valid.' The Presbytery, by appointment of the General Assembly, appeared at the bar of the ensuing Assembly to answer for their conduct. The deliverance of the Assembly on that occasion was to the effect that the proceedings of the Presbytery were highly irregular and incompetent, in respect that they proceeded to take steps towards the settlement in face of an appeal regularly taken against the sentence of the Synod, and the Presbytery were enjoined to be careful to guard against such irregularities in future.

As was commonly the case in disputed presentations in Scotland, the objection to Mr Gleig was not of a personal nature, but arose from the parishioners having desired another. Soon after his admission to the charge, opposition disappeared, and for nearly half a century Mr Gleig continued minister of Arbroath, respected by all classes of the people. He died on 19th June 1835, in the seventy-eighth year of his age.

On the death of Mr Gleig, William Stevenson, who had been ordained assistant and successor on 17th October 1833, became minister of Arbroath. Mr Stevenson was a native of Lochwinnoch, and he received licence from the Presbytery of Paisley. In 1844 he was translated to South Leith. The degree

¹ Full and Impartial Account of the Settlement of the Rev. George Gleig. 1789.

of D.D. was conferred upon him, and he was appointed Professor of Divinity and Church History in the University of Edinburgh. After receiving this appointment, Dr Stevenson renewed his ecclesiastical connection with the burgh by sitting as its commissioner in successive General Assemblies. He was the author of several works; for a considerable number of years he took an active interest in the affairs of the Established Church; and he was one of the most distinguished of the men who have been ministers of Arbroath. He died in 1872. His successor in Arbroath was Walter Forbes Irvine, ordained to the charge in December 1844. Mr Irvine was a native of Langholm, Dumfriesshire. He continued in the charge till his death, which took place on 14th January 1882. He was succeeded by James Thomson, M.A., ordained in 1882. Inclusive of Mr Purdie, Mr Fergusson's assistant, Mr Thomson is the seventeenth minister since the Reformation.

After the translation of Mr Richard Watson to Arbirlot, Robert Doig was, on 7th July 1790, elected assistant-minister of Arbroath. He removed to Aberdeen. David Dow was elected on 12th December 1794, but he does not seem to have been inducted. Since that time the following have been the successive holders of the office of assistant-minister:—Mr Wilson, elected 4th August 1795; Robert Thomson, 23rd November 1795, licensed by the Presbytery of Edinburgh, translated to the Abbey Church; William Herdman, elected 20th December 1797, translated to Rattray; William Simson, 2nd June 1813, became minister of a chapel in Canongate, Edinburgh; James Pirie, 2nd February 1815; William Ogilvie, 8th July 1817, became minister at Clova; Thomas Doig, 6th July 1819, removed to Torryburn, demitted in 1843, and died minister of the Free Church at Torryburn in 1866; John Cooper, 9th November 1832, translated to Pittenweem; John Laird, 30th November 1834, translated to Inverkeilor, demitted in 1843, minister of Free St George's, Montrose, 1847, translated to the Free Church in Cupar, Fife, in 1853, had the honorary degree of D.D. conferred upon him, Moderator of the Free Church Assembly of 1889, and died at Cupar in 1896; Thomas Dymock, 22nd November 1836, translated to Carnoustie, demitted in 1843, and was afterwards, till his death, a minister of the Free Church at Perth; John Montgomery, 26th February 1839, became minister of Innerleithen; Charles Merson, 28th January 1845, who, after holding the office for a number of years, accepted a clerical appointment in Ceylon, where he died in 1869; Angus Gunn, admitted in 1859, translated to Dollar; James Pillans MacDougall, elected 7th May 1860, resigned in 1878, and was subsequently minister of the parish of Hoy and Graemsay, in Orkney, where he died in 1887; William Robertson, ordained to the assistantship, 8th January 1879, inducted minister of the parish of Sprouston, January 1881, and died in 1889; James Thomson, M.A., admitted in 1881, and was subsequently ordained minister of the parish; Gordon J. Murray, elected in 1882, and ordained minister of Greyfriars, Aberdeen, in 1886; John

R. Cruickshank, elected December 1886, ordained minister of Stobo in 1891; William Struthers, appointed in 1891, resigned; William Hall, appointed in 1893, resigned; William Wilson, appointed in 1897. Since the institution of the office in 1775 there have been twenty-five assistant-ministers of Arbroath.

The Kirk-Session of Arbroath having purchased John Street Hall, and fitted it up as a church, it was on 24th January 1886 opened by the late Professor Christie, Aberdeen, as a chapel-of-ease to the Old Church, and since then the building has been known as St Ninian's Chapel. The first minister was William Grant, appointed in 1887, who was followed by Archibald Allan in 1889. Mr Grant was translated to Drumblade, and Mr Allan to Channelkirk. W. B. Jack was appointed to St Ninian's in May 1891. He was afterwards ordained to the charge, and in April 1896 he was inducted into the parish of Caldercruix. James M. Hunt was ordained to St Ninian's in August 1896.

CHAPTER II.

THE TOWN OR OLD CHURCH.

DOWN to the time of James Melvill the reformed worship was conducted in the Lady Chapel, stripped of its altars and images; but during his incumbency the burgesses of Arbroath had a new parish church erected—the church which since about the commencement of the present century had been known as the Old Church. This was a considerable undertaking for the inhabitants of the burgh, and it was not accomplished without some extraneous help. The gift of stones from the dormitory of the Abbey must have been of some value,¹ but with that exception no part of the monastic possessions was devoted to this purpose, and very little of them went as stipend to the ministers of the parishes in which the Abbey lands or feu-duties were situated. Thus, Row notes, under date 1583, 'The abbacie of Aberbrothok is disponed to the Duke [Lennox], and no provision made for the ministers.'² In this state of matters, the Magistrates and community of Arbroath appealed for assistance in building their church to the Convention of Burghs; and that body, at a meeting held in Perth on 22nd June 1582, agreed to give to the town the unlaw or fine of £20 of Forfar, which had failed to send a commissioner to the Convention, provided this money were 'bestowed upon the upbigging of the kirk of the said town of Aberbrothock, pier, and shore thereof.' The commissioner from the burgh, Archibald Pierson, promised to see this done. Again, at Edinburgh, in 1587, an unlaw of £20 was assigned to Arbroath 'for

¹ *Supra*, pp. 92, 93.

² Row's History of the Kirk, p. 105.

supporting of their kirk wark.' Two years afterwards, on 14th April 1589, the Convention met at St Andrews. In that year Arbroath was exempted 'from keeping of all Conventions for the space of three years, providing that at the next general assembly of burghs John Hailes, present commissioner for the said burgh, cause sufficient caution be found that the sum of threescore pounds be employed upon the upbigging of their kirk.' At a Convention at Aberdeen in 1590, Thomas Pierson, as cautioner for the burgh, undertook to produce at next general assembly of the burghs an 'authentic testimonial of how the money voted for the kirk at Arbroath had been expended.' Accordingly, at the next general Convention, which was held at Montrose in 1591, it was found that 'Thomas Pierson, commissioner for the burgh of Aberbrothock, had produced sufficient diligence upon the bestowing of £60 in the apparelling of their kirk.'¹ This is the final notice of the church of Arbroath in the records of the Convention, and from its date it appears probable that the church was not completed till about the year 1590. Shortly after the church was built, about the year 1593, during the ministry of Melvill, Arbroath was erected into a Presbytery seat.

The management of matters pertaining to the fabric of the church was undertaken at an early period, probably from the first, by the Kirk-Session, but the Session held that its doing so did not free the heritors of the parish from any liabilities which the law imposed upon them in the matter. Even before the Magistrates got their church built, they had undertaken the administration of the temporalities. At the Reformation, these, so far as situated within the burgh, consisted of a third of the rents of the Lady Chapel, granted by the Crown to the Magistrates. Those rents were doubtless given, in accordance with the scheme of the Reformed Church, for the support of the ministry, the payment of the schoolmaster, and the relief of the poor; and it appears from the records of the burgh that to all these purposes they were applied. But the Magistrates did not find the thirds assigned to them sufficient, and in 1566, on 26th July, they commissioned the schoolmaster, David Black, to go to Edinburgh 'to seek relief of the Queen's thirds of the chaplainry.' They gave him eleven shillings out of the annuals to pay his expenses. It is improbable that Black succeeded in his mission. In 1568, when the Council and community allowed the minister to have the thirds of the chaplainry, they were still expecting 'relief from Edinburgh.' If relief did not come speedily, of which there is no record, it may be taken for granted that it never came; for on the accession of the Earl of Morton to the regency, he consummated the avaricious policy of the nobles by depriving the ministers of a part of their slender allowance, and by getting readers appointed in many united parishes, at a small stipend, to do the work of an ordained clergy. It is probable, therefore, that the amount of the ecclesiastical fund which the Magistrates of Arbroath had to administer about this time was not considerable. But such as it

¹ See Records of the Convention of Royal Burghs, vol. i., under the respective dates.

was, the administration of it was in their hands. They were in the habit of letting the lands of the Chapel and its altarages, and setting them in feu, generally by auction. It has been seen that before the Reformation the Magistrates had a certain control over the property of the Lady Chapel; and it is obvious from the record, that immediately after the Reformation this control was complete as regarded that portion of the property of which the community obtained possession. The authority of the Magistrates was exercised even in the regulation of small details connected with the church and public worship. Thus, in 1568, they authorized George Gardener to levy a charge on householders 'for ringing the bell to the prayers and making service in the kirk.'

After the erection of the church, the Corporation, besides paying the minister a stipend of £30, repeatedly made payments towards keeping the building in good repair. In the discharge of Robert Lyell, treasurer for the year 1610-11, there is 18s. for communion bread; 55s. 4d 'for candle to the kirk'; and £3 for a desk to the school; 2s. was paid for 'mending of the sand-glass,' no doubt the glass by which Dr Philp measured out his sermon. In the following year, in the discharge of David Ramsay, treasurer, there are entered payments to Thomas Ramsay, 'glass wricht,' one of which is 'to him for his fee for upholding the kirk windows, £4.'

Coming down to the second half of the seventeenth century, the Kirk-Session are at that time found exercising unquestionable power of administration over the church, in the allocation of pews and otherwise. In 1670, they gave the use of the west end of the east loft or gallery to Lord Abercromby, for the accommodation of his family. Later in the same year they assigned the east loft to the seamen, but a week or two afterwards they recalled that act for the time, in consequence of the Bishop of Brechin having set up a claim to the loft. So late as about the year 1670, pews, or desks as they were then called, had not been erected throughout the whole of the area of the church. The Session from time to time granted liberty to heritors to erect 'desks.'

In 1671 there was a reference made to the Presbytery as to the 'payment to be made to John Forrester for his workmanship in colouring the head of the steeple, and gilding of the globe on it and the horologue.' The decision was that the payment was to be made out of fines and what was got for a limited period for the churchyard grass, and the Magistrates were held responsible for the balance of the amount required.

Considerable debate took place in 1673 with regard to a claim made by John Aikman of Cairnie to a right to the room of six pews in the church. The Session held that Mr Aikman asked for more than was necessary for the accommodation of his family. The matter having been referred to the Presbytery, that body found that the law on the subject was, that no man could have more accommodation in the church than was necessary for himself and his family, and that it was the right of the Session to dispose of the empty rooms—spaces not yet occupied by pews—as

they thought fit, for the benefit of the poor. The Laird of Cairnie having then taken the matter into Court, the Session referred it to the Archbishop of St Andrews, and the view of the Church authorities was ultimately confirmed. Cases occurred occasionally in which the Session adjudicated in disputes as to the ownership of pews. On the other hand, there was a case in 1747 in which the Magistrates and Town Council asserted the superior right of control which, whether exercised or not, had all along been inherent in that body. The case arose out of a licence which had been granted by the Session to the Brewers' Fraternity to build a loft in the church. The Magistrates were of opinion that this proposed loft would obstruct the light and view of their own loft, and they agreed to this order: 'Appoint what part of the work is begun to be taken down and removed, and discharge any loft or seat to be built in that part of the church in future.'

It was resolved by the Session in 1751 to make some repairs on the church. The Session declared at that time that 'they had been in use to point the roof and mend the lights and entries of the church' [windows and porches]. They agreed to do so on this occasion, and to take for the purpose what might be saved from the mortcloth dues; but they also resolved that 'whatever repairs or additions may be wanted are to be demanded from the town and heritors, where these funds shall be deficient.' The mortcloth dues formed the ordinary fund out of which the Session, as 'overseers of the kirk fabric,' paid for repairs on the church, besides giving allowances to the poor. In 1760 the Session encountered a difficulty in that matter, in consequence of the Incorporated Trades having resolved to obtain mortcloths to be used in the burial of their own members. In view of this resolution of the Trades, it was agreed that 'intimation must be made to the Magistrates and Town Council that the Session is from henceforth not able to expend anything upon the kirk fabric, nor to have any charge concerning it; and further signifying to the Magistrates, that whenever there shall be occasion to call a visitation of the Presbytery of the bounds, either to order any repairs of the kirk fabric, or the rebuilding of any part of it, the expense must fall wholly upon the heritors of the town and parish.' It was not long before the Session fell back, as thus proposed, upon the legal provision for the maintenance of the fabric of the church. In 1761, it was intimated to the Town Council that an enlargement of the church and some considerable repairs were required, and the Council appointed Provost Alexander Keith, and other of their members, to consult with the Session on the subject. The result of the consultation was that the Magistrates and Session agreed to a joint petition to the Presbytery for a visitation of the church. This visit took place on 25th November 1761. It was proposed to remove two arches in front of the aisle, to raise the roof of that part of the church so as to admit of a second tier of galleries, to build a new session-house, and to effect some other improvements. The estimated expense of the part of the work agreed to was £160 sterling, and the Presbytery remitted to the Magistrates to assess this sum upon the heritors of the

town and parish. The expenditure greatly exceeded the estimate, in consequence of the roof of the church having required renewal, and because of the south wall, which was 'rent in several places from top to bottom,' having had to be rebuilt. The wall was rebuilt seven feet south from its former site, and a considerable addition was thus made to the accommodation within the church. On the work being finished, a new visitation by the Presbytery was held on 12th January 1763,



THE TOWN CHURCH, WITH PRECINCT TOWER, PRIOR TO 1761.

on the application of the Magistrates, Session, and Incorporated Trades. The object of this meeting of the Presbytery was to arrange as to the passages, or 'trances' as they were called, and to allocate the new space in the church to heritors, in order that they might erect pews. After making the allocation, the Presbytery formally declared: 'That if any person of the above heritors or their heirs shall alienate or dispoise any of the foresaid seats to other persons, who do not also get their heritage in the town and parish of Arbroath, such heritors or their heirs shall not have any claim for further room or space of ground in the

ch in time coming, seeing they voluntarily renounced what is allotted to them
he division of the area of the church ; and their heritage within the town and
sh may be liable, notwithstanding, to all the consequences of the laws of
land concerning the reparations of the church.' Seats, or spaces on which to
t seats, were provided for all the heritors in the parish. The galleries were
ated among their owners, the Incorporated Trades and others, who were



THE TOWN CHURCH, BEFORE THE FIRE.

rded in this matter as heritors. The expense of the repairs and enlargement
found to be £461 12s. 1d. The Presbytery, seeing that all the heritors had a
e in the church, and that the seats erected were good and sufficient, 'judged it
pedient and unnecessary to make a general division of the area among the
ors, according to their valued rents, especially as such a division was not
ed by any person concerned in the matter'; and the expense was accordingly
e paid by the heritors and Incorporations according to the extent of their
ag accommodation in the church. A contemporary account states that the

'church has been lately repaired and beautified in a most elegant manner. The windows have been enlarged in the Abbey style, the carved work of the pulpit and the square mouldings on the breasts of the galleries are gilt. All the galleries have been painted of a mahogany colour, the Magistrates' and the trades' galleries have carpets or breastcloths over them; the whole church is kept perfectly sweet and clean.'¹

In the year following the presbyterial visitation, the Town Council had their attention directed to the state of the steeple erected on the old Abbey precinct tower. In 1764, the members of Council, 'considering that the spire of the steeple was become ruinous, and in danger of tumbling down and breaking the bells, agree that it be taken down to the mason work, and repaired in the way and manner it now stands at the expense of the community.'

After the visitation of the church in 1763, the Session resumed their practice of laying out small sums for repairs. These sums were borrowed from the poor's fund. In 1788, on more repairs being required, the Session-Clerk was instructed to make up an account of what had been advanced, in order that the Session might be repaid. The Council continued from time to time to be applied to by the Session in regard to repairs on the church; and in 1823, on one of these applications being made, they appointed a committee to examine the church, and to report on what alterations and improvements were necessary. The committee recommended certain alterations and repairs. With regard to payment, they were of opinion that 'a considerable part of the expense might be recovered from those individuals and public bodies who derived benefit from the church.' The public bodies referred to were the Incorporated Trades, and the individuals were the proprietors of the pews. That which the Presbytery in 1762 had apprehended might happen had occurred, the heritage in the burgh having been all but completely separated from the pew property in the church. In 1869, when the church had again become somewhat dilapidated, the Presbytery held a visitation, and gave decree against the heritors for repairs. However, in addition to the sum for which the heritors were assessed on that occasion, another sum was voluntarily contributed by the pew proprietors to pay for the internal repair of the church. In 1832 the old steeple, which had shown signs of weakness, was taken down, and the present spire, the foundation of which was laid with masonic honours, was erected from a plan by Mr Henderson, architect, Edinburgh. The spire incorporates most of the Abbey precinct tower and the stone part of the old steeple. This ancient building was again exposed to view on the recent destruction of the old church by fire.

With the exception of the collection plates,² the church contained scarcely any antiquities. On a number of the pews there was some old carving, and on one there was the date 1656. The oldest communion cups in silver, of 'bicker' shape,

¹ General Description of the East Coast of Scotland, by Francis Douglas.

² *Supra*, p. 102.

have been in the possession of the Session since 1676. They were the gift of James Martin, bailie, who in 1671 mortified for the purpose a sum of money then due to him by the Magistrates and Town Council. It was not until some years after Bailie Martin's death that the Town Council found themselves able to pay the money.¹ Four other cups of the usual form, with Hall-mark c. 1760, were long used for collecting the 'tokens' on sacramental occasions. They have recently been devoted to their original purpose at communions as wine cups. In 1881, an organ was erected chiefly by the contributions of members of the congregation.

It may be mentioned that, although an allowance for house rent had long been paid to the parish minister, it was only during the incumbency of Mr Irvine that a manse was acquired, and by a decision in the Court of Session, given in 1883, it was settled that, the parish being burghal, the heritors were not bound to provide the minister with a glebe, which they had never done.

It was on the morning of Monday, 14th November 1892, that the church was accidentally burned. Soon after the fire, counsel, Mr J. B. Balfour and Sir C. J. Pearson, were consulted as to with whom lay the liability of restoring the church. They held that Lord M'Laren's judgment in the glebe case had determined that the parish of Arbroath was a burghal parish. On the understanding that the old fabric was capable of being restored without rebuilding, counsel were of opinion that the obligation to restore rested primarily on the Magistrates and Town Council, and not on the heritors; but, looking at questions affecting proprietors of pews in the church, and the Incorporated Trades in respect of their galleries, counsel regarded the state of matters as very exceptional, and the law as not well cleared up by decision, and they strongly recommended all parties to settle the matter by agreement. This advice was followed, and a committee, consisting of representatives of the Town Council, the heritors of the parish, subscribers to the building fund, the Kirk Session, and pew proprietors, was appointed to carry on the restoration of the church. All the Trades and many of the pew proprietors gave up their rights; others, in consideration of payments to the building fund, retained theirs, and accordingly have had pews allocated to them in the restored church. It was resolved to entirely rebuild the church, and this was done from plans by Mr J. J. Burnet, A.R.S.A., Glasgow. The building, of Gothic architecture, consists of a lofty nave, chancel, and chancel aisle, with the 1832 spire. The principal entrance to the old church was by a lobby on the ground floor of the spire; the new entrance is at the east end of the church, by a porch, at the corner facing Hill Terrace. Within the church there is some fine carving on the organ case, choir screen, pulpit, and Corporation gallery. The nave is panelled all round in Italian Gothic style to the height of the gallery front. In the pew of Mr Macdonald,

¹ With the exception of the references to the Records of the Convention of Burghs, the material of the foregoing part of this chapter

is derived from the records of the Kirk-Session and Presbytery, and the Minutes of the Town Council.

Windmill House, there has been placed a richly carved chair, made of oak from the window lintels of the old church. A beautiful feature of the building is the east window, which is a memorial window placed in remembrance of John Macdonald, Esq., Town Clerk of Arbroath, and Anne Kid, his wife, by their



THE RESTORED CHURCH, SHOWING PORCH.

children. The window is a three-light one, each light divided into three compartments. At the top of the centre light is a representation of the Saviour; and on His right and left are St Mary and St Elizabeth. On the second tier are the figures of Elijah, Isaiah, and Daniel, while the lower figures represent Abraham,

Moses, and David. Above the three lancets there is a circular light bearing the arms of the family of Mr Macdonald. All the compartments of the window are surrounded by a rich bordering of Australian flowers. The window was designed by Sir Edward Burne Jones, and the work was executed by the firm of Morris & Company, of Merton Abbey, Surrey. The church has also received these gifts, among others—three silver patens, from Young Women's Guild; two gothic flagons, in silver, from an anonymous donor; a pulpit, from Young Men's Guild and friends; carved figures on canopy over Council gallery, representing Faith, with mail-clad knights as defenders—from Provost Grant; set of Bibles and Hymn-Books for the use of the Town Council, from Mrs Grant; marble and alabaster font, from Mrs Anderson, Fernlea; coloured marble and mosaic chancel floor, from Mr Mackie, Glasgow. The church contains a fine organ. Exclusive of gifts and the price of the organ, it cost about £9000, £1500 of which was a contribution from the Baird Trust. The bronze collection plates, which were saved from the vestry by the minister when the old church was in flames, and Bailie Martin's communion cups, which were in a safe along with some plate of inferior metal, came scatheless through the fire, with other old communion cups, while the plate of inferior metal was destroyed. The erection of the restored church was begun in 1894, and when it was about half completed a memorial stone was laid by Sir Charles Dalrymple, M.P., Grand Master Mason of Scotland, and a deputation of the Grand Lodge. The church was opened for divine service on Wednesday, 2nd September 1896, by the Rev. Dr Archibald Scott, of St George's Church, Edinburgh, Moderator of the General Assembly of that year.

CHAPTER III.

MINISTERS OF 'QUOAD SACRA' PARISHES IN ARBROATH.

SOON after the assistantship in Arbroath Church was founded, it was seen that something more was required in order to meet the spiritual wants of the increasing population of Arbroath. Besides the church, there were a number of small places of worship in connection with Dissenting bodies, but more church accommodation was required. Accordingly, in 1796 a movement was made by the Guildry, the Incorporated Trades, and the Kirk-Session, with the view of erecting another church. A site within the precinct of the Abbey was obtained from the Town Council, and the Abbey Chapel, now the Abbey Parish Church, was built. It was opened for public worship on 17th September 1797. The 'Abbey' was one of the first of the 'extension' churches erected in Scotland. It was a chapel-of-ease to

the Parish Church ; but when, in 1834, the General Assembly set about subdividing parishes for ecclesiastical purposes, a district was assigned to it as a parish. The action of the Assembly was found to be illegal, and was a proximate cause of the disruption of the Church of Scotland. It was accordingly set aside, and it was not until 1869 that the Abbey Chapel was, under the provisions of the Act 7 and 8 Vict. cap. 44, erected into a parish church. For a good many years after it was built, the Abbey Church was often described as the New Church, to distinguish it from the Town Church, or the Old Church, as the latter then began to be called. Occasional payments were made to it by the Town Council as well as to the Town Church ; as when, in 1820, '£2 6s. 10d. was allowed for hanging the New Church with black, in consequence of the death of the king.' Probably those payments to this church were made in consideration of pew property in it belonging to the Corporation. The church was a few years ago thoroughly renovated, and greatly improved, both internally and externally. In 1885 a new front, of handsome architectural design, with a tower at the north-west corner of the church, was erected. In 1894 two stained-glass windows were erected in the church by John R. Findlay of Aberlour, and Edinburgh, in memory of his parents—Peter Findlay, merchant in Arbroath and Poona, and his wife, Elizabeth Johnstone. One window represents St Peter, and the other is a representation of St Elizabeth, with John the Baptist.

The first minister of the Abbey Church was Robert Thomson, translated from the assistantship in the Town Church. He was translated to Carnock in 1826. Two ministers who afterwards became famous—Dr Thomas Guthrie, and Dr M'Culloch, subsequently of Greenock—were then candidates for the church, along with James Johnstone Macfarlane. The latter, who was a licentiate of the Presbytery of Glasgow, was elected, and was ordained on 15th June 1826. On 10th June 1835, after trial before the Presbytery, he was deposed. In the same year James M'Cosh, a licentiate of the Presbytery of Ayr, was ordained to the charge. Three years afterwards he was translated to Brechin. Dr M'Cosh demitted in 1843. After for many years holding the chair of Logic and Metaphysics at Belfast, he was appointed President of Princeton College, New Jersey, United States,—an office which, owing to advanced age, he resigned in the year 1887. He died in 1894. His successor in the Abbey Church was George Weir, inducted in 1839, and translated to Humble. After the Disruption the church was closed. It was re-opened in 1852, and Joseph Henderson received the appointment. On his removal to Greyfriars, Aberdeen, James Sym was on 30th July 1864 ordained minister of the charge. On 13th May 1875, Andrew Douglas, B.D., was ordained as assistant and successor to Mr Sym, succeeding to the sole charge on the death of Mr Sym on 22nd May 1876.

A somewhat noticeable incident in the history of the Abbey Church occurred in the year 1834. During what was known as the Voluntary controversy, a

crowded meeting was held in this place of worship by the Church party. It had originated in a lecture by Dr John Ritchie, of Edinburgh, the Voluntary champion, in the Secession Church, West Abbey Street. The counter meeting in the Abbey Church was held on 16th April 1834. It was presided over by Provost Andson, and the speakers were the Rev. Messrs Stevenson, Arbroath; Meek, Original Secession, Carnoustie; Whitson, Guthrie; Robert Lee, Inverbrothock; Thomas Guthrie, Arbirlot; and John Muir, St Vigeans, all of whom spoke in defence of Church Establishments. The speeches were published. A Voluntary Church sermon by the Rev. Peter Davidson, minister of the West Abbey Street Church, received considerable notice from the speakers. Mr Davidson and Dr Ritchie were present at the meeting.

About twenty-five years after the erection of the Abbey Church in the parish of Arbroath, the Rev. John Muir addressed appeals to the principal heritors of St Vigeans, calling on them to advance money to build a church in that part of the town of Arbroath which is situated in St Vigeans parish. His efforts with the heritors were only partially successful, but he found a liberal friend in the Town Council, who in 1824 agreed to take ten shares, amounting to £100, in his proposed chapel. With this encouragement, and with the help he got from some of the heritors of St Vigeans, including the Hon. William Maule, the enterprise went on, and the new chapel, erected at a cost of about £2000, was opened for public worship on 19th October 1828 by Mr Muir. It was called St Vigeans Chapel. Subsequently it obtained the name of Inverbrothock Church, and in 1855 the district attached to it was erected by the Court of Teinds into a parish *quoad sacra*.

Mr Muir having got the church erected, was naturally led to take an interest in the appointment of a suitable minister. Among the 'trials' to be prescribed to candidates, he wished them on successive Sunday evenings to catechize the school children; 'for,' said he, 'popular preachers may be found who know little more of the Shorter Catechism than I do of Justinian's Pandects.'¹ But Mr Muir could have had no reason to complain of the first minister of Inverbrothock, or any of his successors, being ignorant of the Shorter Catechism, or deficient in general ability as ministers of the gospel. The church has been fortunate in having had a succession of able men in its ministry. The first, who was appointed in 1829, was James Melville M'Culloch, a native of St Andrews. Dr M'Culloch, who later in life was minister of the West Church, Greenock, was a distinguished preacher, and the compiler of an able series of school books. He was followed at Inverbrothock by Dr Robert Lee, who, with the exception of the leaders on either side in the Disruption controversies, has probably exercised a more permanent influence on the Church of Scotland than any of its ministers in modern times. Dr Lee was

¹ Letters from the Minister of St Vigeans to the Heritors of that Parish, dates 1823-28.

a native of Tweedmouth, where he wrought some years at the trade of boat-building. Having studied at St Andrews for the Church, he was, at the age of twenty-nine years, ordained minister of Inverbrothock. This was in 1833. Three years after he was translated to Campsie, and subsequently he became minister of Old Greyfriars, Edinburgh. For a number of years he held the office of Professor of Biblical Criticism in the University of Edinburgh, along with his parochial charge, and he was Dean of the Chapel Royal. During the later years of his ministry in Greyfriars, Dr Lee introduced an organ and a book of printed prayers—his own—into the services of his congregation. These innovations on what since about the time of the Revolution had been the forms of worship in the Presbyterian Church, gave rise to debates in Presbytery, Synod, and Assembly, which threatened the Church with a new convulsion. Before the matter was finally settled, Dr Lee was suddenly seized with illness as he was riding in the streets of Edinburgh, and his death took place about a year afterwards, on 14th March 1868. Dr Lee aimed at reforming the services of the Church of Scotland. Laud's Liturgy, the tyranny of the Stuart kings in the seventeenth century, and the influence of the English Puritans, had resulted in giving to the services of the Church a character considerably different from the Reformation model; briefly stated, it was the aim of Dr Lee to get back to something like that model. He obtained for congregations the right to have instrumental music in public worship. The devotional services not only of the Established Church, but of other Presbyterian Churches, have been improved,—a reform in which the influence of the former minister of Inverbrothock may be traced.

Dr Lee's successor in Inverbrothock was a theologian of a different cast of mind, but also a man of keen and powerful intellect. James Lumsden, from Dysart, was ordained minister of the church on 22nd December 1836. In 1838, he was translated to Barry, and he was afterwards Principal of the Free Church College in Aberdeen. He was succeeded in Inverbrothock by the Rev. David Crichton, who demitted in 1843. There was a vacancy in the church for some years after the Disruption, till James Law was appointed in 1846. This gentleman had an eccentric ecclesiastical career. Originally an artisan, it was somewhat late in life before he entered the Church. His first appointment was as chaplain of the Mariners' Church in Dundee. He left the Establishment in 1843, and in July of that year he received ordination from the Free Presbytery of Dundee as minister of the reorganized Mariners' Church. Mr Law soon afterwards fraternized with the ministers of the Catholic Apostolic congregation in Dundee, and in consequence he was suspended by his Presbytery from exercising ministerial functions. He expressed contrition, and was restored, but immediately thereon he withdrew from the Free Church, and was readmitted into the Establishment. From a letter by Dean Horsley, it appeared that he had been making proposals for his admission into the Church of England. When that became known, Mr Law was suspended

by the Established Church, but was reopened. All this happened in the course of little more than a year. In September 1844 Mr Law was appointed minister of a chapel in South Kirriemuir in connection with the Establishment, and in January 1846 he was inducted into Inverbrothock, where he proved himself an efficient minister. He died at Arbroath on 4th October 1860. Mr Law was succeeded in the following year by John M'Calman, from Caithness. Mr M'Calman was in 1862 translated to Inch, in the Presbytery of Stranraer, where he died in 1871. Charles Cadell Macdonald was ordained in 1862; was inducted as minister of New Rothesay, 9th March 1876; was subsequently minister of a parish in Paisley; and is now minister of St Clement's, Aberdeen. During Mr Macdonald's ministry an apse was added to the church, and an organ was introduced. He was succeeded in Inverbrothock by George Logan, B.D., from Newmains, Presbytery of Hamilton, who was inducted into the charge on 26th September 1876, and died on 24th July 1897.

A fourth church in Arbroath in connection with the Establishment was built in 1837, and opened in January 1838. It is situated in Ladyloan. Having been endowed, it was erected into a *quoad sacra* parish church on 19th July 1865. The first minister was James Macbeth, who was translated to Lauriston Church, Glasgow. Alexander Leslie was appointed as his successor in 1842, and he demitted in 1843. The next minister of the church was Archibald Buchanan, who was translated to a charge in Leith, and was afterwards minister of Logie-Pert. He was followed by James Ewen MacDougall, who was ordained in 1851. Two memorial windows were erected in the church in 1875 by Mr MacDougall. One of them is in memory of the late Mr Louson of Springfield, Town-Clerk of Arbroath; the other, in memory of the Rev. Hugh MacDougall, formerly minister of the parish of Killin.

In 1879 St Margaret's Church was erected in Keptie Road, within the *quoad sacra* parish of Inverbrothock. It was opened for public worship on Thursday, 13th November 1879, by the Rev. Dr Boyd, St Andrews, and about the same time William Proudfoot, assistant in the Cathedral of Glasgow, was ordained to the charge. In 1886 the church with the adjoining district was disjoined and erected into a parish *quoad sacra*, of which parish Mr Proudfoot was the first minister. In November 1891 Mr Proudfoot was inducted to the second charge of the parish of Haddington, and on 12th July 1892 Alexander Middleton, B.D., assistant in the Barony Church, Glasgow, was ordained minister of St Margaret's.

CHAPTER IV.

MINISTERS OF PARISH CHURCHES IN THE DISTRICT OF ARBROATH.

PATRICK LINDSAY, who was translated from Guthrie, succeeded James Melvill as minister of St Vigeans in 1593. Like Bishop Lamb, Melvill's successor at Arbroath, he became a member of King James's episcopate, he having been consecrated Bishop of Ross in 1613. It is a little remarkable that, in the time of these ministers of Arbroath and St Vigeans, there was another Arbroath presbyter, George Gladstones, minister of Arbirlot, who became a bishop. On a stone in a garden wall at the manse of St Vigeans there is a carving of the arms and initials of the name of Bishop Lindsay, and part of the date, 15—, remains. The ministers of the parish, in succession to Bishop Lindsay, down to the period of the Restoration, were : Thomas Roy, appointed in 1615 ; Alexander Inglis, 1622 ; and Robert Reynold, 1650.

Patrick Strachan was minister of St Vigeans during the greater part of the Restoration period. Translated from Carmyllie, he was admitted on 5th November 1665, and died about 1693. He was the author of a book of devotion and sermons,¹ which he dedicated to the Earl of Panmure, a nobleman who sympathized with the nonjuring clergy. Mr Strachan dates his preface from his study at St Vigeans, 14th July 1693, which was shortly before his death. He alludes in it to the uncertainty of the times, and to the possibility of his being 'turned out' of his benefice.

Three years after the death of Patrick Strachan, one of his sons, George Strachan, an Episcopalian like his father, 'intruded' into St Vigeans ; but he was not allowed to remain there long, the Presbytery having declared the charge vacant. Thomas Watson was ordained minister of St Vigeans in 1702. This unfortunate man, falling into melancholy as the result of domestic trouble, committed suicide in 1725, by hanging himself on a tree not far from the church. He was buried, as suicides then were, where two lairds' lands met. His successor at St Vigeans was Tobias Martin, schoolmaster of Inveraray, who was ordained at St Vigeans on 18th July 1727, and died in September 1730. Mr Martin was succeeded in the following year by John Burn, whose ministry also was brief, he having died on 4th May 1734.²

¹ 'The Map of the Little World, illuminated with Religion ; being a practical treatise directing man to a religious scope and right measure in all the periods of his life, with devotion suitable ; with an appendix, The Minister's Legacy to his Flock, in Sermons on 2 Pet. i. 12-16.' (Edin. 1693.)

² There is a curious tradition relative to St Vigeans during the time that these ministers had the pastoral charge of the parish. It is said that the sacrament of the Supper was not dispensed in the church for the long period from 1699 to 1738. The story connected with this lapse from church

In the course of the proceedings which were taken for the appointment of a successor to Mr Burn, a very distinct expression was given by the Presbytery with regard to the Act restoring patronage in the Church. The Presbytery held that not only was a presentation unnecessary in order to induction, but that for a minister to accept a presentation was to do a thing which required to be explained. It is further evident that, in the opinion of the Presbytery, the sole effect of a presentation was to give the presentee a right to the fruits of the benefice, and not to the cure of souls. At a meeting of the Presbytery on 30th October 1734, the Laird of Balmadies presented a petition subscribed by a great many heritors, elders, and heads of families in St Vigeans, for moderation in a call to one to be their minister. At the same meeting, Mr Mudie, writer, gave in a Crown presentation in favour of John Henderson, minister of Kirkden, to be minister, and 'required the Presbytery to proceed to the settlement of Mr Henderson with all convenient speed, in terms of the presentation.' Mr Mudie also gave in a letter of acceptance from Mr Henderson, addressed to the moderator. In his letter the presentee said :

'As I have on all occasions testified my adherence to the principles of the Church of Scotland, so I take this opportunity to declare the same, viz., that I never looked upon a presentation to constitute a pastoral relation betwixt a minister and his people; but in regard there is a standing law making presentations necessary to give a right to the legal maintenance, and being

well informed that a great number of the heritors, elders, and parishioners of the parish of St Vigeans incline to have me for their minister, I do hereby testify my willingness to accept of the same, being resolved in the whole of my conduct in this affair to subject myself to the judicatories of this Church.'

order is thus related by the Rev. Mr Aitkin (Old Statistical Account of Scotland, vol. xii. pp. 173, 174) :—'A tradition has long prevailed here that the water-kelpie (what Mr Home in his tragedy of "Douglas" calls "the angry spirit of the water") carried the stones for building the church; that the foundation of it was supported upon large bars of iron; and that under the fabric there was a lake of great depth. As the administration of the sacrament had been so long delayed, the people had brought themselves to believe that the first time that ordinance should be dispensed the church would sink, and the whole people would be carried down and drowned in the lake. The belief of this had taken such hold of the people's minds, that on the day the sacrament was administered some hundreds of the parishioners sat on an eminence about a hundred yards from the church, expecting every moment the dreadful catastrophe.' There is a rhyme about the water-kelpie's part in the building of the church. The spirit is said thus to have

lamented the bondage to which he was subjected by his taskmaster :

'Sair back an' sair banes
Carryin' the kirk o' St Vigeans stanes.'

The same lines, however, with the requisite variation, have been applied by tradition to other places. They are recited concerning the building of a house of the Grahams at Morpie, in St Cyrus. Mr Aitkin relates an older tradition of St Vigeans, and one as absurd as that about the subterranean lake: 'Tradition relates that the last monk who officiated here was one of the name of Turnbull; and in the year 1754 part of the floor of two rooms in the steeple, said to be possessed by him, remained. He is said to have been frightened from his chambers by the devil appearing to him in the shape of a rat, and no monk after him would be persuaded to reside in the steeple.' Mr Aitkin adds the wise reflection: 'Such was the ignorance that prevailed in these times.'

At the moderation, it was found that it was the presentee whom the parishioners wanted to be their minister. Two names were put upon the list. Mr Henderson's was one of them, and all the votes were given for him. The call was thereupon sustained. In reply to the Presbytery, Mr Henderson stated that he only accepted the presentation as giving him a legal right to the stipend, and that on good assurance that the plurality of heritors, elders, and heads of families in the parish inclined to have him for their minister. He further said that he never intended to settle in St Vigeans, nor in any other congregation, without a good call, and declared that he was sorry his letter should have offended the Presbytery. This explanation was accepted. But it is evident from these proceedings that in 1734 a very different opinion was prevalent with regard to the value of presentations from that which obtained afterwards, when presbyteries held that a presentation was an essential document,—a view which the courts of law, when appealed to on the subject in later times, ruled to be correct.

Mr Henderson continued in St Vigeans to 16th July 1753, when he died. He was succeeded by John Aitkin, schoolmaster of Arbroath. Mr Aitkin was licensed by the Presbytery in 1752, and ordained minister of St Vigeans on 16th May 1754. Dr Scott tells an anecdote of Mr Aitkin, which derives its point from the fact that he was a bachelor. When advanced in life, and troubled with deafness, he waited on a celebrated physician in Edinburgh for advice, and tendered a fee, which was refused, as the doctor explained that it had long been his rule to take no fee from country clergymen, on the ground that they could not afford it. 'Oh,' said Mr Aitkin, 'I can; I have no family.' 'Why,' said the doctor, 'did you not tell me that at first? Then you will be a bachelor? Destroy the prescription I gave; go home and get married as fast as you can, and be assured ere long time elapse you shall hear on the deafest side of your head.'¹ Mr Aitkin lived to a patriarchal age, dying on 2nd May 1816, in his ninety-first year. Some time before his death, he had attained to the distinction of being 'Father' of the Church of Scotland,—that is, its oldest minister.

John Muir, translated from Fettercairn, was inducted at St Vigeans in 1816, and he died in 1865. William Duke had in 1859 been ordained Mr Muir's assistant and successor. It was in 1889 that his *Alma Mater*, the University of St Andrews, conferred on Mr Duke the degree of Doctor of Divinity.²

¹ *Fasti Ecclesie Scoticane*, vol. iii. p. 808.

² It was a few years after he had succeeded to the sole charge that Dr Duke undertook the restoration of the ancient fabric of the church. The architect of the restoration was R. Rowand Anderson, LL.D., Edinburgh. The church was re-opened after restoration on Thursday, 9th May 1872, the Very Rev. Principal Tulloch preaching the sermon. In the apse of the restored church are five memorial windows—(1) The Annunciation,

Nativity, and Worship of the Magi, in the three lights; (2) Christ in the Temple, His Baptism, and First Miracle; (3) the Crucifixion in the centre, with the Mater Dolorosa and the Beloved Disciple in the side lights; (4) Raising of Lazarus, Christ's own Resurrection, and the Conviction of Thomas; (5) The Ascension. These windows were executed at different times by a firm in Munich, and were presented by—(1) John Dunoon of Parkhill, in memory of his father Alexander Dunoon,

Largely through the exertions of the Rev. Dr Duke, a church and school have been erected at Colliston, in the landward district of the parish (the school is now a public school under the School Board), and a church at Auchmithie. Both churches have been endowed, and erected into parishes *quoad sacra*, the former in 1875 and the latter in 1885. Alexander T. Scott, ordained on 16th October 1871, was the first minister of Colliston, and was translated to Bargaddie. William Smith, ordained in 1877, and subsequently translated to St Paul's, Dundee, succeeded: Mr Smith died in 1897. Alexander Mills, M.A., was ordained to Colliston in 1883. In December 1890 he was appointed Clerk to the Presbytery. The church at Auchmithie took the place of a chapel which had been erected by a former Countess of Northesk, and his property interest in which was

died 1832; (2) Edward Stirling, in memory of the Rev. John Bowman, parish schoolmaster; (3) Miss Mudie of Arbikie, in memory of her grand-uncle the Rev. John Aitkin, minister of St Vigean; (4) Robert Lindsay, North Tarry, in memory of his wife, only daughter of the Rev. John Muir, and their children; (5) Mrs Gordon of Ashludie, in memory of her brother James Lindsay—the donor of the communion plate—who died in 1879. The second, third, fourth, and fifth of the above have the inscription on wall brasses; the first on the glass; and below it there is a hewn tablet to the memory of Mrs Marjory Rickard of Woodlands, who died in 1862, leaving a bequest which was devoted by Dr Duke towards the cost of building the apse. The east window in the south aisle of the church is also of a memorial character. It is in memory of Louisa Rolland of Abbethune, who died in 1873, by her successor in the estate. The subject is the Stoning of St Stephen. A window in the east end of the new north aisle was placed by Mr James Jamieson, Crudie, in memory of his relation Captain Thomas Webster, who served in the 90th Regiment in Egypt and the West Indies, and died in Arbroath in 1845. It represents in one light the youthful David slaying Goliath, and in the other David with his harp as the Royal Psalmist of Israel. This is also of Munich glass. The communion plate of the church is unusually massive and splendid, weighing 433 oz. It was made from special designs of Dr Rowand Anderson, and was presented in 1873 by James Lindsay, along with oak plate chest, &c., in memory of his mother Margaret Spink, wife of John Lindsay, who died at North Tarry in September 1859. Other monuments in the church are: (1) Sir Peter

Young of Seaton—the original slab in black marble—died 1628. Sir Peter was 'preceptor and master almoner' to James VI. He was a native of Dundee. He purchased the lands of Easter Seaton from Sir John Carnegie of that Ilk (MS. 'Miscellanea Aldbarensia'), and had a confirmation of his infeftments in Parliament, in which his services to the king were recited (Acts of Parliaments, vol. iii. p. 236). Besides being one of the king's preceptors, he had several public employments. He was one of the Octavians, or eight Commissioners of the Exchequer, from January 1595-6 to January 1596-7. It was he and Lord Ogilvy who were sent on the embassy to Denmark to negotiate the king's marriage (Acts of Parliaments, vol. iii. p. 491, 492, and Hist. MS. Commission, Second Report, p. 187). One of his local associations is that he obtained the right of pasturage in the Firth muir of Aberbrothock. (2) John Henderson, M.D., of the Indian Medical Service, who died at Lodiana, in the Punjab, in 1836—a handsome monument, with sculpture in white marble, erected by friends and admirers. (3) John Dempster of Dunnichen, also proprietor of New Grange, killed by a fall from his horse in 1753. (4) John Muir, late minister of the parish. Erected in alabaster and French marble, to the design of Dr Rowand Anderson, by his only surviving son George Muir, whose name, however, is not on the monument. (5) A second brass under window No. 4 of the chancel records the death of Robert Lindsay, the donor of the window, in 1876, and of the last of his children, Robert, who died in 1873 as the result of an accident he met with in following his profession as an engineer.

surrendered by the late Earl when the church was rebuilt in 1885. James Christie, M.A., was ordained in 1886 as the first minister of the parish of Auchmithie.

Charles Michelson was minister of Arbirlot in 1567. He was translated to Barry, and afterwards returned to Arbirlot. His successor in the latter parish was a clergyman who has a kind of celebrity in Scottish Church Histories. George Gladstanes, previously schoolmaster at Montrose, was minister of Arbirlot in 1592, and he became Archbishop of St Andrews. He was consecrated, on their return to Scotland, by the three prelates who had received their consecration at London. Archbishop Gladstanes held a diocesan synod at Arbroath on 26th September 1610, at which a sentence of excommunication against Sir John Ogilvy of Craig for trafficking with Papists was suspended.¹ Gladstanes is said to have been vainglorious, obsequious, and time-serving; and if this was his character, he must have been a bishop to King James's liking. He addressed to the king a very servile letter of thanks for his promotion. The Archbishop is said not to have adorned his office by private virtues. He is alleged to have been a glutton, and to have died of his gluttony. Row, an opponent of the Archbishop's party, on whose authority chiefly the account given of him rests, speaks of the prelate with contempt, and sums up his estimate of him in a satirical epitaph.²

Gladstanes was succeeded in Arbirlot in 1597 by David Black. Through the intervention of King James, the two ministers exchanged parishes. David Black appears in history as having brought the king and the Kirk into collision with each other in the year 1596. For a sermon in which he meddled freely with public affairs he was ordered to enter himself into ward, but his punishment really seems to have been his translation to Arbirlot. Black died suddenly of apoplexy, on 12th January 1603. Calderwood gives a narrative of the circumstances of his death: 'Mr David Blacke, some tyme minister of St Andrews, but now minister at Abirlett beside Arbrothe, going to Perth for his needfull effaires, loodged by the way in Dundie; and upon Tuisday the 12th of Januar, whill he was putting his hand to the bread, immediatlie after the blessing, he sattled down, and randered his spirit, with lifted up hands to the heavens. Thus died that zealous, faithfull, and painfull pastor of an apoplexie, to the great dolour of the godlie.'

John Guthrie, who had been minister of Kinnell, became minister of Arbirlot in 1603. He was a son of Guthrie of Colliston, and before his ordination he had been reader at Arbroath. He was translated to Perth, and ultimately became Bishop of Moray. His successor at Arbirlot was James Irwing, who died while minister of the charge. James Guthrie, translated from Kinnell, was admitted to Arbirlot in 1625. One of his sons became Laird of Aldbar, and his daughter married the Laird of Almerieclose.³ Another of his sons, John, succeeded him at Arbirlot in 1655. George M'Gill was admitted in 1667.

¹ Privy Council Reg. ix. 81. ² Row's Hist. of the Kirk, p. 303. ³ Fasti Ecclesie Scotice, iii. 789.

The first minister of Arbirlot after the Revolution Settlement was Charles Charteris, a licentiate of the Presbytery of Haddington. He was admitted in 1702, and in 1728 was deposed by the Presbytery, but the sentence of deposition was reversed by the General Assembly. On 2nd August 1716 the minister presented a petition to the Presbytery, setting forth that the manse of Arbirlot was ruinous, 'and the kirkyard dykes are come down to the ground, and there is no bell though a very necessar utensil to the church.' A visitation was made by the Presbytery, and repairs ordered to be executed forthwith, and a bell of 120 lbs. weight was recommended by them to the heritors.¹ Robert Preston was inducted at Arbirlot in 1731, and he occupied the charge for fully twenty years. In his 'Autobiography,' the Rev. Dr Guthrie states that the baronial privilege of a dovecot was granted to this minister. The dovecot, which is near the Free Church and manse, is still in existence, and bears the initials of the minister. Mr Preston was translated to Cupar. His successor at Arbirlot was Thomas Hunter, admitted in 1759. The next minister was Richard Watson, a licentiate of the Presbytery of Cupar. Mr Watson was ordained as assistant in Arbroath on 8th May 1777, and was admitted to Arbirlot in 1790. He died in 1830.

Thomas Guthrie, a native of Brechin, was Mr Watson's successor, being ordained to the charge on 13th May 1830. While he was minister, the present church was substituted for the pre-Reformation church of Arbirlot. During the time of its erection, Mr Guthrie preached to his parishioners in a room in Kelly Castle. The Castle itself, which had become ruinous, has been restored, and is now an inhabited house. Kelly House, which was near the Castle, was demolished by Lord Panmure, and the materials were used in building a manse for the minister. Mr Guthrie was translated to Old Greyfriars, Edinburgh, in 1837. At the Disruption he joined the Free Church, and he was one of its most eminent ministers,—one who, chiefly by his advocacy of the manse scheme, did it signal service. His services were recognised by his being in the year 1862 raised to the chair of the Free Church General Assembly. Before the Disruption, Dr Guthrie had left Greyfriars and been inducted into St John's, a church erected in one of the poorer districts of Edinburgh, and of which he was the first minister. As minister of Free St John's, his health gave way many years before his death. He did little pulpit work in his later life, but he continued to take that warm interest in ragged schools, of which he was an ardent promoter, and other philanthropic enterprises of an undenominational character, by which he is most widely known. He died in 1872. His successor at Arbirlot in 1837 was John Kirk, who demitted in 1843. George Addison was appointed in the same year, and on his death, in 1852, John Christie was ordained. Mr Christie dying, was succeeded in 1884 by W. W. Scotland, in whose time, and chiefly through whose exertions, the church has been renovated and an apse added. The church possesses two ancient

¹ MS. Collections of Andrew Jervise, vol. iv.

silver communion cups, which bear, with one exception—that of St Mary's College, St Andrews—the oldest Scottish marks of any cups in Scotland. The two cups were submitted to the examination of Mr Alexander Brook, of Edinburgh, who, writing respecting them to the Rev. Mr Scotland, says—'They were made by Gilbert Kirkwoode, who was admitted to the Incorporation of Goldsmiths, Edinburgh, in 1596, and they bear the deacon's punch of Robert Denneistoun, who held that office for the years 1608, 1609, and 1610. The cups were undoubtedly made in one of these years, notwithstanding the dates engraved on them.' The date on one of the cups is 1633 and on the other 1634. As an inscription upon them bears, they were in those years 'given to the Kirk of Arbirlot by Marion Douglas, lady of Drum, lyferentar of Kelly and Cvithly.'

Andrew Auchinleck, appointed in 1567, was the first Reformed minister of Barry of whom there is any notice, and he continued in that parish till his removal to Monifieth. On Charles Michelson returning to Arbirlot, after having been a short time at Barry, John Gardyn became minister of the latter parish. The immediately succeeding ministers of Barry were: James Strachan, 1611; Andrew Wood, 1619; Patrick Makgill, 1632; William Auchinleck, 1642; Patrick Lyon, 1643; John Soutar, 1659; John Johnstone, 1662; and James Carnegie, 1681. The latter died in December 1701. Alexander Archibald, licensed by the united Presbyteries of Fordoun, Brechin, and Arbroath, was admitted in 1704, and died in 1724. Four years before Mr Archibald's death, William Dall had been inducted into the charge. David Sim, a licentiate of the Presbytery, was ordained to the ministry in Barry in 1776, and continued till his death in 1823. This long ministry was followed by that of Mr Kirk, translated to Arbirlot, after whom came Mr Lumsden, from Inverbrothock. William Simpson, appointed in 1843, was deposed, and was succeeded in 1851 by James Somers, who died about the year 1866. After the death of Mr Somers, a licentiate was presented to the charge, but his settlement was opposed by the parishioners, and he resigned his presentation. Charles Findlater Stevenson was inducted in 1867, and in 1895 John Heggie was ordained assistant and successor in the charge. The larger part of the burgh of Carnoustie is within the parish of Barry, and the Barry part has been erected into a parish *quoad sacra*. The minister at the date of the erection, and for a few years afterwards, was Robert Fisher, translated to St Boswells, and died in 1891. Mr Fisher was succeeded in Carnoustie, in the year 1879, by Alexander E. Gibson, who was inducted on 7th January 1880.

Carmyllie was disjoined from the parishes of Panbride, St Vigeans, and Inverkeilor, and erected by Parliament into a separate parish on 24th June 1609.¹ There was a chapel at Carmyllie before the district became a parish, and indeed a

¹ Acts of the Parliaments of Scotland, vol. iv. p. 442.

long time prior to the Reformation. It is said to have been erected towards the end of the fifteenth century by David Strachan of Carmyllie, and it was dedicated to the Blessed Virgin. In 1512, confirmation was given by James IV. of a charter by David Strachan, by which, 'for the safety of the souls of the kings of Scotland, the bishop of Brechin, his own soul, and that of his spouse Jonete Drummond, he granted to D. Malcolme Strubill, chaplain, and his successors in the chapel, the annual return of five merks from his manor of Carmyle and its mill, as also forty shillings from his other cultivated lands in the lordship of Kermyle, the manor and mill of Kermyle being excepted, in the barony of Panmure; as also four acres of land contiguous to the east end at the Myltoun of Kermyle, with one acre of the *sward* or *medow* for the pasture of animals on the southern part of the mill-lade, and the toft and garden in the said Myltoun, with the common pasture for four cows, with the sequels in the commonty of Kermyle, and of thirty sheep, of one heifer and its calf if it should have one, and of one horse and one cow of the four cows foresaid to be pastured below the lands where the horses and cows of the said David were in the habit of pasturing below the lands and pastures of Carmyle.' This charter is dated at 'Kermyle 5th March 1500.'¹ The chapel erected by David Strachan has undergone alterations from time to time, but it is substantially the same building which is still the church of the parish. In 1611, two years after the district was constituted a parish, George Ochterlony was appointed minister, and he was succeeded in 1620 by Henry Pitillock. After the translation of Patrick Strachan to St Vigeans, Alexander Ochterlony was admitted to Carmyllie in 1666, and was succeeded in 1684 by David Strachan, son of Patrick Strachan, who was ordained by the Bishop of Brechin. It may be noticed that at this time the Presbytery had no power to ordain or to grant licences to preach, but it lay with them to hear the trials of the 'expectant,' and to issue a recommendation to the ordinary to give ordination or licence, as the case might be. Mr Strachan, who was one of the tolerated Episcopalian incumbents, died in 1709. On his death being reported to the Presbytery, they appointed some of their number temporarily to supply the pulpit. These brethren afterwards informed the Presbytery that 'they could not get into the church, as the keys were kept up.' It was resolved to speak on this matter to the Earl of Panmure, the Laird of Guynd, and the factor for the Earl of Southesk, the principal heritors; but at a subsequent meeting the members to whom this duty was committed reported that they 'got little satisfaction.' The heritors, in fact, who had all Episcopalian and Jacobite leanings, were averse to the induction of a Presbyterian and a supporter of the Revolution Government. One of them, the Laird of Guynd, had a son, or brother, Robert Ochterlony, an Episcopalian clergyman, who was deprived by the Privy Council in 1693; deposed by the Presbytery of Brechin, for intruding, in 1716; and who, dying in 1750, was the last survivor of the incumbents. In their difficulty as to the settlement of Carmyllie,

¹ Great Seal, vol. 1424-1513. No. 3684.

the Presbytery applied to the Sheriff, by whom the matter was brought under the notice of the Lord Advocate. His Lordship instructed the Sheriff to put the law into execution, so as to give the Presbytery possession of the church of Carmyllie and the benefice. The church was accordingly opened by the Sheriff on 2nd September 1709. But the heritors were supported in their opposition by the people, and though it was ineffectual, it was for a time plainly expressed. James Scot, probationer, Dundee, was appointed to preach in the church, and he proceeded thither to do so, 'but,' as he reported to the Presbytery, 'having waited for some time to see if any people would come, and none coming, he went away without preaching.' Again the Presbytery appealed to the heritors, but Lord Panmure 'would do nothing in the affair.' Lord Southesk's factor, however, conceded so much as to advise 'that a prudent and judicious young man might be pitched upon.' Some of the farmers also relented, and James Scot was ordained minister of the parish in 1710. He held the benefice about ten years. The charge being then vacant, the people in 1720 called James Small; but only one of the heritors, Provost Gordon, concurred, the landowners still holding aloof from the Presbyterian Establishment, although the people were becoming reconciled to it. The Presbytery sustained the call, and Mr Small was ordained. He was minister of Carmyllie for fully half a century, and was father of Dr Robert Small, an eminent minister of Dundee. Patrick Bryce, who was licensed by the Presbytery, was inducted minister of Carmyllie in 1771. William Robertson became minister in 1817, and was followed in 1837 by William Wilson. The latter demitted in 1843, and in 1848 became minister of Free St Paul's Church, Dundee. He assisted materially in organizing the Free Church in Forfarshire. In 1866 he was moderator of its General Assembly, of which he was one of the principal clerks. About the same time the University of Edinburgh conferred on him the degree of Doctor of Divinity. Dr Wilson was for some years joint-convener of the Sustentation Fund Committee. He died in 1888. His successor at Carmyllie, Dr Patrick Bell, was a still more celebrated man, though in a different way. Dr Bell, who was one of a family of farmers, was the inventor of the reaping machine. As such his name is widely known. He gave an interesting account of his invention at the meeting of the British Association in Dundee in 1867. Soon after, at a meeting of the Royal Highland and Agricultural Society, he received a valuable presentation, subscribed for as an acknowledgment of his important service to agriculture. He died on 22nd April 1869, and the induction of George Anderson took place in the same year.

The church of Guthrie was in 1457 erected by Sir David Guthrie into a collegiate church for a provost and three prebendaries. It preserved its collegiate constitution for some years after the Reformation, and at that time the ministers continued to bear the title of 'Provost.' James Balfour was minister in 1566.

In 1576 a dispute arose between the patron, Alexander Guthrie of that Ilk, and John Erskine of Dun, the Superintendent of Angus and Mearns. Guthrie had presented his son Gabriel to the provostry of the college kirk, and had presented another of his sons, Andrew, to the office of prebendary. The Superintendent granted that they were qualified, but standing by an ordinance made at Leith, refused to give them admission to the benefice. Guthrie appealed to the Regent in Council, where the Superintendent did not appear, and the Council ordained letters to be directed to the Superintendent, charging him to receive and ordain Gabriel and Andrew Guthrie to the provostry and prebendary and give them collation thereupon 'in competent and dew forme within sex dayis efter the charge, under the pane of rebellion.'¹ About the year 1588, Patrick Lindsay, afterwards bishop, who was translated to St Vigean, was minister, and his successor at Guthrie was John Lindsay, appointed in 1593. Another Lindsay (David), a scion of the house of Edzell, became minister of Guthrie in 1599. In 1607, Thomas Glover was admitted, and his immediate successors were Henry Guthrie, translated to Stirling; Patrick Lyon, 1636, translated to Barry; and Patrick Lyell, inducted in 1655. In 1661, Walter Keith passed his trials for admission to the church of Guthrie, and the Presbytery resolved to proceed with his settlement. But they were informed that the Laird of Guthrie, 'who was chiefly interested therein,' had written a letter desiring that Mr Keith's admission might be delayed till his return from Edinburgh. Mr Keith made a similar request, and the matter was delayed. The result was that Mr Keith was not admitted at all. The benefice was conferred in 1663 on George Strachan, in whose favour an edict by the Bishop of Brechin was presented to the congregation. In the time of this minister, in 1681, a new church was built at Guthrie.

Guthrie was one of the parishes the settlement of which, at the period of the Revolution, gave the Presbytery trouble. On the death, in 1692, of George Strachan, James Guthrie, an Episcopalian minister, formerly of Cambusnethan, was called in the same year by the heritors and Kirk-Session of the parish. He was a kinsman of the Laird of Guthrie, and he settled in the charge, but without being inducted into it by the Presbytery. James Guthrie appeared before a Commission of the Assembly at Dundee, and he qualified to the Government; but the Presbytery insisted on regarding him as an intruder, and they repeatedly brought his case before the Assembly's Commissions. On 6th October 1714, they resolved to declare the church of Guthrie vacant. The Laird proposed that if they would 'allow his relation to continue until his death, he would then concur with them in getting the church planted;' but the Presbytery, instead of acceding to this proposal, resolved to raise a criminal information against the intruder. On 2nd February 1715, they were about to take steps towards appointing a minister to Guthrie, when David Lyon, commissary in Brechin, appeared

¹ Privy Council Records, ii. 565, 566.

before them for the heritors, and represented that the church was not vacant, but 'was possessed by a minister who had served the cure with great satisfaction to the parishioners for twenty-two years, and who was admitted before the Act against intruding into churches was passed.' The answer of the Presbytery to this was that James Guthrie had never been legally settled by any church judicatory. At a subsequent meeting, the Town-Clerk of Arbroath appeared for David Lyon, and gave in to the Presbytery a presentation to Guthrie parish in favour of Mr Willison, Brechin, afterwards of Dundee, and author of a well-known religious work, 'The Afflicted Man's Companion.' The Presbytery refused to sustain this presentation, as being merely a sham, intended to delay proceedings. That was the state of matters at Guthrie when the rebellion of 1715 occurred, and interrupted all proceedings by the Presbyterian Church in this part of the country.

The rebellion relieved the Presbytery of James Guthrie, as after its suppression he disappeared from the parish, but it did not terminate the difficulty of getting a Presbyterian minister inducted. In 1716, Mr Henderson, a member of the Presbytery, was appointed to preach at Guthrie, and to endeavour to get the heritors to acquiesce in the appointment of a minister. Mr Henderson accordingly proceeded on his mission, but as he was riding up the Kirkton of Guthrie he was attacked by two men with blackened faces, who threw stones at him. He then turned his horse's head and fled from the place, without either preaching his sermon or seeing the heritors. But the Presbytery persevered. They met at Guthrie on 1st August 1716, when the Rev. Mr Marr, minister of Murroes, who was one of the heritors, signed a call to Francis Archibald, who had been presented by the Laird. The people were assembled in the churchyard, and Mr Marr invited them into the church to sign the call; but none of them, not even Mr Marr's own tenants or those of the Laird of Guthrie, would sign. However, the Presbytery themselves gave a call to Mr Archibald, and he was settled minister of the parish.

Francis Archibald, who had leanings towards the Cameronians, entertained some scruples as to the form of the oath of abjuration. He had a difference with the Presbytery on that subject before his ordination, and it was renewed on 14th April 1725. On that day the other members signed the Confession of Faith and formula, but Mr Archibald refused to do so. His reasons were set forth at great length. He was of opinion that the Established Church had not been improved since the Union, seeing that the Union recognized the Episcopal Church in England as well as the Presbyterian Church in Scotland. He objected to the Toleration Act, to the oath which had to be taken by ministers to Government, to the restoration of patrons, and to their appropriation of vacant stipends. In 1726, Mr Archibald found a supporter in Alexander Walker, schoolmaster of Arbroath, in 'standing up for the Covenanted Reformation against the defections of the time.' Mr Walker sent to the Presbytery a letter of defiance, which concluded by wishing for their amendment, inviting them to return to their first love, otherwise he could

not return to them. The matter occupied the attention of the Presbytery and Synod for a considerable time. A number of queries were addressed to Mr Archibald. He was asked why he did not pray for the king except merely as the 'supreme magistrate'—a phrase adopted by those who had a difficulty in recognizing an 'uncovenanted king;' if he had debarred persons from the sacrament for observing fasts appointed by the king; if he acknowledged Mr M'Millan, deposed by the judicatories of the Church, as still a minister; if he was present at a meeting in Fife of dissenters from the Established Church, and had taken Mr Walker along with him, and so forth. Mr Walker was deposed, but notwithstanding he continued in his office of schoolmaster till his death, which took place shortly afterwards. As to Mr Archibald, his opinions underwent a curious transformation. From sympathizing with the Cameronians, he was led to extend his sympathy to Mr John Glass, minister of Tealing, the founder of the Glassites—a small sect, who in recent times had a distinguished adherent in Faraday, the great electrician. The creed of Mr Glass favoured toleration, and was opposed to the view that the Church or the nation was bound by the Covenant. Other of his opinions, for which as heresies he was deposed, first received expression in a letter that he wrote to his friend the minister of Guthrie, who had been censured by the church courts for an irregularity in admitting Mr Glass and some of his sect to the communion at Guthrie. For his sympathy with the Glassites, and his refusal to sign the Confession of Faith, Mr Archibald, on 29th January 1729, was deposed by the Synod. William Moncrieff, minister of Kinnell, was appointed to intimate the sentence in the church of Guthrie. But Mr Archibald, notwithstanding the unfavourable commencement of his ministry, had won the affections of his parishioners, and Mr Moncrieff, when he went on his unpleasant mission, had to force his way into the church in the face of a crowd of people, who, armed with bludgeons, threatened to kill him if he should venture to preach. He appears to have preached notwithstanding, and to have made formal intimation of the sentence. This sentence of deposition was taken off by the Commission of Assembly following, which, however, declared Mr Archibald no longer minister of Guthrie or of the Church. At Guthrie he formed a congregation holding the views of the Glassites, of which he became one of the elders. He removed to Edinburgh in 1741, on his appointment as master of the Orphan Hospital there. Mr Archibald was succeeded at Guthrie in 1731 by James Anderson, who was afterwards translated to Lundie and Fowlis.

James Purdie, on his translation from the assistantship at Arbroath, became minister of Guthrie in 1737. He was another Guthrie minister who gave the Presbytery trouble. Several complaints in regard to him were investigated by the brethren. In 1743 it was represented that he had consulted a person who was habit and reputed a necromancer, for recovery of goods which had been stolen from him. Mr Purdie made a very humble apology to the Presbytery, throwing himself

unreservedly on their pity, and acknowledging that he was but a bruised reed in their hands. The Presbytery contented themselves with rebuking him, making intimation of the sentence from his own pulpit. Ten years afterwards he was translated to Morham, in the Presbytery of Haddington.

Thomas Craig became minister of Guthrie in 1754, and James Will in 1798. In succession to Mr Will, John Bruce, son of the Rev. John Bruce, Forfar, was inducted in 1818. A new church was built in 1826. Mr Bruce, who had the degree of D.D. conferred upon him, was translated to the New North Church, Edinburgh, in 1830. He was afterwards minister of St Andrew's Church in that city, and demitting in 1843, he became minister of Free St Andrew's Church, and retired a few years before his death. James Whitson became minister of Guthrie in 1831; George Arklay, in 1841; William Ramsay, in 1844; and Peter Milligan was ordained in 1850. On Mr Milligan's death in 1893, William M'Conachie was ordained.

Referring to the title of Provost which had been applied to the ministers of Guthrie, the Rev. Mr Will, writing on 1st September 1817 to General Hutton, says: 'The title is now extinct, having in the course of time been handed over to an arch-beadle, who died about twenty-five years ago, and who made not a little use of it in a civil capacity.'¹

In the Register of the Great Seal there is a pre-Reformation notice of the church of Inverkeilor. The church was dedicated to a Celtic Saint, St Macconoc, and it contained also an altar of John the Baptist. D. Johannis Davidsoun, for the safety of the king and queen, of Thomas Stewart, then lord of Innermeith, &c., granted to the church of Inverkeilor on 24th April 1513, for one chaplain to celebrate divine service at this altar in the parish church, nine merks from the lands and barony of Dysart, and forty shillings from the lands and barony of Panmure, and expressly from the lands and barony of Quhiltoun and Grenerthis, as also the lands of Rynd in the barony of Inverkelour, of which chaplaincy he constituted Mr David Gardin of Cononsith patron, and his heirs; and desired that if it should happen that the lands of Rynd should be redeemed by force or reversion, the moneys received for their redemption should be placed in the custody of the abbot and convent of Abirbrothock until it could be provided from suitable lands or annual returns.² James IV. granted confirmation of this charter on 22nd June 1513, less than three months before he fell in the battle of Flodden.

After the Reformation, and until 1574, the church of Inverkeilor³ was supplied by readers—Charles Rossye, and John Pitcairne. David Mylne was reader in Ethie, when in 1585 that charge was united with Inverkeilor. Andrew

¹ Hutton's Collections, vol. ix. (in Advocate's Library).

² Great Seal, 1424-1513, No. 3855.

³ Under date 1532 the name of the parish appears as 'Inverehallow' in the Reg. of Great Seal, ii. No. 122.

Strathauchin was minister of Inverkeilor in 1574. He was succeeded in 1576 by John Fullerton, who continued till his death in 1598. In the same year, Arthur Fethie, or Fithie, who was translated from Kinnell, was inducted at Inverkeilor. He was a member of the Presbytery at the same time as David Black, the minister of Arbirlot, and he was a curious contrast to that zealous Presbyterian. Fithie is described as having uniformly supported the measures taken by the Court for the establishment of Episcopacy, which Black as uniformly opposed. On the introduction of Episcopacy in 1606, when the bishops rode in state up the High Street of Edinburgh on their way to Parliament, Fithie's attendance there was conspicuous, he being at the stirrup of the metropolitan, with his cap at his knee. He was nominated by the Assembly in the same year as constant moderator of the Presbytery of Arbroath, and the Presbytery were directed by the Privy Council to receive him as such.¹ Joshua Durie succeeded in 1613. Like his predecessor, he was a favourite of the king, and was several times received at court in England. Andrew Elliot became minister in 1631, and John Rait in 1650. The latter was succeeded in 1672 by his son James Rait. He was the owner of an estate in the parish. After the Revolution, Mr Rait, in 1703, was outed by the Privy Council as a nonjuror. Inverkeilor was the first parish settled by the Presbytery after its disjunction from that of Brechin. Andrew Bruce, minister of Clova, was inducted into the charge in 1705, apparently with little difficulty. He was minister of the parish for about twenty years, and on his death, which took place in Edinburgh, he in 1726 was succeeded by William Hepburn, who was appointed on the recommendation of the Earl of Northesk. In 1735, while Mr Hepburn was minister, the present parish church of Inverkeilor was built. Thomas Mathieson was inducted, on the death of Mr Hepburn, in 1750, and continued till 1754, when he was translated to Brechin. His successor was John Carnegie, appointed on the recommendation of the eminent Dr Blair. It is recorded of him that his life was most exemplary, both in his private and public duties.² He died in 1805, and was succeeded by his son Alexander, who for some years had been his assistant, and who bought the estate of Redhall, in the Mearns. John Laird was in 1836 translated to Inverkeilor from the assistantship at Arbroath. His successor at Inverkeilor was George Arklay, translated from Guthrie, who was for a long time clerk to the Presbytery. On his death, which took place on 19th June 1866, he was succeeded in the parish by James Hay, translated from Lunan, who also succeeded him as Presbytery clerk. The University of Aberdeen conferred on Mr Hay the degree of D.D. He died at Montrose in 1889, and was succeeded by Andrew Halden, who in 1887 had been ordained to the charge as assistant and successor.

In the parish church of Kinnell there was an altar of the Blessed Virgin. On

¹ Register, vii. 301.

² Fasti Eccles. Scot., vol. iii. p. 798.

12th March 1512-13 James IV. confirmed a charter granted by M. Geo. Striveling of Estir Brekby and Pat. Striveling his brother german, by which, for the safety of the king, and of the souls of the late Hugh Lord Fraser of Lovat Baron of Kynell, and others, they granted two parts, namely 10 merks, of the annual return of £10 from the lands of Estir Brekby which belonged to William Striveling, for the support of the chaplain at the altar.¹ This altarage probably existed in the church till the Reformation.

In the reign of Queen Mary the Privy Council gave assurance to James Haliburton, Provost of Dundee, that an annual allowance to him by the Queen's mother would be continued in consideration of his public services, especially in withstanding invasion from England. This pension to the Provost of Dundee included 3 chalders 2 bolls meal out of the thirds of the kirk of Kinnell.² About the year 1580 James Gray held the office of minister or reader at Kinnell. David Fyff was reader there prior to 1586. Arthur Fithie held the incumbency from 1587 till his translation to Inverkeilor. He was succeeded by John Guthrie, who had been reader at Arbroath. William Kinnear, the next minister of Kinnell, had also been reader in the parish of Arbroath, and so late as 1601. He was probably appointed to this office during the vacancy in Arbroath consequent on the translation of Andrew Lamb to North Leith, and prior to the appointment of Henry Philp. His induction at Kinnell took place in 1603. The succeeding ministers were: Henry Fithie, 1612; James Guthrie, 1614, translated to Arbiriot; David Kynnear, about 1635; and James Thomson, 1640. The latter was followed by two of his sons in succession, the first, James, in 1675, and the second, David, in 1681. The first minister admitted to the parish after the Revolution Settlement was Alexander Dallas, a licentiate of the Presbytery of Duns, who was appointed in 1703. On his death, two years afterwards, he was succeeded by Thomas Fraser, who in 1707 was proceeded against on a charge of drunkenness. Fraser demitted, and Mr John Willison, Brechin, was appointed to preach the church vacant. Mr Willison went to Kinnell for this purpose, but the authority of Presbytery and Synod was at this time held in but small respect in the district. A mob which had collected prevented Mr Willison from getting near the church, and he had to content himself with standing at some distance from the place, and there preaching vacant the church to which he himself was denied admission. Mr Fraser informed the Presbytery that he had no hand in this disturbance, but ultimately he was deposed. His successor was James Robertson, Dundee, who was appointed in 1708. William Moncrieff became minister of the parish in 1725, and was killed by a fall from his horse in 1742. About the time of Mr Moncrieff's appointment, it appeared that a number of the parishioners were still in the habit of attending 'prelatical meeting-houses.'

On the death of Mr Moncrieff, the Crown presented James Murison, minister

¹ Reg. of Great Seal, 1424-1513, No. 3520.

² Privy Council Reg. i. 502.

at Edzell. Mr Murison's settlement was opposed. The elders of the parish petitioned the Presbytery that the call might be 'at large,' that is, that they and the other qualified parishioners should be at liberty to nominate any minister or licentiate of the Church; but the Presbytery, who were now displaying a different spirit from that which had appeared in the St Vigeans settlement ten years before, resolved to limit the call to Mr Murison. The elders appealed to the Synod, but the Presbytery, acting under the authority of an Act of the General Assembly, agreed to proceed notwithstanding the appeal. The call to Mr Murison was signed by two heritors and nine heads of families, and at the same time there was produced what was styled an extrajudicial call to Robert Gardyne, a probationer, to which there were attached the signatures of 140 persons, including all the elders. The matter was referred to the Synod, who ordered the Presbytery to proceed with the induction of Mr Murison. Mr Moir, minister of Kirkden, was enjoined to make formal intimation at Kinnell of the Presbytery's intention to induct, but he encountered such a riotous assemblage that he was prevented from fulfilling his mission. Mr Murison, however, was inducted into the charge, his induction taking place in 1743. Some time after, the Presbytery felt it necessary to do something by way of vindicating their authority, outraged in the obstruction offered to Mr Moir. But Mr Murison came to the rescue of his parishioners. He urged that it was inexpedient to take any proceedings; that the disturbance was caused mostly by young people, who were scarcely subjects for discipline; and that the parishioners since his admission had diligently attended on ordinances. The Presbytery yielded to these representations, especially as the matter had been allowed to lie over a long time, but they resolved to intimate from the pulpit of Kinnell their dissatisfaction with what had been done. In 1748 Mr Murison became Principal of the New College, St Andrews, where he entertained Dr Samuel Johnson, when the latter was making his tour to the Hebrides. Mr Murison was succeeded by George Cruickshank, translated from Arbroath, who, dying in 1754, had as his successor Alexander Chaplin, in whose time, in 1766, a new church was built. On the death of Mr Chaplin, George Walker, who received the degree of D.D. from the University of Edinburgh, became in 1813 minister of Kinnell. Dr Scott, noticing the fact that his and Mr Chaplin's incumbency filled the long space of one hundred and fourteen years, remarks that this is a circumstance unparalleled in the history of the Church of Scotland.¹ In 1865, a few years before Dr Walker's death, Alexander Milne Davidson was ordained his assistant and successor. He died 20th February 1883, and was succeeded by Duncan Macarthur, who was inducted on 23rd August 1883.

Until 1584, when James Balfour was appointed, Kirkden was supplied by a succession of readers—John Johnstone, David Guthrie, James Dair, and William

¹ *Fasti Ecclesie Scotticane*, vol. iii. p. 801.

Garroch. James Balfour, the first minister, was translated to Edinburgh in 1589. He was one of the foremost ministers of the Reformation Church. In the year 1600, having expressed some scepticism concerning King James's version of the Gowrie conspiracy, he was appointed by the Privy Council to make public acknowledgment of his error, as the Court regarded it, in the towns of Dundee, Arbroath, Montrose, and Brechin. He was followed in the ministry at Kirkden by George Hay, 1589; Andrew Drummond, 1590, translated to Panbride; and Charles Welwood, 1595. Thomas Ramsay became minister of Kirkden in 1617. The ministers who followed were: John Durhame, 1623; John Rutherford, about 1629; John Balvaire, 1650; and William Balvaire, second son of the preceding, appointed in 1685, and who died in 1710.

On the death of Mr Balvaire, the last Episcopalian incumbent of the parish, John Henderson, Aberlemno, was admitted. His induction took place in 1711. There is no record of opposition to Mr Henderson's appointment, but in 1715 he informed the Presbytery that he could not get his stipend collected without legal diligence. He had another unpleasant experience. In the year 1718 he was moderator of the Presbytery, and at a meeting in December he told the brethren that on Thursday, the 4th of that month, 'he was in the house of Margaret Ochterlony, relict of the deceased George Adam, sometime Town Clerk of Aberbrothock, about his necessary affairs, at which time — Bever, ensign in the Hon. Colonel Montagu's Regiment of Foot, and commanding a detachment of the same in Aberbrothock, did in a most rude and unmannerly way intrude himself into the company into which the said Mr Henderson was, where, boasting himself to be a son of the Church of England, and that if he should be at a Presbyterian meeting, which is called the Church here, he would be cashiered next moment; to which Mr Henderson replied that the said — Bever should consider that the Presbyterian was as much the Established Church here as the Church of England was in England, to which the said Ensign Bever answered, 'What do you say, child?' and thereupon Patrick Wallace, jun., late bailie in Aberbrothock, and John Lamb, late provost there, being both in company, told him he was speaking to a minister; and in the meantime Mr Henderson, observing him to put his hand to his sword, told him that he should not speak to him as one of his common soldiers, and desired him to lay by his sword and reason the matter calmly; upon which the said Ensign Bever delivered his sword to the mistress of the house, with an oath that he valued not what Mr Henderson was, and immediately did strike Mr Henderson on the head with a cane, and having by the stroke extinguished the candle, did beat the said Mr Henderson on the face with his fist; and Mr Henderson observing him, the said Ensign Bever, struggling with the mistress for his sword again, he rose and went out.' Ensign Bever was prosecuted before the High Court of Justiciary for his outrage on the moderator of the Presbytery. Mr Fergusson and other members of the Presbytery appeared against

him as witnesses, and the ensign was convicted, with escheat of his moveables. It appeared in the course of the trial that others of the soldiers had conducted themselves in an outrageous manner towards the ministers of the Church in the district. Mr Henderson continued minister of Kirkden till his translation to St Vigeans.

James Moir, who had been assistant to Mr Fergusson at Arbroath, became minister of Kirkden in 1735. He was admitted on the call of the parishioners without having received a presentation. A curious question arose in his time with regard to the appointment of a schoolmaster. The heritors had elected a Mr Crudden to that office, but the minister objected to him on the ground that he could not teach Latin. Mr Lyell, one of the heritors, argued before the Presbytery that Kirkden was an obscure place, and that few persons there, or none, required their children to be taught Latin. The Presbytery found that Mr Crudden was capable of teaching English, writing, arithmetic, and church music; and as none other had been offered by the heritors or minister for the office, they appointed him to officiate 'in the meantime, and to receive the same emoluments as his predecessors.' In form, the appointment was thus only temporary. Ability to teach Latin was an essential qualification in every parish schoolmaster. Mr Moir in 1753 was succeeded in the church by James Hunter, who was translated to Monikie in 1775, when William Milligan was inducted into the parish of Kirkden. There is a notice of Mr Milligan in the Private Correspondence in the British Museum. It occurs in the 'Literary Correspondence' of George Chalmers, the author of 'Caledonia.' Among the letters included in the correspondence are several from George Dempster of Dunnichen, who had taken an interest in Mr Chalmers' work, by endeavouring to prevail upon the clergy of this district to supply the author with replies to his forms soliciting information about their parishes. In a letter to Mr Chalmers, written at St Andrews on 26th February 1799, Mr Dempster says: 'I wrote you that I had sent your papers to the best-informed among the Arbroath Presbytery, the Rev. Mr Wm. Milligan of Kirkden. I think I recommended to you to *flap* him by a letter with *broad seal* if he did not make you the proper returns within time. He is a little capricious, and perhaps has a little clerical, or rather monastic, laziness in his composition, being a solitary bachelor, and nothing material to rouse his attention.' Mr Milligan, however, appears to have done what he could with his co-presbyters to contribute some local topographical information to Mr Chalmers. Probably he was not successful, for the only thing that appears in the correspondence is a short note to himself, on the Finny or Vinny burn, and the river Lunan. Of the former he says that 'its name "in the records, or proprietors' charters for their lands," I have been assured is Eveny.' In the pastorate of Kirkden Mr Milligan was succeeded by David Carruthers in 1824, and a new church was built in the following year. James Anderson was ordained in 1847, and on Dr Hay's resignation, he was appointed clerk to the Presbytery, which office he resigned after holding it for

some years. John Boyle was in 1893 ordained assistant and successor to Mr Anderson, who died in 1898. The *quoad sacra* church of Fricockheim is situated in the parish of Kirkden. It was opened in 1825, and constituted a parish church in 1870. The first minister was Thomas Wilson, ordained in 1837, who demitted in 1843, and died about 1871. James Black was ordained in 1845. Some years before his death, he retired from performing the duties of the charge, and in November 1877 Alexander Seton was ordained as assistant and successor. Mr Seton resigned in 1887, and P. A. Andrew was ordained in 1888.

After the Reformation, the parish of Lunan was first supplied by readers. Those whose names are known were John Baty and David Guthrie. Andrew Leith, admitted in 1588, was the first ordained minister, and in 1590 he was followed by Alexander Inglis, translated to St Vigeans. The immediately succeeding ministers of Lunan were: James Philpe, 1622; Robert Norrie, 1650; and Robert Bruce, 1654, who died in 1668.

Alexander Peddie became minister of Lunan in 1669. He was allowed to remain there, after the Revolution, till his death in 1713, notwithstanding that he did not take the oath to the Government. He bequeathed communion plate to the parish, with the condition that any Episcopal congregation within seven miles of Lunan might have the use of it. This plate is still in use in the church. The church contains an elegant mural tablet, erected by his wife, Marjory Lindsay, to the memory of Mr Peddie. The inscription, which is in Latin, describes this incumbent of Lunan as having died 'beloved of God, ripe for heaven, and regretted by all good men on account of his eminent piety, his humble-mindedness, the sincerity of his friendship, his unostentatious liberality, and finally, his rare candour and urbanity.'

In his old age Mr Peddie employed James Rait, the deprived incumbent at Inverkeilor, to preach for him at Lunan. A complaint was made about this in the Presbytery in October 1708; but despite the Presbytery's remonstrances, Mr Rait continued to officiate for Mr Peddie until the death of the latter, when he intruded into the charge. Mr Henderson, minister of Kirkden, was appointed to preach the church vacant, but he got no farther than the churchyard. He preached there without auditors, the parishioners looking on at a distance. Subsequently, James Scott was sent to Lunan to preach, but he found the parishioners inside the church, and the pulpit occupied by Mr Rait. Two sham presentations were in succession laid before the Presbytery by the heritors, but neither of them was sustained; and the right of presentation having fallen to the Presbytery, they appointed Charles Irvine, descended from the family of Irvine of Drum. The Earl of Northesk asked the Presbytery not to induct. The Earl, together with all the other heritors, wished Mr Rait continued, and he sent the Presbytery a message to the effect that if they inducted Mr Irvine, 'it would be a

singular disobligation to him, beyond what was done to other noblemen in the shire.' A deputation was appointed to wait on the Earl in regard to this matter. His Lordship, in his interview with the deputation, appealed to the self-interest of the Presbytery. He told them that if they 'settled' the church, an Episcopalian meeting-house would be opened in the parish, and not a man would go to church; whereas if they waited till the death of Mr Rait, who was an old man, the church would be 'comfortably settled.' The Presbytery referred the matter to the Synod, who resolved that Lunan should be 'planted.' Mr Irvine was accordingly ordained on 28th June 1715, but up to September of that year he had been unable to get access to the church. Mr Rait, who had continued in possession, was deposed in 1717 for his intrusion at Lunan, for accession to the Rebellion, and for contumacy. Mr Irvine had calls from several congregations in the Presbytery. In 1725 he was translated to Maryton, in the Presbytery of Brechin. His successor at Lunan was Henry Ogilvy, who died in 1781. In the following year Alexander Girvan was appointed. He was translated to Langton, and in 1790 was succeeded at Lunan by John Gowans, who died in 1823. Robert Barclay followed Mr Gowans, and on his death in 1849 was succeeded by James Hay, translated to Inverkeilor. Alexander Fridge, M.A., was ordained in 1867.

Robert Mawle, of the family of Maule of Panmure, was reader at Panbride from 1567 to 1580. The first Reformed minister of the parish, appointed in 1585, was David Mitchell, who had been reader at Arbirlot. Robert Ramsay followed in 1589; Andrew Drummond, translated from Kirkden, in 1593; and Arthur Grainger, in 1636. The latter was succeeded by his son, John Grainger, who died in 1679.

Patrick Maule became minister of Panbride in 1680. The Presbytery register bears that he was admitted 'by desire of the Earl of Panmure.' He was a zealous supporter of the Stuart dynasty, and of the Episcopal government of the Church. Mr Maule continued in possession of the church after the Revolution, and until 1716, when he was summoned by the Presbytery for deserting his charge. His desertion had been consequent on the failure of the Rebellion, with which he was mixed up. He was deposed by the Presbytery for praying for the Pretender as king, and for observing a fast for his success. Mr Robertson, minister at Kinnell, was sent by the Presbytery to Panbride to preach the church vacant; but there was a riot, and the minister could not get access to the church, as the keys had been taken away. In 1717, Robert Trail, whose father was minister of Borthwick, was inducted into the charge, and Patrick Maule gave him peaceable possession of the manse. Robert Trail was the first of three generations of his family who held the benefice of Panbride. On his death, he was succeeded in 1763 by Robert, one of his sons, translated from Rescobie. James, another of his sons, became Bishop of Down and Connor. A son of the second Robert was Archdeacon of Down.

David Trail, D.D., youngest son of the second Robert Trail, became minister of Panbride, in succession to his father, in 1798, and continued in the charge, during the first half of the present century, until his death. William Wotherspoon had in 1844 been ordained assistant and successor to Dr Trail. In 1850, before Dr Trail's death, he was translated to Kilpindie, in the Carse of Gowrie. James Caesar, M.A., was inducted into the charge in 1851, and on 28th March 1895 his son John Caesar, M.A., was ordained his assistant and successor.¹

The Disruption of 1843 has been repeatedly mentioned in the notices of the later parochial clergy of the district. The Town Council of the day were led to take a lively interest, as everybody in Scotland did, in the controversies which resulted in the rupture of the National Church. From about the commencement of the present century,—the first appointment being in 1803,—the burgh had been represented in the General Assembly by Lord Moncreiff, grandfather of the present Lord Moncreiff. When the controversies arose, his Lordship, while a Non-Intrusionist, and indeed the author of the General Assembly's Veto Act, was opposed to the abolition of patronage. Lord Moncreiff's moderation on this subject was not acceptable to the Town Council, who, when re-appointing him as their commissioner in 1837, informed him that it was their anxious wish that lay patronage should be abolished; telling him, at the same time, that if he did not vote for its abolition they might not re-elect him. Whether on account of this difference or not, in 1839 Lord Moncreiff declined re-election, and the Council then expressed gratitude for his representation of them for many years. Provost Allan was Commissioner to the Assemblies of 1839 and 1840. By 1841 a change had come over the Town Council with reference to the Church controversy. It still thought that patronage should be abolished, but it saw that the agitation was tending towards breaking up the Church, and, apparently with the hope of averting that catastrophe, its influence was transferred to the 'Moderate' side. This was seen in the way in which a proposal to commission Mr William Andson, a 'Non-Intrusionist,' to attend the sittings of the General Assembly in 1841 was met. The 'Moderate' party were not prepared with a nominee of their own, but when Mr Andson was proposed they carried a motion to the effect that it was inexpedient to send a commissioner to that Assembly. Next year, Mr George Kyd, manufacturer, Marywell, was by a majority, as against Mr Andson, elected commissioner. Mr Kyd was also commissioner from the burgh to the Assembly of 1843. His election by the Council in that year was unanimous.

¹ This chapter is given principally for the sake of any light which—together with Chapters L, V., and VI. of the present Part—it may throw on the condition of the Church in the district of Arbroath from the Restoration to the close of the last of the Stuart rebellions. The register of the Presbytery is the chief authority for the

period from the Restoration downwards. The names of the district ministers prior to the Restoration have, with the kind permission of the publisher, been taken from Dr Scott's '*Fasti Ecclesie Scoticane*,' vol. iii. pp. 788-807, which see for ecclesiastical and personal particulars in reference to the respective ministers.

CHAPTER V.

DISCIPLINE OF THE RESTORATION CHURCH.

THE 'curates,' the comprehensive title which has sometimes been given to the Episcopalian clergy who supplied the parish churches during the period of the Restoration, have been thus characterized by Bishop Burnet: 'They were generally very mean and despicable in all respects. They were the worst preachers I ever heard. Many of them were openly vicious. They were a disgrace to their orders and the sacred functions, and were indeed the dregs and refuse of the northern parts.'¹ This account, which has in substance been reproduced frequently, is probably in a measure correct of many of the clergy who took the places of the outed ministers in the Covenanting districts of the country, and it may be presumed that Bishop Burnet described faithfully what came under his own personal observation; but it is not true of the Presbytery of Arbroath, or perhaps of any Presbytery north of the Tay, where there was no outing, as neither clergy nor people made any difficulty about conforming to the Episcopal government of the Church. The ministers in the Arbroath district in the time of Charles II. and James VII. appear to have presented an average type of parochial clergy. They zealously upheld the discipline of the Church. Interesting is the insight which we obtain from the local ecclesiastical records into the condition of the Church in these Northern districts, at a time when in the South and West the Church was to be sought in the field conventicle, the parish pulpits being occupied by men who were regarded by the parishioners generally as mercenary intruders. In the district of the Arbroath Presbytery, the ministrations of the parochial clergy were universally accepted, and the ministers took a diligent oversight of the whole population within their respective parishes. On 3rd November 1659, it was brought under the notice of the Presbytery that the Synod had appointed that every particular minister within the province should visit all the families of his congregation at least once a-year,—and 'congregation' at that time was synonymous with 'parish.' The minister was to make a report of his visitation to the Presbytery, who were to record it in their book, so that it might come under the notice of the superintending body, the provincial or diocesan Synod. Persons absenting themselves from church were looked after by the brethren. John Ochterlony, laird of West Seaton, gave the Presbytery a good deal of trouble for a long series of years. In November

¹ Burnet's *History of his Own Time* (fol. edit.), vol. i. p. 158.

1663, it was represented to the Presbytery by the moderator, and by Mr James Fraser, minister of Arbroath, that the Laird, notwithstanding his frequent promises and engagements to countenance and attend public worship, continued to absent himself. Two of the brethren were thereupon appointed to admonish him of his scandalous conversation, and that, if he did not amend, the Presbytery would forthwith transmit his name to the Lords of his Majesty's Privy Council. Neither the interview with Ochterlony nor the threat of the Presbytery was productive of a satisfactory result. Eight years afterwards, the Kirk-Session of Arbroath appointed two of their number 'to speak to the Laird of Seaton in order to his coming to the town.' At the same meeting of the Session, the minister reported that Archbishop Sharpe, 'whose advice was desired at the Synod by the Presbytery concerning Wester Seaton's reception into Aberbrothock, appointed he should not be admitted to reside in Aberbrothock before he had obliged himself to carry himself christianly in time coming.' It was a long time before the Laird of Seaton could be induced to bear himself christianly, if indeed he ever did so. On one occasion he broke into the prison of Arbroath, and delivered his mistress from bondage there. With knife in hand, he took the lady away in defiance of the Magistrates. He was ultimately brought to acknowledge, if not to amend, his faults, by sitting in the public place of repentance.

There were two other lairds who gave the Presbytery a deal of trouble about this time, but from a different cause than what appears to have been the particular evil-doing of Ochterlony. These were the lairds of Braikie, father and son. The accusation against them was that they were Papists. This is a noteworthy feature of those times, when Prelacy was in the ascendant, and when, as matter of fact, the two later Stuarts, who had restored Episcopal government to the Church, were both—though secretly in the case of Charles—adherents of the Church of Rome. While that was the state of matters at Court, at no time, at least in the northern provinces of the Church, has the zeal against Popery been stronger than it was then. Excommunications of Roman Catholics were common, and the civil authority was called in to supplement the spiritual sentence. Ministers were required to report the names of Papists resident in their parishes. Mr John Balvaird, minister of Kirkden, was instructed by the Presbytery, at a meeting in 1661, to transmit the names of Papists in that parish to the archdeacon of the diocese. Such names were reported to the Privy Council. About 1661, and for a few years afterwards, the only Roman Catholics within the district of Arbroath appear to have been the Braikie family. After their names had been reported, the Presbytery wanted to know what further was to be done against them, and they applied for advice on the subject to the Archbishop and Synod. They were advised 'that on three several Sabbaths they should give them public warning from the pulpit to countenance the ordinances of God in this Church.' If they 'Popishly affected' failed compliance, they were, according to his Majesty's order,

to be summoned before the Commission for Church affairs. This was the manner in which the Laird of Braikie, his son, and three daughters, were to be proceeded against. The Presbytery, however, were reluctant to carry matters to extremities. The elder laird came to reside in Arbroath, and Mr Fraser, the minister, had many interviews with him, by appointment of the Presbytery. The impression left by the record of these interviews is, that Mr Fraser was a somewhat easy-minded man, and anxious to avoid the disagreeable duty of excommunicating a brother laird. Sometimes Braikie gave it to be understood that he was about to make his submission to the Church; and on one occasion he sent John Dalgety, clerk of the Regality Court of Arbroath, to ask the Presbytery to appoint one of their number to confer with him. They did so, but the conference did not result satisfactorily. These proceedings went on for several years, and in the end the Braikie family seem to have escaped all serious consequences from their attachment to the Roman Catholic Church.

Stringent decrees were frequently issued by the Church against Sabbath-breaking, as well as against Popery. One of the instructions addressed in 1663 to ministers by the Synod of the province was, to 'carefully set themselves against the profaning of the Lord's-day, by travelling especially. Magistrates in burghs,' it was added, 'are to be dealt with for restraining of the sin.' There is evidence that up to this time the system of Sabbath observance had not been fully developed in Scotland. But practices inconsistent with a strict observance of the Lord's-day were opposed by the ecclesiastical authorities. On the 29th December 1669, 'John Gibson and John Ritchie, millers, having compeared before the Kirk-Session of Arbroath, acknowledged the truth of their grinding of malt upon the Sabbath-day, and did with some sense regret their error.' They were rebuked, and warned that if they were again found guilty of a like offence they would have to pay forty shillings. The practice of imposing fines for ecclesiastical offences, which had come down from the Mediæval Church, was continued then, and for long afterwards.

On March 9, 1670, 'the Session being informed that there were many who were found drying clothes on the Lord's-day, and that several were scandalous by their wandering and gadding through the streets before and after Divine service, they appoint public intimation to be made from the pulpit against those growing evils, and that for the future such as should be found guilty should be judged as Sabbath-breakers.' There are notices in the records of the Kirk-Session of St Vigean also of the practice of drying clothes on Sunday. It is stated that the people were exhorted by the minister of the parish not to put out clothes to be dried on the Lord's-day.

The following entry, of date 18th May 1670, occurs in the Arbroath Session record:—'The Session finding that the Sabbath is much profaned by the dissolute carriage of many youths within this parish, they appoint public intimation to be made from the pulpit against this growing evil; and that it be recommended to

masters of families to take care that their children and servants be not found for the future in this trespass.' In June of the same year it was 'recommended to the elders to take notice of such extravagant persons as go to the heughs (cliffs), or go forth to fish in boats, on the Sabbath-day.' In October 1670, a person of the name of John Frost, 'convicted of travelling on the Lord's-day unnecessarily, was rebuked before the Session.' At the same sitting, Robert Hailes, younger, after solemnly promising to amend, was rebuked for 'neglect in attending ordinances on the Lord's-day.' On 7th December following, 'the Session being informed that several young boys, betwixt ten and thirteen years of age, were exceedingly turbulent on the Lord's-day in the streets after sermon, appoint intimation to be made from the pulpit that masters of families and parents do refrain their servants and children from those extravagances; that whose children or servants shall be found in this disorder hereafter, the parents and masters shall be liable therefor.'

Gathering seaware on Sunday, to manure the rigs of lands possessed by the burgesses, was a common offence. On 15th February 1671, 'Alexander Barrie and David Duncan being summoned before the Session, David Duncan compeared, and confessed he was gathering ware before nine o'clock at night [on Sunday], declaring also that Bailie Martin's two men-servants, John Webster's two men-servants, and David Hucheon's servant, with graips in their hands, were there also.' All these persons were cited to a meeting held a fortnight afterwards. They appeared, were rebuked, and the penalty imposed upon them was to 'bring slabs for the maintenance of the church.' In consequence of the frequency of this form of Sabbath-breaking, the Session appointed that public intimation against it should be made from the pulpit.

Sabbath-breaking was an offence which made the offender liable to be handed over to the civil authority for punishment. Alexander Milne, who had been found cutting grass on Sunday afternoon, was brought before the Session on 19th July 1671, and rebuked. The Session also enacted, 'that if he or any other for the future should be found guilty of the like offence, they shall be judged Sabbath-breakers, and fined and punished as such.'

Notwithstanding the careful superintendence of the Session, 'dishaunters of ordinances,' that is, people who did not go to church, are described in the record as 'many.' The elders and deacons were recommended to 'give in a list of such recusants as should be found in their respective quarters,' and their names were to be published from the pulpit. In 1683, there were still found people who followed their ordinary pursuits on Sunday. On 9th September of that year, James Gregory confessed to the Session that he had been guilty of thatching corn on Sunday morning. He was rebuked, and fined £2 Scots, and was likewise warned that if he should offend in the same way again he would be amerced in £4. Gregory did not take his censure meekly. On the contrary, 'behaving himself irreverently and contemptuously before the Session, in despising reproof and

counsel, he was appointed to appear before the pulpit the next Lord's-day.' He did so, and was exhorted to 'more tenderness and caution for the future.'

Drinking in taverns was another common form of Sabbath desecration at this time and afterwards. John Ramsay, sailor, John Ramsay, in Seaton, and Patrick Leslie, were in 1670 rebuked before the congregation for drinking in time of Divine service. Catherine Alexander, who had supplied them with ale, was also rebuked and fined 12s. Scots. In the reign of James VI. severe statutes had been passed against drinking on Sunday in time of sermon and prayers, and against haunting alehouses after ten at night. These Acts were ratified generally by an Act of Parliament passed in 1661, which imposed fines for drunkenness and profane swearing, the amount of the fine varying according to the order of society to which the offender belonged. It may be deserving of notice that it was thought worth while to provide that ministers blaspheming or drinking to excess should be fined to the extent of a fifth of their stipends.¹ In the spirit of this legislation, the Session, besides punishing persons who drank when they should have been in church, attempted, in anticipation of modern legislation on the subject, to restrict the hours during which taverns were to be open on the other days of the week. In 1673 they found that 'several persons in the town were scandalous by staying late in the taverns,' and they recommended the minister to intimate from the pulpit that none of the citizens should be found in the taverns after half-past nine at night, under the penalty of being censured as scandalous persons. Recurring to Sunday drinking, Isobel Reid, an alehouse wife, was in 1684 rebuked for entertaining strangers in time of worship, and she had to find caution to the amount of £4 that she would not offend in the same way in future. In 1665, on 22nd April, the Kirk-Session of St Vigeans found it necessary to ordain that 'no Auchmithie fisherman go to Arbroath on the Lord's-day, or into any alehouse except for refreshment in going to or returning from church.' As the village of Auchmithie is three miles from the parish church of St Vigeans, the Session had thought that a call at a roadside inn might be necessary.

The records of the Kirk-Session of Arbroath show that that body set themselves zealously to put down drunkenness. On 13th January 1684, five men were proceeded against for spending a whole night in a tavern. Their offence was held to be so serious that the case was remitted to the Presbytery as a superior court. In the same year, on 4th May, 'the minister informed the Session of the prevalence of intemperance in the place, and entreated the concurrence of the elders for reforming of the same, and of the Magistrates to curb and restrain it in all time coming.'

The Magistrates had a good deal to do in enforcing the discipline of the Church. On 5th July 1671, the minister informed the Session 'that there were many who did not keep the diets for examination, whereupon the Magistrates

¹ Acts of the Parliaments of Scotland, vol. vii. p. 262.

promised to interpose their authority, and to cause such as were guilty in this particular attend the diets appointed by the minister.' On another occasion, in 1684, 'the Session appointed the Magistrates, Town Clerk, and William Ochterlony, to meet and consult of affairs relating to the Church.'

The civil and ecclesiastical authorities were not always at one with each other. There was a difference between them in 1672 concerning a small matter,—the appointment of a church officer or beadle. A certain John Christie had been elected to this office, the duties of which were of a multifarious character. The Magistrates assisted at the election, but soon afterwards the Town Council put Christie out of his place, 'because he declined to deliver the have-roll of the burgh, without the consent of the minister and command of the Session, from whom he had received it, to the Magistrates.' Those present at the meeting declared that the Magistrates and Council 'had never chosen any one for burying of the dead,' and that the church-officer had always been elected by the minister and session, the Magistrates assisting, but only as members of Session. For the protection of the respective interests of the Town Council and Kirk-Session in this business, the Provost, John Aikman, and the minister, James Carnegie, took legal instruments. The Session being of opinion that their officer was not deserving of censure, they continued him in his office 'upon these terms and conditions: that he should take the charge of the town's cattle, as others have done before him; at the same time, that he should learn to be more formal in his proclamation of the burials and ringing of the bell,—as to the two last several complained that he had failed in them.' A few years afterwards, in 1678, there was another question about a kirk-officer, but with that the Magistrates had nothing to do. William Dall, who then filled the office, 'being commanded by the minister and Session to remove the rubbish that was about the church, and to take in the slates that were left over the slating the porch, plainly denied to do it; therefore he was deposed from his office, he refusing to serve any longer in that station.'

The Magistrates came before the Kirk-Session on 17th October 1673 as petitioners against a lady. Patrick Wallace, provost, William Ochterlony and John Kid, bailies, and James Dalgety, complained that 'Euphemia Ochterlony, spouse to John Aikman of Cairnie, had scolded them publicly, they being sitting in judgment in a fenced court, calling them rascals, knaves, and carter-fellows.' The lady was cited before the Session three several times, but did not obey the citation, and in consequence her case was referred to the Presbytery. Provost Fithie and Bailie Hamilton, however, were appointed 'to speak with her, and to see if she could be reclaimed by fairness before the meeting of the Presbytery.' This attempt to bring the wife of Cairnie to a sense of her wickedness in scolding the Magistrates having failed, the case came before the Presbytery on 27th November. Two of the brethren were appointed to speak with the accused, and she admitted to them that she called the Magistrates carter-fellows, but

denied that she called them knaves ; of the ' rascals,' nothing appears to have been said. Possibly because it was a lady, and one of some importance, whom they had to do with, the Presbytery deemed it proper to take the advice of the brethren of Dundee and Brechin as to what they should do in the business. This being done, the Dundee and Brechin brethren, ' because of some private settlement between the parties, and other reasons, judged it most fitting to see if the Presbytery could take it away in an amicable way.' The Presbytery, considering this, and also that the Magistrates declined to pursue their complaint, appointed Mr John Balvaird and Mr John Johnstone, together with Mr Patrick Strachan, the lady's own minister, ' to go to her, and labour to convince her of her passionate failings in the matter, and of her neglect of ecclesiastic discipline, and to labour to bring her to the acknowledgment of the same.' The labours of the three brethren were attended with but indifferent success. Mrs Aikman, after ' serious exhortation,' was brought to the point of acknowledging that ' she was sorry for any offence she had given to God in the matter,' but it does not appear that she confessed to like regret for her offence as against the Magistrates. However, the Presbytery felt that it was expedient to rest satisfied with what they had got. Considering all the circumstances, and that ' the insisting any further was like to raise new discords, they judged it convenient to desist from public proceedings in the matter.' At the same time, they ordained the minister of Arbroath to show to his Session that what the Presbytery had done was for the sake of peace. Euphemia Ochterlony, although she seems to have had but a poor opinion of the civic dignitaries of her time, was herself a daughter of a provost of Arbroath. Her husband was of a family who long held a good position in the shire, and several members of it rose to distinction. She had a family of six sons and four daughters, and she witnessed the death of almost all her children.

The activity of the Kirk-Session of Arbroath extended to the affairs of families and neighbours. In October 1670, ' it was recommended to the elders to use diligence in settling of differences among neighbours before the communion.' In 1677, on 28th June, James Mitchell, weaver, was fined 40s. Scots for ' keeping a servant without a testimonial,' and he was at the same time told that if he were again guilty of that fault the penalty would be doubled. The Session were informed in 1680 ' that there was a woman in town who pretended to be a diviner and revealer of secrets ; and that several in town had consulted her, much to the dishonour of God, [and] the scandal of their profession ; and that several contests and discords were like to arise among the nearest relations by her insinuations ; they did therefore unanimously appoint the said woman to be put out of the burgh, and prohibit all the inhabitants therein to consult her, or any other such, for the future, as they would not be prosecuted by the censures of the Church.' Some authority was exercised in matters of marriage. The Session ordained in 1671, ' that no person contracted in order to marriage should be proclaimed before they

had consigned ten merks in pledge, which should not be lifted before half a year expire.' In 1682 the Session went into a matrimonial affair in a most painstaking manner. There was a certain Patrick Nicol, sometime a confectioner in Arbroath, who had taken service under the Prince of Orange, in an English company. He had a wife named Agnes Findlay, resident in Arbroath, and a false report had got abroad that her husband had married again in Holland. In point of fact, the poor soldier had died while his company were at work on the fortifications of Breda, and as he had 'lived and carried himself honestly, his corpse was honourably interred within the town of Breda.' The occasion of the Session's inquiry into the matter was that the soldier's wife wanted a second husband, and before meeting her wish in that respect they were anxious to assure themselves that she was free to marry. With this object they got a satisfactory certificate from the officers of the company in which her deceased husband had served, besides collecting other evidence at home and abroad, the effect of which was to permit the widow to marry again.

In the St Vigean Session record it is recorded, on 14th July 1672, that Andrew Fullarton paid 20s. 'for not fulfilling his purpose of marriage.' This payment was probably for damages which the Session, not the lady, had sustained. In one matter of marriage, the discipline of the Restoration Church was much more strict than that of the Church of the present day. This instruction to the clergy by Archbishop Sharpe and his Synod occurs under date 4th January 1671:—'The Lord Archbishop and Synod, being informed that some ministers of the diocese had married some persons on one proclamation, or on three proclamations in one day, judge that this practice is very censurable, as being against the constitution and canons of this Church: and all ministers are prohibited to fall into this, under pain of suspension.' Another instruction by the Archbishop and Synod was levelled at 'Gretna Green' marriages. Persons going to the Border, and marrying there in contempt of the order of the Church, were to be 'delated' to the civil magistrate, and suspended from the sacrament.

'Collections' were made in 1674 and 1682 in some of the churches within the bounds of the Presbytery for unfortunate Scotsmen, especially for a few, natives of the Fife burgh of Pittenweem, who had been captured by Algerine pirates. The object of these collections was to raise money for their ransom. About the same time that the collection was made for the Pittenweem prisoners at Algiers, there were also collections at Arbroath for building or repairing the harbour of Burntisland, and for a bridge over the Leven at Dumbarton. These collections were appointed by the Privy Council. The diocesan Synod ordered that 'no collections be gathered by ministers in their congregations but such as are recommended by the Synod,' but it is unlikely that this order applied to benevolences imposed by royal authority.

In the period under notice, there was week-day as well as Sunday service in

the church of Arbroath, and the minister was recommended by the Kirk-Session to 'intimate to the people, especially to women, that they make conscience of frequenting ordinances on the week-days, but more especially on the Sabbath.' In order that the diligence of ministers in preaching and catechizing might be known, the Synod required that 'it be marked in their session-book how often ministers preach on the Sabbaths; and that they catechize one day in the week, except in seed-time and harvest; and if they be absent a Sabbath-day, it is to be marked who preached for them.' In accordance with this instruction from the Synod, the brethren in Presbytery were asked if they did preach twice on the Lord's-day, and did catechize weekly,—a question to which they were all able to give an affirmative answer.

If a minister absented himself from the Synod he was fined twenty merks; if, being at the Synod, he did not go to the opening sermon, or if he went away before the close of the Synod, he was fined ten merks. The fines were to be employed for such pious uses as the Archbishop and the Synod should determine. Under the present government of the Church, a minister is practically at liberty to absent himself from his Presbytery for an almost indefinite period; but in the time of the Restoration, if he did so for two days together, without having a lawful excuse, he was reported to the Synod. The system of making inquisition at meetings of Presbytery into the behaviour of the members, in order to see whether they were conducting themselves in accordance with their profession, was strictly kept up.

Both before and after the Revolution, the Presbytery had a bursar, a student of divinity at one or other of the Universities, and the various parishes within the bounds contributed to the bursary. Passing for a moment into a later period of the history of the Church, it may be noticed here that in 1707 there was a proposal before the Presbytery of Arbroath, 'that the bursary money be given to deserving probationers, many of them being in great straits, and some of the students of divinity making no good use of their bursaries.'

The episcopate restored by James VI. in 1606, after its abolition fourteen years before, continued by Charles I., and again, after the Commonwealth, re-established by Charles II., was an addition to, rather than a supersedure of, the Presbyterian government of the Church as established by the Act of Parliament 1592. Early favoured in the North, it came to be in the ascendant there, but the local administration of the affairs of the Church, in kirk-sessions and presbyteries, was but little affected by the alternations between Episcopacy and Presbytery. The kirk-sessions, the radical courts of the Church, continued in full operation. In some parts of the country, presbyteries fell into temporary abeyance; but it was not so in Angus, where the presbyteries, though with restricted powers, and subject to episcopal jurisdiction, continued to administer the ecclesiastical business of their respective districts. There are not many hints

in the local records as to the worship of the Church during the Restoration period, but it was in the main non-liturgical, as indeed that of the Scottish Episcopalians continued to be until well on in the eighteenth century. It appears, however, from the local records that in 1663 there was as much of liturgical service as was represented by the fact that repetition of the Creed, the Lord's Prayer, and the Doxology, formed an ordinary part of public worship. At a meeting in that year, the brethren were asked if they continued the use of the Creed, the Lord's Prayer, and the Doxology, and they answered affirmatively. The communion was according to the present practice of the Church, the communicants sitting at tables. There is a notice of this in the record of the Arbroath Kirk-Session, under date 30th June 1675. It consists of an appointment of the order for observing the communion: 'This day the minister and Session appoint Jo. Lyell, John Mudey, Geo. Allardyce, and James Gardyne for conveying the elements along the tables at the ensuing communion; Jho. Rind, Jo. Webster, yr., Ja. Hailes, and James Stevenson for collecting the tokens and money.' And again, a fortnight afterwards, in reference to the same communion: 'William Ochterlony and William Renny are also to help in conveying the elements, and James Johnston to stay in the session-house to attend the drawing and conveying the wine.' These appointments indicate a form of communion the same as is at present observed. The reference to the collecting of money is to the customary Sunday collection by the elders of the offerings of the congregation.

CHAPTER VI.

DISCIPLINE OF THE PRESBYTERIAN CHURCH.

THE records of the Presbytery of Arbroath give a faithful picture of the ecclesiastical condition of this district of the country in the early years of the Revolution Church, when, either from political or ecclesiastical reasons, or both, Presbyterianism was not popular in Angus. It may be inferred from what has been stated in preceding chapters, that the district was not fertile in martyrs or confessors to the Covenant. The only Covenanter of whom we have any trace in the local records of the Church was a certain Henry Matthew, in Arbirlot, who in 1705 was reported to the Presbytery as a person who 'had suffered much under the late Government for his respect to Presbytery.' He had fallen into indigent circumstances, and the Presbytery made a collection in their churches for his relief. In 1709, they reported to the Commission of Assembly that there were 'no sufferers from the late Prelacy within their bounds.'

Amidst its jealousy of the tolerated Episcopalian ministers, its struggles with intruders, its watchfulness over affairs of State, the Revolution Church did not neglect its own discipline. Looking to itself in this matter, the Presbytery of Arbroath, in August 1711, found that the brethren were not in the habit of meeting in Presbytery so punctually as they ought. To correct this evil, they resolved that every member who was not at the meeting before ten o'clock in the morning should pay a fine of 2s. 6d. to the poor, unless he had a valid excuse for his absence. Quite a sufficient excuse for absence was sometimes found in the state of the weather, which occasionally prevented the Presbytery from meeting. The country at that time was not so well intersected with roads as it is now; the roads which were in existence were not good, and where they crossed waters it was frequently at a ford only, not by a bridge, so that heavy rains interrupted traffic.

The Presbytery after the Revolution, as before, continued to keep a sharp lookout for 'Papists.' Roman Catholics were looked upon as a principal cause of the divisions in the nation at that time. In 1707, it was ascertained that there were none of them within the bounds of the Presbytery, except in the town of Arbroath. There were two there—John Wallace, and Isobel Farquharson, relict of George Brockie, notary-public. The lady drops out of sight, but Mr Wallace engaged the attention of the Presbytery for some years. He had been in France, and he became a bishop of the Roman Catholic Church in Scotland, of whom a notice is given in the immediately succeeding chapter. Having been complained against by the Presbytery, and cited to trial, he disappeared from the district.

In the year 1711, on 7th February, the Presbytery passed a resolution which reveals a remarkable state of things. They agreed to bring under the notice of the Synod the circumstance of women travelling, and bringing forth children on the road, and the justices of the peace refusing to meddle with them. As the Presbytery had found it necessary to notice this, it may be inferred that it was a common occurrence. The country was at the time infested with vagrants. As to the matter of marriage, 'penny weddings' were strictly prohibited by Acts of Assembly and Synod, as being a cause of immorality; and in 1718 the Presbytery ordained that persons contracted in marriage should be taken bound to have no such weddings. Several enactments were made by the Kirk-Session of Arbroath with regard to marriages. It appears to have been in 1733 that the Kirk-Session first gave formal sanction to proclamation of banns on one Sunday, instead of three Sundays in succession. This it did by imposing a higher fee for proclamations in one day. The celebration of marriage in church was common. On 11th September 1734 the Kirk-Session enacted, 'that all persons who should hereafter desire to be married in their private houses, and not in the church, should pay for every such private marriage £1, 10s. Scots to the poor.' In 1791, the Session, in order to put a stop to marriages on Sunday, which they erroneously

declared to be contrary to the rules of the Church, instructed their clerk to grant no certificate of proclamation until the Monday after the proclamation was completed.

Sabbath-breaking continued to receive a good deal of notice from the local ecclesiastical tribunals. In 1710, the Presbytery prosecuted a person before the Justice of Peace Court in Dundee on a charge of Sabbath-breaking, and decree was given against him. Again, in 1718, the Presbytery ordered proclamation to be made from the pulpits against profanation of the Lord's-day by 'warning of people to work,' driving of carts, and feeing of servants,—Sunday practices that have now been long unknown. A little later, the Presbytery agreed upon a supplementary list of acts done on Sunday which they included in the sin of Sabbath-breaking. These were: 'Change-people entertaining persons in their houses during Divine worship; selling victual; meeting of cabals and companies in alehouses after sermon, and drinking and discoursing on these occasions, particularly after marriages, and women's going to church after delivery in child-birth; children playing; going of mills; unnecessary travelling and vaguing [loitering] in fields; gathering of pease and dulse, particularly on the first Sabbath of May; and sundry servile work performed in particular houses, as gathering of kail, casting out of ashes, and such like things. The Presbytery prohibited these abuses, and ordained offenders to be punished according to Acts of Parliament and of the General Assembly.' In 1726, the 'crying of roups and wad-shootings' received the attention of the Presbytery as violations of the sacredness of the Lord's-day. This intimating of auctions took place in the parish churchyard before or after Divine service, and it was commonly a church functionary, the beadle, who made the intimations. The Presbytery, on 6th April 1748, took into consideration 'the scandalous practice of making intimation on the Lord's-day, in or about the kirk-yard, anent engaging persons to work in manufactures, shearing in harvest, setting land for sowing lint, wad-shooting, and other public diversions.' It was agreed to prohibit these practices; to deprive of their fees those beadles who made obnoxious intimations on Sunday; and to order that offenders should be publicly rebuked before their respective congregations. In remote districts of the country, these Sunday morning advertisements in churchyards were continued until well on in the nineteenth century.

Even harvesting on Sunday, especially in backward seasons, though it is not a common practice, would scarcely now be a matter of ecclesiastical discipline, and has in our time been defended by some ministers of the Church. There is a case of Sunday harvesting mentioned in the records of the Kirk Session of Arbirlot as occurring in 1724. On 25th October of that year, Patrick Steven confessed to having been guilty of cutting down some of his corns on the Lord's-day, and said he was sorry he had done so, but pleaded ignorance. By appointment of the Session, the minister, Mr Charteris, 'rebuked him sharply.' Perhaps

one of the last disciplinary cases of the kind occurred in the same parish in 1836, during the ministry of Mr (Dr) Guthrie. The season had been a very rainy one, and on 30th October the minister brought under the notice of the Session 'that it was currently reported that corn had been carried and stacked on the farm of Peasiehill on the afternoon of last Sabbath.' The tenant of Peasiehill was the late Mr James Goodall, a banker in Arbroath, and who had been Provost of the burgh. Mr Goodall was not himself in communion with the parish church, though he attended the services there, but proceedings were taken before the Session against some of his servants who were church members, and ultimately the case was referred to the Presbytery. As the result, ecclesiastical censure was pronounced against a number of the offending persons. Mr Goodall resented this interference with his servants, and demanded leave to appear before the Kirk-Session, so that he might be instructed as to what law, human or divine, he had violated, in ordering his servants to stack the grain on Sunday. A good deal of controversy on the subject followed, and Dr Guthrie, who mentions the matter in his 'Autobiography,' says he discussed the subject with Mr Goodall in the manse, and he claims to have won in the discussion a complete victory. Doubtless Mr Goodall was of a different opinion, for he published a pamphlet setting forth his view of the case. The matter excited a good deal of interest at the time. Mr Goodall is not named by Dr Guthrie in his Autobiography, but is spoken of in the book as 'a man of wealth, of gentlemanly bearing, of political and social influence, with large stores of knowledge and a cultivated mind,' who 'stood in many respects the chief man of the parish.'

The Kirk-Session of St Vigeans had some trouble with the fishers of Auchmithie in 1739 about a matter of Sabbath observance. A large number of them and their wives were cited to appear before the Session on a charge of violating the Fourth Commandment. They declined to come, and the minister told his elders that he would 'take advice how he was to manage these obstinate people, and that he would also converse with Lord Northesk to obtain his concurrence.' The appeal to Lord Northesk was an appeal not in this instance to magisterial authority, but to feudal and landlord power, to enforce the discipline of the Church. The result of the minister's conversation with his Lordship was, that he promised to compel all who had been guilty of breaking the Sabbath to wait on the Session, and give satisfaction. In this way the recalcitrant fishers were brought to submission. They were not so very humble, however, but that they felt themselves equal to the task of proposing to make a bargain with the Session. They asked to be rebuked in their own seats in the Church, instead of in the public place of repentance, and they undertook, in consideration of this concession by the ecclesiastical authority of the parish, to pay a guinea amongst them to the poor. The Session closed with the offer.

From the time of the Reformation downwards, the observance of Sunday in

Scotland gradually increased in strictness. The earlier local ecclesiastical records show that even when the Church, enjoying the zealous co-operation of the civil authority, was all-powerful in enforcing the decencies of life, there existed practices on Sunday which are now unknown. In reference to others, however, the Puritan spirit has not proved itself strong enough to prevail against them. Gravediggers, like other workpeople, probably do as little work as possible on Sunday, and interments on that day are not so common as they once were; but church courts would not now, it may be presumed, consider it necessary to interdict sextons from making graves on Sunday under pain of losing their office. Such an interdict was put by the Kirk-Session of Arbroath in 1734 on John Leslie, their beadle. On 17th May 1732, the Kirk-Session enacted as follows:—

‘This day it was complained of in session that many people in this town, both old and young, without necessity, thronged both the Old and New Harbours every Sabbath, and often in the time of Divine worship; which the Session taking into their serious consideration, enacted that all persons that should hereafter be found guilty of such criminal practices should be prosecuted according to law and appointed this act to be intimate from the pulpit next Sabbath.’

There was a special attraction at the Shore in 1732, the New Harbour (now the Old Harbour) being then in course of construction; but this habit of frequenting the harbour on Sunday is one of the instances in which the Puritan conception of Sunday has not prevailed. The practice has continued. This extract from an old record of the Session is exactly applicable to the circumstances of the present time, save in the respect that threats of prosecution now against persons walking on Sunday at the harbour, or anywhere else, are inconceivable.

On 5th December 1732, the barbers in town compeared before the Session in answer to their citation, and the record bears: ‘Being accused of profaning the Sabbath-day by shaving people and dressing their wigs before and in the time of the sermon, [they] confessed their faults, upon which they were exhorted to reform, under the pain of being publicly censured.’ In the following extract from the record, under date 31st May 1733, a case of Sabbath-breaking with aggravations is presented: ‘This day David Carnegie, shoemaker, was delated for Sabbath-breaking, drunkenness, swearing, and maltreating Provost William Wallace for reproving him. The said Carnegie being cited and called, compeared. Being accused of the foresaid crimes, judicially confessed the same, and the aggravations of his offence being laid before him, and he exhorted to repentance, was removed. The Session, considering what penalty was due to such crimes, agreed to this sentence: That the Magistrates should be applied to for incarcerating him for a terror to others, and appear before the congregation next Sabbath to be publicly rebuked for his said crimes, and express his repentance therefor.’ It does not appear from the record whether this person was incarcerated, but he was duly rebuked. With a

view to stop the practice of drinking in public-houses on Sunday, especially during Divine service, the Kirk-Session, on 13th November 1734, enacted, 'that they who collect at the church door shall go through the town each Sabbath, and take notice of persons drinking in taverns, or otherwise idly employed, and report to the next session.' The elders did this work in complete harmony with the Magistrates, as appears from the following appointment, made on 8th May 1755 :—'The Session, with the consent of the Magistrates, appoint the elders who collect the offerings at the church doors to take a tour through the streets in the time of Divine worship to see if any spend the Sabbath-day in alehouses, or stroll vagrantly about the streets: To rebuke those they find so doing, and to inform the Magistrates.'

Breaches of the Seventh Commandment engaged even more of the attention of the ecclesiastical courts than violations, real or imaginary, of the Fourth. It was common for the Session to order lewd women to be banished from the town. When this extreme measure was not resorted to, the offender had to do penance before the congregation, by sitting in the seat of repentance in sackcloth. A specimen of sessional discipline of this character may be given from among the cases which crowd the registers. Early in the year 1733, there was a woman whose case the Kirk-Session of Arbroath had found it necessary to bring before the Presbytery, by whom it was remitted back to the Session, who disposed of it in this manner :—

'The Session, considering that the said Agnes had appeared twelve times before the congregation without any visible signs of repentance, found also that she had been guilty four times of fornication, had not given a true account of the father of her child, the person she accused being exculpate by the Presbytery, and that more public appearances would tend to no edification, agreed to this sentence: That she must lie under the scandal unabsolved, and remove out of the town peremptorily at Whitsunday next.'

This woman's sins had been many, but it is not wonderful that she failed to be reclaimed by being compelled to sit twelve Sundays in sackcloth in face of the congregation. Sometimes, but seemingly not often, an offender contumaciously refused to put on the sackcloth. But there was a remedy for that. A woman who had refused compliance in this respect was committed by the Presbytery to the Magistrates to be imprisoned, after which she was once more to be taken in hand by the Kirk-Session. The discipline of the Church at this period in such cases was as objectionable a form of penance as has been practised in any age. Perhaps it was from a consideration of the evil effects of the system, that about the year 1748 the practice of 'delinquents' making public appearances was temporarily suspended in the church of Arbroath. From that date the sessional sentence for some time bore, that offenders be rebuked by the moderator, exhorted to repentance, and appointed to 'give satisfaction'—the ecclesiastical term for

public penance—when required. But the penance was not required, a fine for the benefit of the poor being substituted. Somehow this Christian mercifulness was not of long continuance. The 'seat for repentance' was again occupied, and on the sackcloth being worn out by its frequent use, a new garment of the kind was ordered by the Session. But it is doubtful if the new sackcloth was ever used. As to the seat of repentance, it was demolished when the church was repaired in 1762, and it was not replaced, delinquents thenceforth being required to appear before the pulpit when rebuked by the minister.

Mr Buckle, in proof of his statement that, 'when the Scotch Kirk was at the height of its power, we may search history in vain for any institution which can compete with it, except the Spanish Inquisition,' says a great deal about the tyranny of the kirk-sessions, or rather of the ministers. Of kirk-sessions he says:—'According to Presbyterian polity, which reached its height in the seventeenth century, the clergyman of the parish selected a certain number of laymen on whom he could depend, and who, under the name of elders, were his counsellors, or rather the ministers of his authority. They, when assembled together, formed what was called the kirk-session, and this little court, which enforced the decisions uttered in the pulpit, was so supported by the superstitious reverence of the people, that it was far more powerful than any civil tribunal.'¹ It is certain that kirk-sessions did many arbitrary things; but it is not so obvious that in those acts of theirs they were merely agents of the clergy. In Arbroath, when the Kirk-Session exercised its authority, more or less, in all local affairs, it was always composed of the foremost men in the burgh, the Magistrates generally being included, and in the records we have found no trace whatever of undue submissiveness to the minister. Coming down to the eighteenth century, whatever their faults may have been, the Scottish clergy of that period were not prone to the assertion of priestly power. Probably, had their inclination had free course, the system of giving public satisfaction in church would have come to an end sooner than it did, but by the people it was regarded as necessary to 'faithful discipline.' So strong was this feeling, that it was not until the end of last century, or about the commencement of the present, that public rebuke in the Parish Church was discontinued; even then, it was not formally abolished. In Arbroath, as in other places, it lingered some time longer—in Arbroath till about 1835—in the Presbyterian Dissenting churches.

In the Session record of date 14th July 1775, there is a notice of serious crimes which had been perpetrated in the burgh,—a murder, and several acts of self-murder. The Session, in consideration of these crimes, appointed a diet of public prayer and reading of the Scriptures to be held on a week-day evening, 'that all persons might have access publicly to implore the forgiveness of sin, and the mercy of Almighty God to the place.'

¹ Buckle's *History of Civilization in England* (3rd edit.), vol. ii. p. 344.

Attention to the case of scolding women continued to be among what may perhaps be regarded as the lighter duties of the Kirk-Session. In 1732, a married woman, residing in Marketgate, was convicted of scolding and abusing John Anderson and John Wilson, her neighbours. 'The Session, taking this into consideration, with her present insolent carriage towards them, applied to the Magistrates to punish her, who accordingly appointed her to prison till she should find bail for her better behaviour for the future.' The same day her husband and sister-in-law became bail for her, and on her promising to live a more Christian life she was liberated.

About the time (1743) that Mr Purdie, minister of Guthrie, was censured for consulting a man who pretended to a knowledge of the 'black art,' two persons from Backboath were convicted of a like delinquency; and as this offence had grown so much within their bounds, the Presbytery found it necessary to pass an act against necromancy, to be read in all the parish pulpits.

The practice of having service on a week-day each week, as well as on Sunday, was kept up, with some intermissions, from the time of the Reformation down to well on in the eighteenth century. In the year 1726, Mr Fergusson, minister of Arbroath, was called to account for remissness in this matter. He excused himself by saying that he had frequently essayed to have such preaching, but had never been able to procure an auditor. He added, that through the Lord's help, but obviously in consequence of the action taken by the Presbytery, he was resolved to try again. He did try, and at a subsequent meeting of Presbytery he reported that he had preached, and had an 'auditor.' These week-day services were held on Wednesday in Arbroath; sometimes the service did not include a sermon.

It was not until 1791 that the Arbroath Kirk-Session appointed two communions to be held each year. A third was afterwards added. With regard to baptism, it appears from an entry in the Session record, of date 1778, that by that time private baptisms had become common. It is stated that the greater number of children in the town were baptized privately—that is, at home, not in the church.

CHAPTER VII.

THE EPISCOPAL CHURCH—PRESBYTERIAN SECESSION—THE FREE CHURCH—WESLEYAN,
OLD SCOTCH INDEPENDENT, CONGREGATIONALIST, EVANGELICAL UNION, BAPTIST,
ROMAN CATHOLIC, AND CATHOLIC APOSTOLIC CHURCHES.

ABOUT the year 1712 there were two Episcopal meeting-houses within the bounds of the Presbytery of Arbroath, exclusive of the incumbencies in parish churches. One of them was at Arbroath, and the minister was Alexander Guthrie, who had been incumbent at Keir, and of whom information was sent by the Presbytery to Edinburgh in 1715 that he did not pray for King George. The other meeting-house was in the parish of Kirkden, and the congregation there was ministered to by John Grub. The Presbytery were very jealous of these interlopers, as they regarded them, and of the tolerated incumbents. In 1712 they employed a probationer to minister within the bounds of the Presbytery. One of their reasons for doing this was to counteract the exertions of the ministers of the Episcopalian churches and meeting-houses, who, it was reported, were 'industrious to prevent the people from attending on ordinances,' that is, in the churches which had been supplied with Presbyterian ministers, then numbering eight out of the eleven parishes. When the meeting-house in Kirkden was opened, the Presbytery brought the fact under the notice of Principal Carstares. That churchman, a man of consummate ability, was a moderate Presbyterian, notwithstanding that he had been a sufferer in the 'killing time'; and it was probably in some measure owing to the fact that he often turned a deaf ear to the entreaties of country presbyters, that the part of Scotland to the north of the Tay was preserved to the Presbyterian Church. But to the Presbyterian ministers the very presence in their parishes of the meeting-house preachers was an offence. In 1712, the Presbytery's representative in the Commission of Assembly was instructed to lay before that body 'the insults the brethren suffer from meeting-house preachers; particularly that they contract, proclaim, and marry, without testimonials of the life and conversation of the persons thus contracted, proclaimed, and married, from the respective legally established ministers; and they send their testimonials to us, and require us to proclaim in our churches persons living in the parishes where they keep up their meeting-houses, by which means we are discouraged in our ministry, and are in hazard of losing our preceptors and schoolmasters; the money which comes by proclamations being a considerable part of their salaries.' The Presbytery derived some comfort

from the fact that the incumbents and meeting-house preachers had not formed themselves into a separate Presbytery, and had not taken steps to continue the order of an Episcopalian clergy by granting licences to preach.

Notwithstanding the favour with which its clergy were commonly regarded, it was impossible for Episcopacy to maintain its position throughout the district. At the time of the Revolution, Scotland was too poor to support on an extensive scale a rival to the Established Church, even had the conception of dissent been as perfectly developed as it was soon to be by the Presbyterian Church itself. This fact of the poverty of the people operated, accordingly, against the success of the disestablished Episcopal Church. Then, the part taken by the Episcopalians in supporting in the two Rebellions the lost cause of the Stuarts, ultimately came to be another reason for Episcopacy losing much of the ground which it at one time possessed in this part of the country. The lairds—but with exceptions, particularly among the nobility—held aloof from the Presbyterian Establishment. As to the people, they generally continued to worship in their parish churches, and for the most part they, or their children, became loyal Presbyterians. In 1742 there were three churches in Arbroath,—the parish church, an Episcopal chapel, and a chapel of Independents. The notices of Episcopalian incumbencies in Arbroath in the eighteenth century are scanty. Alexander Guthrie, from Keir, was succeeded in 1719 by a clergyman of the name of Robertson, and John Grub and Francis Rait were in office in 1722. During the time of the rebellion, these ministers had taken possession of pulpits of parish churches in the district, and afterwards officiated in succession in the meeting-house of the Episcopalians. In the unpublished papers of the late Mr Andrew Jervise there are two letters which preserve the name of a subsequent minister of the congregation, and incidentally indicate difficulties which Scottish Episcopacy had at that time to meet. The minister was John Coupar, and one of the two letters was written by him. It was dated at Arbroath, October 13th, 1731, and was apparently addressed to Lady Panmure. Mr Coupar wrote :

I have preach'd a great many years, and (without vanity) I believe given satisfaction in general, till of late that the people of Arbroath, who are critical interpreters, and mighty nice and discerning in drawing inferences, are pleased to put wide and extravagant constructions upon my discourses. For it seems if I declaim against covetousness the sermon is pointed against such or such a person. If I recommend charity, beneficence, and hospitality, they immediately conclude that I am preaching for my own interest. If I defend our liturgy and show it to be a treasure of the most rational devotion in the whole Christian world, and give it the preference of those inconsistent and confus'd extemporary

prayers used by Dissenters, with a sincere intention to reconcile those of a different persuasion to the service of our Church, and at the same time to confirm and establish some amongst ourselves whom I perceive fluctuating and halting between two opinions, and they look upon it as a matter of indifferency with whom they join in worship, then I am represented as speaking against the Government. And therefore I beg leave (Madam) to observe that my case is most singular and unprecedented, if I must be condemn'd for these doctrines, and particularly for vindicating the Liturgy of our Church, and even by those who pretend to be members of it, especially when I have the authority of our

learned bishops and greatest doctors to justify and support my sentiments on that head; and I make no doubt but your Ladyship will be of the same opinion, under whose patronage in so just a cause I shall pay the less regard to all the malevolent tongues in this place, whose resentment proceeds from another cause, as I shall make appear by setting things in a clear light when I have the honour to pay my duty to your

Ladyship at Panmure, and in order thereto will embrace the first opportunity possible. Upon the whole, Madam, I wish these gentlemen who are so very ready to prescribe rules and give directions to me in preaching would be as forward in giving directions about my house, where my family and self have suffer'd extremely by cold and smock, and has been the reason of my late troublesome and expensive journey to Edinburgh.

Lady Panmure had probably declined to interfere, or her interference had been of no avail; for on 10th July 1732 Mr John Ouchterlonie wrote to 'my Lord,' from Dundee, respecting 'the present vacancy of the Episcopal meeting-house at Aberbrothock occasioned by the wandering temper of Mr Coupar,' and asking his Lordship to nominate a clergyman to supply the vacancy. The writer adds: 'I need not tell your LoP that its highly necessary that congregation be provided for as soon as may be, the greatest part of it being commons, who if they are deprived of public worship for a few weeks are in hazard of going back to the [Established] Church which by all means possible must be prevented.'¹ Early in the eighteenth century there was a party in the Scottish Episcopal Church opposed to the introduction into the Church of the English Book of Common Prayer, probably because it was regarded as denationalising the Church, and to this circumstance Mr Coupar's troubles in Arbroath were apparently in some measure due. In 1711 there was published a pamphlet, the author of which is described on the title page as 'A Lover of the Church of Scotland,' and which is entitled, 'Queries to the Scots Innovators in Divine Service, and particularly to the Liturgical Party in the Shire of Angus and Places adjacent thereto.' The pamphlet is a remonstrance against the adoption of the English services by the Scottish Episcopalians.

The civil pains and penalties, imposed in increased measure after 'the '45,' caused Episcopacy everywhere in Scotland to hide its head. Its chapels were humble in appearance, and generally obscurely placed, as if they rather shunned than courted notice. In Arbroath, the oldest of those old chapels was situated about the middle of Marketgate, on the west side of the street. Its site is occupied by a modern dwelling-house.

In process of time, a party of the Episcopalians in Scotland obtained a relaxation of the laws that pressed upon them by taking the oath to Government. This party was called the 'qualified,' and sometimes the English Episcopalians. They had a chapel in Arbroath at the foot of High Street, on the east side, a little below John Street. The building, which included church, vestry, and clergyman's house, may still be recognised by a broad flight of steps which led up to the chapel. The first clergyman was ordained by the Bishop of Dromore. Afterwards, William

¹ MS. Collections of Andrew Jervise, vol. iv., in Library of Society of Antiquaries of Scotland.

Bruce was minister. Contemporaneously, there was a nonjuring congregation, who were ministered to by Bishop Edgar, in his house in High Street. Bishop Henry Edgar, appointed to the Arbroath incumbency in 1732, and to the bishopric of Fife, Kinross, and Clackmannan in 1759, continued to minister to the congregation in Arbroath until 1768. On his death, the nonjurors, the local representatives of the Episcopacy of the Stuarts, met for worship in a house in Hill Terrace, demolished some years ago. The congregation removed from Hill Terrace with their minister to a building which the latter, Mr Rose, had erected in Abbey Street. When the house in Abbey Street ceased to be a chapel, it became a theatre; it was then transformed into a private dwelling-house, and next became the manse of the parish minister. After the death of Mr Rose, the nonjurors in 1806 joined the qualified congregation, and together they occupied a church which they had built in the lower part of High Street, and which was a very decided improvement on all their previous places of worship. In 1852, the congregation commenced the erection of a Gothic church, with parsonage, at Springfield. This church was consecrated as St Mary's, the same dedication as that of the old chapel, on 31st August 1854. Since the union of the two parties, when Mr Bruce resigned, the Episcopalian clergymen of Arbroath have been: Alexander Nicoll, who resigned in 1811; Alexander Cruikshank, from Turriff, who died in 1824; Benjamin Baillie, who resigned in 1827; William Henderson, who had been incumbent of St Paul's, Carrubber's Close, Edinburgh, who entered on the charge in 1828, and died 6th September 1879; J. M. Danson, instituted 4th January 1880, transferred in the following year to St Andrew's, Aberdeen, by the University of which city he was made a D.D.; George Durno, appointed in 1881, and transferred to Eglshayle, in the diocese of Truro, in 1891; Charles Edward Little, previously of Eglshayle, who was instituted in 1891, and transferred to a parish in Yorkshire in 1897; Walter J. Forbes Robberds, M.A., from St Germain's, Blackheath, instituted in 1897.

The Church of St Mary contains a number of memorial or presentation windows in stained glass. The earliest—the large chancel window—the subject of which is 'The Ascension,' was presented in 1854 by Miss Catherine Mudie of Pitmuies. In the nave there are four memorial windows. The eastmost, 'The Good Samaritan,' was erected in 1884 by the congregation in memory of the Rev. William Henderson, M.A., for fifty-one years incumbent; the next, 'Christ Healing the Sick,' was erected in 1884 by the late John Traill, F.R.C.S.E., in memory of his brother William, surgeon, and his son William, surgeon H.M. 91st Argyleshire Highlanders; the third window in the nave, 'He is risen,' was erected in 1892 by request of Elizabeth Anne Traill in memory of her mother, Margaret Mill, and her sister Margaret, wife of David S. Cargill; the fourth, or westmost, window, 'The Raising of Lazarus,' was erected in 1884 by the Rev. George Durno, M.A., in memory of his wife Fanny Elizabeth Meriton Durno.

The west window of the church, the subject of which is the apostles Paul, Peter, Andrew, and John, was in 1885 erected by James and Mrs Muir of Abbey Bank, in memory of William Bruce, minister of the Episcopal Church, Arbroath, who died in 1807, and his wife Helen Forbes of Blackford. This window is also in memory of William Bruce, H.E.I.C.S., who died in 1865, and of his wife Margaret Hill, who died in 1849. Among the possessions of the church there is a chalice of date 1717.

The local ecclesiastical records contain but little notice of Presbyterian dissent from the Established Church. Any notice of the older Seceders which does occur is tolerant in spirit and eminently wise. With regard to the Relief ministers, the Presbytery in 1753 instructed their commissioners to the Assembly 'to desire the Assembly to restore Messrs Gillespie, Hunter, and Spence to the full exercise of their ministry, as such a measure, in their apprehension, would tend very much to the peace and interest of the Church.'

The observation already made with regard to the poverty of the country as an obstacle to Episcopalian nonconformity is applicable to Presbyterian dissent from the Established Church only in the earlier stages of its history. The first secessions were brought about by a certain policy on the part of the Church, but it is not an irrelevant fact that they were contemporaneous with the revival of trade and prosperity in Scotland. The intrusion of unacceptable ministers into parishes tended to swell the ranks of the Secession, but rather more has been laid to the account of the law of Patronage in this respect than it is fairly responsible for. The growth, although not the origin, of Dissent may be in large measure explained by the increasing ability of the people to support a clergy without the parochial provision. The want of elasticity in the Establishment at that time was another circumstance strongly favourable to the growth of Dissent. Before the Church entered on its Church Extension Scheme, many of its ministers and people were disposed to help rather than retard the erection of churches of the Secession, to meet in some measure the spiritual wants of a rapidly increasing population.

The first congregation of Presbyterian Dissent in Arbroath originated in 1782. The Rev. Andrew Arrott, minister of Dunnichen, separated from the Establishment in October 1742, and became minister of a Seceding congregation at Dumbarrow, which he founded. The Seceders in Arbroath had been in the habit of worshipping at Dumbarrow, but in 1782 they got themselves formed into a separate congregation, in connection with the Antiburgher party of the Secession—the same ecclesiastical connection which they had at Dumbarrow. The first meeting-place of the congregation was a building on the site of which the Police Office now stands, and they worshipped there until 1791, when they removed to a meeting-house in North Grimsby Street. A session had been constituted in 1786, and in 1789 the congregation called a minister, James Miller, from Comrie, who

accepting the call, was ordained by the General Associate Presbytery of Forfar on 15th July of that year. Mr Miller was loosed from his charge in 1819, and emigrated to America, where he died. Joseph Hay, Alyth, the next minister, was ordained on 15th October 1823, and continued in office until his death on 11th July 1859. He was succeeded by Robert Johnstone, LL.B., Biggar, who was ordained on 4th December 1860, was translated to Parliamentary Road Church, Glasgow, on 5th December 1871, had conferred upon him the degree of D.D. by the University of Edinburgh, and in 1871 was appointed Professor of New Testament Exegesis in the Theological Hall of the United Presbyterian Church. Through unions of the Seceding bodies, the congregation had come to be connected first, in 1820, with the United Secession Church, and then, in 1847, when that Church amalgamated with the Relief, with the United Presbyterian Church. During Mr Johnstone's ministry they removed from North Grimsby Street to a new church which they had built in Princes Street. The old church, historically interesting as being the first of the Secession churches in Arbroath, is now a flax warehouse. The memorial-stone of the new church was laid by one of the elders, Provost Lungair, a descendant of the Rev. Mr Arrott of Dunnichen. The church was opened for public worship on Sunday, 27th January 1867, by the Rev. Dr Macleod, Birkenhead. In succession to Mr Johnstone, Archibald B. Cameron was ordained on 26th March 1873; was inducted minister of South College Street Church, Edinburgh, has received the honorary degree of D.D., and was succeeded in Princes Street Church by James Murray, who was ordained to the charge in 1882. In 1894 the church was presented with a beautiful communion service, in silver, by the late Mrs Corsar, of The Elms, and Mr Corsar.

In point of time, the second congregation of the United Presbyterian Church in Arbroath is the one now worshipping in Erskine Church. The congregation dates from about the year 1812. In Dr Mackelvie's 'Annals' it is stated that it 'originated in the dissatisfaction felt by a number of persons in Arbroath with the doctrines taught in the Established Church, and the preference they had been led to give on examination to the principles of the Secession.'¹ The authority for this statement is not given. The congregation, which was at first small, did not connect themselves with the ecclesiastical body of which the congregation in North Grimsby formed a part, but with the Associate or Burgher Synod. For a number of years they met in a room or hall called Croall's Room, which stood in what is now John Street. Afterwards they removed to the Trades' Hall. The first sermon preached to the congregation was by the Rev. Mr King, Montrose. They had frequently sermon from him and from the Rev. Mr Blackadder, Brechin. In 1814 the Associate Presbytery of Perth agreed to send preachers to the congregation, but it was not until after the two sections of the Secession had united that a minister

¹ Annals and Statistics of the United Presbyterian Church, p. 85.

was ordained. The congregation had built in Fore Abbey Street a meeting-house of an unpretending character, which was opened in 1821. The building was then, and for some time afterwards, in a very unfinished state. In the year after the church was opened, the congregation gave a call to William Hannay, from Wigtown. According to Presbyterian procedure, they appointed commissioners to prosecute this call. When these went before the Presbytery they were met with the objection that their place of worship was in a very unsatisfactory condition; but Mr James Boath, one of the commissioners, being equal to the emergency, reminded the reverend gentlemen that our Lord had preached from an open boat. Whether because of this argument or not, the commissioners carried their point, and on 15th August 1822 Mr Hannay was ordained minister of the congregation. He had previously had a call from the North Grimsby congregation, after the removal of Mr Miller. There was some dissatisfaction in that congregation at the time, and a number of the members, leaving it, joined the one in Fore Abbey Street. Mr Hannay continued minister until his death, on 19th March 1829. He was succeeded by Peter Davidson, from Dundee. Mr Davidson, who had the degree of D.D. conferred upon him, was translated to Edinburgh. Alexander Sorley, from Falkirk, was ordained minister of the congregation in 1837. During Mr Sorley's ministry a new church was built in Commerce Street. It was opened on 6th July 1851, by the Rev. Dr King, son of the minister who preached the first sermon to the congregation on its formation in 1812. In May 1875 Mr Sorley, owing to the infirmities of old age, resigned the active duties of the pastorate, and he died on 23rd January 1877. Henry Angus, translated from Trinity United Presbyterian Church, Sunderland, had been inducted as colleague and successor to Mr Sorley on 9th February 1876. In 1889 the University of Aberdeen conferred upon him the degree of D.D.

A third congregation, which has been incorporated with the United Presbyterian Church, was formed in 1825. About that time a Mr John Graham, a 'local' preacher, sought admission into the regular Wesleyan ministry, but was refused on the ground of his being a married man, it being a rule of the Methodist Connexion, that their ministers must serve a certain period of probation as bachelors. Mr Graham, being thus denied admission into the Methodist ministry, connected himself with a body called the Original Relief Association, and a church of that connection, now called St Paul's Church, was built in Park Street in 1826. The minister left Arbroath in 1827 to raise funds to help the congregation to complete their church, but while at Newcastle he accepted a call from a congregation there. A Mr Pullar, whom he had put into his place at Arbroath, remained till the membership had dwindled down to fifty-two. The congregation were received into the Relief Synod in 1830, and in the following year William Allan, from Tollcross, Glasgow, accepted a call to be their minister. He had in 1828 refused a call to Park Street on account of the smallness of the congregation and the largeness of

their debt. Mr Allan was ordained on 20th December 1831. He continued minister of the church till his death, on 22nd October 1871. In the face of great difficulties, Mr Allan worked laboriously during his long ministry, and succeeded in putting the congregation into a fairly prosperous condition. James Howat, from Ayrshire, was ordained in 1872, and in his time the church has been rebuilt on the old site.

The United Presbyterians have a congregation in Carnoustie, which is about as old as the oldest of that denomination in Arbroath. It was formed in 1789. The first place of worship was a meeting-house erected on Barry Muir. On a population springing up at Carnoustie, the congregation in 1810 demolished their church, and re-erected it with the same materials at the west end of the village, where it was known as 'The Red Kirk.' Their first minister was Simon Somerville, ordained in 1791. The succeeding ministers were: John Murray, 1806; James Chapman, 1822; Lawrence Pitcaithly, 1834; G. J. Mackenzie, 1846; John P. Millar, ordained 9th January 1849, and who, having resigned, was followed in the charge by John F. Dempster, ordained in 1876. A new church, the foundation-stone of which was laid by the then Earl of Dalhousie, was opened in 1873 by Dr Fergus Fergusson, Glasgow.

In the year 1804, the New Light arose upon the Secession. When, in that year, the Antiburgher Synod adopted Voluntaryism, or separation of Church and State, by making an explanatory addition to the Judicial Secession Testimony of 1736, the Old Light party seceded from that body, and in 1806 formed themselves into 'the Constitutional Presbytery.' In 1806 the Antiburgher congregation in North Grimsby Street, Arbroath, had an unpleasant experience of that secession. Mr Miller, the minister, and a number of the members, remained in connection with their Synod; but others of the members, about a half of the whole number, with two of the elders, joined the Constitutional Presbytery, which developed into the Synod of the Original Secession Church. From 1806 to 1821, the Arbroath members of this body worshipped in the Long Row Schoolroom. In the latter year, their first minister, Benjamin Laing, was ordained. The congregation then erected a church in Maule Street, upon the site of which a more elegant structure has been built, and was opened on 27th June 1888 by the Rev. Robert Morton, Perth. Mr Laing left Arbroath in 1828, and became minister of a congregation of the Original Secession at Colmonell, Ayrshire. He obtained the degree of D.D., became a Professor in the Divinity Hall of the denomination, joined the Free Church in 1852, and died at Colmonell on 11th October 1862. For six years after his departure from them, the congregation in Maule Street had no minister. In 1834 they called John Sandison, a native of Caithness, and he was ordained. Mr Sandison was one of the majority of the Original Secession who joined the Free Church in 1852, and he remained a minister of that Church till his death, which

took place at Edinburgh on 26th October 1871. Mr Sandison, shortly before his death, was, at a meeting held in the Town Hall, presented with his portrait, in testimony of the esteem in which he was held by the public generally. Those of the Maule Street congregation who did not join the Free Church retained possession of the church property, but they were so weak in numbers that for fourteen years they were unable to give a call to a minister. In November 1866, Mr Kirkwood was ordained. He died in February 1868. Alexander Stirling was ordained on 10th March 1869.

The Free Church, the latest and largest of all the departures from the Establishment, started in 1843, in the district of the Presbytery of Arbroath, with eleven congregations, of which three were in the town of Arbroath. In the town two have since been added.¹ Soon after the Disruption, some members of the Old and Abbey Churches of Arbroath, the ministers of which congregations continued in the Establishment, formed a separate congregation in connection with the Free Church. By arrangement with the Original Seceders, they met for worship in Maule Street Church. Afterwards they obtained the use of the Trades' Hall. While there they called Alexander Hislop, who was ordained on 8th August 1844. Mr Hislop was the author of several works, the best known of which is 'The Two Babylons.' It is an attempt to prove the identity of the worship of the Church of Rome with the Paganism of the old Chaldean capital. On 6th October 1844 the congregation removed to a new church, called the East Church, which they had erected at the foot of Boulzie Hill. On 22nd August 1864, John Robertson was ordained as colleague and successor to Mr Hislop, who died on 13th October 1865. In Mr Robertson's time the East congregation removed to a new church which they had built at Brothock Bridge, and which was opened for public worship on 3rd June 1875 by Principal Rainy, Edinburgh. Mr Robertson was translated to Pendleton, Manchester, in 1883, and died there in 1890. James Wishart M'Laren

¹ It is a fact of some local interest that the foremost man in the founding of the Free Church, the Moderator of her first General Assembly, Dr Thomas Chalmers, was when a young man a resident in Arbroath as tutor in the family of Dr Stevenson, a medical practitioner, and the then proprietor of Springfield. When he was in Arbroath, Chalmers was initiated into the masonic mysteries as a member of Lodge St Vigan. He re-visited Arbroath on 18th June 1839, and addressed a meeting in the Old Church on his scheme of Church extension. Afterwards he was entertained to dinner by members of the Presbytery and other gentlemen. In replying to the toast of his health, which was proposed by Provost Allan, who presided, he stated that it was forty-one years that very

day since he had been under a roof in Arbroath, and the house in which he then lived (Springfield, belonging to the late Mr Louison, Town Clerk, when Chalmers re-visited Arbroath) was the first he had entered that day. He had not been able to recognise almost a single face in the town. He had a lively recollection of many kind friends in Arbroath, but they were no more. He was honoured by the acquaintances of Mr Gleig and his family, and he was wont to have a daily quarter-deck parade on the pier with Mr Miller and others. The appearance of Arbroath now was changed from what it was then; but nothing read him so impressive a lesson as the voice of so many of his former friends now hushed into silence.

was ordained in 1883. He resigned in 1885, and in the same year Thomas Stark Anderson was inducted to the charge.

When Mr Crichton left Inverbrothock Church, the Free Inverbrothock congregation was formed. On the first Sunday after the Disruption they met in a wooden erection, put up in a garden in James Street. It was constructed of the materials of a circus which had been on exhibition in the town. In this wooden house the congregation continued to worship from May to October. In October they removed to a stone building which had been hurriedly erected on the site of the present church. That building was taken down in 1845; on its site a new church was erected, and was opened early in 1846 by the Rev. Mr Nixon, Montrose. Mr Crichton had the degree of LL.D. conferred upon him. Alexander Rust, M.A., Aberdeen, was on 30th November 1876 ordained as colleague and successor to Dr Crichton, on whose death, which took place on 4th February 1888, he succeeded to the sole charge. The congregation having sold their church property in James Street, it was converted into public halls, and a new church was erected on the site of the mansion of Hopemount. The first service in the new church was held on Sunday, 11th August 1889, when Mr Rust officiated, but the formal opening of the church, by the Rev. Dr Walter Ross Taylor, Glasgow, did not take place till Wednesday, 23rd October following.

The Ladyloan congregation were in a somewhat exceptional position at the Disruption. When their church was built, the troubles in the Church had arisen. One of the questions agitated was that of the ecclesiastical status of chapel ministers. The congregation had attempted to stipulate, as a condition of the building being placed in connection with the Church of Scotland, that their minister should have the status of a parish minister; and when it was found that at that time this could not legally be granted, the majority, adhering to the Free Church, with their minister, claimed to retain the church. The case went into the Court of Session, where it was lost by the Free Church party. They, however, continued to worship in Ladyloan Church until 9th November 1845, when they removed to a new church which they had erected in Dishlandtown, and this church was opened by Dr Guthrie. Mr Leslie, the minister, was translated to Aberdeen in 1870, and died on 11th May 1878. John Chalmers was ordained in October 1870, and was translated to Free North Church, Stirling, in 1877. James Moffat Scott, from Alloa, was inducted on 9th January 1878.

The two congregations added to the Free Church in Arbroath since 1843 are High Street and Knox's. The first was formed by the party who left Maule Street Secession Church in 1852, and who acquired the Old Episcopalian chapel in High Street, which was opened for worship in connection with the Free Church on 25th May 1856. Frank Mudie was in 1869 ordained as assistant and successor to Mr Sandison. He died 5th October 1886, and about three years afterwards two pictorial windows were erected in the church in memory of him

by his widow. In 1887 John I. W. Pollock was inducted. He resigned in 1896, and A. Morris Stewart, M.A., was ordained in 1897. Knox's Church, built in the northern district of the town, was opened in 1867 by Dr Macdonald, Leith. The first minister was William Scrimgeour, inducted in April of that year. He was translated to Glasgow in November 1873, and James P. Lilley, B.D., was ordained on 30th April 1874.

Of the country ministers and congregations of the Free Church, Mr Kirk, of Arbirlot, abandoning at the Disruption his pleasantly placed church and manse, had for several years to preach in a wooden shed, a site for a church having been refused; and as he could not obtain a house in the parish, he had to reside in Arbroath, away from the scene of his ministerial labours. A church and manse were built in 1854; and in May of that year the church was opened by Dr Guthrie, formerly minister of the parish. Mr Kirk, who was a man of cultivated mind and dignified manner, died somewhat suddenly in March 1858. There is in the churchyard a monument to his memory, and also to the memory of Christian Guthrie Carnegie, his spouse. A mural tablet to Mr Kirk's memory was placed within the Free Church of the parish soon after his death. Two of Mr Kirk's sons rose to distinction, one of them being Dr Alexander C. Kirk, an eminent engineer, who died at Glasgow in 1892; the other, Sir John Kirk, sometime Her Majesty's consul at Zanzibar. At Arbirlot Mr Kirk was succeeded by Richmond S. Thomson, who was ordained in 1858, and died on 20th June 1878. In the following year, Edward Thomson Vernon, M.A., was ordained to the charge.

Mr Lumsden formed a congregation of the Free Church at Barry. On his removal, James M'Gregor, afterwards a Professor in the New College, Edinburgh, and who subsequently removed to New Zealand, became minister in 1857; Charles G. M'Crie, translated to Blairgowrie, subsequently to Glasgow, and now minister in Ayr, was ordained in 1862; D. S. F. Salmund was ordained in 1865. Mr Salmund was in 1876 appointed Professor of Systematic Theology in the Free Church College, Aberdeen, subsequently received the degree of D.D. from Aberdeen University, and in 1898 was elected to the office of Principal of the Free Church College in Aberdeen. He was succeeded at Barry by William G. Still, who was ordained 14th December 1876, and died 31st October 1883. Alexander J. Campbell, M.A., was ordained in 1884. At Carnyllie, Mr Wilson continued as minister of the Free Church until his translation to Dundee. In 1849 he was followed by John Gow, translated to a charge in New Zealand; and John Keith, M.A., was ordained in 1865. In 1897 Stewart Crabb, M.A., was ordained colleague and successor to Mr Keith. Mr Dymock, translated to Perth, was followed at Carnoustie by Alexander Comrie, who was ordained in 1846, and died 27th October 1880. James Philip was inducted in 1881. For a few years there was a second congregation of the Free Church at Carnoustie. It had belonged to the Original Secession. On the death of the minister, Mr James Meek, the Presbytery

wished to suppress the charge ; but the congregation, declining to submit to that decision, left the Free Church, and obtained a minister, Mr Whyte, from the Reformed Presbyterian connection. Mr Whyte resigned after a ministry of about ten years, and in May 1875 the congregation was readmitted into the Original Secession Church by the Synod of that body. James Patrick was inducted to the charge.

Mr Laird having been translated to Cupar-Fife, William Masterton was in 1848 ordained to the Free Church at Inverkeilor. In 1873 the King of Denmark conferred on him the Cross of Dannebrog for knights, for services rendered to the Danish Royal Agricultural Society. John Adams, B.D., was in 1888 ordained colleague and successor, Mr Masterton having retired from the active duties of the pastorate. Mr Wilson continued minister of the Free Church at Friockheim till his death in 1872. Until shortly before his death, he filled the office of clerk to the Free Presbytery. Benjamin Bell was ordained as Mr Wilson's colleague and successor in 1871, and in 1882 was translated to Withington, Manchester. In the following year James Nicoll, M.A., was inducted at Friockheim, and in 1891, on the resignation of Mr Masterton, he was appointed clerk to the Presbytery. Mr Nicoll died in 1893, and George Burnett, M.A., was ordained to the charge on 29th March 1894. A congregation was formed at Panbride in connection with the Free Church, over which Hugh Martin was ordained in 1844. Mr Martin, who afterwards received the degree of D.D., removed to Free Greyfriars, Edinburgh, in 1858, in which year James Innes, from Aberdeen, was ordained. Mr Innes died in 1894, and on 27th March 1895, E. B. H. Macpherson, M.A., was ordained to the charge. A Free Church for the parish of St Vigeans was erected at Colliston. The first minister of the congregation was Andrew Peebles, ordained in 1843. Mr Peebles died on 12th March 1876, and Andrew Morris, assistant in Free North Church, Stirling, was ordained on 4th August 1876.

The ministry of the Free Church within the district of the Presbytery of Arbroath is in part endowed. The late Mr David Duncan, manufacturer in Arbroath, bequeathed a sum of money, the proceeds of which yield to the minister of each congregation within the Presbytery about £32 a-year. Mr Duncan also left money to the Presbytery to form a bursary fund to assist in the education of young men for the ministry of the Free Church, those within the district of the Presbytery of Arbroath having a preference. Another endowment was provided by Fox Maule, Earl of Dalhousie. On the death of his Lordship's sister, Lady Christian Maule, which took place in 1888, £20,000 was paid to the trustees of the Free Church to provide perpetual endowments for the Free Church ministers of Arbirlot and Carmyllie, in the Arbroath Presbytery ; of Monikie, in the Dundee Presbytery ; and of Lochlee, in the Brechin Presbytery. Each of these endowments yields about £175 yearly.

The Presbyterian Church in Arbroath had observed fast days and other days of

preparation for the Communion. Originally, the churches had been as well attended on these days as on Sundays, but in recent times the attendance had fallen off, and in 1890 the Magistrates, along with most other municipal authorities in Scotland, formally abolished sacramental fast days, and substituted for them a spring and an autumn holiday.

Wesleyan Methodism was introduced into Arbroath in the year 1768 by Mr Thomas Cherry, a young preacher, who was only in the second year of his labours. Mr Cherry, when holding his first service in the town, took his stand at the Abbey Pend. He had not a friend or acquaintance in Arbroath; but at the end of his discourse, one of his hearers, Mr Milne, a mason, invited him to his house, and Mr Milne's house became the home for the Methodist preachers until a manse was built. A year after Mr Cherry's first appearance as a preacher at the Abbey Pend, it was reported to the Wesleyan Conference that the membership in Arbroath numbered seventy-three. On 7th May 1770, John Wesley wrote: 'I preached at Arbroath. The whole town seems moved. The congregation was the largest I have seen since we left Inverness, and the Society, though but of nine months, standing, is the largest in the kingdom next that of Aberdeen.'¹ In the year 1771, the Methodists obtained 'liberty' from the Town Council and the Patrons of Carmichael's Mortification to occupy a site in Ponderlaw field, and soon after they built a chapel there. This place was opened by John Wesley preaching in it on 6th May 1772. On the following day the Magistrates presented Mr Wesley with the freedom of the Corporation. Of this he wrote: 'I value it as a token of their respect, though I shall hardly make any further use of it.'² Neither the civil nor ecclesiastical authorities of the town viewed the introduction of Methodism with any jealousy.

Mr Cherry died soon after the opening of the chapel. Mr Wesley rather quaintly writes in his 'Journal,' under date Arbroath, May 6, 1772: 'I took Thomas Cherry away with me, but it was too late. He will hardly recover. Let all observe (that no more preachers may murder themselves), here is another martyr to screaming.'³ It appears that the liberty granted to the congregation to erect a chapel did not carry with it any title to the site. In 1784, the Patrons of Carmichael's Mortification deemed it expedient that a feu-right should be granted in proper form. This was accordingly done, the charter being made out in favour of, as trustees, Joseph Sanderson, merchant in Dundee, and the following in Arbroath: James Millar, mason; David Paterson, merchant; John Lamb, jun., weaver; David Whitelaw, weaver; and Robert Milne, mason. Of late years the church has been improved, and a church hall has been built.

Mr Wesley continued to visit the church in Arbroath periodically until his death, and uniformly bore testimony to the urbanity and kindliness of the towns-

¹ Journal of the Rev. John Wesley (edit. 1864), vol. iii. p. 377. ² *Ibid.* p. 437. ³ *Ibid.* p. 45.

people, and the simple steadiness of his society. Probably with unconscious exaggeration both ways, he spoke but indifferently of the morals of the town before the introduction of Methodism; after that event, there was no place in Scotland of which he seems to have had a better opinion, in view of the improvement which he said had taken place.

Various congregations formed on the principles of Independency have from time to time existed in Arbroath. One, the Glassites, met in Braick's Wynd; but it, as well as a congregation of Bereans, is now extinct. It does not appear what was the theological position of the Independents who in 1742 had formed themselves into a congregation in Arbroath, but probably it was Glassite, and perhaps a continuation of the congregation of that persuasion which Mr Archibald, the friend of Mr Glass, had founded at Guthrie. The Glassites had no regular ministry, and the congregation now worshipping in the chapel in Braick's Wynd, or Church Street, as the street is now called, are in that position. They have come into possession of the property in succession to the Glassites. The congregation are few in number. They bear the name of Balchristians, or Old Scotch Independents. The first services of the congregation of which the present is the descendant, were held in a house at the corner of Church Street and High Street, bequeathed to them about the middle of the eighteenth century by Provost John Mann. The church was erected in 1783.

The principal Independent body in Arbroath, more commonly known as Congregationalist, owes its origin to the religious revival in which the Messrs Haldane took the part of evangelists. The well-known Rowland Hill, and Mr Greville Ewing, who in 1798 resigned his connection with the Church of Scotland as one of the ministers of Lady Glenorchy's Chapel, Edinburgh, visited Arbroath in June 1799. They were then on what was called a preaching tour, and they preached in the Methodist Chapel in Ponderlaw. A congregation of Independents having been formed in the Masonic Lodge-room, a chapel was built in Gravesend, and was rebuilt on the same site in 1816. In June 1805, Richard Penman was ordained to the pastorate. Locally, Mr Penman received the title of 'the Missionary Minister,' and it was his custom to extend his ministrations on week-days into the neighbouring villages, from some of which, Barry, Carnoustie, and other places, persons attended the Sunday services in his chapel at Arbroath. After a ten years' pastorate, Mr Penman accepted a call from the Congregational Church in Frederick Street, Aberdeen. Under his two immediate successors in Arbroath, Messrs Anderson and Ramsay, whose united ministry extended from 1816 to about 1840, the congregation declined. In 1846, John Gillies was sent to Arbroath as an agent of the Scottish Congregational Union. The congregation was at that time almost extinct, but it revived under the laborious care of Mr Gillies, who received and accepted a call in 1848. In his old age, Mr Gillies, who

a few years afterwards died, retired from the pastorate in 1879, and in the same year Alexander R. Milne, Inverurie, was ordained. In the end of 1888 Mr Milne went to Australia on a year's leave of absence, for the benefit of his health, and he died at Wellington, New Zealand, on 23rd December 1889. In memory of him, the congregation have erected a mission hall in Green Street. James Wylie was inducted as his successor in 1890. Mr Wylie having accepted a call to a church in Belfast, John Miller, Leith, was appointed to the pastorate in 1894. In 1866 the congregation removed from their old place of worship to a new chapel which they had erected in Queen Street. They are connected with the Scottish Congregational Union.

An Evangelical Union congregation was formed in John Street Hall (now St Ninian's chapel-of-ease) in 1863. On 25th October 1865, Gilbert Paterson was ordained as its first minister. In 1873 he was translated to Wick, and Robert Snowdown was inducted on 4th October 1874. In his time, in 1879, a chapel was erected in Keptie Street, and was opened by the late Principal Morrison. The succeeding ministers have been Daniel Galbraith (afterwards a minister of the Free Church), inducted 4th December 1881; A. F. Ferguson (afterwards a Presbyterian minister in Australia), ordained 15th October 1884; Robert Rae, ordained 8th March 1889, translated to Edinburgh; Gordon L. Maclachlan, ordained 1896. The Congregational Union now comprises the Evangelical Union and Congregational Union as existing in 1896.

The Baptist denomination was introduced into Arbroath about the year 1810. They were what are called Scotch Baptists, and until 1873 they had no clerical ministry, the services being conducted by elders chosen from among themselves. In 1873, a section of the Baptists built a chapel in Market Place, and having resolved to call a minister, John Macdonald was ordained to the pastorate on 3rd October 1873. Mr Macdonald having resigned, George Durno was ordained on 13th January 1876. The succeeding ministers were J. W. Campbell, appointed in 1882; J. Coats Shanks, 1886, resigned in 1891, and was admitted as a licentiate of the Church of Scotland; John Spence, ordained in October 1891, and resigned in 1893; and George Menzies, who was appointed in the same year. The erection of a chapel, with the ultimate view of calling a minister, was disapproved of by a number of the denomination in Arbroath, and they continue as a separate congregation without a clerical pastorate.

About the year 1865 a congregation of the Catholic Apostolic Church, who meet in a chapel in Howard Street, was formed in Arbroath, and there is also one of Plymouth Brethren. Meetings of Christadelphians are held.

A branch of the Salvation Army was established in the town in 1881. Their advent, with their peculiar methods, led to some popular disturbances, which led to the Magistrates issuing, on 17th March 1882, a proclamation prohibitory of such processions as those of the Army. Some prosecutions for contravening the

proclamation followed, and convictions were obtained. One of these cases was carried by appeal to the High Court of Justiciary, where it was dismissed unanimously, the Court commending the measures which had been taken by the Magistrates for the preservation of the peace of the town. The excitement soon died down, and liberty to hold meetings and processions on the streets was granted. The Salvation Army has erected a hall in Marketgate.

David Guthrie, who studied at the Scots College at Rome, is the first Roman Catholic priest after the Reformation that we hear of as at Arbroath. He was appointed to the Scottish mission in 1677, and he was some time in Arbroath, of which, or its neighbourhood, he was probably a native. According to Bishop Geddes, while in the town he was threatened with capture by a party of soldiers; but he produced such an impression upon their officer, that that gentleman, instead of lodging him in prison, 'invited him to dinner, and even reprehended some of the magistrates of the town who had before given him trouble.'¹

It was about thirty years after the date of David Guthrie's mission to Arbroath that the Presbytery had their trouble with John Wallace.² In February 1709, after he had been in the town for two or three years, the Presbytery found that 'Popery was prevailing in Arbroath, by the industry of Mr John Wallace, and by reason of his interest in the place and in the country about.' This statement as to the prevalence of Popery in Arbroath, through the exertions of one man, seems remarkable, especially as nine years afterwards the Presbytery found that there were no Roman Catholics within their bounds. Reference, it will be observed, is made in the extract from the Presbytery record to the 'interest' which Mr Wallace had in Arbroath. He was a son of Patrick Wallace, provost of the burgh. John Wallace was licensed as a Protestant Episcopalian clergyman. After he became a Catholic, which is supposed to have been some time before the Revolution, he was employed as a tutor to the children of the Duke of Perth, and he travelled with them through France and Italy. Mr Wallace returned to Scotland along with Bishop Gordon in 1706. Having previously been ordained sub-deacon and deacon successively, he was on 14th April 1708 admitted to priest's orders, and his first station as missionary was Arbroath and its vicinity. In consequence of his having been complained against by the Presbytery, he was in the spring of 1709 summoned to appear before the Justiciary Court at Perth, to answer the charge of apostasy, and of seeking to pervert others to Popery. Failing to appear, he was outlawed. On 2nd October 1720, Mr Wallace was consecrated at Edinburgh, by the title of Bishop of Cyrrha, as coadjutor to Bishop Gordon. He was at this time about sixty-six years of age. Bishop Wallace appears to have been only the third of the Vicars-Apostolic in Scotland since the Reformation. The first was Thomas Nicolson, consecrated in 1695; and the second Bishop Gordon, consecrated

¹ Gordon's Catholic Church in Scotland, pp. 562, 563.

² *Supra*, p. 253.

in 1706. Bishop Wallace was in 1722 arrested in Edinburgh as being a priest. He was liberated on bail, and having failed to obey the citation to his trial, he was again outlawed; but it is added in the narrative which is the authority for this notice, that 'by confining himself to parts of the country where he was little known, he contrived still to be of service to the mission.' Bishop Wallace died at Edinburgh on 7th July 1733. He was survived by the prelate to whom he was coadjutor.¹

The earlier Roman Catholic agents, notwithstanding the apprehension of the Presbytery in 1709, met with no permanent success in Arbroath; but upwards of fifty years ago, an Irish immigration having taken place, the town was made one of the ordinary stations of the Catholic missions. A church, together with a house for the clergyman, was erected in Dishlandtown in 1847, the work being in large measure due to the exertions of the Rev. Alexander Gordon, the then pastor. A school, adjoining the clergyman's house, was erected in 1874. The church, which possesses some architectural merit, was opened for worship in October 1847, and it was consecrated on 13th February 1848 by Bishop Gillis. It is dedicated to the 'patron saint' of the town, St Thomas of Canterbury. Mr Gordon held the pastorate at Arbroath longer than any Roman Catholic clergyman since the Reformation. In 1857, after being at Arbroath seventeen years, he was removed to the church at Dalbeattie, Kirkcudbright. He died at Edinburgh in 1887. The names of the succeeding priests are given in a small brochure by 'One of the Old Altar Boys' of the church, as follows:—Fathers David M'Artney, Lawrence Dunn, Dr Stewart M'Corry, Stodart Macdonald, Healy, Patrick Fay, 1875; James Harris, 1881; Dean Geddes, 1885; and James Vincent M'Donald. Dean Geddes died in 1891, and for a short time, prior to the appointment of his successor, the Bishop of the diocese of Dunkeld, in which the church at Arbroath is situated, discharged the pastoral duties of the charge.

There are flourishing Sunday schools in connection with all the churches in Arbroath and district. The late Mr Alexander Petrie, who was himself for about half a century a Sunday school teacher and superintendent, communicated to the author some facts about the origin and early history of these schools in Arbroath. The first school was opened in the Townhead district in 1791. At that time Sunday schools were not looked upon with favour by ecclesiastical authority, and the Presbytery caused the Townhead School to be closed a few weeks after it was opened. It was some years before another attempt of the same kind was made. It was made by David Carrie, who opened a Sunday school in Dishland Street, and carried it on for about two years, when his health broke down. Another gap of ten or eleven years followed. Then some young men, connected with what is now the Abbey Parish Church, among whom was the late Mr John Sturrock, after consultation with their minister, the Rev.

¹ See Gordon's *Catholic Church in Scotland*, pp. 6, 7.

Robert Thomson, and the late Rev. Dr Kyd, of Aberdeen, who happened to be present, started in the year 1811 a society called 'The Arbroath and St Vigeans Gratis Sabbath School Society.' The following were appointed office-bearers and committee, viz. :—Alexander Sturrock, president; John Sturrock, treasurer; John Curr, secretary; Alexander Lundie, Andrew Thom, Alexander Reid, Charles Air, William Guthrie, James Air, and James Samson, members of committee. The first school opened was in that house in Millgate occupied by Mr Craig, china merchant; the second, in Mr David Paterson's kitchen, South Grimsby Street; the third, in Ladyloan. After having five schools in different parts of the town, the Society for a time felt great difficulty in getting schoolrooms. The use of the Trades' Hall was then granted, where 120 scholars were accommodated. The Magistrates also allowed the use of the Court-Room and Academy. The Society then opened school after school, both in the town and country, till the number reached twenty, and the attendance upwards of 1000, with about sixty teachers. The Society's library by this time contained above 1100 volumes. The annual expenditure was about £30, which was made up by collections at the annual sermon, and donations from friends, with the proceeds of one or two small legacies. The late Rev. Dr M'Culloch, then minister of Inverbrothock Church, took a deep interest in the Society's schools, and did a great deal in re-organising them, by adopting what was termed the local system. The town was divided into districts, and as far as practicable a school was opened in each district. The system was strictly undenominational, and worked well. The pupils at the Society's schools were not mere children only. It was common for young persons of both sexes to be at the Sunday school until they were from fifteen to eighteen years of age; and it was estimated that at that time an eighth part of the population attended these schools. The Voluntary controversy, followed by the controversies in the Established Church that issued in the Disruption of 1843, led to the abandonment of the Sunday School Society through the breaking up of harmonious action in church matters. The Society's schools gave place to congregational schools. Mr Sturrock was the last survivor of the Society's original office-bearers.

CHAPTER VIII.

SCHOOLS AND SCHOOLMASTERS.

FROM the passing of the Act 1494 to that of 1872, the school had a close connection with the Church; and it is in this association that we find the burgh school of Arbroath in the first extant notice of its existence. There had doubtless been a school in Arbroath, besides that of the Abbey, long before the Reformation; but it is not until the year 1562 that we come upon a trace of it, and that trace is obtained in the deposition of Cumyn, the schoolmaster, by the General Assembly. As appears from the records of the burgh, David Black afterwards filled the office, he having been elected schoolmaster on 10th November 1564. There was assigned to him a salary of £10 a-year out of the Lady Chaplainry, and he was further allowed fees. These were at the rate of four shillings for each freeman's child, besides what he might get for teaching children 'without the town,'—beyond, that is, the limits of the royalty. At this time the office of schoolmaster was not held *ad vitam aut culpam*; for when David Black was appointed, it was expressly provided that he was to hold the office only 'as lang as the said David maks gude service thairfoir.' It may be a question whether Black 'made good service,' the office having been taken from him. An entry in the Burgh Court-Book, on 20th June 1567, is to the effect that on that day 'ye bailzeis and nyboris hes Dischargit David blak of ye trenyng of ye gramer schull, and of his ten lb. fe, qlk he hed of ye toun.' 'The Grammar School' was the name by which the burgh school was then known, and that was its ordinary designation till about the beginning of the nineteenth century. In 1573, on 27th October, David Mitchell was elected by 'the bailyeis and hail nyctboris' to be master of the grammar school. This master had a larger allowance made to him than was given to Black. He had a salary of £20 out of the moneys which had been paid for masses in the Lady Chapel, and the fees for scholars within the town were increased from four shillings to eight shillings yearly. Besides, he had his schoolhouse rent free ('chalmer maill fre'). This chamber, or schoolhouse, the oldest of the school buildings of Arbroath, was situated in School Wynd, to which it gave name, and was within a short distance of the church, of whose establishment it was no doubt regarded as forming a part. With the Wynd itself, the old school building disappeared recently in the carrying out of an improvement at Kirk Square.

The next notice of the burgh school in the local records is in 1639, when George

Grainger, schoolmaster, was admitted a burghess. On 24th December 1663, in accordance with an Act of Parliament passed in the previous year, the Presbytery agreed to a resolution that the names of schoolmasters and preachers who had not got a licence from the Archbishop of St Andrews to officiate should be given in to his grace. The object of this was to put a check on possible nonconformity to the Established Church, but the brethren of the Presbytery were able to declare that 'there were no preachers or schoolmasters within their bounds that were not allowed.' Some of the parishes in the district were without schools at this period, and in 1669 the subject of providing schools was taken up by the Presbytery, on a reference from the Diocesan Synod. A statement, so far, of the duties of the schoolmaster is found in the records of the Arbroath Kirk-Session under date August 29, 1675. On that day, Mr James Hamilton was admitted by the Magistrates, minister, and Session, upon these terms: 'That he should present [lead the psalms in the church], say prayers at morning and evening, and do what others in that office had done formerly.' The schoolmaster had an assistant, who was generally known by the title of 'Doctor of the Grammar School.' On 1st August 1677, the Kirk-Session admitted William Reid to the office of doctor. The record bears that 'they appointed to give for salary forty merks from the Session, and forty merks from the town.' Frequent changes took place in the incumbency of the school, both in the mastership and the office of doctor. The doctor was generally promoted to be master when a vacancy in the higher office occurred. Reid was doctor for three months only. On 31st October 1677, Henry Ferguson was unanimously chosen by the Session. He was 'admitted under the title of janitor, rather than doctor, in regard he was only capable to teach English.' In consequence of his ignorance of Latin, Ferguson got only half the amount of salary which was paid to his predecessor; and it was stated on his appointment that the forty merks were given 'for his encouragement.' The office was held in 1679 by John Carnegy. On a gravestone which he erected in that year in memory of his wife he is described as 'doctor to the grammar school of Aberbrothock.'

In the year in which John Carnegy was doctor, the Session recommended 'Mr John Howie, servitor to the Countess of Airlie,' to be taken on trials for the offices of schoolmaster, session-clerk, and precentor.' In those days the servant of a countess was not necessarily a menial; he might have the education and position of a gentleman. John Howie was found duly qualified, and he was accordingly admitted to the three offices. It was made a condition of his appointment that 'he should not pass trials in order to preaching before he acquainted the Session, and obtained their liberty thereto.' The schoolmaster's desk was commonly used as a stepping-stone to the pulpit, and in Arbroath some such condition as the one quoted was often made in appointments to the office. John Howie did betake himself to study for the Church. In February 1683, the Session granted him

liberty to enter upon his trials as a preacher upon these terms: 'That he should not preach without the town without the Session's consent, give punctual attendance unto the school, and be at the school chamber against Whitsunday next.' This arrangement was not carried out to the satisfaction of the Session. Howie had not entered appearance in the schoolhouse at Whitsunday. A month afterwards, on 25th June, the minister, Mr Carnegie, brought under the notice of the Session the great loss the town were at by the schoolmaster's non-attendance at school; as also that he had not obeyed their former act 'in coming to lie at the school chamber; and that of late he had beat very unmercifully two of the scholars, whose parents had made complaint thereof to the Magistrates and minister.' It is stated in the record that Howie could not deny these charges. He was accordingly ordered to 'provide for himself against the term of Lammas next, in this year 1683'; and John Straton, schoolmaster at Arbirlot, was appointed his successor.

In November 1683, the Session found that the schoolmaster and doctor were 'but badly paid of what was appointed them for their salaries.' The payments were made out of ground duties and 'mortifications'; and small as the salaries were, the schoolmaster and his assistant seem to have had difficulty in obtaining what was their due. The Session increased Mr Straton's salary ten merks, on condition that he continued to give good service at the school.

The schoolmaster appears from the first to have been appointed jointly by the Magistrates and minister. In 1687, the Presbytery wrote to 'my Lord Primate' concerning the appointment of a schoolmaster of Arbroath; and 'the Magistrates and minister of the town having obtained their wonted freedom to elect their schoolmaster,' they made choice of Alexander Guthrie to that office and the office of precentor. Guthrie was found qualified by the Presbytery, and admitted.

In 1704, after the establishment of Presbytery, it was ordered by the local Presbytery that all schoolmasters should sign the Confession of Faith. This was in accordance with the Act 1690. At a meeting of the Presbytery of Arbroath in 1704, some of the members suggested that inconvenience would be experienced in carrying out the order to sign the Confession of Faith. And so it proved. In 1710, Archibald Doig was presented to the school of Carmyllie. He signed the Confession, but not until he had taken some time to consider whether he should do so, his hesitation probably having been caused by a preference for Episcopacy. The Presbytery kept their eyes upon Episcopalian pedagogues and chaplains in private houses. It was reported to them on 12th September 1716, that there were only two within their bounds,—one at New Grange, and the other at Colliston, both in the parish of St Vigeans. About this date, Alexander Walker, the pedagogue at New Grange, was admitted schoolmaster at Arbroath. The former schoolmaster, John Straton, as previously stated, had been deposed because of his attachment to Episcopacy, but he retained possession of the schoolhouse. Mr Walker, in the year after his appointment, complained to the Presbytery that 'his

salary as schoolmaster would not permit him to live.' The salary was £46, 13s. 4d. Scots, or about the twelfth part of that sum in sterling money. The Presbytery then made a 'visitation' of Arbroath, to procure for the schoolmaster the salary allowed by law. None of the Town Council attended the visitation, but the Provost had previously stated that he would oppose any increase of salary. The Presbytery, however, appointed the salary to be 200 merks. Six months afterwards, on 4th December 1717, Mr Walker again represented to the Presbytery that his salary was 'so mean that he could not live on it.' He accused the Town Council of 'shifting' [trifling] with him, and asked to be put into the house then still held by Mr Straton. These representations appear to have had some effect. No more is heard of the matter in the ecclesiastical records, but in those of the Town Council there is a minute, dated 30th October 1727, which states that the additional salary of fifty merks to the schoolmaster, with the high house and garret above the school—the schoolmaster's dwelling-house,—were discontinued after Mr Alexander Walker's death, so that Mr Walker had obtained the increase of emoluments for which he petitioned. His successor was somewhat sharply dealt with by the Council. This gentleman was Walter Greig, who would give the Council no assurance that he would continue in office. He was required to reimburse what he had got over and above the ordinary salary, and to pledge himself that at no time hereafter shall he demand of the town of Arbroath any more salary than was in use to be got by schoolmasters before Mr Walker's admission. Greig refused to agree to these terms, but they were acquiesced in by Patrick Dalgetty, who on 8th November 1727 obtained the appointment. In 1731, during Mr Dalgetty's incumbency, Mr Fergusson, the minister, made a report to the Presbytery concerning the school, in which he said that the salary paid by the Town Council and the Kirk-Session was 100 merks; that there was a school but no schoolhouse [dwelling-house]; and that the doctor of the school, who was also session-clerk, had £5 paid to him by the Town Council and the Session. In 1732, George Cruikshank, schoolmaster at Kirkden, was appointed in room of Mr Dalgetty, who then took the lower office of doctor. By this time a schoolhouse had been provided, which Mr Cruikshank got, with a yearly salary of 100 merks, and 'the common emoluments belonging to the school.' About a year after his admission he represented to the Council that he should have an additional twenty merks as precentor, and twenty merks as session-clerk. The Council agreed to give him ten merks, but only during their pleasure, the Kirk-Session giving other ten. John Paul became master of the school in 1737, on Mr Cruikshank being admitted minister of the parish. John Aitken was appointed to the doctorship on 14th April 1748; and he became master in the same year, with George Aitken, his brother, as assistant. The latter continued in the assistantship till 1750, when he left, and was succeeded by Alexander Shand, who in 1754 was appointed 'first master of the grammar school,' on the admission of Mr Aitken to the church of St

Vigeans. While he held the office of doctor, Mr Shand was also appointed by the Kirk-Session collector of the Eleemosynary. In the same year in which he became master of the school he was dismissed from that office by the Town Council, 'for his barbarous and cruel treatment of the scholars in several instances.' Before Shand fell into this fault, the Council anticipated the possibility of another ground of quarrel with him. Early in 1754, that body, 'considering that the first masters of the school have in several instances neglected and left their charges, resolved that in case Mr Shand, or any future first master of the school, shall show their intentions of leaving the office and becoming ministers, they shall *ipso facto* be discharged from the office of schoolmaster.

About the year 1735, a Mrs Macfarlane opened a school in the burgh for girls. After this lady had gone on with her work two years, the Magistrates resolved on 'encouraging' her. This they did in their own way, which was to create a monopoly in her favour. All other persons were prohibited from teaching girls in the town 'to sew, work lace, &c., without the liberty of the Council obtained to that effect.' In 1737, the Town Council formally prohibited all persons except the master of the grammar school from teaching grammar, writing, and accounting within the burgh. It may be inferred from such a resolution being come to, that an attempt to set up an adventure school had been made; possibly the resolution was intended to keep Mrs Macfarlane within her sphere as a sewing mistress. Some time after that lady had ceased to be mistress of the girls' school, the position was held by a Mrs Strachan, who had a salary of £3 a-year from the Town Council. In 1755, the Council gave this salary to Mrs Betty Carnegie, who had for several years been teaching in the town. They discontinued it nine years afterwards, because Mrs Carnegie 'had no use for it.' Perhaps it was through her school having been prosperous that the Council concluded that she did not stand in any need of its subsidy. In 1773, on 30th January, Elizabeth Baillie, a schoolmistress in Montrose, petitioned the Council for a small salary. She stated in her petition that she had been invited to Arbroath by some of the inhabitants to teach girls the necessary parts of education. The Council agreed to give her 'all attention and assistance, but refused any salary.' It does not appear whether Elizabeth Baillie was content with this promise of attention and assistance, but in 1795 the Magistrates and Council found it necessary to offer something more tangible. In that year, the Council, considering that 'there was no proper schoolmistress in the town, and that one able and fit for the purpose was much wanted,' agreed to give a salary of £6. The situation and its salary were bestowed upon a Miss Blair, and on her marriage they were in 1800 given to her aunt, Miss Agnes M'Lellan, whose salary was increased in 1809 to ten guineas. In 1820 she resigned her situation, and the Council voted her £5 to enable her to remove from Arbroath. Soon after, two petitions for her salary were presented; but the Council, which was then busily engaged with the scheme of extending

the burgh school into an 'academy,' decided not to appoint another school-mistress.

Returning to the burgh school, William Taylor, usher of the grammar school at St Andrews, was admitted schoolmaster in 1754, and was succeeded two years afterwards by Thomas Hill. The latter also held the office only a short time, for in 1757 James Greig is found granting a receipt for £5 sterling, being a half-year's salary due to him as schoolmaster. Patrick Bryce entered on the office about 1759, and resigned in 1771, on his being presented to the church of Carmyllie.

Down to the incumbency of Patrick Bryce, the school continued to be in School Wynd. In 1769, the Town Council sold the old school and yard, and built another school on a piece of ground in the Town's Croft. This building, which in the end of the eighteenth century and the early part of the nineteenth was known as the Hill School, stood nearly on the site of the old High School, now the Public Library. The sloping ground in front of it was called the 'School Braes.' The Abbey may be said to have had some concern in the structure of this new school, for in 1772 the Council ordered that the proceeds of the sale of certain stones of the Abbey Church should 'be applied for extinguishing the debt contracted in building the school.' The debt could scarcely have been considerable, for the school was a mean-looking edifice of brick.

Patrick Bryce was succeeded in the mastership of the burgh school by a gentleman who for many years held the office, David Kirkland. Mr Kirkland, who had filled the office of doctor for a short time previously, received his appointment as master on 7th February 1771.

The Hill School, though more commodious than the old building in School Wynd, had not been erected many years before it was found inadequate to the requirements of the burgh. Early in 1793, the Council discovered that it was 'absolutely necessary to build a new school for the accommodation of an additional schoolmaster.' It was accordingly resolved that part of the schoolyard should be given off for that purpose. The building was intended for the reception of Mr William Watson, who is described in the Council record of the time as 'the present private teacher,' and the children under his care. An adventure school had thus been established. The cost of building the new school was £69, of which £20 was paid by the Town Council, and the remainder by public subscription. The subscribers stipulated that the appointment of the master of this private school was to remain with them or their heirs as long as they contributed to his payment; if they failed to do so, or if the school were vacant two years, the appointment of master was to devolve on the Magistrates and Council.

The emoluments of the legal schoolmasters of the burgh continued to be very small, but the Act 1803 brought some relief. When the Act was passed, Mr Kirkland obtained from the Town Council a salary of 250 merks (£20, 10s.), with £4 for house rent, and £1, 12s. for a yard or garden. In 1804, the fees were fixed

by the Magistrates and minister, in conjunction with the schoolmaster, and they were calculated to amount to £64 a-year.

In 1806 the Town Council approved of a series of regulations 'for the better management of the grammar school.' It appears from these regulations that what was called the morning school began at seven o'clock; the forenoon school, at ten o'clock; and the afternoon, at two o'clock. In winter, school did not begin till nine o'clock in the morning. Each teacher had branches of instruction assigned to him, and he was prohibited from teaching any others.

From the time of the erection of the additional school, about 1796, there appear to have been three masters; and the name 'Public Schools' was generally substituted for the old title of the 'Grammar School.' An important stage in the history of the schools of the burgh was reached in 1807. At a meeting of the Town Council on the 24th March of that year, Provost Hay brought the state of education in the town under consideration. He suggested that there should be three schools at least,—forming an academy,—under three masters, each having a teacher for a particular branch of education. For this purpose he proposed that a subscription be raised, and the Council agreed to subscribe £15 yearly for three years, besides recommending the Magistrates to procure other subscriptions. In the same year in which the Council adopted this resolution, it appointed a committee to see to the 'junction' of the schools. The junction was carried out provisionally. In 1808, the Council agreed that if the new plan of schools did not continue longer than the three years originally proposed, the school which Mr Watson had occupied, and which had been afterwards occupied successively by Mr Bisset and Mr Kinnison, should revert to the original subscribers, and be in the same state as before its junction with the grammar school. The three years' arrangement came to an end in 1810; but in that year the Council, 'considering the importance of having proper teachers in the Public Schools, agreed to allow the teachers of English and arithmetic their salaries of £15 each for another year, leaving to the gentlemen concerned to make an application for the continuance of the salaries, if it was then found to be necessary.' In 1811 the teachers were: Mr Kirkland, the burgh schoolmaster, who discharged the duties of rector of the Public Schools; Mr M'Nicoll, the English teacher; and Mr Duncan, the commercial teacher. Mr Kirkland's legal salary at this time was £25; and the Council agreed to give £25 for that year to each of the two other teachers also. In 1813 there was a subscription school in Arbroath besides the Public Schools. The average expense of the education of a child at this school was 10s. per quarter; the average expense at the Public Schools was 7s. 6d.

In the year 1819 the Town Council had its attention directed to the insufficiency and bad state of the Hill School, and an address was issued to the inhabitants of the town and neighbourhood with regard to the erection of a new school. Accordingly a public meeting was held in the Town Hall on 5th April 1820, at which the

Hon. William Maule, M.P. for the county, and Mr Joseph Hume, member for the burghs, were present. It was resolved at this meeting to erect new schools, and upwards of £1200 was subscribed for the purpose. Mr Maule was a liberal contributor. Another meeting of the subscribers was held on 22nd April, when the opinion prevailed that the Academy should be separate from the parochial school, as the burgh school then began to be called, and it was resolved that it should be erected on a different site. This scheme was defeated, principally in consequence of action taken by the Incorporated Trades. The deacons of the Trades protested to the Town Council against the increase of fees, and also against a proposal that had been made to erect the Academy in the Abbey Green, which



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was prized as one of the open spaces of the town. In consequence of this protest, the Council resolved to give up the site of the old schools, and to grant also an adjoining feu as a site for the Academy. It made this grant to the subscribers on condition that a substantial parochial school should be built from the funds subscribed, to be either attached to the new building or built separately on the same ground. This condition was agreed to.

The Academy was built in 1821 from plans by Mr James Black, Dundee. The school was placed under the management of a body of directors, who were the provost, the two bailies, the ministers of the Established Church in the town, the moderator of the Presbytery, with all subscribers of £10 and upwards. Mr Kirkland having died, John Ferguson, Edinburgh, was appointed rector in September 1821. With the exception of the rector, or parochial schoolmaster, the teachers were not appointed by the Magistrates, but by the Directors. One of

them, Mr Duncan, who was not continued in his office by the Directors on the opening of the Academy, raised an action against the Magistrates for illegal dismissal; but no decision was given, the case having been compromised, after it had been in court for six years, by Mr Duncan's acceptance of £80.

About the same time there was a difficulty with another of the teachers,—Mr Archer, of the fourth department,—which gave rise to a deal of excitement in the town in the years 1822 and 1823. The merits of the matter were simple enough. The fourth department of the Academy was intended to give a cheap and very elementary education to the children of the poor. Under the regulations, the master was to teach his class spelling and 'plain' English reading, the Shorter Catechism and the Bible, 'plain writing,' and the simpler rules of arithmetic. Practically, the class-books of the fourth department for reading were limited to the Bible and Catechism. Mr Archer introduced into his school one of Ewing's books, and 'Scott's Collection;' but Mr M'Nicol, the English master, complained to the Town Council, and that body passed a resolution to prevent the master of the fourth department from giving any but 'plain' instruction. The Trades came forward to protest, but without effect, for the Council agreed that Mr Archer should not, after the vacation of 1822, be admitted to the school until he had given an obligation to comply with the regulations. He declined to give the obligation required of him, and in January 1823 he raised an action for £500 as solatium for the shutting up of his school, and for £19, 14s. of salary due to him. In this action the Lord Ordinary assoilzied the town, and the case does not seem to have gone further. In September 1823, Mr Archer, having resigned his situation in the Academy, opened school on his own account in a building on Brothock Bank, which had previously been occupied as a warehouse.

Mr Ferguson, the rector, took an interest in scientific education. Proposing to deliver lectures to the Academy scholars on chemistry and natural philosophy, he in 1825 persuaded the Town Council to purchase apparatus, at an expense of £75, 18s. 7d. It was never much used. In Mr Ferguson's time, the boys of the school had been making experiments on their own account in stone-throwing, in which they had some assistance from outside the school. The Magistrates, having examined the buildings in 1825, found parts of them in a dilapidated state from these 'wanton aggressions.' A janitor's house was then built, in order that the janitor might be on the spot to look after the buildings.

Mr Ferguson resigned the rectorship in 1830. It was agreed that his successor, as parochial schoolmaster, should receive from the town, as a legal salary, £34, 10s., with £5, 10s. for house rent, and the Colvill endowment. A Mr Grant was chosen to the office. He was a licentiate of the Church, and the old obligation was exacted from him not to preach during his incumbency, but to devote himself entirely to the duties of the school.

The popular dissatisfaction with the plan of the Academy, in its relation to the

teaching of the poorer classes, came to a head in 1834. It took the form of a complaint that the parochial or burgh schoolmaster, as rector of the Academy, was limited to the higher branches, which deprived the working classes of all benefit from the legal salary; that the fees in all the departments of the school were high, except in the fourth, and that in that department the teaching was very limited. A committee of the Town Council who inquired into the matter reported that this arrangement was unfair to the working-classes. The Academy was then reconstituted into three departments, the first of which, the rector's, was a school complete in itself, comprising both higher and lower branches, the fees for the latter being small. This, so far as the first department was concerned, was a return to the original constitution of the burgh or grammar school.

William Steele, who was appointed rector in 1834, having joined the Free Church, was for that reason deposed by the Presbytery from the legal office of parochial or burgh schoolmaster. After his deposition in 1844, Mr Steele was continued by the Directors as rector of the Academy, which was not a legal office, and he received a salary from the Town Council in lieu of his salary as burgh schoolmaster. On 15th July 1851, the Free Church opened a school as a rival to the Academy. It had been erected in East Abbey Street, and it was opened by Principal Candlish. The Educational Institution, as it was called, was provided with able teachers, but it was soon found that there was not room in Arbroath at that time for two secondary schools; and, to the advantage of both, the Institution was in 1861 amalgamated with the Academy. The union was brought about in large measure through the exertions of Provost Dickson. The two teachers of the Institution were transferred to the Academy, which under the new arrangement received the title of the 'High School.' The Parochial or Burgh School was at the same time removed to the premises of the Educational Institution, of which the town obtained possession on its paying £100 to clear off debt, and giving up the right to accommodation for a hundred scholars in the Academy, for which it had stipulated when the building was erected in 1821.

From the date of Mr Steele's deposition, the Burgh or Parochial School re-acquired the separate existence which it had merged in the system of an Academy in the beginning of the century, although until 1861 it occupied the same building with the Academy. The schoolmaster received the legal salary, which, after the passing of the Burgh and Parochial Schools Act in 1861, was increased to £60. There was also paid to him an endowment of £30 a-year, which was bequeathed by Mr Colvill, Town-Clerk, who likewise left an endowment of the same amount for the schoolmaster of St Vigeans. The money was intended for the education of poor children. In 1659, James Fraser, minister of Arbroath, the first of the Frasers of Hospitalfield, mortified £68 Scots in the hands of the town for the doctor of the school;¹ but there is now no such official as the doctor, and

¹ Contribution Boards in the Session-house of the Old Church, before it was burned.

this endowment was probably supposed to be covered by the statutory salary paid to the master. In 1868, Mr William Gibson, Maulesbank, bequeathed £100 a-year to the rector of the High School in all time coming for the education of eight boys in his department of the school.

The Burgh School Board, elected under the provisions of the Education Act, consists of nine members. The first election took place on 27th March 1873, and the first meeting of the Board was held on 7th April following, when Mr Alexander Gordon of Ashludie was chosen its chairman, and Mr William Alexander its clerk. Under the Education Act, the Parochial or Burgh School, which had from time immemorial been managed by the Magistrates and minister, at once came under the control of the School Board. Soon afterwards the Board set up a claim to the High School, on the ground of its being a burgh school, and as such entitled, under the 46th clause of the Act, to a continuance of the payments which the teachers had been in use to receive from the Town Council. In the year 1821, and for some time afterwards, the amount of the annual salaries to the teachers had been £100. Since 1845 the amount was £90; but between the years 1869 and 1872, two of the salaries were withdrawn on the death of the teachers who had been the recipients. The Town Council held that, as the salaries were voluntary in their origin, it was entitled to withdraw them. It did not admit that the High School was a burgh school. An arrangement, however, was come to between the Council, the Directors of the school, and the School Board, under which the Council was relieved by the Board of the legal salary of £60 which it had paid to the parochial schoolmaster; the Council agreeing, on the other hand, to pay to the School Board £75 a-year in full of all its obligations under the 46th section of the Education Act. The High School thereupon passed under the management of the School Board.

When the school census was taken in the spring of 1873, the total number of children in the burgh, between the ages of three and thirteen, was 4266; and the number, including those above thirteen years, in attendance at the schools was 2627. The number of scholars in average attendance in 1898 was about 3730, and on the rolls 4335.

Since the passing of the Education Act, five elementary schools have been erected by the School Board, and a sixth, the Abbey (at first the Educational Institution), has been enlarged. The six Board elementary schools, with their licensed accommodation, are—Keptie, 670 pupils; Abbey, 629; Ladyloan, 520; Inverbrothock, 875; Parkhouse, 600; Hill, 340. The Half-Time school, which is also a Board school, is licensed for 182. Besides the Board schools, there are these elementary schools—Abbot Street, licensed for 348; St Thomas Roman Catholic, 171. The total number for which the elementary schools are licensed is 4335. A new High School, to accommodate about 600 pupils, with rooms for science and art teaching, has been erected on a spacious site at Keptie Road,

feued from the Hospitalfield Trust, and on Monday, 2nd September 1895, it was formally opened by the Right Hon. J. A. Campbell, M.P., Mr George Miln, solicitor, chairman of the School Board, presiding. There had been some attempts to get a new High School erected by subscription, but the work was ultimately undertaken by the School Board, and consequently placed upon the rates. Attached to the High School there is a fee-paying elementary school, and since the erection of the High School, a workshop for technical training has been added to it.

Under the Educational Endowments (Scotland) Act, 1882, a body called the Arbroath Educational Trust was approved and incorporated by Her Majesty in



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Council on 15th October 1889. The Trust administers educational endowments bequeathed by William Gibson of Maulesbank, dated 1st February 1862; John Colvill of Brothockbank, dated 6th July 1811; Andrew Dove, millwright, dated 8th January 1834; Mrs Rickard, Woodlands, dated 26th October 1860; and the funds of the Female Benevolent Society. The proceeds of these endowments, amounting to about £180, are expended in connection with the High School. The annual proceeds of the endowments of the School are—Gibson, £120; Morgan Trust, £170; common good of the burgh, £75. There are also an annual grant by the County Council Committee, the Colvill and Dove bursaries, County Council bursaries, and grants from the Science and Art Department.

CHAPTER IX.

THE POOR'S FUNDS.

ANY notice of the local ecclesiastical authority, in its relations to the community of the burgh, would be incomplete which did not include some account of the important public duty which it performed in providing for the relief of the poor. While the Kirk-Session discharged some of the functions of a Police Court, it was also the Parish Council of the town. It appears to have begun its action in that capacity as soon as the Reformed Church was consolidated in the burgh, towards the close of the sixteenth century, and it continued in the discharge of the duty down to the passing of the new Poor Law Act in 1845.

The Kirk-Session possessed some property, the proceeds of which were applicable to the relief of the poor. This property consisted of feu-duties payable from several roods and houses situated within that district of the burgh which had belonged to the Eleemosynary, and also sums of money and heritages bequeathed or given from time to time. The church collections, however, formed the important part of the fund for the poor. The Eleemosynary dues were the oldest of the endowments. The Town Clerk, in his memorandum in 1742, says it was uncertain how they were constituted; but there need not now be any uncertainty on the subject. The dues payable to the Kirk-Session were simply a portion of the annuals which were paid before the Reformation to the monks of the Eleemosynary of the Abbey for the support of the poor. After the Reformation, as has been seen, the Town Council obtained from the Crown a grant of the thirds of the Lady Chapel, and a grant of a part of the annuals of the Eleemosynary was obtained about the same time, either directly by the Kirk-Session, or by it through the Town Council. The dues would doubtless be given by the Crown for the purpose—the relief of the poor—for which they were originally destined. The Kirk-Session in this way came into the possession of the papers of the Eleemosynary; and the fact of its having had the rent-roll of the Lady Chapel in its possession from an early period, probably indicates that it likewise intromitted with the rents of that establishment.

In 1736 the Town Council claimed to have an interest in the Eleemosynary. Early in that year it discovered that the Lady bridge was ruinous, and that there was an absolute necessity that it be repaired. The Council held that the Eleemosynary dues were, by the terms of their foundation, applicable to the repair of the bridge; and the provost, bailies, and dean of guild were appointed to 'commune' with the Kirk-Session on the subject. The result of this communing was, that

'the minister and members of the Kirk-Session refused to go into any measures otherwise than as they should be obliged by law.' Thereupon the Council resolved to take legal advice in the matter, but the Session continued in possession of the Eleemosynary dues.

The Session experienced some difficulty from time to time in collecting these dues. In 1671, incarceration of debtors was threatened, and this seems to have had some effect, for in November of that year the Magistrates reported to the Session that the persons in debt had 'promised to make payment immediately after the market-day.' It was reported to the Session on 29th February 1675, 'that James Philp of Almerieclose did assert that the yards purchased by him on the north side of Lordburn were not liable in payment of Eleemosynary for the use of the poor;' but it was found that these yards were in the Eleemosynary roll, and were liable to a payment of 5s. Scots yearly; so the Session resolved that they 'could not dispense therewith.' The case of another neighbouring proprietor who had failed to pay the duties was brought before the Presbytery. On 23rd March 1676, the minister of Arbroath reported to that body 'that there was £5 Scots or thereabouts of an Eleemosynary neglected to be paid out of the lands of Hospitalfield, which had not been paid these fifteen years.' The brethren appointed Mr M'Gill to speak to the proprietor of Hospitalfield on the subject. In 1684, the minister reported to the Session that there was a great deficiency in the payments of Eleemosynary, and that some were unwilling to pay. The Magistrates, who were present, agreed that the Town Council should make an act for justice to be done on the defaulters. A roll of the Eleemosynary was made up in 1748. It appears from it that there were then sixty-five persons liable to pay on their respective heritages, and that the whole sum amounted to £47, 13s. 5d. Scots, being only about £4 sterling. The Eleemosynary duties are now only a matter of antiquarian interest, for they have not been paid for many years. When the list was made up in 1748 there was also prepared a statement of the rents paid to the Session for lands occupied by their tenants. The rents were paid in bere, which was annually sold by auction in the tolbooth. It brought the sum of £50 or £60 Scots.

The Kirk-Session records contain notices of numerous gifts or bequests of money for behoof of the poor. The oldest was called the Newgate Mortification, and was dated 1673. It was a feu-duty of seven merks Scots a-year, mortified by Robert Carnegie of Newgate. In September 1677, £4, 6s. was given by Bailie Kid on his return from Norway,—apparently a thank-offering for a safe voyage. In October of the same year Provost Wallace mortified for the poor's use 100 merks Scots; but this was not entirely a free gift, for it is recorded that it was 'thankfully received by the minister and Session, and accepted by them as full satisfaction of all Eleemosynary payable out of the said Provost's lands.' In 1679, Mr James Carnegie, minister of the parish, mortified 100 merks for the poor, with a preference

to persons of his own name or kindred. Mr Patrick Wallace in 1683 mortified 200 merks to the poor, with an additional sum of 1000 merks in the event of his two children dying before their majority. Jean Guthrie, relict of John Murison, weaver, gave £100 Scots in 1741; Provost John Allardice, £100 Scots in 1742; and Katherine Renny, relict of John Renny, shoemaker, £100 Scots in 1753. The following are later legacies and donations, in sterling money:—1778, Convener John Miln and spouse, £100; 1782, Sir David Carnegie of Southesk, M.P., £5, 5s.—Sir David also made several donations to the Town Council, one of them of £30, for the poor; 1784, Captain Down, London, £49; 1784, Alexander Lyell, a burghess and freeman of the burgh, who had left Arbroath in 1724, and gone to London, where he resided till his death in 1783, £40; 1792, Patrick Wallace, Lawton, £10, 10s.; 1802, Dr Farquhar, M.P., £10; 1802, David Paterson, merchant, £10; the same, distributed by his executors, £101; 1804, David Robertson, merchant, £180; 1808, Mrs Mary Spink or Kyde, £10; 1808, Robert Greig, merchant, £10; 1808, William Buick, £10; 1808, James Milne, merchant, £10; 1810, Francis Souter, £10; 1810, James Gibson, £27; 1811, James Skair, merchant, £15; 1813, James Christie, East Indies, £40; 1814, James Scott, Berryfauld, £10; 1815, Charles Forbes of Edinglassie, M.P., £31, 10s.; the same, to Indigent Sick Society, £10, 10s.; 1815, Miss Matilda Mill, £10; 1819, David Braick, £84, 12s. 9d.; 1819, Jonathan Duncan Gleig, H.E.I.C.S., £50; 1821, John Colvill, £10; 1821, Miss Mudie, £10; 1821, Mrs James Lowson, £10; 1823, Hon. William Maule of Panmure, who also gave liberal contributions to the Town Council for the poor, £5; 1824, Miss Grahame, £180; 1826, John Rait, Viewfield, £31, 5s.; 1826, Miss Jean Scott, £336, 17s. 4d; 1830, James Lowson, £15; Mrs Lowson, £5; 1833, Mrs Elizabeth Cook, Dundee, £44, 14s. 9½d.; 1841, Andrew Duncan, £45; 1844, John Ouchterlony of Guynd, £17, 2s.; 1844, Mrs James Lowson, £44, 10s.; 1848, James Kay, £10, 10s.; 1850, James Mudie of Pitmuies, £313, 9s. 6d.; 1851, William Jamieson of Crudie, £10; 1877, Dr Robert W. Bruce, £10; 1881, Miss Jane Mudie, £100; 1885, Mrs Kennedy, Hill Terrace, £25; 1812, Hannah Bruce, relict of John Spink, £100 for education of poor children; 1880, Alexander Smith of Brothock Bank, £800 for sick poor—Mr Smith made similar bequests to Inverbrothock Parish Church and to St Mary's Episcopal Church; 1885, Dr James Arrott, Dundee, £4721, 3s. 1d. for aged respectable poor; 1893, Mrs Ann Starrock or Wilson, for poor widows' rents.¹

From a detailed statement in 1751 of the kirk treasurer's intromissions with the funds, it appears that for a period of two years and three months the revenue from all sources, including collections, mortcloth dues, fines, eleemosynary, and casual revenue, amounted to £1659, 12s. 8d. Scots, of which the larger part, £1067, 10s. 5d., was derived from the weekly collections. The whole of this money had been given to the poor, in weekly and casual distributions.

¹ Contribution Boards in Session-house of the Town Church—(old church and rebuilt church).

In 1683 the Session had an acre of land, described as 'lying at the back of Millgate yards,' belonging to the poor, and it possessed two other acres in the same locality. In 1763, on the occasion of the Magistrates feuing the lands of Grimsby, the Session exchanged an acre which it had there for one in Ponderlaw-field, and the latter was sold in 1784. The lands on the west side of the town belonging to the Session in 1781 measured 6 acres 1 rood 2 falls. After the passing of the new Poor Law Act in 1845, that portion of the poor's funds which had been gifted or bequeathed to the minister and heritors was transferred from the Session to the Parochial Board created by the Act; but the funds bequeathed to the 'minister and Kirk-Session' remained under the Session's management. Under the Local Government (Scotland) Act (sec. 30, sub. sec. 3) where the trustees of certain parish trusts are the kirk-session, or the heritors and kirk-session, of any parish, or the kirk-session or deacons' court, or managers, or vestry of a congregation belonging to any religious denomination, they are required to appoint certain of their own number to act as a committee of management along with persons to be appointed by the Parish Council, and the management of such trusts is to be transferred to the committee accordingly. The Parish Council of Arbroath and St Vigean have appointed certain of their number to act in the management of the trusts.

CHAPTER X.

ADMINISTRATION OF THE OLD POOR LAW.

THE local ecclesiastical records supply many illustrations of the mode in which the old poor law was administered. In 1659 the Presbytery ordered a collection for 'one James Nicoll, a blind man, of good report, and in necessity.' Again, on 22nd November 1660, 'it is recommended to the several brethren to bring the charity of the several congregations against the next day to John Barclay, a distressed gentleman suppliant.' David Guthrie, skipper in Arbroath, represented to the Presbytery, on 14th March 1661, 'that he had his barque and the whole lading lately cast away by storm of weather at sea, and that thereby he and his wife and children, whereof he hath many, are brought to great poverty.' The Presbytery granted the unfortunate skipper the benefit of a collection by all the congregations within their jurisdiction. On 28th September 1670, the Kirk-Session of Arbroath 'appointed Isobel Anderson to have one day's collection for her supply, her house being lately burned with fire.' In 1671, 'the indigent condition of John Murray and his family being represented to the Session,

they appoint him and them to be supplied during the time of his infirmity.' The Session aimed at not pauperizing the recipients of its charity. John Murray's infirmity was a broken leg. He received £13 Scots from the Session, and he was appointed to repay this sum when he was able.

The benevolence of the Kirk-Session was not confined to Arbroath. In 1671 a collection was made for the poor of Dundee. There was a fire in Brechin in the spring of 1672, by which a number of poor families suffered loss. A collection was made for them at Arbroath, and it amounted to £16, 19s. Scots.

The business-like manner in which relief was given to indigent persons is apparent in the proceedings of the Kirk-Session. Andrew Simpson, tailor, was in 1675 found to be due several years of eleemosynary. The Session, in consideration of his poverty, not only did not press him for his arrears, but they agreed to 'advance him money at several times as they should see his necessity to require it,' taking care, however, to secure themselves by a bond over his property. In 1676 a contribution was appointed to be made 'for John Anderson, in Millgate, for helping to buy him a horse, his having been stolen from him.' Again, in 1683, the Session gave £6 to William Peter, to help him to buy a horse; and they took two persons as cautioners that the money would be repaid. The Session paid school fees for poor children, and it also paid apprentice fees. In 1678, ten merks was paid to Patrick Crichton, tailor, 'as the last term's apprentice fee due to him for James Strachan.'

Early in the eighteenth century the town began to be troubled with a deal of pauperism of the vagrant class, and the Session found it necessary, for the protection of the proper poor of the town, to enact as follows, on 10th January 1733:—

'This day the Session, considering that sundry persons, not belonging to this town, of extreme mean circumstances, have frequently taken houses therein, and very soon thereafter been cast upon the Session for their subsistence, whereby they became a great burden to the poor inhabitants of this town, by pleading for and sometimes receiving that money which was dedicated for subsisting the poor citizens; wherefore the Session, in order to prevent all such disorders for the future, with special consent of John Wallace, present provost of Aberbrothock, presently sitting in Session, did and hereby do enact, that no person belonging to other congregations [parishes] shall hereafter have any weekly, monthly, or yearly pension from the poor's money of this town; but on the contrary, all persons not belonging to this town, incapable of subsisting themselves, shall never be allowed thereafter to harbour in it; and such persons of that character who have lately come to town shall be warned and commanded, by the authority of the Magistrates, to flit and remove at Whitsunday next to their own parishes, upon pain of being expelled in a public manner; and that all landlords who should thereafter harbour any such persons should be obliged to maintain them upon their own proper charges. Wherefore the Session applied to the said Provost John Wallace to

interpose the civil authority to strengthen and confirm this act, and to publish the same by his officer and drum, to which the said Provost Wallace, in his own name, and in name of the Town Council, did judicially consent.'

The Town Council, on 20th October 1735, followed up this enactment of the Kirk-Session by a vigorous ordinance of its own, directed against vagrancy :—

'The Magistrates and Council, considering how much the town is pestered with vagrants, sturdy beggars, and other vagabonds, whereby the town's poor are great sufferers, have appointed that James Jamieson, present workman in the town, shall keep the town free of vagrants and others who cannot give a good account of themselves; and that how soon he shall get intelligence of any of these who shall refuse immediately to leave the town, that he call the assistance of the inhabitants that they be secured and imprisoned.'

For this service James Jamieson was to be paid 20s. Scots a-week. The courts of the Church were about this time creditably desirous of obtaining an improved poor law. The Synod of Angus and Mearns passed an act in 1741 restricting the poor to their own parishes. At that time there were forty-nine poor persons in the parish of St Vigeans. Each of them was supplied with a badge. They were 'to travel the parish, but not to be troublesome to any without the bounds thereof.'

A meeting of the heritors and Kirk-Session of Arbroath was held in the church on 5th September 1751, 'to consider the state of the poor, and to provide for their maintenance within the parish, without their being allowed to beg through the town.' The heritors and elders agreed to put the law into execution, and to report from time to time to the Sheriff of Forfarshire, who had brought the state of the poor under the notice of the parochial authorities within his jurisdiction. In consequence of the attempted suppression of begging, the number of poor on the roll was increased. That involved an increase of the weekly distribution, which still, however, amounted to no more than £11, 7s Scots. At an adjourned meeting, held on 1st October 1751, it was found that the sum required for the poor was £868, 5s. Scots a-year. To meet this, after paying salaries and incidental expenses, there were church funds to the amount of only £316, 5s. 5d., so that there was a balance of £551, 19s. 7d. a-year to be provided by the heritors and inhabitants. The heritors and Session met again on 7th October, and they were about to impose an assessment of £260 Scots for the poor for a half year when it was represented to them 'that they were not ripe to judge of the circumstances of the several persons upon whom those rates were to be imposed.' The meeting agreed that there was force in this objection, and for the assessment they resolved to substitute a voluntary collection for the sum specified. The heritors and elders met again in February 1752, when it was found that the system of a voluntary collection had not worked satisfactorily, some of the money not having been paid; and accordingly a roll of assessment was made up by a committee appointed for the purpose. Unpaid collectors were nominated, but neither did that system work

well; and in August 1752 the heritors and elders appointed Robert Leslie at a small salary. The assessment, however, was still very unproductive, and the church funds in consequence were exhausted. A conference on the subject took place between the Magistrates and a committee of the Session in February 1753, when the Magistrates candidly declared 'that they found the scheme of assessment for providing for the poor extremely disagreeable to the inhabitants of the town; and that they were generally backward in paying their proportions; and that nothing but force and the rigours of the law would make the payment effectual, which method they declined, foreseeing it would occasion a great deal of trouble and expense to themselves and the inhabitants; and therefore left the Session to do as they should see proper.' In this instance of 'ignorant impatience of taxation,' the Magistrates appear to no advantage. The Session had expended more than its proportion in relieving the poor, but it was not refunded by the Magistrates. What was worse, in consequence of the abandonment by the latter of the experiment of a systematic plan of relieving the wants of the poor, the Session also was compelled to abandon it, and 'to resume their former method of supplying the poor in the best way they could.'

About thirty years after this failure of the scheme to introduce a system of rating, the Kirk-Session again addressed the Magistrates on the subject of the poor within the burgh. In the end of 1782, it was brought under its notice that a number of persons, and even whole families, in indigent circumstances had come from neighbouring parishes to reside in the town, some of whom, immediately on settling in the place, had commenced begging, while others had applied to the minister and elders for doles from the poor's funds. The Session declared that the only persons who had a right to these funds were the poor who belonged to the town and parish. It further held that, owing to the stagnation of trade, and the high price of every necessary of life, the demands of the poor were more than the funds could supply; and it therefore resolved to petition the Magistrates to prevent strangers in indigent circumstances from settling in the town, and to oblige those who had recently taken up their abode in it to remove, unless they found security that they would not become a burden on the public.

The Kirk-Session did not succeed in this petition to the Magistrates; but it had not in the least exaggerated the lamentable condition in which the poor were at that time. In consequence of the distress that prevailed in the northern parts of Scotland in the summer of 1783, the Treasury granted the sum of £10,000 for the relief of the poor in those districts. With the view of obtaining a portion of this money for the poor of Arbroath, the Session made up a statement, from which it appeared that there were ninety-six persons upon the poor's roll, many of whom had numerous families; and the Session was of opinion that there were not less than a hundred families more in the town and parish who would need assistance could it be given. It was thought that a hundred bolls of meal, together with

what the Session could give, would go a great way to support the poor till assistance could be had from the new crop ; and it was accordingly agreed to apply for relief to that extent.

Among the claims on the charity of the Kirk-Session from time to time were those arising from losses at sea. About the month of May 1764, a number of fishermen were drowned as they were returning to Arbroath from the fishing, and a collection was made for their wives and children. In April 1780, 30s. was appointed to be given to a shipmaster belonging to Kincardine, whose vessel had been wrecked a few days previously on the rocks to the eastward of the harbour. The master's father had lost his life when the vessel was wrecked. The skipper himself and three boys, his sons, were saved by the assistance of the inhabitants.

In 1787 the Session again had its attention directed to 'stranger beggars and sturdy vagrants, who receive, and in a manner extort, the charity that otherwise would be given to the poor of the place.' It was agreed to contribute £2 a-year towards a 'town keeper,' who was 'to prevent the inhabitants from being infested with vagabonds.'

About a century ago, the Town Council found that it could no longer avoid taking some interest in the administration of the poor law in the burgh, in which pauperism, with an increase of population, and owing to badness of trade, was increasing. Times were very hard in the winter of 1800 ; and on the 8th of December in that year, a meeting of heritors and heads of families, arranged for by the Kirk-Session in conjunction with the Town Council, was held in the church to consider what was to be done to relieve the poor. What was done was at best but a makeshift. Early in 1809 it was reported to the Council that a great number of persons in the town were almost in a state of starvation. The Council was of opinion that there must either be a voluntary contribution or an assessment. On this occasion, the plan of assessment was again successfully resisted ; and it was so also in 1813, when a voluntary subscription was decided on instead, the Council subscribing £50 from the town's funds, and the Kirk-Session £50. In 1815 the Commissioners of Supply of Forfarshire made an effort to suppress the then enormous evil of vagrancy, by appointing constables for each parish. In Arbroath, in February 1816, the Town Council made a similar appointment, but in a peculiar fashion. 'As they considered that William Cruickshank had rather too much salary'—a view of the matter which was probably not taken by William—'they agreed to reduce it, and to give John Desson £4 of an increase, for the purpose of acting as constable.'

If times were bad for many when the Napoleonic wars were in progress, they became much worse for almost everybody in consequence of the stagnation of trade which set in when peace was concluded. In the end of the year 1816, a meeting to consider the state of the poor was held in the Parish Church. At this meeting a statement was submitted, showing the number of persons liable to be assessed—

that is, who were able to pay rates; the number who could support themselves, but were unable to pay for the support of others; and the number who required relief. Of the first class there were 348 families, in which were 1181 individuals; of the second, 893 families, including 2616 individuals; and of the third, the poor, 252 families, in which were 521 individuals. As these figures apply to the parish of Arbroath alone, and do not include the St. Vigeans district, they represent an amount of pauperism larger than that which is in the town now, when the population is three times greater than it was in 1816. Including dependents, the number of poor of all classes in receipt of relief, in the amalgamated parish of Arbroath and St Vigeans, was 392 at 15th May 1898, which may be compared with the 252 in Arbroath parish in 1816. In 1816 the Council recommended that £600 should be raised by assessment or otherwise for the relief of the poor. There continued to be a class of privileged beggars, to whom the Kirk-Session gave badges. In 1822 these badges were called in, with the approval of the Council, in order that the circumstances of their wearers might be inquired into by the elders. It was a practice of these privileged beggars of 'Edie Ochiltree's' own town to perambulate the burgh in considerable companies, making their calls at the houses of those charitable citizens from whom they stately obtained relief. Saturday was the usual calling day.

Trade was in a very depressed condition in 1826, consequent on the commercial failures of that year. On 10th May it was reported to the Council that the distress among the operatives in the town was unexampled, and was likely to continue. The Council resolved to address circulars to the landed proprietors in the county, in the endeavour to get work for the unemployed artisans, and £100 was obtained from a committee in London, which had been appointed to assist in relieving manufacturing districts, in consequence of the stagnation of trade.

A new difficulty about obtaining adequate funds for the relief of the poor arose in the year 1837. At that time the Established Church was erecting new churches all over the country to meet the wants of an increasing population. In the town of Arbroath, the church of Ladyloan was being added to the previous chapel erections of the Abbey and Inverbrothock. It was necessary to make provision for incomes to the ministers of the chapels. This was to be done in part by taking a portion of the church collections, which ever since the Reformation had gone to the poor. In March 1837, Provost Robert Allan reported to the Council that he had received intimation that half of the collections at the Abbey Church was to be appropriated to the minister's stipend, until a sufficient endowment was procured from Government; and that with regard to Ladyloan, the whole collections were to be appropriated to it till the debt was cleared off, or a Government endowment procured. The Church was at the time sanguine that the Government would consent to endow the new churches. Meanwhile, the

Town Council resolved to oppose any diversion of the chapel collections from the parish poor. The Presbytery, however, decided that the constitution of the Abbey and Ladyloan Churches should be framed so that the funds should go partly to the ministers and partly for the endowment of a school. The Provost protested against this, but the General Assembly confirmed the arrangement made by the Presbytery; and it was eventually held that the funds of chapels were legally under the entire control of their managers, or of the ecclesiastical authorities.

The withdrawal of the chapel collections from the poor brought matters to a crisis in the administration of the old poor law in Arbroath. The Kirk-Session on 29th July 1841 laid before the Town Council a memorial with regard to the funds for the poor. It was stated in the memorial that the Session had for a period of unknown duration administered the funds, and that it had never required to make any application to the Magistrates for assistance, the revenue having until a recent date continued on the whole adequate to the expenditure. In making this statement, which was no doubt made in good faith, the members of the Session showed that they were not well acquainted with their own records. They went on to say that for several years previous to 1841, in consequence of steadily increasing pauperism, the funds had not been in a flourishing state—indeed, that debt had been contracted. In the year 1840, the income was £331, 0s. 8½d; the expenditure, £486, 1s. 9d. In these circumstances the Session applied to the Magistrates, with whom the power of administration rested. They concluded by declaring that 'they contemplated with anxiety, almost amounting to alarm, a legal assessment, but they hoped that conciliation would lead to an amicable arrangement.' The Town Council appointed a committee to consider this matter, 'but if possible to avoid a legal assessment, experience having shown the pernicious effects' of such assessments. The Council's consideration of the matter extended into the following year, when a meeting of the Magistrates, proprietors, and members of Session was held, at which it was agreed to impose an assessment of £500. Three years afterwards (in 1845), the new Poor Law Act made better provision for the poor; and created a new body, the Parochial Board, for the purpose of administering the law. The Magistrates and Kirk-Session, who had for centuries been actively concerned in the administration of the old poor law, continued to be members of the Parochial Board, the Magistrates by right of their office, and the Kirk-Session as represented by six of their number.

By the Local Government Act passed in 1894 Parochial Boards were abolished, and Parish Councils, triennially elected, took their place in the administration of the poor law. The Parish Councils of St Vigeans and Arbroath met for the first time on 16th and 17th May 1895 respectively. After their election an order, under the Local Government Act, was issued by the Secretary for Scotland uniting the two parishes under the name of Arbroath and St Vigeans parish, and the Councils also were in consequence united. Mr John Duncan, Arbroath, was

elected Chairman of the Council, and Mr W. K. Macdonald, Town Clerk, was appointed its clerk. In the course of their administration, the parishes of Arbroath and St Vigeans combined for the erection of a Poorhouse. In November 1866, when it was opened, it was sanctioned by the Board of Supervision to accommodate 128 paupers. The annual expenditure on the relief and maintenance of the poor in the united parish of Arbroath and St Vigeans, including medical relief, management, and buildings, amounts to about £6000. Statutory bodies are differently constituted, but under the Kirk-Session's administration of the old poor law there were no management or kindred charges, every shilling of the poor's fund being given to the poor. The prudent care which for centuries the Church took of the poor was not the least important of its services to the people.

PART V.

THE INCORPORATED TRADES—THE GUILDRY—THE HARBOUR.

CHAPTER I.

THE INCORPORATED TRADES.

INCORPORATIONS of craftsmen were formed in the principal Scottish burghs in the fourteenth century, if not earlier. In the fifteenth century, deacons were instituted by legislative authority. A Parliament of James I. enacted that each craft should choose a wise man of the craft as deacon, whose duty it should be to examine the work performed by the craftsmen, 'so that the king's lieges might not be defrauded in time to come, as they had been in time bygone, through untrue men of crafts.'¹ At an early period it was seen that the incorporations exercised an injurious power. In the reign of James IV., the craftsmen of the various burghs, such as cordwainers, were found to be imposing a tax on other craftsmen going to market, by which disturbances were caused, and in the case of the cordwainers the price of shoes was increased. Parliament ordered that this tax should be abolished. At the same time it was declared that 'the using of deacons of men of craft in burghs is right dangerous.' It was recited in the Act that masons, wrights, and others made it a rule of their craft that they should have their fees, or wages, on holidays as well as work-days, or else that they should not work; and also that if any mason should begin work, and at his pleasure should leave it, none other of his craft should dare complete it. It was enacted by Parliament that the makers and users of such statutes of the incorporations should be indicted as common oppressors of the king's lieges; and the office of deacon was discontinued for a year, though the persons who had held it were still to have power to examine into the quality of the work.² In the reign of

¹ Acts of the Parliaments of Scotland, vol. ii. p. 8.

² *Ibid.* vol. ii. p. 234.

James VI. the Scottish Parliament passed an Act conceived in a much less enlightened spirit than that of the earlier legislation. The Act referred to, which received the assent of the Estates in the year 1592, proceeded on a preamble to the effect that 'the exercise of craftsmen in the subvrbis of the frie burrowis is not onlie hurtfull to all our souerane lordis liegis for the insufficiencie of the wark, bot als ministrattis greit occasioun to prentises and servandis in frie burrowis vndowifullie to leive thair maisteris, and to remane and abyd in the said suburbis, thairby substracting thame selffis fra the iurisdiction of the provost and ballies of the saids burrowis; and als the frie craftsmen resident within the saids burrowis ar gritlie damnifijt, seing thay beir ane greit pairt of the chargis of the burgh, and the advantage of the wark that suld relief thame is drawin away to the saids suburbis.'¹ The Act proceeds to prohibit the exercise of crafts within the suburbs of burghs. This statute was the charter of the trade incorporations. As such it is engrossed in the principal book of the Convener of the Arbroath Trades, being therein described as the Act 'whereupon our liberties are founded, and letters of horning raised.' The Act had been passed in order to repress the growing practice of persons outside the boundaries of burghs undertaking to do the work of privileged craftsmen. Thus, at a Convention of Burghs held at Edinburgh in 1581, the commissioner from Perth complained of unfreemen working in the suburbs of that town. The Convention was satisfied that this was a 'great enormity,' and it ordered that measures should be taken to withstand it.² These measures issued in the Act of 1592, which for the following two centuries and a half converted many of the principal crafts in Scotland into privileged monopolies.

The Incorporated Trades of Arbroath are seven in number, and are, in the order of their precedence, the hammermen or blacksmiths, glovers, shoemakers, weavers, tailors, wrights, and bakers. The hammermen were incorporated in the year 1592. It is probable that it was about the same time—the year in which the Act of King James was passed—that those next in order, the glovers and shoemakers, were incorporated, but there does not exist any record of their origin. The weavers were incorporated in 1594. The bakers are ranked as the youngest of the trades. In the year 1653, James Hailes being Deacon Convener, Patrick Gardyne was chosen deacon of the bakers. It was in that year, on 20th March, that the bakers were first erected into an incorporation. The incorporation continued in existence for some years after that date; but in those days, when bread was chiefly home-made, the bakers' craft could not have been a flourishing institution in a small burgh. In Arbroath it lapsed 'for want of a quorum'; but it was revived in 1724, on a petition of the bakers to the Town Council and the Convener's Court, and Robert Gardyne was in that year chosen deacon. The

¹ Acts of Parl., iii. 579.

² Records of the Convention, l. 61, 62.

bakers in Arbroath in 1724, who were the petitioners, were—John Lamb; Robert, David, William, James, and John Gardyne; and John Guthrie.

The power of granting the right of incorporation to trades rested with the Magistrates and Town Council. It was usually by what was called a seal of cause, or charter, that this right was conferred; but in Arbroath none of those charters are now in existence. In the seventeenth century, the confirmation by the Magistrates and Town Council of the election of the deacons of the several trades was necessary. The approval by the Council of the election of William Guthrie to be deacon of the glovers or skimmers is expressed in a minute of that trade of date 1653. Besides approving of the election of deacons, the Council 'confirmed all the just privileges belonging to the deaconry of the craft.'

The Town Council successfully opposed the endeavour of bodies of tradesmen to assume the privileges of incorporation without its consent. Early in the year 1739, the brewers, who were a powerful interest in the burgh, made such an attempt. A minute of Council, dated 31st January 1739, bears, that 'the Magistrates and members of Council, considering that the brewers create a deal of disturbance by their acting as a corporation, choosing a dean of guild or deacon, having a public box, and keeping a common book, in contempt and disobedience of law, have resolved and agreed to prosecute three or four of the most turbulent among them.' On 1st February 1742, the master masons petitioned the Council, representing that there were several stranger masons in the town, who were not burgesses, and who bore no part of the public burdens, but who were employed as masters within the burgh. The Council prohibited these 'stranger' masons from working in the town until they were burgesses and paid a sum not exceeding £3 Scots each to the masons' box, for behoof of the poor of the fraternity. But this act was stretched by the masons further than the Council intended it to go. In September 1742 the Council discovered that the mason fraternity had at their own hands stopped the stranger masons from working, and had applied to the Convener and Deacons to be enrolled as a corporation. In consequence of these proceedings, the Council rescinded its act of the 1st February, and ordained that, in the event of the Convener and Deacons admitting the masons as a craft, no regard should be had to such admission. It further ordained that any masons applying for such a purpose should not be employed on the town's public work, and should not meet with any encouragement from the members of the Council. The masons, accordingly, were not admitted into the number of incorporated trades.

Each of the crafts has a 'locked book,' which contains the entries of the admission of 'mastermen, servants, and apprentices,' with other details of the government of the craft. The Convener has a distinct set of books. The oldest entry in the books of the tailors is in 1653; the oldest of the shoemakers' books begins in 1736; and the first date in the book of the weavers is in 1653, David Butchart having in March of that year been chosen deacon, with consent of the

provost and bailies. From the energy displayed, this year (1653) seems to have been a kind of revival year with the trades in Arbroath.

The earlier books of all the crafts are lost, but it was a practice of each of the incorporations to engross its principal acts, or bye-laws, in its successive minute-books, so that in this way there has been preserved the many curious laws bearing upon trade, as also on religion and morals, which the crafts enacted from time to time for their own government.

The general government of the crafts was vested in the Deacon Convener and his court, which consisted of the other deacons. In this court every deacon and master was bound to give attendance, when summoned, under pecuniary penalties. When a cause was brought before the court, it was presented in the shape of a formal writing, and the loser of the action was cast in expenses. If any wrong was done to a deacon, the wronged official was not entitled to punish the wrong-doer at his own hand; it was his duty to bring him before the Convener's Court for judgment. The deacon, however, was permitted to poind within his own trade, and to execute any relevant sentence of his own. Any person disobeying or deforcing a deacon was to undergo the censure of the deacon and his court. The acts of the Convener's Court are dated 20th March 1654. They appear to have been revised at that time, and some of them afterwards underwent further revision. In the set of acts adopted in that year, it is declared that in former times there had been several persons who had disobeyed the conveners and deacons, which 'had not only occasioned great expenses, but great divisions, whereby the liberties of the trades had oftentimes been found to be in hazard.' It was ordained, accordingly, that each deacon disobeying the Convener should be fined £2 Scots for a first offence, the fine to be doubled if he offended a second time; and that each tradesman who should disobey his deacon should 'for the first fault pay 10s., and so forth to be doubled.' Whatever was done in court, or at meetings of the deacons, was secret; any person divulging the secrets of the trade was to be fined. It was necessary that the Convener should have been a deacon for two years, and it was also required that he should be 'a handy craftsman of his trade.' In order that none might plead ignorance of the law of his craft, the acts of the Convener and those of the deacons of the respective trades were read annually at Michaelmas in presence of the tradesmen. If a deacon made any act prejudicial to his trade, and not approved by the Convener's Court, he lost his freedom, which he could only recover by purchase. Except at Michaelmas, the only persons allowed to advise with the deacon were his council and the boxmaster. The trades, in all matters concerning their crafts, asserted a jurisdiction independent of the Magistrates. It was brought under the notice of the Convener and deacons that several 'ignorant tradesmen' had complained to the civil magistrate 'upon some debates that only belong to the deacon of the trade wherein they are incorporated, and failing him to the Deacon Convener and his Court.' It was enacted that any tradesman

applying to a magistrate or other judge concerning such matters should lose the liberty of his trade in all time coming. One of the rules was, that the youngest freeman should be officer to his trade.

It was in accordance with the law of the trades that no qualified person elected to the office of deacon could refuse to act. William Spink, who had previously held the office, was again elected deacon of the bakers about the year 1821. He refused the office, and the trade thereupon applied to the Magistrates to compel him to act; but it does not appear that the Magistrates consented to bring compulsion to bear in the case. Anciently the Michaelmas elections of the trades took place in the Parish Church, the porch of which was the ordinary meeting-place of the shoemakers.

Freemen of the trades were required to attend the funeral of a deceased brother craftsman. They were summoned by the officer of the trade, and the whole body of freemen had to proceed to an appointed place in order to 'convoy' the convener and deacons to the house of mourning, and thence to the churchyard. A deacon failing to attend a funeral, when summoned to do so, was fined 6s. 8d.; a freeman, 3s. 4d. An act of the Convener's Court ordained these fines to be 'put to a pious use.'

The pious use to which the fines were devoted was the support of the poor of the various crafts. About a century ago alimentary or benefit funds were originated in connection with most of the trades, but this scheme was not very successful. From an early period each craft performed the function of a co-operative society in purchasing meal, which was retailed to the members. The weavers in 1728 took steps to guard against embezzlement in their money transactions. 'Four discreet, honest, and understanding men of the trade, not being councillors,' were appointed to be inspectors of the trade's accounts.

The crafts, although exclusive in matters of trade, were the popular body in the burgh, and they took a lively interest in promoting municipal reform. In 1788 and 1789 they contributed some considerable sums in support of a bill in Parliament for 'the reformation of royal burghs.' All the corporations conferred their freedom on Mr Joseph Hume, Mr Horatio Ross, the Hon. William Maule (Lord Panmure), and Colonel Ramsay—Liberal politicians. Mr Hume and Mr Ross were successively members for the district of burghs, and Mr Maule represented Forfarshire.

The trades erected in 1815 the building formerly called the Trades Hall, at the junction of High Street and Commerce Street. The Town Council gave the ground on which it was built at an annual feu-duty of £30, and it contributed £100 towards the expense of erecting the hall. The architect was David Hill, a native of Arbroath, son of James Hill, an ingenious man who spent a great deal of time in trying to invent perpetual motion. The hall was built for purposes connected with the trades, but revenue was got by letting it for public meetings and

entertainments. The building, however, was not long the property of the incorporations. They sold it in order to pay their debt. It passed into private hands, and the hall was subsequently acquired by the Town Council, who have converted it into the Court-House.

CHAPTER II.

THE CRAFTS IN THEIR TRADE RELATIONS.

IN the light of modern ideas on the subject of trade, it is remarkable that the exclusive privileges of the various crafts should have been continued for centuries. There is evidence, however, that even in early times they did not pass unchallenged. They were struck at by the statute of James IV., and the records of the Convention of Burghs, as well as those of the several burghs, prove the existence of a constant tendency to rebel against the artificial system of trade which the crafts were incorporated to maintain.

The records of the trades in Arbroath show very distinctly the extraordinary character of the opinions which ruled for ages in this country in the common matter of buying and selling. One of the acts of the Convener's Court was against forestalling. It provided that no tradesman within the burgh should forestall his neighbour in any sort of commodity, buying and selling it to the hurt and prejudice of his neighbour craftsman.' Offenders against this law were punished for a first fault by the infliction of a penalty of £3 Scots. A serious matter came before Convener Thomas Rhind and his court on 3rd January 1680. The court consisted, besides the Convener, of John Bowden, deacon of the hammermen; John Duncan, deacon of the glovers; John Hood, deacon of the shoemakers; David Steven, deacon of the weavers; Alexander Findlay, deacon of the tailors; and John Methven, deacon of the wrights. David Watson, late deacon of the weavers, was found guilty of 'a great fault and prejudice,' in buying and selling shoes to the loss of the shoemaking trade. He was fined £10 Scots. But it appears that the ex-deacon was not singular in offending after this fashion. The Convener's Court, 'considering the great wrong and prejudice ilk [each] tradesman within this burgh doeth ilk one to another, in meddling ilk one with another's work and trade,' inhibited all craftsmen within the burgh from so doing. The members of the trade were also prohibited from taking assistance in their work from craftsmen resident in the suburbs of the burgh, or in the landward parts. No persons could be admitted from the suburbs to the liberties of trade within the burgh unless they consented to reside within its boundaries, and bear a proportion

of its burdens. But persons outside the burgh were allowed to bring manufactured goods into it for sale on the ordinary market days. Those goods were liable to the inspection of the deacon of the craft concerned, and if they were found of insufficient work the owner was fined. An act of the Convener's Court, on 17th April 1689, required 'that no weaver should cut a web out of his loom till the deacon and another with him should see if it be sufficient,' under a penalty of 40s. Scots.

When a boy was apprenticed, he went to reside in the house of his master, who was required to give sufficient security for his proper accommodation during his apprenticeship. If the boy ran away from his master to serve beyond the burgh boundaries, he lost all the advantages of his trade. On the other hand, if the master, 'in return for some good deed done to him by his apprentice, or for any other reason, were to forego' a part of the apprenticeship term, he was held liable to pay the apprentice fee into the box of the craft. The law of the Convener's Court enacting this sets forth that such a fault by the master 'disables the prentice, and maketh him incapable of his calling, to the great prejudice of this commonwealth, and craftsmen in particular within this burgh; as also by so doing doth minister great occasion to prentices and servants, on every light occasion, to flee from their masters, and carry themselves undutifully, and to leave them, and remain and abide in suburbs, and villages, and landward parts, thereby subtracting themselves from the jurisdiction of free burghs.'

The trade regulations of the various crafts in Arbroath may be noticed here in some detail, as supplying illustrations of the industrial condition of the community.

The Hammermen craft required apprentices 'to serve six years, and another for fee;' they were to be of good repute; and their work was to be tried before they were permitted to open a shop. It had at one time been a custom in the craft to allow servants—that is, journeymen—and apprentices to 'work one hour on Saturday evening at their own work, or at any other man's work;' but this privilege was taken away, it being enacted that servants and apprentices were to do no work except their masters'.

In the hammermen trade were included not only blacksmiths, but all artificers who used the hammer in their craft. There were consequently subdivisions in the trade; and it was enacted that 'each master was to work the work he professed, and no other man's work.'

Not only was each section of the hammermen craft to be content with its own work; every master was interdicted from taking another man's booth or house, and from enticing away his servants. No person was permitted to take another man's work 'over his head,' or to solicit work at any man's hand within the burgh.

The incorporation of the Glovers or Skinners has long been recruited from the professional and other non-mechanical classes in the burgh. The glovers had no fewer than thirty acts for their guidance. A good many of these consisted of regulations for servants and apprentices. No master was to take an apprentice without the consent of the deacon, and only one apprentice was to be taken in three years. The apprentice 'was to pay for his booking four merks and the wine.' Masters and servants had also to pay on admission to their respective ranks, besides making a weekly payment, as all the trades did, to the box of the craft. The payment exacted on admission to the freedom of the trade was twenty merks, which was to be devoted to 'pious uses, to the weal of the trade, and to a sufficient dinner to the whole mastermen of the trade.' Subsequently the admission payments were modified to a guinea, and the 'treat was then no longer to be given to all the members of the trade, but only to the deacon and his council.' A master on his marriage had to pay 13s. 4d., which was called 'the marriage-merk.' Apprentices were not allowed to open a booth till they had served seven years as apprentice and servant. It was found at one time that too many persons had been admitted masters and freemen, and among them such as were not qualified for their calling. To remedy this, no apprentice or servant was to be admitted freeman until his work had been tested by an assize; and freedom was not to be conferred until the expiry of seven years after apprenticeship was completed. An apprentice, however, might procure his admission to the freedom of his trade sooner by paying £60. On 23rd February 1655 it was enacted that the proof of work, previous to admission to freedom, should be 'a pair of quick-drawn gloves, a pair of outseem kid, with a sufficient purse for a browster [brewer] woman.' Masters seeking to get their servants and apprentices admitted on other terms than these did so 'under the pain of perjury and infamy.' In 1653 the trade found there were so many servants from landward parts coming into the burgh, 'that the craft was abused by the receipt of a great many of them;' therefore, at a meeting on 8th October, it was 'with one voice concluded and enacted that no masterman of the trade shall presume to accept an outland glover to be his servant, except those who are taught and educated in civil burghs, where deaconry is used.'

Parliament passed several Acts in favour of the glover trade in the Scottish burghs. One of them was to the effect 'that no shoemaker, nor any other person, should buy calves' skins wanting horns.' The glover trade in Arbroath ordered such purchases to be confiscated, and the persons offending were likewise to be fined 40s. On 21st October 1701, the deacon and council found 'that there are several abuses crept in in the exercise of the trade, by some particular members thereof buying up, to their private uses, the whole wools, skins, and pellats within the burgh, without communicating the advantage to the rest of the brethren and freemen of the same trade, and the enhancing the trade in the hands of a few, to

the manifest loss and prejudice of other members of the society.' To remedy this state of matters, and in order that the enterprising tradesman might have no advantage over his indolent neighbour, it was enacted that 'if any freeman of the trade shall happen to buy any parcel of skins, either off the market-day, or on the market-day before ten o'clock in the forenoon, he shall be obliged to share and divide the same with another freeman of the said trade, if required, upon payment of the true price paid by him for the same.' The price of a pulled skin or pellat was fixed at one shilling, and no craftsman was to pay more than that for the article to any person whatever. If he did so, he was liable to be fined. This order was made with regard to the inspection of skins on market-day: 'It is appointed that the deacon and his officer, or any other of the trade he pleases to appoint, shall go every market-day and diligently search the sheep, calves, and slaughter skins, for the welfare of the burgh and trade; and they are to exact for every hole that is in the skin, four pennies; and for every seption or score, two pennies; and for every skin that is riven, twelve pennies; and if any of the leather be cut away, that skin is to be confiscate, and the owner thereof to be fined in three shillings four pennies; and if any of the said skins shall happen to be plucked or plumed, the skin is to be confiscate, and the owner thereof to pay six shillings eight pennies, to be given to the use of the poor.'

It was an ordinance of the Shoemaking craft that a master should at a time have only one apprentice, who was to serve for five years. The master had to give 3s. 4d. for the use of the poor of the craft when he took an apprentice. The sum paid by the boy for getting his name inserted in the book of the trade was 13s. 4d., and another sum of 13s. 4d. 'for a treat to the trade.' When he had finished his apprenticeship, he had to serve four years as a servant or journeyman before he could be admitted a master. Before any person could be admitted to the grade of master he had to submit to a trial of his work. While he was engaged upon his 'essay,' he was 'locked up in a house alone, the deacon taking the key with him.' For his admission to the trade the master had to pay £40 Scots, with a dinner to the deacon and masters, with 6s. for up-setting of his booth; but if he was the son of a burgess the money payment was less. In 1814 a revised scale of fees was agreed to, according to which £20 sterling was to be paid for admission to the freedom of the craft. One of the earliest acts of the shoemaking craft in Arbroath provided that a master was to undertake, among other public duties, to keep watch and ward when called upon. On being admitted he was to give 'solemn oath, before the deacon and his councillors, that he shall in all time coming work and exercise the trade within this burgh leally and truly and honestly, in working and labouring sufficiently barked leather in making of boots, mools, shoes; and use all other points and practices belonging to the trade, and that to the utility, profit, and common weal of their sovereign lord's lieges, and for the weal of the common

wealth; also for the profit and honesty of the trade, as he shall answer to God, next to the deacon and brethren of the trade.'

On 2nd February 1612 this was agreed to: 'The deacon and whole mastermen considering the great damage they have sustained by entering of mastermen to the trade who were not prentices amongst themselves, contrary to the acts of well-reformed burghs, therefore have statute and ordained that there shall be no master admitted to the liberty of their trade except first he be a prentice within the town to the trade, or a freeman's son, or married to a freeman's daughter; otherwise none shall be admitted to the liberty of being masterman to the trade upon any condition: whereanent the whole mastermen of the trade bound themselves with an oath: and whosoever shall procure for any other man, shall pay twenty pounds, and be esteemed an infamous person, by reason of his oath made and broken thereanent.'

This act was modified on 30th March 1653, when it was agreed to admit strangers to be mastermen on their paying 'five score merks, with a dinner to the craft,' and other dues. Further modifications of the admission acts were made from time to time. All members of the trade 'at their entry in matrimony' were to pay 6s. 8d. for the benefit of the poor. A duty which one master owed to another was not to allure away his servant from him, or to receive him between terms. If a master transgressed this law, he rendered himself liable to penalties.

No member of the craft was permitted to 'buy or receive shoes from any outlandman, either in the burgh or landward, to sell again.' As in the other trades, shoemakers from outside the burgh were permitted to sell their goods on the market-day. On that day, to prevent 'the abuse of ill-barked leather, and insufficient work, which is against the glory of God, and is hurtful to the country,' a strict search was made through the market. The unfortunate 'outland' men were probably the chief persons in view in this search. A search was also to be made of all hides brought into the burgh. The craft had a vested interest in hides. If any were found gashed or cut, the owner was subjected to a fine of 40d. Scots; there was a fine of half a merk for each hole in a hide.

The trade attempted to exclude the jurisdiction of the civil courts in cases of small debts. It was enacted that no master or servant should have power to pursue for a debt within the sum of ten merks except before the deacon and his council, who were empowered to 'pound the readiest gear of the debtor.'

The Town-Clerk wrote in 1742: 'Next to the weavers, the shoemakers are the most remarkable (in respect to the number of the trade), and are much encouraged by the tanning of leather, which is here done to perfection. They serve not only the town and adjacent country with boots and shoes, but furnish quantities of shoes to the merchants, who send them abroad.'¹

¹ M.S. Account of the Burgh of Arbroath.

The rules of the Weavers for the admission of apprentices, servants, and masters, and the payments to be made on admission, as well as at marriage, were similar to those in force in the other crafts. Servants and apprentices were allowed 'to work one web in the year on their own account, but no more.' With the consent of the Town Council, it was enacted by the craft in the year 1707, that landward weavers and others should not be permitted to buy yarns within the burgh except on the weekly market-day, and at the market-cross. It was ordained in 1700, that no green cloth be made in the burgh except such as was sufficient for the burgh, and 6d. Scots was to be paid for stamping. On 4th March 1823, the death of Mr John Mudie, stampmaster, was reported to a meeting of the trade. The meeting, 'considering that many members of the trade had considerable capital employed in the linen manufacture of the burgh, the success of which greatly depended on the manner in which the business of the stamp office was carried on, and naturally feeling great anxiety lest a successor should be appointed to Mr Mudie who should lose sight of their interests, and bring discredit on the stamp, which they were proud to say enjoyed a pre-eminence above all others, recommended the appointment of Mr David Forbes, head-assistant to Mr Mudie, as one in whom they could with confidence repose their interests. They thought it probable that, in consequence of the increase of trade in the town, the Board would appoint an additional officer, and they recommended for the second office Convener Alexander Brown.' The stamping of linens, under the supervision of the Board of Manufactures, has long since ceased.

According to the oldest set of the acts of the Tailors, apprentices to the craft were bound 'for five years, and another year for meat and fee.' The fee for a year was the small sum of 20s. Scots, or less than 2s. sterling. On his entrance to his apprenticeship, the boy had to pay 40s. into the trade box. The acts of the craft were modified in 1779, when the term of apprenticeship was declared to be 'not less than three years, but as much exceeding that time as parties can agree upon.' The sum then settled to be paid by the apprentice was 6s. 8d. sterling, besides dues to the Convener, the clerk and officer of the trade, as also the expense of an entertainment to the deacon and council, without whose consent no master could receive an apprentice. Fines were inflicted upon persons who received other men's apprentices or servants. Servants, or journeymen, were hired, as in the other crafts, from term to term; and if a man put away his servant 'without any relevant fault known to the deacon,' he had to 'pay for the use of the trade 13s. 4d. for the first fault, besides assythment [compensation] to the party.' No servant was allowed to work in the burgh without paying £1, 16s. Scots; but this rule was repealed in 1779. One of the oldest acts of the trade was of a temporary character. It ordained that from the date of its passing no master should be received for thirteen years; and it was no doubt intended by this enactment to

bring the number of tradesmen into accordance with the supposed requirements of the community. Masters were admitted to 'liberty to take up a booth' after their essay had been approved by 'the deacon and four of the most discreet masters,' and after payment of ninety merks Scots, 'with a sufficient dinner.' It was required that masters should be burgesses. In the case of sons of burgesses or free masters, the money payment was reduced. In 1779 the admission fee, besides the dinner and fees to clerk and officer, was fixed at £10 sterling. By one of the old acts it was provided that 'outland freemen were to be admitted free masters of the craft on being free burgesses of the burgh, and being found qualified, and paying £24 Scots, with the wine.' The latest amendment of the acts was made in 1820, when it was ordained that at least £15 should be paid by masters on their admission, with the usual dues to the officials. A freeman's son or son-in-law was to be admitted on payment of £2, 10s. Apprentices were to pay at least £1, and on being admitted masters a further payment of £8 was required. The payments for a dinner at admission were abolished in 1820. One of the early acts provided that when a master married he should pay 14s. Scots. It was ordained by the tailors, 'that no freeman, nor freeman's son, shall work with any outlaw [person not of the liberty of the craft], or such as have not paid their freedom to the said trade, under the penalty of forfeiting their freedom to the tailor trade.' No master was to 'take in hand to receive another man's work to work,' under penalties, 'without some cause approved by the deacon.'

Tailors in the olden time made the dresses of women as well as the suits of men,—an occupation which to some extent they have resumed in the present day. But women were admitted to the craft, presumably as dressmakers for their own sex, at an early date. One of the old acts provided that 'no woman shall occupy the craft except she be a freeman's wife of the craft, and pay her dues to the deacon as a master during her occupation.'

Only a comparatively modern record of the Wrights' Incorporation is in existence, and much of it is illegible, through the book having at some time been kept in a damp place. Little notice, therefore, can be given of this incorporation. It was one of the rules of the wrights, that no unmarried man was permitted to take an apprentice; and as it was the custom until about the beginning of this century for apprentices to reside with their masters, the rule appears to have been general in all the crafts. An 'essay' of work was required from every person applying for admission as master. In 1810 the admission fee was fixed at £20.

Coming last in order of time, the Bakers modelled their acts on those of the other trades. Those with regard to the admission of apprentices, servants, and masters are almost literal transcripts of the acts of the tailor craft. In 1806 the admission fee for persons who had served a regular apprenticeship was fixed at

£12; in the case of others, £20. On the special privileges of the craft being abolished, the admission fee was reduced to £1, 1s.

In 1765 the bakers bound themselves 'not to make light bread, or to undersell their neighbours, or to give rolls, biscuit, or other bounty with any quantity of bread.' An act was passed by the deacon and his council in 1766 against hawking bread from door to door and through the streets. Offenders were to be fined £10 Scots, and to be deprived of the privileges of the incorporation. It was usual for people to provide their own flour to be baked. This explains a resolution come to by the trade on 22nd December 1766, when it was agreed 'not to bake customers' flour under 3d. the peck, on account of the rise of barm.' The price was further increased in 1792, when it was ordered that those who charged less than the price agreed upon by the trade should be fined.

John Caird, a confectioner from Montrose, opened a shop in Arbroath in 1794. The incorporation took notice of him immediately. He compounded with them by paying £1 and the dues to the box, 'for the right of making shortbread, plumcake, and other confectionery, but without obtaining any other rights.' A similar arrangement was entered into with John Mann, confectioner, in 1812, and in the following year with David Kyd, confectioner.

The trade entered into a litigation in 1800 with Robert Lindsay of Almerie-close, in defence of their exclusive privileges. Previously, about the year 1770, there had been an invasion of those privileges by Mr Carnegie, Balmachie. Mr Carnegie sent bread to the town on market-days, which he was entitled to do, and it was lawfully sold at the cross or in the market. Afterwards he opened a shop which was not situated in the market-place; and as this act was an invasion of the rights of the craft, his bread was confiscated. Mr Lindsay, who had erected a bakehouse in connection with his brewery at St Vigeans, had gone a step further than Mr Carnegie, inasmuch as he sent carts into the town daily with his bread, which was vended through the streets. The incorporation having raised an action in the Court of Session to interdict him from doing this, Mr Lindsay averred in his defences that the town was not in a flourishing state; that there was not much employment for the trades which supplied the wants of the people; and that as to the bakers, most families baked their own bread. The bakers, it was added, had accordingly no great business; and in the recent scarcity, when the price of grain rose enormously, they were unable to buy it, and the generality of their customers were just as unable to pay. Mr Lindsay contended that the bakers purchased flour of an inferior quality, and, under the protection of an Act of Parliament, exposed 'uneatable bread' for sale. About that time there were like complaints in other towns, including Edinburgh. Mr Lindsay represented to the Court, that a large number of the inhabitants of Arbroath had earnestly entreated him to supply them with bread. He carried on an extensive brewery, and exported grain; and the people, he said, asked him, as a matter of compassion, to erect a

bakehouse and oven. He supplied them, he stated, with wholesome bread at reasonable prices; and he had even been asked by the Magistrates of other towns to supply the people of those towns also. The bakers denied Mr Lindsay's statements, and further pleaded in court that, by erecting a large brewery, he had put down all other brewers; that he had thus got command of the yeast, and raised the price so that the bakers could not buy it.¹ The result of the litigation was that the incorporation gained, but the case is said to have cost them about £300 in expenses.

Encouraged by their success against Mr Lindsay, though it was got at a price which drained their resources, the bakers proceeded with vigour against a number of smaller people, invaders of their monopoly. In 1811, poor women were fined, and some of them, in default of paying the fine, were imprisoned, for hawking bread through the streets in baskets. Their baskets and towels were confiscated. A process was raised in the Sheriff Court of Forfar against a baker in Wardmill Croft, and one in the Abbey lands, for allowing their boys to sell bread within the royalty. The offending 'outland men' were fined. Such prosecutions by the bakers continued down to the passing of the Act of 1846 abolishing the exclusive privileges of trade incorporations.

CHAPTER III.

THE TRADES IN THEIR RELATION TO RELIGION AND MORALS.

THE various trades were from an early period closely associated in their incorporated capacity with the Church. Each craft had its patron saint; and when in any burgh the craftsmen obtained their seal of cause, or charter of incorporation, they were generally taken bound to do something for the service of God. Before the Reformation, this something commonly took the form of payments for the support of an altar within the church of the burgh. That of course ceased when altars were abolished in Scotland; but the incorporations of craftsmen continued to take a lively interest in matters of religion and morals as affecting their own members. The Arbroath trades having been incorporated subsequently to the Reformation, their acts relating to the Church bear upon the new state of things which was then established. What appears to be the earliest of them is one of the Convener's Court, entitled 'Anent the Keeping of the Kirk.' This act required the members of the trades to attend church on three days of the week, besides Sunday,—¹Monday and Saturday to the lecture, and Wednesday to

¹ Law Papers in the case.

the sermon, all in one week.' It was likewise required 'that all the whole deacons, servants, and prentices shall keep sermon upon the Lord's-day; also that the whole free masters shall sit in their own lofts and accustomed places.' Deacons absenting themselves from public worship were to be fined 6s. 8d., and mastermen 4s. 8d., the money to be bestowed for pious uses. This act must have been passed shortly after the Reformation, at the time when the Church had frequent week-day services for the instruction of the people in its doctrines. Those week-day services in Arbroath at that time were commonly held in the morning, between the hours of eight and nine o'clock, and during the time that they lasted all work within the burgh was strictly forbidden.

The deacons and councils of each trade made acts in support of that of the Convener's Court, requiring the attendance of masters, servants, and apprentices in the places allotted to them in the galleries of the church. They were not only ordered to go to church; but if they went there and sat or stood in any part other than that belonging to the trade, they were liable to be fined. The fine of the glovers for this offence was 2s. Scots. If a master glover absented himself from the church on the Lord's-day, or during week-day service, he was fined 6s.; apprentices so offending were fined 2s. each. There was a complete order of precedence among the members of the trades in taking their seats in the church. Thus it was a law of the glovers that 'none shall sit in the fore seat of the loft in the kirk but such as are free masters of the trade and married men, and that none shall sit in the second rank but freemen of the trade.' As usual, pecuniary penalties were imposed for violations of this law; but there was an exception in favour of 'strangers who might happen to seat themselves in the trade's loft.' The rules of precedence were carefully attended to, not only in each trade, but as between their whole body and the Guildry Incorporation. In 1776 there was a dispute as to whether the Convener or the Dean of Guild should sit uppermost in the Magistrates' gallery in the church. The right of the Dean had been challenged in the interest of the Convener; but he protested that 'his predecessor had always had the preference, and that he would keep it till he was deprived in a legal way.'

The shoemakers passed an act in 1654, requiring 'the deacon and his councillors to sit every Sabbath in the foremost rank in the loft.' Another clause of the same act suggests the notion that at that time the decorum of public worship was liable to interruption; for it was considered necessary to enact that 'whatever person, master or servant, shall make any tumult in the kirk, or offend their neighbours, the master shall pay 40s., and the servant 20s.'

The weavers had a very precise act with regard to precedence in church. It was 'ordained by the major part of the mastermen of the craft, for keeping decent order in the loft on the Lord's-day, that no person presume to sit in the foremost rank of the loft but the deacon and his councillors, or some of older age or ancient forbears [ancestors], whom the deacon shall name. Transgressors shall pay for pious

uses 8s. Scots.' In 1653 the trade was allowed to erect seats in the south-west loft of the church. The weavers made the following enactment on 26th December 1728 with regard to attendance at week-day services:—

'The deacon, with consent of his council, and whole remanent masters of the craft convened for the time, taking into their mature deliberation how far it mightily tends to the glory of God, the welfare of people's souls, the promoting of godliness in this our royal burgh; and likewise considering that God hath dispensed among us the free dispensations of His gospel ordinances, in promulgating to us the free offers of grace conform to His written word; and seeing it is the badge of all Christians to obey the law of God, in hearing and keeping the Lord's-day, in frequenting church ordinances; and likewise it being the practice of this place that sermons are to be observed weekly on Wednesday, in hearing sermon and God's will revealed to us: they statute, enact, and ordain the third part or division of the said incorporation each Wednesday to frequent and attend the church ordinance or weekly sermon (if any be); and all contraveners hereof to pay one shilling money for each weekly sermon's absence, and that for the use of the poor allenary [only]; and ordains their officer to attend each Wednesday in the church, and to give in a list of the absents (a reasonable or relevant cause [excuse] being always allowed), considering always that it is no ways prejudicial to the said incorporation to bestow one day in three weeks for their souls' benefit, besides their bodily recreation and cessation from labour.'

In 1823 the weavers resolved to let by auction their front seat in the gallery. Attendance at church had ceased by that time to be a matter of regulation.

The incorporation of tailors required the brethren of the craft to 'keep the kirk on the Sabbath days and other days requisite, as becometh good Christians.' The usual penalties were to be inflicted for a first offence against this law; in the event of a second or third fault, if no sufficient reason for absence could be given, the delinquent was to be handed over to the Magistrates, his case being 'referred to the determination of the Judge Ordinary.' The act further provides: 'It is also ordained, that every masterman shall be accountable for their prentices and journeymen and servants, that they shall keep the due and lawful ordinances as becometh on the Lord's-day; and it is hereby declared that every journeyman, prentice, or servant who shall happen to disobey this act, they shall be liable to the punishment and fine the deacon and his council shall impose upon them.'

In the year 1810 the tailors had a remarkable litigation about their church property. In the palmy days of the incorporations no women were allowed to sit in the lofts; but in 1810 the tailors found that 'the practice had lately crept in of members' wives and children taking up part of the trade's loft, to the detriment of the trade interest.' The majority of the trade ordered the wives and children to be removed; but notwithstanding this order, 'Charles Herd and others brought forward their wives' on the following Sunday. These offenders were taken before

the Convener and his Court, who decided against them; but Mr Herd appealed to the Magistrates, who decided in his favour. Thereupon the trade took the opinion of counsel, and ultimately it carried the case into the Court of Session, where Lord Meadowbank gave judgment against Mr Herd, but without finding either party entitled to expenses. The wives were thus excluded from the loft by the authority of the Court of Session. But the expenses of the action were such that the trade found it necessary to sell part of the property in dispute. It disposed of its upper gallery in the church to the glovers.

The hammermen, wrights, and bakers had laws, similar to those already quoted, for enforcing attendance at church. Apprentices on their admission acquired the right to a seat in the trade loft. About the year 1770 the bakers enacted that the apprentices should have seats 'if they behaved themselves decently there, and were quiet.'

Besides the members of the incorporated trades, the shipmasters and sailors, the company of brewers and maltmen, and the master of the Grammar School and his scholars, had seats in the galleries of the church. At the division of the church in 1763 the Presbytery allotted the galleries thus: In the east end of the church, the first to the shipmasters and sailors, and the second to the brewers and maltmen; north side of the church, the Magistrates and Town Council; east side of the aisle, the hammermen; the north end of aisle, tailors, and the scholars with their master; west side of aisle, bakers; north side of the church, shoemakers; west side of the church, one division to the weavers, and the other to the wrights. The wrights had the privilege of erecting an upper gallery in the north end. Such a gallery was afterwards erected, as also one in the north end of the aisle. The interior of the old church must have presented a curiously regulated appearance when the galleries were occupied by the various classes to whom they were allotted,—the women, and all of the male sex who were not craftsmen, or sailors, or brewers, or school children, being accommodated in the area of the church.

Sabbath observance was legislated for by the trades. An act of the hammermen provided, that 'if any servant or prentice be found dancing, playing, or drinking on the Lord's-day, in time of Divine service, he should pay for each time 2s. by and attour [over and above] the Church censure.' The act seems to imply that when it was passed it was permissible, so far as the authority of the trades was concerned, to dance, play, and drink during that part of Sunday which was not devoted to public worship. The shoemakers had an enactment to the effect that 'if any master or servant of the trade should work, labour, or travel on the Lord's-day,' he should pay certain fines to be devoted to pious uses; but 'a weighty and relevant reason' for work or travel was to be admitted in bar of fine. The weavers also imposed a fine for working or travelling on Sunday. The law of the wrights on the subject was similar to that of the shoemakers. The wrights, it may be

mentioned, were in the habit, on admitting members, of exacting what they called an oath of piety and obedience to the Magistrates and the trade. In 1779 the glovers made manifestation of their piety by petitioning Parliament against the repeal of the penal laws, but the deacon (Kyd) declined to sign the petition, and a member of his council was appointed to sign it in his stead.

An act of the Convener's Court required all deacons and masters of the crafts to have worship in their families. Contraveners, besides being fined, were to be called before the Session, by whom they were to be censured. Moral influence was of very little account in those days; fines and stripes were brought to bear by the ruling authorities in the trades for the purpose of keeping in order those persons who were under their control. The following is an act of the Convener's Court:—

'It is statute and ordained, that ilk masterman of the several trades shall have a palm in their house for ordering and punishing those within their families who take the name of God in vain, and to punish every one, who rashly swears and utters an oath, on the hand with the palm. Then, after sundry and divers admonitions, if there be no amendment and refraining from swearing and abusing of God's name, the prentice shall pay twopence, and the journeymen fourpence. If they have no money to pay, the deacon, or masterman, is to keep an account of their faults. The prentice shall not get his discharge till the outmost [uttermost] penny be paid; and the journeyman to allow it in the first end of his fee [first of his wages].'

It appears from the laws of the several crafts, that for faults against morals corporal punishment was frequently inflicted at sight of the deacon and his council. In the shoemakers' craft, the following act was read to every apprentice on his admission:—

'It is statute and ordained, at what time a prentice shall be received in prenticeship, conform to the acts formerly set down, he shall be a faithful and diligent servant to his master, and shall never hear, see, nor know of his master's skaith or damage in his goods or good name, but shall stop the same according to his power, and shall incontinent reveal the same to his master. Next, it is ordered, if the prentice be a pycker, or stealer, he shall, in presence of the deacon and mastermen of the trade, be scourged with whips to the number of forty stripes, for the first, and if he continue in pyckery, he shall be punished in his goods and gear; and if he shall yet continue in his thefts, he shall be banished out of the town, and shall lose all sums of money, goods, and gear which his parents or friends disbursed for his prenticeship. Thirdly, it is ordained, that if it happen the prentice to be away-runner from his master, or be adulterer, or fornicator, or a profaner of the Lord's-day, then he shall be punished as the pycker and committers of theft, as is above written, for the first, second, and third fault, without any exception of persons.'

Acts similar to this were in force in each of the crafts, and in all the regulation

number of stripes was forty. In an act of somewhat late date, the hammermen, in place of personal chastisement, imposed a fine of 40s., besides the censure of the Church, in cases of violation of the Seventh Commandment; in the other trades, scourging at the sight of the deacons and masters also ultimately ceased. But fines for moral offences were rigidly exacted as long as the incorporations retained any influence over their members. The shoemakers fined those of their number who blasphemed or molested others in getting stands or rooms at markets. This incorporation had an act which was intended for the keeping of order when the deacon and masters were assembled 'for correcting of servants,' in the times, that is to say, when the correction was of a corporal character. The act provided that 'at the meeting, if there happen to be injurious words, drawing of weapons, or any bodily harm committed, by whatsoever person, in that case the person who commits any of the points above written, shall pay for the first fault, five shillings; for the second, ten shillings, and shall humble himself before the deacon and remanent brethren of the trade, there to underlie such correction as shall be appointed by the deacon and remanent brethren to the offender.'

The shoemakers required that their deacon and his councillors should be 'the gravest and ablest men' of the craft; and that 'the deacon should be in life without any excuse whatsoever,'—by which was no doubt meant any occasion for excuse. However, the Convener's Court provided for the contingency of deacons, as well as less honoured members of the crafts, not being entirely blameless characters. It was ordered by the Court that each deacon should 'mark and notice every one of his trade' to see that they did not drink too much. If a master was found drunk, he was to pay 4s.; a journeyman, 2s. It was added: 'And if the deacon shall be noticed to be drunk, he shall be censured by the rest of the deacons.'

Since the abolition of the exclusive privileges of the craftsmen, the importance of the incorporated trades has passed away. Two of them, the tailors and wrights, are extinct; the weavers, which at the date of the publication of the first edition of this work were in much the same position, have of late years been revived. A united meeting of the Trades continues to be held annually at Michaelmas for the election of a Deacon-Convener, who is a trustee of local charities. The records of the trades, which generally are well kept, are worthy of preservation in some public place, as embracing many curious and interesting particulars with regard to the state of the burgh in the olden time.

CHAPTER IV.

THE GILDTRY INCORPORATION.

IN the order of time, incorporations of craftsmen take precedence of guilds of merchants. In the burgh of Arbroath, the Guildry is younger than the youngest of the trade incorporations. The earliest known movement of the Magistrates towards constituting a guildry, in accordance with the powers conferred upon them by the burgh charter, took place in 1715. In that year the Town Council presented a petition to the Convention of Royal Burghs craving the Convention to appoint some of the adjacent burghs 'to settle such a plan as might be most convenient for the common interest of their burgh so as they may proceed to elect a dean of gild and council.' The Convention appointed a committee to adjust a plan and report, and they remitted to the same committee a petition from the trades of the burgh in reference to the proposed guildry. Subsequently, however, it appeared, or at any rate was alleged, that the commissioner for the burgh, Provost Hutchison, acted on his own responsibility in this affair, and contrary to the wishes of the inhabitants. The following record on the subject was made by the Convention on 7th July 1716 :—

'The Convention, anent the petition given in be Patrick Wallace, senior, commissioner for the burgh of Aberbrothock, for himself and in name of the rest of the magistrats town council and burgesses, showing that whereas in the general convention of the royal burrows in July 1715, the commissioner for the said burgh did, contrare to the inclination of the inhabitants thereof and without any instruction from his constituents, apply to the convention for appointing some neighbouring burrows to meet at Aberbrothock for adjusting a plan of settling a gildrie and choosing a dean of gild and a gild council in the place, contrare to the rights and priviledges thereof formerly practised, and to the set of the burgh given in and registrat in the burrow books, and at reading the missive last day before the convention it was suggested and told by some of their neighbouring burrows, who were nominat and appointed by the convention for adjusting the said new plan, that the proposal lookt rather like to be a party work than anything for the

advancement of the towns interest; as also that their peer and herbour, what through the neglect of the former magistracy and the violent stormes of the last winter, was altogether ruinous, yea almost razed to the ground, which if not helped in time would tend to the utter ruine of the burgh and be a disadvantage to ships either north or southward bound, seeing they would want sheltering there as formerly when they meet with contrary winds, and the burgh was so far under that they could not perfect such a work themselves without the assistance of the royal burrows, and therefore craving the convention to rescind the act made in July last appointing a new plan to be adjusted for the said burgh, and to interpon their authority to said declare the plan already given in and recorded as said is to be the only plan agreeable to the town of Aberbrothock's constitution, and likewise to appoint some of their number to right the condition of the peer and herbour, and to report against the next convention; as the petition.

signed by the said Patrick Wallace, bears. Which being considered by the convention they rescinded the foresaid act of the last convention in July 1715, and appointed the plan recorded in the burrow books to be the only rule to be observed in time coming by the magistrats and council of

the said burgh of Aberbrothock; and appointed the burghs of Dundie, Aberdeen, Montrose, and Brechin, or any two of them, to visit the herbours of Aberbrothock and report the condition thereof to the next annual convention.'

The proposal to erect a Guildry was only a little premature. A few years later, and doubtless as the result of a bargain made by the Town Council with the merchants regarding the harbour, it was approved by the Council, and on their petition was again brought before the Convention of Burghs. The Convention, the one which met in July 1725, decided thus:

'Upon report from the committee appointed to consider a petition from the burgh of Aberbrothock craving the Convention to ratify ane act of their town council for establishing ane dean of gild and gildrie, to which they are entitled by their charter of erection, to which all the inhabitants of the town are consenting, the Convention remitt the same to the annual committee to grant the desire of the petition upon the committee's being satisfied of the

unanimity of the said burgh for erecting the said dean of gild and gildrie; and in order to facilitate the matter the Convention appoint the burghs of Dundee, Montrose, and Brechin, or any two of them, to repair to the said burgh with all conveniency and there to enquire into the truth of the said fact and immediately thereafter to inform the preses of the annual committee that the affair may be proceeded in and determined accordingly.'

The enquiry which the Annual Committee were instructed to make resulted satisfactorily, and accordingly the Committee, as authorised, granted confirmation of the Town Council's seal of cause in favour of the Guildry. It was granted in these terms, at a meeting of the Committee on 6th September 1725:

'The annual committee taking to their consideration a petition presented to the last general convention from Patrick Wallace, merchant in Aberbrothock, for himself and as having commission from the other merchants in the said burgh, shewing that by charter of confirmation granted to the said burgh by King James the Sixth they were incorporated and erected into a free burgh royall, with power to the free burgesses and inhabitants thereof to choose provost, baillies, dean of gild, gild brethren, councillors, and other officers necessary for governing the said burgh; and that notwithstanding the said charter expressly names a dean of gild and gild brethren yet the government of the said burgh has ever since been only by a provost, baillies, thesaurer, and council, to the great loss of the trading people within the same, who are destitute of these rules and regulations in trade which properly belongs to the office of a dean of gild and gildrie, and also setting furth that upon the merchants

advancing a certain sum of money for building a peir and harbour in the said burgh, which lyes very commodious for trade, the magistrats and town council had made ane act of council, dated the thirty-first of Aprile last, for establishing a dean of gild and gildrymen within the same, after the modell and with the lyke powers and priviledges that the burghs of Pearth, Dundee, St Andrews or Brechin, doe enjoy the same, and therfor craving the convention would ratify the said act of the town council and ordain a dean of gild to be chosen against the usual time of election who is to be a councillor *ex officio*, and als to choose gildrymen in the manner sett furth in the said act of council and as any of the forenamed burghs doe enjoy the same; and the annual committee having also considered the thirtyeth act of the last annual convention, whereby the aforesaid petition was remitted to them and they empowered to grant the desire thereof upon their being satisfied of the

unanimity of the inhabitants for establishing the said dean of gild and gildry in the said burgh; and the annual committee being now satisfied by the report of George Ramsay and John Doig, commissioners for the burghs of Dundee and Brechin, to whom the inquiry into the said matter was remitted by the convention, that the hail inhabitants have unanimously agreed to the erection and establishing a dean of gild and gildrie in the terms of the said act of council, therefor the annual committee of the royal burrows doe hereby ratify and approve of the abovementioned act of the town council of Aber-

brothock, for erecting and establishing a dean of gild and gildrie in the said burgh in the terms and according to the modell of the burgh of Brechin, with power to them to elect the said dean of gild at their next election of magistrats in the said burgh who is to be chosen either from among the members of the town council or one out of the same as the gildrymen shall think fitt, and who is to be ane councillor *ex officio* and als to chiois a gild council in the same manner and with the same powers and privileges as the gildry enjoys in the said burgh of Brechin.'

The first election of a dean of guild took place on 27th September 1725. There were present at this first meeting of the incorporation: Patrick Wallace, preses, Robert Dall, Robert Renny, John Phillips, John Gellatly, Harry Maule, James Carnegy, Thomas Wallace, sen., Thomas Wallace, jun., James Wallace, James Doig, John Stevenson, John Mitchell, Dr James Maule, John Sturrock, John Webster, Patrick Dalgetty, John Mann, and John Renny. This list doubtless comprises the names of all the principal merchants in Arbroath at the time, besides one or two—Mr Harry Maule and Dr Maule—who probably had no close connection with the trade of the town. The incorporation consisted of the merchants, and also of other citizens who became members for the purpose of assisting with their entry-money the building of the harbour. At the meeting in September 1725, James Wallace and John Mitchell were put on a list as candidates for the first appointment of dean of guild, and by a majority of votes Mr Wallace was elected.

The right of electing the dean came to be a matter of litigation between the Guildry and the Town Council. Down to the year 1737, the successive deans were chosen by the members of the incorporation, but afterwards the Magistrates and Town Council assumed the right of election. This went on till 1767. In the year 1765, the Guildry had raised an action in the Court of Session, concluding to have it found that they alone were entitled to manage their funds, and to elect their dean and treasurer, and that the dean had a right to a seat and vote in the Town Council. On 12th June 1767, the Court gave a decision in this case entirely in favour of the Guildry Incorporation. The dean of guild at that time was Robert Wilkie, ship-master, who had been one of the bailies, and at the Michaelmas election in 1767 he claimed to be allowed to vote. It was contended by the Magistrates and Council that, as at Brechin, the dean was elected by them and not by the guild brethren, and that this had been the practice in the burgh for more than twenty-five years. They further stated that Mr Wilkie had only been elected by a factious party in the Guildry, who had no authority to call a meeting of the brethren. It was also argued that, even supposing they had such authority, several of the persons who voted

were disqualified because of their being constant hearers of a nonjuring clergyman, particularly Thomas Gellatly, John Stevenson, William Couper, John Peddie, Andrew Kyd, and George Nicol. The result of this opposition by the municipality was that Mr Wilkie withdrew, and the Council proceeded to elect John Renny to be dean of guild in room of George Kyd, who had demitted. Mr Wilkie again appeared before the Magistrates and Council at the Michaelmas election in 1768, and he then produced the declarator of the Court of Session in favour of the Guildry. Provost James Butchart answered that the Magistrates and Council intended to elect their dean as they had been in the habit of doing, in order that their case might not be injured in the event of their appealing to the House of Lords. Out of respect to the judgment of the Court of Session, it was agreed to receive Mr Wilkie as a councillor, but under protest. The Council did not, however, appoint him dean of guild; John Rolland was elected to that office, the Provost stating that the election was not in contempt of Court. In 1769 Mr Wilkie protested against the Magistrates borrowing any more money on the town's account, and he intimated that they would be held personally liable if they did so; but the Provost replied that he and the Council did not look on Mr Wilkie as a member of the Council, and that they would do what was for the good of the community. In the same year Mr Wilkie was succeeded by James Sturrock as the champion of the Guildry. Mr Sturrock, who had been elected dean by the incorporation, was admitted a member of Council, but under protest. The Council still declined to recognize the elect of the Guildry as dean of guild, although one of the members, Alexander Aberdein, supported his claim. David Wallace, jun., was chosen to the office. Ultimately Mr Sturrock was accepted as dean at a meeting of the Town Council held on the 24th April 1771. He and Mr Aberdein were leaders of a party who were in opposition to the ruling authority in the burgh at the time. The contention as to the right of electing the dean was not exclusively undertaken to maintain or restore the privileges of the Guildry; it was part of a proceeding intended to break up the closeness of corporate management, and to obtain an investigation into the financial affairs of the community. That proceeding, as appears from Part VI. of this work, was successful.

From first to last, the Arbroath Guildry has gone through a good deal of litigation. Its most unfortunate lawsuit was one which it had with the Brewers' Fraternity. In 1737 a contract was entered into by the Magistrates and Town Council, including the dean of guild for the time being, and the brewers, by which it was agreed that the whole of the fraternity, who then numbered twenty, should be admitted into the Guildry, and that they should be represented by two of their number in the Guild Council. In 1737 the Town Council was applying to Parliament for the right to impose a tax on ale, to enable it to pay off its debt, to complete the harbour, to rebuild the tolbooth, to repair the streets, and for other public works. The Act, which was for twenty-one years, was obtained

in 1738; and it was in consideration of their agreeing to it that the brewers were admitted, free of charge, to the Guildry, of whose funds the Magistrates had at that time the control. In 1818, the Guildry, reverting to this matter, resolved that the Magistrates had not been entitled to admit the brewers, and the incorporation agreed not to admit any members from the fraternity into the Guild Council. The case was taken into the Court of Session, and in 1822 the Second Division of the Court decided against the Guildry, with expenses, so that the brewers obtained a legal recognition of their right to be represented in the Guild Council. This litigation so exhausted the funds of the Guildry that it had to borrow £400. It appears that the incorporation was not satisfied with the manner in which its case was conducted; for a minute of a meeting which was held in January 1823 bears, that 'it was unanimously agreed that, in the event of the Guildry having occasion to employ a law agent in Edinburgh (which God forbid!), the Council be instructed to employ another than the one who had the conduct of the brewers' litigation.'

The privileges conferred upon the Guildry were much the same as those possessed by similar incorporations in other burghs. They were very extensive. The incorporation had power to prevent unfreemen from opening shops within the burgh, to sell, either in gross or by retail, any kind of merchandise, except on the ordinary market-days, which were days of free trade. Unfreemen were also excluded from importing or exporting flax, flax seed, hemp, porter, wines, wood, leather, coals, and other merchandise. The Guildry had jurisdiction in weights and measures; it settled the marches of properties, attended to encroachments on the streets, and had a general superintendence over all house property, with a view to its being kept in good repair. The Guild Court, before whom such causes were brought, could give or withhold approval of plans of any house to be erected within the burgh. Light bread offered for sale was confiscated by order of the dean of guild, and the bakers offering it were fined. In 1801 a baker at Stobcross raised an action against the Guildry for seizing light bread belonging to him. The Court of Session decided in favour of the incorporation. The bread was that of an 'outland man,' but it had been seized within the limits of the royalty. The incorporation made regulations for the stands of chapmen on market-days. Butchers and meal-dealers were frequently fined for light weight. Hawkers were seized for hawking goods in the burgh, and were fined. On one occasion, in 1814, a zealous shopkeeper laid hold of a hawker, and dragged him before the Guildry Clerk. The unfortunate pedlar was fined, but the shopkeeper was reprimanded for usurping the functions of the officer, without being called on by that official. The jurisdiction of the Guildry extended to the harbour; the Guild Court ordering the removal of obstructions from the quays. Forestalling the market was a heinous offence in the estimation of the guild brethren. In 1809 James Findlay was proceeded against for buying cargoes of coal at the harbour, and re-selling them at

an advanced price. Nine years afterwards, Robert Carnegie, meal-seller, pleaded guilty of purchasing a quantity of potatoes and disposing of them at a higher price at his shop by retail. He expressed contrition for his offence, pleaded ignorance of the law, and was fined a guinea.

The sons of the clergy were a privileged class with reference to admission to the freedom of burghs. The privilege appears to have been founded on a provision in the Church's Book of Discipline: 'The children of the ministeris must have the liberties of the citeis next adjacent, quhair thair fatheris lawbored, frelie granted.'¹ But the guild brethren of Arbroath were not disposed to admit the privilege unreservedly. In 1771, James Bell, merchant, was cited to appear before the incorporation's Council for the purpose of entering as a guild brother. His father, the minister of Arbroath, attended, and represented that it was the practice of the royal burghs to admit the sons of clergymen to their freedom without charge, or at a reduced rate. At a subsequent meeting, the Guild Council having meanwhile made inquiry as to the practice in other burghs, it was agreed to accept Mr Bell as a guild brother, he having paid £40 Scots in full of all admission dues. This was an abatement of one half from the ordinary dues. At a general meeting of the incorporation, the act of the Council was confirmed out of respect to the minister, and on the understanding that it was not to be a precedent. Another class even more favoured than the sons of ministers were persons who had served the king. They were entitled to carry on trade within burghs as 'king's freemen.'

About the year 1780 a number of landed proprietors in the county were admitted as guild brethren. This was done in face of a protest by James Johnston, who objected that those gentlemen did not reside within the burgh, or bear any of its public burdens. To this it was answered, that they were admitted in the interest of the Guildry funds, and on other grounds. The other grounds were not specified; but one of them, doubtless, was that the Guildry, in its social relations, served the purpose of a club. Indeed, the Guild Hall got converted into a coffee-room, or reading-room,—a character which it maintained till about thirty years ago,—and the premises were a good deal devoted to social recreation. About a century ago the hall was the place where were held the evening assemblies. Such assemblies were much more common at that time than now. The population of the town was smaller than it is at present, and there was less wealth, but the mingling with the burgesses of the county lairds, several of whom continued to reside in the burgh in the winter months, had not ceased. To adapt it for these evening meetings, the Guild Hall was supplied with lustres costing a hundred guineas; they were the gift of the Hon. William Maule, a bountiful patron of the social as well as of the educational and charitable institutions of the burgh. About that time also the masonic lodges, who largely favoured the non-ascetic side

¹ Knox's History of the Reformation, vol. ii. p. 198.

of life, held their meetings in the Guild Hall. They claimed to hold them there, or in the Town Hall, on the ground of prescriptive right.

At the Michaelmas election in 1767, Thomas Gellatly took the chair as preses, but he was objected to by David Wallace because he attended the ministrations of a nonjuring clergyman. This was a legal disqualification, and when it was urged Mr Gellatly withdrew; William Morgan, deacon of the glovers, being then elected preses. The objection to Mr Gellatly would not have been made had not party feeling ran high in the town at the time. The object of Mr Wallace was not to punish a person giving countenance to a nonjuror, but to maintain the ascendancy of his party in the Town Council. However, in church affairs, the Guildry showed their goodwill to the Presbyterian Establishment by purchasing seats in the Abbey Chapel when it was built. Those seats were for a long time let annually by auction. They were surrendered to the managers of the church on the occasion of the Abbey Chapel becoming the church of a *quoad sacra* parish.

The Guildry took more interest in political than in ecclesiastical matters. The members were strenuous supporters of burgh and parliamentary reform, and in that respect they expressed the opinion of the community generally. In 1789, when there was an appearance of a dissolution of Parliament, they petitioned the Magistrates, with whom lay the right of voting, that 'they would not be influenced by party or affection' in giving their vote, but would give it to the gentleman whom the community at large could place entire confidence in. In 1818 the incorporation supported the election of Mr Joseph Hume as member for the district of burghs of which Arbroath was one. The members had resolved that no one should be returned to Parliament for the district 'who would not pledge himself to vote for the protection of the liberties of the people; the reduction of large and unnecessary establishments; and, above all, a wise and timely reform in Parliament and the burgh system.' Mr Hume was elected; and it appears that through Mr Kenny, one of the members, he proposed to offer a 'compliment' to the Guildry. The hon. member wished the incorporation to say what he should present to them, and the brethren resolved to inform Mr Hume that they would accept a gold chain, to be worn by their dean when acting in his official capacity. But it appears that the Guildry were not allowed the opportunity of 'accepting' the chain. Possibly Mr Hume did not care to do anything to feed the official vanity of the dean; at all events, the incorporation did not get a gold chain; and it is said that for a time the upshot of this curious incident in Mr Hume's political life told somewhat against that gentleman with a portion of his constituency in Arbroath, although their disappointment in the matter of the chain was not allowed by the guild brethren to stand in the way of their continuing to support the Liberal interest in Parliament.

In 1823, at a general meeting of the Guildry, Mr David D. Cargill moved to the effect that merchants should not be compelled to enter the incorporation, &c.

might be allowed to trade by paying a moderate fine. This motion was rejected by a large majority. But before ten years had passed away opinion in the matter was considerably advanced. The old system of burgh management was breaking up. The Burgh Reform Act, passed in 1833, took away from the dean of guild his seat in the Town Council; and since then, a member of the Town Council, generally known as the Council Dean of Guild, to distinguish him from the dean of the Guildry Incorporation, has discharged the legal duties which previously fell to be performed by the Guildry. In 1833, after the passing of the Burgh Reform Act, Mr John Allan Anderson sought to persuade the brethren of the Guildry that their trade monopoly was at variance with sound commercial policy; but his motion to that effect was rejected at a general meeting, the members being of opinion that, in view of the appointment of a Royal Commission to inquire into Scottish corporations, it was in the meantime undesirable to introduce changes in trade. The matter came up again in 1834, when a committee was appointed to consider whether the institution should be remodelled, or altogether abolished, and the funds divided among the members. It was resolved to maintain the incorporation, but its members were wisely anticipating the abolition of all exclusive privileges of trade.

When the Guildry lost its trade privileges, as it did by the Act of 1846, and its share in the local government of the burgh, there was no longer much inducement to persons to become members; and during the ten years between 1845 and 1855 no new members were added to the roll. A century ago the annual meetings were attended by about 130 members, and this number kept up as long as the power of the incorporation continued. In 1855 the number of resident members was seventy-five. In that year, in order to recruit the membership, the fee for admission of strangers was reduced from £8 to £2 2s.; and the fee for the sons or sons-in-law of members was fixed at £1 1s. A year afterwards the Court of Session, on being applied to, sanctioned two bye-laws for the Guildry, which have had the effect of converting it into an endowed friendly or benevolent society. It is provided by these bye-laws that the annual income of the incorporation shall be applied first in payment of interest on borrowed money, and other burdens, and in providing a sinking fund for the liquidation of debt. The remainder of the annual income is to be divided among decayed and indigent guild brethren, poor widows and children, and other descendants of guild brethren in poor circumstances, and after these claims are met, among such poor citizens of Arbroath as the Dean, Treasurer, and Guild Council shall consider most deserving. The yearly maximum allowance to each pensioner is not to exceed £8, and power is given to spend part of the money on the education of children. The second of the bye-laws provides that when the membership of the incorporation shall be reduced to twelve, the management and distribution of the funds shall devolve upon the Magistrates and town treasurer, along with the dean and the treasurer of the incorporation.

The incorporation, however, can admit new members, and many have been admitted since the bye-laws were passed. The property consists of the Guildry Buildings in High Street—accidentally burned down in October 1880, but rebuilt—the *Arbroath Guide* newspaper printing and publishing offices, and the feu-duty of the Mechanics' Institute premises. From the abstract of the Guildry accounts for the year to Michaelmas 1898, it appears that the value of the incorporation's property, together with money belonging to it, was then £3946 10s. 10d. There was, however, a debt of £400, so that the nett value of funds belonging to the incorporation was £3546 10s. 10d. The sum paid for the year to Michaelmas 1898 as alimont to widows and poor members was £96. The arrangement made in 1856 did not for the first time introduce the system of spending part of the funds in charity and education. During the forty years previous to that date, upwards of £1500 had been so expended.

CHAPTER V.

THE ABBOT'S HARBOUR.

TO contribute towards the formation of a new harbour was the main purpose for which the Guildry was incorporated, and for this purpose the merchants agreed to raise the sum of £500, by shore dues levied on the local trade. This harbour was preceded by a haven of much older date. The first shelter for shipping at Arbroath was that which came to be known as the Abbot's Harbour. It was built about the time when trade began to revive in Scotland, after the wasting wars with England. The parties to its erection were the monastery of Arbroath, then governed by Abbot John Gedy, and the burgesses. A formal covenant was entered into between the two. This interesting document bears the date 2nd April 1394. Mr Innes says: 'As it is the oldest, it is also perhaps the most curious and interesting of the records of harbour-making and also of voluntary taxation in Scotland.'¹ The following is Mr Innes's summary of the document, the original of which is in Latin:—

'The indenture sets forth the innumerable losses and vexations long and still suffered for want of a port at Arbroath, where traders with their ships and merchandise might land. On the one part, it is agreed that the Abbot and convent shall, with all possible haste, at their expense,

make and maintain, in the best situation, according to the judgment of men of skill, a safe harbour for the burgh, to which and in which ships may come and lie, and have quiet and safe mooring, notwithstanding the ebb and flow of tides. The burgesses, on the other hand, are to clear the

¹ *Registrum Nigrum de Aberbrothoc*—Preface, p. xviii.

place fixed on from sand and stones, and all other impediments; to fill with stones, and place the coffers required for the harbour, under the direction of the masters of the work; to find certain tools necessary for that purpose, — namely, spades, iron pinches, and *tribulos*?, at their own expense; the other instruments to be found by the Abbey. And because in the foundation of the harbour much labour and expense are required, more than the burgesses could bear, the burgesses shall pay to the Abbot yearly three

pennies from each rood of land within the burgh, in addition to the three pennies now paid,—the additional rent beginning the first year that one ship can safely take the harbour, and there have safe berth, notwithstanding the ebb and flow of the sea. And if it should happen, as God forbid, that the harbour in process of time fail, by negligence of the Abbot and convent, or any accident, the payment of the three pennies shall cease till the harbour be repaired.¹

The deed was witnessed in common form by David de Lindesay, lord of Glenesk; John de Lindesay, lord of Wauchope; the rector of the church of Fern;



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the perpetual vicars of the churches of Aberbrothoc (St Vigeans) and Inverkeilor; Alexander Skrymgeour, justiciar of the regality of Arbroath; Philip de Lindesay; John de Conan, lord of Conansyth; Andrew de Malaville; John de Setoun; William Scot and Robert Eme, bailies of the burgh of Arbroath, '*ac multis aliis*.'¹

This, the first of the Arbroath harbours, was a wooden pier resting upon an embankment of boulders. It was in the shape of a bent arm, projecting from the small promontory now called Danger Point, and turning westward. The space which it partially enclosed thus lay in front of the street called Old Shorehead. The harbour continued to be under the joint management of the monastery and the burgesses as long as the former had any existence. The customs, however, about the year 1357 were taken possession of by the Crown, along with similar dues at

¹ Registrum Nigrum de Aberbrothoc, pp. 40-42.

other harbours, as a contribution towards the sum required for the ransom of David II. from captivity in England. A renewed grant in favour of the Abbey was made by James V., 10th January 1529-30. It is as follows :

'Whereas the abbot and convent of the monastery of Abirbrothok had been infeft by king David Bruce and other predecessors of the king in the great customs of all goods below the burgh, harbour and regality of Abirbrothok, viz., of all the lands of said monastery and regality in Scotland, with power of having coquet which should be as sufficient for said goods as the coquet of royal burghs, and with the customs and *trone* below said burgh; and whereas they were lately

disturbed in the collecting of it by the officers of the king's predecessors, by means whereof the harbour of said burgh became wholly destroyed for want of repairs, and on that account said burgh has become completely impoverished—for the good service of David, abbot of said monastery, keeper of the privy seal, with the consent of the treasurer ratified the gift of said customs &c. made by said king David and other kings, to be held in pure charity.¹

The harbour had thus fallen into a dilapidated state, and that is the condition in which it is found in the first notices given of it in the records of the burgh. The earliest of these notices is dated 7th February 1528 :

'It is ordand be the balzes with awyse of the hail nychbouris at all the town be dividit in four pairtis to laubour for the red [clearing] of the hawin and at ilk quarter laubour thair da about for the red of the samyne sa lang as my lord and his chamerlane and the nychbouris thinkis expedient and at the quarter masteris pund for the absentis and tak for the pund viijd.' A fine of eightpence was thus imposed on any inhabitant who absented himself from this duty.

It was found necessary not only to clear the harbour of sand and stones, but to renew the pier. In 1529, a number of trees were bought at South Ferry (Tayport) by four burgesses,—J. Seras, W. Farar, Stephen Mar, and J. Ramsay,—who each advanced £5 as the price, and the trees were used in renewing the pier. The four burgesses named had come under an obligation to the Abbot and convent 'for the biggin of the haven,' and the Town Council granted them 'ane awtentik writine, onder the common seill of the burgh,' for their relief. The following is the contract which the Council entered into on 6th April 1529 with the wood merchant at South Ferry for the supply of a hundred trees :

'The quhilk da the balye n[inian] l[yell] and the common consall conuenit in the tolbwth at ij houris efter noyne and thar comperit jhone gregre in the south ferre and sellit to the saidis balzes and consall ane c aikyne [oaken] treis of xxij feitt lang and viij juche of the squayr on euery part price of the peice vjs and sall deliuer the same apon the shoyr of arbroth fre for the said price of sex s the peice wynd and wethir seriuand him god willand betuix this da and the xv da of may next and immediat followand the dait of this present act and gif the sad jhone deliueris nocht sa mony of the sad lyncht [length] he sall deliuer twa treis for ane tre of the same ilk half tre contenand xiiij feitt of lyncht and jhone seras ste. mar jhone rany and w. farar hes deliuerit ilkane of thaim fiwe lib till the sad jhone in part of

¹ Reg. Great Seal, 1513-1546, No. 889.

pament of the said hundreth treis and quhar he deliueries the thrid pairt of the said c treis of xxiiij xxvj fut of lyncht and vij jnche of the squayr thaj salbe resaut in the name of the sad c treis and for the obseruyng of this present act and contract for the part of the sad jhone he byndis and oblis him self his ayris executouris and assignais to fulfill the same be the day abon writine as sad is and haldis him weill content and pait of the sad sowme of xx lib abon writine in part of pament and the same da the said jhon hes sauld to the sadis balze and consall all the gyrtstengis our heid price of the hundreth vjs viijd.'

There appears to have been delay in the delivery of the trees, for it was not until the following year that the work of rebuilding the pier was begun. The contract entered into with the tradesman, Andrew Dempster, Dundee, who did the work, is also preserved in the oldest record of the Corporation, and is as follows :

' Appunctment and agrement of a bulwark biggin of the hawyn of this burght [of] arbroth.

' At arbroth the fyrst da of august the yer of god ane thousand v^o and xxxty yeris jt is appunctit and agreit betwix the balzes henrj gut[hrie] n[inian] l[yell] consall and communitie of the burght of arbroth on that part and an^{ro} dempster wrycht burges of the burght of dunde on that vder part in maner forme and effect as efter followis that is to say the said an^{ro} sall enter god willand with fyf seruandis on the xvi da of this jstant moneth to the biggine of the bulwark of the hawyne of this burght and sall bynd the pannall in guid and sufficient bulwark of the lyncht of the soyll as jt fallis of lyncht for four merkis ilk dwbill pannell bulwark and sall wyrk furth all the sad bulwark in pannellis of the sad price ay and quhill it be endit and sall sett the saim on feit the toun helpand tharto and the bounte of the sad tounne to be gewyne to the sad an^{ro} at the sycht of the suprior dane jhone bad and the balzes forsaid and thome baw^{ar} and dane da^d cay jn witnes of the quhilk the sadis balzes and an^{ro} hes subscriuit this act with thar handis and the sad an^{ro} with his hand at the pen and the balzes at the command of the consall henry guthre with my hand ninian l[yell] with &c androw wrycht with my hand at the pen.'

From entries in the record about the year 1538, it appears that a portion of the rents of the common-folds, and other parts of the common good of the burgh, were applied to 'byg up the hawyn.' A 'maister of wark' was appointed. Here is the most ancient engagement on record of workmen at the harbour, the date being 1539 :

'Thir ar the personis that var feit [hired] to the hawyn be the command of p. p. and j. scott baillies the first day t. b. s. cottis jhone wil rany thar feis ijs jtem in bred and ail ijs vjd with the quarter of the toun that bwr the pannal.'

About fifty or sixty years after Andrew Dempster had rebuilt the pier with the wood purchased by the Town Council from the merchant at South Ferry, the harbour was again in a ruinous state. At the Aberdeen Convention of Burghs in

1590, supplication was made by Arbroath, 'craving support to the reperalling of their decayed harbour.' This petition was referred to the general Convention held at Montrose in 1591, at which it was agreed to give £60 for the repair of the harbour. An unlay imposed upon the burgh at the Dysart Convention was remitted in 1595, on the understanding that this money also was to be spent in the same way. At Crail, in 1610, the burgh again appeared, by David Ochterlony its commissioner, as a suppliant in the matter of its harbour. The supplication was continued to the Arbroath meeting of the Convention in 1612. The principal reason for the meeting at Arbroath was doubtless to give the representatives of the burgh an opportunity of seeing the harbour. The Convention came to a resolution upon the subject on 9th July 1612, in which it admitted the necessity of the work, recommended the burghs to grant voluntary contributions for carrying it on, Arbroath to 'make account to the burghs of the whole sums received and to be received by them, and employment thereof to the said work.' In accordance with this deliverance by the Convention, the Town Council of Edinburgh, in April 1613, gave 250 marks for the repair of the harbour. Bailie Ochterlony had gone to Edinburgh to advocate the claim of the harbour, and he did so before the Kirk Session of St Cuthbert's parish as well as before the Edinburgh Council, with this result, as set forth in the Session's record :

'Thursday the 29th Aprilis 1613. The quhilk day [compeirit] David Auchterlownie, baillie of Abirbrothock, and presentit ane supplicatione with ane requisit from the Kingis Majestie, the Marqueis of Hamilltounne, and the bischope of St Androis, desyring the support of the parochin of

the West Kirk of Edinburgh to helpe to big the herbrie of Abirbrothock. Wherfor the said Session ordane sindrie of their members to pass throu the parochin with the said David and seik support to the said herbrie.'

A little earlier, in November 1612, the Town Council of Dundee agreed 'to give the soum of ane hundred pounds to the harbour of Aberbrothock.' In the same year, on 8th July, the Convention held at Dunbar 'requested each burgh that has not given their voluntary contribution to the burgh of Aberbrothock for their harbour, to make the said burgh more ready and thankful payment thereof, as they shall be required thereto.'

At Kirkcaldy, on 6th July 1614, the Convention passed a resolution which seems to imply that the burgh had not been so diligent as it was expected to be in accounting for the contributions it received; and its commissioner, it will be observed from the Convention's minute, was threatened with imprisonment:—

'The same day ordains the burgh of Aberbrothock to exhibit and produce to the next general Convention a particular account authentic of their receipt and employment of the voluntary contribution received by them, and

their commissioner in their name, under the pain of two hundred pounds; and ordains each burgh, if they may apprehend the said David Auchterlony, to put him in sure ward until Aberbrothock receive him after their hand upon advertisement.'

This matter was satisfactorily cleared up. At the St Andrews Convention in 1616, on 6th July, the following deliverance was agreed to:—

'Anent the tuentie sext act of the last generall conventione, . . . compirit the commissioner of the said burgh of Abirbrothok, and declairit that the said voluntar contributione grantit at the said burgh of Abirbrothok for reparatiōne of thair said harberie was maid compt of, quhilk the

said commissioners of burrowes accepts for diligence, and thairfor dischargis that pairt of the act anent David Auchterlonie, and ordeans the said burgh of Abirbrothok to accomplese the said wark alreadie begun vpon thair awin charges.'

The general repair which was again effected on the old harbour early in the seventeenth century had been begun some years before any money was voted for it by the Convention of Burghs. The treasurer's accounts about this period contain many items of expenditure on harbour repairs. The earliest of them are in the account for the year 1606-7. Payments were made in that year for a considerable number of deals and nails used in the repair of the bulwark or pier. There was also in the same year a payment of 6s. 'to William Scott for watching at the shore three nights when the deals were stolen off the bulwark.' From an entry in the account for the year 1610, it appears that most of the timber which was used on this occasion for the repair of the pier was brought from Ferryden, near Montrose. The stones and timber used in the work were drawn to the harbour on sledges; and this process, as well as the various stages in the carrying on of the improvements, was attended with music and considerable potations. The following is an extract from the treasurer's account for the year 1610-11, showing a few of the items of expenditure that year on the harbour works:

'For xxix deallis to the schoir xiiij lib xs Item tua stane of drone work to naill the saidis deallis vj lib xiijs iiijd Item for workmanschip xxs for doune carieng of the deallis and drink to the workmen vijs for nailling of tua balkis ijs for the workmens denner menstrelleris and officiaris at the upsetting of the first pannell xxs at the upsetting of the secund for drink to the thrid pairt of the toune xxijs Item at that same pannell for the workmen menstrelleris and officiaris denneris xxs Item to the thrid pannell for drink to the quarter of the toune xxs and for the menstrallis workmen and officiaris denneries xxxs Item for naillis schethis and deall and workmanschip to sex barrowis xiijs Item for ane denner to the timber men and menstrelleris vpone ane Sondag xiijs iiijd Item tua stane and ane half of Irone work to the Cors pannell viij lib vjs Item for four gallonis aill to the hail toun.'

From these and similar entries in the record, it may be inferred that harbour-making in Arbroath, in the early years of the seventeenth century, was an occasion for a good deal of festivity, in which the 'hail toun' had a part.

Soon after the renovation of the old harbour, a 'shoremaster' was appointed. This was in 1624. Alexander Spink, elder, got the office. There is no previous record of such an appointment. The duties of the harbourmaster at that time

could not have been heavy, for in 1621 the whole of the anchorage or shore dues amounted to no more than £80 Scots, or less than £7 sterling.

About 1654 the harbour had again considerable repairs effected upon it, for the expense of which contributions were made in the churches throughout the county of Forfar. The matter had also again been brought by petition from the burgh before the Convention of Burghs, which, sitting in Edinburgh in 1653, 'ordained the burghs of Dundie and Monrois to send commissioners to visit the port and harbour of Arbrothock before 1st March next, and to report its condition to next general Convention.' At the General Convention at Edinburgh in 1654, on 7th July, the following was agreed to:

'Anent the supplicatione given in be the burgh of Arbroath craving ane new suplie for repairing of their harberie, as also for payment of the sowme of 480 merkis dew be the burrowis of the said

burgh, the present commissioneris of burrowis ordaines the said sowme of 480 merkis to be presentlie payit, and continewis the said supplicationes to be ane heid of the next missive.'

On 4th July 1677 the Convention submitted to the next General Convention, 'a supplication of Arbroath for supply for repair of their common work.' It appears that the 'common work' here referred to was the harbour and tolbooth, for on 8th July 1680, when the matter next came up, the Convention of that year 'ordained the agent, after recovery of the fines for absence, to pay one-fourth to Aberbroth and another fourth to Northberwick for a help toward the helping of their tolbooths and harbors.' No such payment, however, was made immediately, if it was made at all; for three years afterwards, on 6th July 1683, the agent was ordained to 'pay out of the first end of the fines'—the fines inflicted on burghs for non-attendance at Conventions—£400 Scots to North Berwick and Arbroath in accordance with the Act of the Convention in 1680. Again, after the lapse of three years, on 8th July 1686, on the petition of the burgh of Arbroath, 'mentioning their impoverishd conditione, mainlie occasioned by the lose of the best ships belonging to the said burgh and throu ther late repairing of ther harbour and the yearly expenses they are at in vpholding of the same, the Convention directed the fines imposed on Ayr and Irvine to be paid to the petitioners.' These fines, however, could not have been paid to Arbroath, for next year the two burghs were relieved from the fines. On 13th July 1697 the Convention appointed a committee to report on the 'caise and condition of the burgh of Aberbrothock and the decay of their pier and harbour.' The committee reported next year, and as the result the Convention granted 300 marks 'towards the reparation of the pier and harbour.' This money, unlike some others voted by the Convention, may have been got, but, if so, it was insufficient even with local effort; and shore dues and other petty customs were in use to be exacted for the repair of the harbour.¹ On 20th July 1702 the Convention ordained a petition of the burgh 'representing the

¹ Gen. Index to Acts of Parl., 1698.

ruinous conditione of ther harbour' to be taken up at next Convention. At the Convention held in 1703 there was voted the sum of £300 sterling to twenty-nine burghs, and of this sum Arbroath was to get, and perhaps did get, £60 Scots, or about £5 sterling. In the following year 300 marks was again voted for the repair of the harbour.

About two years afterwards, in January 1706, a calamity happened to the harbour, the greater part of it having been broken down by a storm. This led to another application to the Convention. Enquiry was ordered to be made by the neighbouring burghs, and perhaps some money was got; but ten years afterwards visitors were appointed by the Convention of Burghs to go to Arbroath to enquire generally into the common good of the burgh. This is the record of the report on the subject which was given in at the Convention held in July 1718:

'The Committee fand by the report of the visitors anent the burgh of Aberbrothock that the burgh had expended a considerable sum in repairing their publick works, and that a great sum will yet be necessary for repairing of their harbour, which the town was noways able to defray, and seeing what was expended already in repairing of their harbour was upon the convention's faith

that they should be some way reimbursed, therefore the committee were of opinion that the said burgh give in ane exact state of their common good to the convention, to the end they may be satisfied as to the grounds upon which they proceed, and this being done the committee recommend to the convention to consider the state of the said burgh in the first place.'

The practical outcome of the committee's report was that the burgh was allowed £15 sterling 'on account of reparation of their pier and harbour.' It was not a large sum, even in those days, to spend in harbour-making, and it is not surprising that very soon there was another petition from the burgh on the same subject. This petition, presented on 5th July 1723, complained as usual of the ruinous condition of the harbour. It was remitted to a committee to again visit the burgh, and 'report how the money formerly given was bestowed.'¹

The Abbot's Harbour was now about to be abandoned. At best, it afforded very indifferent accommodation to shipping. To the monastic brethren, by whom it was first erected, and to the burgesses, by whom chiefly it was afterwards maintained, it was a considerable undertaking; but while, in quiet weather, two or three small craft might lie safely moored to the pier, it could have been of very little use in developing the trade of the burgh. There must have been truth in what the Rev. Mr Edward of Murroes wrote of it in 1678, that it was 'not much liked by mariners.'²

¹ The minutes of the Convention of Burghs with reference to the Harbour are contained in the Convention's printed Records.

² A Description of the County of Angus, translated from the original Latin, p. 21.

CHAPTER VI.

THE OLD AND NEW HARBOURS.

THE insufficiency of the Abbot's harbour to accommodate the trade of the burgh, small as it was, and its total inability to afford any shelter to vessels in winter storms, led to the formation of the stone harbour to the westward, long known as the Old Harbour. It was excavated out of the beach and adjoining grass land, which was purchased for the purpose from Margaret Gardyne, wife of John Donaldson, a burghess of Dundee. The work was begun in 1725, and the Town-Clerk, writing in 1742, says 'it hath been carrying on ever since, at a vast charge for so small a town.'¹ The total cost of the work was upwards of £6000 sterling. When the Old Harbour was built, the practice still continued throughout the country of giving assistance to burghs undertaking such public works, and Arbroath got some help in building its harbour. On 22nd April 1724, the Provost of the burgh presented a petition to the Presbytery of Arbroath asking for a contribution. The Presbytery considered that the petition was 'most reasonable,' and it was appointed to be laid before the Synod, which happened at that time to be holding its meetings in Arbroath. From the Synod the petition was transmitted to the General Assembly, which in the same year passed an Act recommending that a contribution be made through all the parishes of Scotland for building a harbour at Arbroath. The Convention of Burghs again in the matter of the harbour came to the assistance of the town, by directing the several royal burghs to 'recommend to their inhabitants the necessity and conveniency of a harbour at Aberbrothock for the safety both of our shipping and those of other nations, many ships having perisht on that coast for want of such a harbour, that they would extend their charity for the forwarding so usefull a work which so much concerns their own intrest and the intrest of forreign trade in general.' So early as the year 1724, the date of this recommendation, the advantage of Arbroath as the site of a harbour of refuge was thus recognised. Some small sums were voted by the Convention itself to the building of the harbour, but, notwithstanding the recommendation of the General Assembly, the church collections do not appear to have been general throughout the country. The burgh petitioned the Convention of July 1726 on this subject, and that body 'recommended to the ministers of the severall royal burrows where such collections have not yet been made to intimat from the pulpit the said charitable contribution that

¹ MS. Account of Arbroath.

the same may be collected.' Sundry recommendations of the same kind followed in subsequent years. On 9th July 1728 the annual committee of the Convention, in urging upon the burghs the case of Arbroath harbour, again pointed out that it would be 'of great use to commerce and thereby a national good.'

On 2nd May 1733, the 'brief' of the harbour was appointed by the Kirk-Session to be intimated in the church on the following Sunday; and a number of the elders, being also members of the Town Council, were 'enjoined to go through the town from house to house and gather up the collection for the said harbour.' The 'brief' referred to in the Session record was a document obtained from the Crown, on the petition of 'the provost, dean of guild, bailies, treasurer, merchants, councillors, and deacons of crafts in the burgh,' giving the royal authority for a general collection to be made throughout Great Britain to build a harbour at Arbroath. This authority was given in the form of letters patent under the Great Seal. Messrs Ward, Nicols, & Co., solicitors, London, were agents in the matter, and trustees were appointed to receive all moneys on behalf of the town. The brief was obtained, after a good deal of negotiation, in 1732, through the influence of Colonel Middleton, member of Parliament for the district of burghs, and Patrick Lindsay, Lord Provost of Edinburgh. The Lord Provost had interested himself a good deal in the matter, and he received the thanks of the Arbroath Town Council. Considerable fees and other expenses had to be paid out of the collections which were made, and it does not appear from the records that the harbour benefited much by the brief. In 1733 it was found that there was no intelligence of what collections had been made in England; and as the harbour works had been considerably damaged by a storm, it was resolved by the Council to ask the collectors to send on whatever money they had in their hands.

In 1727 the Council had resolved, apparently as a measure of economy, not to send a commissioner to the Convention, but the managers of the harbour—a body which had been constituted temporarily to conduct harbour affairs—represented that by not sending a commissioner they would lose the collections of a number of the burghs. The managers offered to pay one half of the commissioner's expenses, the Council paying the other half. This was agreed to, and Bailie James Doig was appointed commissioner.

The language of the Town Clerk implies that the greater part of the burden of building the harbour fell upon the burgh itself, and in the course of the operations the personal labour of the inhabitants was required. There exists an order by the Magistrates and Town Council, in 1734, for 'the whole inhabitants to be called, by twenty each day, to work at the new harbour,' a penalty being exacted in the event of non-compliance. Sums were borrowed from time to time by the Magistrates, the Guildry, and the Brewers' Fraternity to complete the work. In order to raise revenue, additional shore dues were levied, and a tax of 6s. Scots was imposed for the building of the harbour upon every boll of meal imported.

On every article imported or exported by unfreemen double shore dues were charged. Alike on freemen and unfreemen two sets of dues were levied, the one called shore dues and the other guildry dues, the latter being an equivalent to the Guildry Incorporation for the sums it had advanced.

The stones used in building the harbour were obtained from the Ness quarry, from which the Magistrates were entitled to take stones for the public works of the Corporation. In 1765 the Town Council found it to be 'absolutely necessary for the preservation of the harbour and shipping' to erect a sluice, so as to let the water of the Brothock run through the harbour to clear out the silt; and this was accordingly done. There had been an earlier resolution to the same effect, but it does not appear to have been acted upon. It was represented to the Council in February 1741 that the harbour was much filled up with sand. At that time the advice of Mr John Douglas, architect, was taken. That gentleman reported 'that the only way for clearing it was to bring the water by an aqueduct from the burn into the harbour, and that it would be necessary to enlarge the basin at the head of the canal'—at Ladybridge. The Council resolved that the work should be begun as soon as the weather would permit; but it may be inferred from its resolution twenty-four years afterwards, that this improvement had been delayed.

As stated by the Town Clerk in 1742, Arbroath had very little foreign trade while it had only the small harbour opposite Old Shorehead. The shipping consisted only of a few coasters, and the shore dues amounted to no more than £200 a-year. Trade increased after the new harbour was built, and in 1742 there were about a dozen vessels, of from 50 to 120 tons burthen, belonging to the port, employed in trading to the North American colonies, to the Baltic, France, Holland, and Norway, besides smaller vessels engaged in the coal and other coasting trades. The Town Clerk adds: 'The slate quarries which lie within four miles of the town afford outward cargoes to the coal barques, who find greater consumpt for coal, as they are free of duty, than they are able to answer, so that a great part of that commodity is brought here by strangers.'¹ The reason of the thriving local coal trade was, that Arbroath was the most northerly port on the east coast to which the article was then admitted free of duty. By the year 1769, the annual value of the shore dues had advanced to £250. It had been the practice to take sand from the Low Common to ballast vessels. This was stopped by the Magistrates in 1774, because of the injury done to the ground and the grass, but the practice was afterwards resumed.

A memorial was presented to the Town Council on 4th December 1786 by John Spink, preses of the Seamen Fraternity, and the shipmasters and principal importers. It was represented by them that hazard and loss arose through the smallness of the harbour, and its unsheltered situation; and this evil was then being aggravated by the encroachments of the sea and the decay of some of the

¹ MS. Account of Arbroath.

piers. The memorialists looked upon the trade of the port as being in consequence in a perilous condition. What they proposed by way of remedy was, that gates should be placed at the narrow end of the harbour, that the basin should be enlarged, and that a breastwork should be erected. By this means, they said, safety and increased accommodation would be obtained. In 1781 the tonnage of the port was 900 tons, of the value of £3000; but by 1786 it had increased, including vessels then building, to 2100 tons, valued at £10,000, and the shore dues had advanced to £300. The memorialists thought there was every reason to believe that, if the Magistrates provided proper accommodation, the shipping and shore dues would further greatly increase; but if, 'through inattention and ill-timed parsimony, no provision were made, not only the shipping and shore dues, but the whole trade of the town might sink into insignificance,' and that as rapidly as it had risen to its then importance. The memorialists went on to say that, 'now that the spirit of manufactures and commerce pervaded the whole kingdom, they hoped the Magistrates and Council would catch the flame,' and use their powers for the encouragement of traffic and the advancement of revenue. The memorial was signed by John Chapel, Robert Doig, John Spink, jun., John Jack, John Renny, James Livie, John Lamb, Alexander Garry, James Spink, jun., John Johnston, Robert Barclay, George Kid, William Cargill, John Christie, jun., Alexander Allan, Patrick Lamb, James Bell, James Miln, James Johnston, Patrick Murison, William Kenny, James Kenny, Alexander Arnot, John Wilson, James Butchart, jun., David Webster, Charles Mollison, William Henderson, David Robertson, Thomas Cargill, John Reid, jun., John Reid, sen., John Husband, Andrew Duncan, John Orkney, William Geikie, James Muir, and John Crystie. The Town Council resolved favourably on the memorial. An engineer having been consulted, gates and a breastwork were erected. Money had to be borrowed for the work, and the Council expressed themselves willing to give their personal security. In order, however, to provide for the expenditure, a new tax, called gate-money, was imposed upon shipping. The shore dues were remodelled in 1791, when the separate dues of the Guildry were abolished. In 1789, the west pier, one of the works which had been reported in the memorial as ruinous, was taken down and rebuilt. Towards this and the other improvements at the harbour at that time, the Convention of Burghs contributed £200. One of the improvements effected was the erection in 1798 of a lighthouse. This was done at the instance of the Seamen Fraternity. The Town Council imposed a small rate upon shipping to defray the expense of the erection and the keeping up of the light.

With the development of the trade of the port, the smallness of the harbour was increasingly felt. In 1807, the shipowners and shipmasters again petitioned for an enlargement; and the subject continued from time to time to occupy a good deal of the attention of the Town Council. In 1822, on the occasion of a high tide sweeping away part of the battery and the greater portion of the ballast hill, the Council

consulted an engineer, Mr Buchanan, as to what should be done. That gentleman recommended the erection of a bulwark, and that the harbour should be extended. It was resolved to go on with the former work; but the other was also felt to be an imperative necessity, and in 1826 plans of an extension of the harbour were obtained from Mr Robert Stevenson and Mr Buchanan. Mr Buchanan's plan was preferred, but nothing was done at that time towards extending the harbour. Mr Hume, member for the burghs, had recommended the Council to apply to the Loan Commissioners; but in a long letter which he wrote to the Council he suggested delay in their application to Parliament. The Council accordingly resolved to postpone applying for a Bill. The delay was long; for there was no further mention of the matter until 1832, when memorials were presented from the Guildry, the Seamen Fraternity, and the Incorporated Trades, representing that the harbour was in a dilapidated state, and that a great part of the revenue drawn from it was devoted to municipal purposes. Four years after this, the thing was taken up with a view to immediate legislation. A public meeting was held in the Town Hall on 28th July 1836, at which a report by the Magistrates and Town Council on harbour affairs was submitted. It was stated in this report that the debts of the town amounted in 1781 to £11,292, 7s. 9d., and in 1790, when the Corporation was in pecuniary difficulties, to £10,080, 1s. The construction of the harbour, it was stated, was the principal cause of the difficulties of the burgh, seeing that to meet the expenditure little had been received from the shore dues. The dues amounted in 1790 to £315; in 1800, to £460; in 1810, to £702; and in 1815, to £690. The report went on to state that the shore dues, or an equivalent, were required in order to provide for the ordinary expenditure of the town. For the twenty-one years preceding the date of the report, the municipal revenue, exclusive of the shore dues, was £30,772, 4s. 8½d., and this sum was £20,988, 0s. 1d. less than the expenditure, being at the rate of an annual deficiency of £999, 8s. 7d. In the expenditure was included what had been spent on several heavy works, including the price of the patent slip, the cost of erecting the White Hart Hotel, and other improvements in the burgh. It was pointed out that, unless the inhabitants adopted the Police Act, and so provided for maintaining the police of the burgh by assessment, it would be impossible for the Town Council to relinquish the harbour dues. If this were done, and the Corporation were secured in a capital sum of £12,500, or £500 a-year, the dues would be relinquished. Subsequently the Council reduced its monetary demand to £10,000. Provost Andson presided over the meeting of the inhabitants, and resolutions were proposed by Messrs James Goodall, William Straton, W. F. Lindsay Carnegie, James Gibson, and Alexander Sturrock, approving of the Council's report, and of the separation of the harbour interest from that of the municipality on the conditions proposed. The General Police Act was accordingly adopted by the inhabitants, and steps were taken to get the harbour improved and enlarged.

With this view, plans were prepared by Mr Leslie, C.E., and a bill was brought into Parliament in 1838. Through an informality, this bill was rejected by the Committee on Standing Orders; but it was reintroduced in 1839, and on 14th May of that year it received the royal assent as an 'Act for extending, improving, regulating, and managing the Harbour of the Royal Burgh of Aberbrothwick.' The board of management appointed by the Act consisted of nineteen trustees. The provost of the burgh for the time being is chairman of the trust, and besides him the Town Council is represented by two of its members. Ten trustees are elected by the Parliamentary constituency, four are appointed by the Commissioners of Supply for Forfarshire, and two by the burgh of Forfar. The first election of Harbour Trustees by the Parliamentary constituency took place in June 1839, and the following were elected:—George Canning, merchant; Charles Kid, merchant; William Straton, merchant; James Goodall, merchant; Robert Gordon, merchant; David Duncan, manufacturer; William Andson, merchant; Alexander Mann, merchant; William Cargill, shipowner; and Alexander Smith, merchant. The members elected by the Town Council were—Provost Allan, *ex officio*; Bailie William Paterson, and Mr James Walker. The following were named County Trustees by the Act:—Lord D. G. Hallyburton, M.P.; Mr Patrick Chalmers, M.P.; Sir John Ogilvy, Bart.; Mr W. F. Lindsay Carnegie.

At this time the trade of the harbour, which was in a prosperous state, included a regular packet service by the Arbroath and Leith Shipping Company's vessels Dispatch and Robert Hood.

Soon after the Harbour Act was obtained, the improvement of the Old Harbour and the construction of a new harbour were begun from Mr Leslie's plans. The Act empowered the Trustees to raise money, and a sum of about £58,000 was expended on the works, which was £8000 in excess of what the Act authorized the Trustees to borrow. Although their borrowing powers were thus exceeded, the Trustees were unable to complete the work according to Mr Leslie's plans. It was intended to convert the Old Harbour into a floating basin, to renew the old piers, and to deepen the entrance. Those parts of the work were not gone on with. It was particularly regretted by the Trustees that the deepening could not be overtaken, but it was estimated in 1846 that to deepen the entrance, and to remove from the New Harbour the silt which had accumulated in four years, would require about £10,000, which was a sum that the Trustees could not then command.

Captain Washington, R.N., and Captain Vetch, R.E., two of the commissioners appointed by Government to institute an inquiry into the state of tidal harbours, visited Arbroath in 1846, and examined a number of gentlemen who had taken an active interest in the affairs of the harbour. After a personal inspection of the harbour, they expressed themselves satisfied with the works which had been executed in improving it, and with the public spirit which had been manifested in

the matter by the inhabitants. The Tidal Harbour Commissioners had already reported favourably on Arbroath harbour. In their second report, Captain Washington expressed his concurrence in what had been stated in the first, adding: 'If assistance should be given to improve any harbour, the harbour of Arbroath is specially deserving the aid of the public, in order to enable the Trustees to deepen its entrance and approaches.' At this time (1846) the revenue for the year was £3333; the arrivals were 731 laden vessels, of which 52 were from the colonies and foreign ports; the aggregate tonnage was 46,080 tons; and the Customs duty amounted to £6572. The Town Council, as well as the inhabitants, had shown public spirit in promoting the interests of the harbour. The Council had stipulated that its debt of £10,000 on the harbour should be a preferable claim; but in the year after the Act was passed it agreed to relinquish the preference, in order that the building of the New Harbour might be proceeded with.

After the visit of the Tidal Commissioners to Arbroath, strenuous efforts were made by the Harbour Trustees, by their Clerk (Mr John Macdonald), Mr Lindsay Carnegie, and other gentlemen, to obtain a grant or loan for the improvement of the harbour. A deputation had an interview with the Lords of the Treasury on the subject. Their Lordships were satisfied that a good case had been made out, and they expressed a hope that they would be able to do something for Arbroath at a future time. The matter was again brought under the notice of a Royal Commission in 1858. This was the Commission on Harbours of Refuge. The members, among whom were the two Tidal Commissioners who had on the previous occasion visited Arbroath, Captains Washington and Vetch, held a sitting in Dundee on 3rd September. Provost Lungair, Mr John Macdonald, Town-Clerk, Mr Baxter, M.P., and a number of local shipmasters, gave evidence in favour of Arbroath. The favourable report by the Tidal Harbour Commissioners in 1845, and a subsequent report by the Board of Admiralty to the Treasury, were produced as evidence, as was also the fact that in the year 1800 forty vessels were wrecked on the north-east coast, thirteen of them within a few miles of Arbroath. Other facts having a similar bearing were stated. The granting of Government aid to Arbroath was urged not on commercial grounds so much as on the grounds of public utility and humanity.

The scheme of national harbours of refuge was not carried out, but in 1861 the Harbours and Passing Tolls Act was passed, its principal object being to facilitate the granting of loans on easy terms for the improvement of harbours. The Government was twice memorialized by the Trustees for a loan under the provisions of this Act, but without success. The Harbour Trustees then resolved to go to Parliament for a new Act. This they did in 1864, and the Bill for which they applied was passed. The new Act increased certain of the shore dues, particularly those on flax, the staple article; and it temporarily reduced the rate of interest on the debt. It was in the main a self-taxing measure, promoted by the local manufacturers and

others. In consequence, the harbour revenue improved considerably after 1864, and the Trustees were able to renew part of the works which had become dilapidated. River walls, hemming in the course of the Brothock from the sea to the foot of Marketgate, were also built. But it was still thought very desirable to obtain a loan from Government, in order that improvements of an extensive character might be undertaken. Accordingly, the application was renewed in 1869, and a loan of £20,000 was granted in 1871. The loan, principal and interest,—the interest at the rate of three-and-a-half per cent.,—was repayable in fifty yearly instalments. It was made a condition that other creditors should consent to the Government loan being constituted a preferable claim. This condition was agreed to by the creditors, including the Corporation.



ARBROATH HARBOUR—1880.

After the loan was got from the Government, plans to improve the harbour were obtained. They carried out in the main the plan according to which Mr Leslie, thirty years previously, had recommended that the harbour should be reconstructed. The New Harbour and the entrance from the bar inwards were deepened, and the Old Harbour, with its quays rebuilt, was converted into a wet dock or floating basin. An improved patent slip was also laid down. The wet dock was completed in September 1877, and the gates were closed for the first time on Wednesday, the 12th day of that month. An unfortunate accident happened on the night of 18th February 1882. The dock entrance collapsed, the ruin extending to part of the adjoining walls of the dock. The Harbour Trustees having called in Mr Dyce Cay, C.E., to advise them, he prepared a plan of restoration, and the work was begun about the end of the year. But serious

difficulties were encountered, and it was not until January 1887 that the dock entrance was fully restored.

Previous to the collapse of the dock entrance the improvements carried out under the Harbour Act 1864, including the construction of the wet dock, the patent slip, and the cost of dredging plant, involved an expenditure of nearly £40,000, which was added to by the amount of fully £13,000 as the cost of restoring the dock entrance. Unfortunately, too, through changes in the course of trade, and the competition of railways and neighbouring ports, the expectation of increased revenue was not realised. On the contrary, there has been a large falling-off. In the first edition of this work it was stated that the revenue for the year ending on 14th October 1874 was £4487 12s. 5d., of which £4325 1s. 6d. was shore dues, the balance being rents of properties and bank interest. After meeting all expenditure, there was a surplus revenue of £985 10s. 5d. But for the financial year ending 15th October 1898 the revenue was £3150 5s. 2d., of which £2926 4s. 6d. was from shore and patent slip dues. The number of vessels registered at the port has greatly diminished, and shipbuilding at the harbour has been extinct since 1881. In that year an attempt was made, in the interest of the harbour, to establish regular steam communication between Arbroath and London. A company was formed, and a vessel named the *St Thomas* was built, but the enterprise was not successful.

The debts resting on the harbour having become of unmanageable amount, a scheme for the reconstruction of the finances was in 1896 prepared by Mr W. K. Macdonald, Town Clerk, and, the concurrence of H.M. Treasury, the Town Council, and other creditors of the harbour having been obtained, it was put into the form of a Parliamentary bill, which in 1897 received the sanction of the Legislature as the Harbour Finance Act. The Government accepted £15,000 for the whole debt and interest due to them, the money being raised by the creation and issue of £15,000 guaranteed debenture stock, bearing interest at 3 per cent. This arrangement, together with the concessions made by the other creditors, had the effect of reducing the debt from about £105,000, at which it stood prior to the passing of the Harbour Finance Act, to £49,820, including the guaranteed debenture stock, £15,000; redeemable debenture stock, £31,295; and secured loans to the amount of £3525. The whole sum is somewhat less than the amount of the debt when the New Harbour was first built about 1842.

PART VI.

HISTORY OF THE BURGH FROM 1727 TO THE PRESENT TIME.

CHAPTER I.

MUNICIPAL MATTERS FROM 1727 TO 1765—SMUGGLING—A STORY OF WRECKING.

FROM February 1727, two years after the commencement of the harbour works and the institution of the Guildry, to the present time, the minutes of the Town Council present a complete account of the administration of the affairs of the burgh by that body. The first of the Council minutes now in existence is dated 28th February 1727. The Magistrates and Councillors who were present at the meeting were: John Wallace, provost; James Doig and John Renny, bailies; John Allardice and William Wallace, late provosts; James Lindsay, late bailie; John Wallace, convener of the trades; Patrick Dalgetty, merchant; William Colvill, late bailie; John Mitchell, treasurer; James Grant, late bailie; James Wallace, dean of guild; James Hunter, late bailie. Four members of the Council were thus of the family of Wallace, who had long been the chief power in the burgh, and continued to be so for a considerable time after this date. In September 1727, John Wallace was appointed by the Council as its commissioner to elect a burgess to Parliament along with the other burghs of the district, which were Aberdeen, Montrose, Brechin, and Bervie. The election in that year took place at Aberdeen, but each of the burghs had in rotation the honour of being the returning burgh. Down to the passing of the first Reform Act, this system of electing the member for the burghs, the election being by commissioners appointed by the respective Corporations, continued in operation. Generally, the Council appointed one of its own members as its commissioner; but it was not bound to do so, and sometimes it delegated the duty to one of the neighbouring landed proprietors. Thus, John Maule of Inverkeilor was elected commissioner in 1747.

The record of the election of the Town Council itself, at Michaelmas 1727, may be quoted in substance as showing the manner in which those annual elections were conducted down to the passing of the Burgh Reform Act. The question was put, To alter or continue the Council? and it was carried by a plurality of votes to alter. It was then put to the Council, How many should be 'altered'? and it was carried, again by a plurality of votes, that James Lindsay, Patrick Ogilvy, Robert Gordon, and Patrick Vannet should go out of the Council. It was entirely within the power of the Council to say how many, if any, of the members should retire, and to determine also who the retiring members were to be. In place of the four who were voted out in 1727, Patrick Wallace, merchant, late bailie; John Shepherd, late convener of the trades; John Webster and John Sturrock, merchants, were chosen councillors. The Magistrates then demitted office 'by delivering the baton out of their hands.' The Council by a plurality of votes 'settled' John Wallace and John Renny for the provostship; and James Grant, William Colvill, James Hunter, and James Dalgetty, as bailies, till the following Michaelmas. Having made these leets, the Council adjourned 'to the ringing of the bell' on the same day, when 'the deacons of the trades, and all other persons whatsoever concerned,' were warned to be in attendance, in order to assist in making choice of magistrates. The Town Council, deacons, representatives of the maltmen, the seamen, and the land-labourers, being all the persons entitled to vote, attended accordingly; and gave in their respective lists, each deacon or representative having previously ascertained the pleasure of his constituents in the matter. The result was that John Wallace was elected provost, and James Grant and John Dalgetty bailies. The Council was thus self-elected, but there was a recognition of the popular will in the appointment of the magistrates. The election of the provost was for three years, but John Wallace held the office for only one year at this time, William Wallace, who also retired at the close of a year, being elected in 1728. Patrick Wallace was chosen provost in 1729; John Wallace, in 1732; John Gellatly, in 1735; John Wallace, in 1738; Patrick Wallace, in 1741; John Mann, in 1744; John Gellatly, in 1747; John Mann, again in 1748; John Gardner, in 1750; Alexander Keith, in 1753; John Gardner, in 1756; Alexander Keith, again in 1758; Alexander Ochterlony, in 1761; and John Mudie, in 1764. One of the first duties of the new Council in 1727 was to elect a clerk. On 18th November, Patrick Alexander was chosen to that office. On 13th March 1735, Mr Alexander having died, David Mudie was appointed.

The Council, immediately after its election at Michaelmas in each year, renewed an act of long standing which was intended as a precaution against fires, and also as a warning to the inhabitants to keep their yard dykes [walls] in good condition. With regard to fire, householders were enjoined to carefulness in the handling of light and kindling of oil or fire lights. They were prohibited from keeping whins, brooms, or other combustible stuff in their houses near the fires. Members of

Council were appointed for the several districts of the town to see that these regulations were carried out. The annual re-enactment of the regulations continued to be made until 1833; but about the year 1767 an exemption was introduced in favour of those who had 'proper hackling houses in proper and detached places for that purpose.'

In the eighteenth century, until towards its close, the business of the Town Council was conducted in a strictly private manner. In 1729, the members and their clerk took an oath of secrecy, which was occasionally renewed afterwards. By this oath each member of the Council bound himself not to disclose the secrets of the Town Council, or any part of the transactions of the town.

In 1742, on 28th September, the Council found that it was necessary to appoint a collector. By the sett of the burgh, they had a treasurer, one of their own number, who was chosen annually. It seems that the treasurers had received salary, or payment in some form; for the Council in 1742 declared that as the treasurers 'had hardly any allowance for their pains and trouble, which makes them less careful of the common interest, and the members of Council more easy in clearing their accounts, it is resolved (although the former practice of choosing a treasurer annually must of necessity be continued) to choose one person who shall have power to collect and receive the whole revenues and emoluments of the burgh, and to make all payments and disbursements.'

The Magistrates and Council continued to exercise a large control over the burgesses as to the manner in which they conducted their trade. In 1729, the Council, 'taking into consideration the great loss the inhabitants are at because the retailers of meal sell the same privately, and not bringing it to public market,' ordered the retail meal-dealers to bring their meal to market each Monday, Thursday, and Saturday; and under the penalty of £3 Scots they were prohibited from selling any in their own houses on those days till four in the afternoon. They were also prohibited from buying up any meal which was being brought to market by countrymen. It was a common occurrence for the Council to buy meal themselves for the public use, re-selling it to the inhabitants with or without a profit. In 1741, several hundred bolls of pease were bought 'in consideration of the present scarcity and the necessity of the inhabitants.' Down to early in the nineteenth century, such purchases were of frequent occurrence.

The Corporation, as possessing the burgh mills, had a special interest in looking after the trade of the millers and maltmen. In 1757 the bakers withdrew their wheat from the Wardmills, and the brewers their malt, because the mills were not properly fitted up. The tacksman of the Wardmills was then recommended to bring actions against these tradesmen for not grinding their corn there; but the Council had to improve the Wardmills to meet the requirements of the bakers, and in the case of the brewers, to erect a new mill on an improved principle at the Nether Mill. With the brewers the Corporation had occasionally a good

deal of trouble. This arose in connection with the ale-tax of twopence Scots per pint. The power to levy this tax was renewed by Parliament, on the petition of the Council, in 1762, 1786, and 1807, and on each occasion the expenses incurred in the making of these applications to the Legislature amounted to a considerable sum.

In the management of its property, the Town Council sometimes acted with a liberality which perhaps did not meet with the general approval of the burgesses. The Council was petitioned about the year 1730 by a resider in Marketgate for a piece of ground for the enlargement of the 'close' attached to his house. The petitioner had represented that the ground would be useful to him, and that it would not be prejudicial to the town, the street, or the inhabitants of the burgh, were he to get it; and the Council, taking the same view of the matter, gave it to him, without his paying anything for it. In 1761, a feu right in Bishoploch and the town's moor was applied for. The application was opposed by the Incorporated Trades, because they held that to grant it would be detrimental to their commony in the moor. The Council resolved, however, with the exception of the convener, to expose the lands to feu by public auction, Bishoploch at the then rent, and the rest of the moor at the annual duty of 1s. per acre. With regard to the burgh moor of Arbroath, the Rev. James Headrick, minister of Dunnichen, writing about a century ago, says: 'The town moor, a very barren tract, great part of which had been planted with firs, is now converted into tillage by feuars. They pay £10 per acre down, and 40s. per acre of perpetual rent. Several elegant villas are already built upon it; and it is surprising to see what well-directed industry can do upon land that was reckoned good for nothing.'¹ Could Mr Headrick see now what was once a moor, he would have still greater reason to remark on its development in agriculture, and on the elegance of its villas.

A good deal of the burgh lands other than the moor was feued about the middle of the eighteenth century. At that time the Council agreed to grant a feu of ten acres in the West Links to John Wallace and his partners in the linen manufacture, at the rate of £3 per acre, on the consent of John Fraser of Kirkton and Hospitalfield being obtained. The feuars were to arrange with Mr Fraser, who had a right of servitude over that part of the Common. The Common Links were measured at this time, and were found to extend to fifty-five acres, the rent of which as grass land had for eight years averaged £110 Scots a-year. Another incidental notice of local trade occurs in 1737, in connection with feuing, a feu near the harbour having been granted to John Wallace, bailie, 'for a windmill for sawing timber.'

In 1744, the district about Lordburn, extending to the Brothock, was for the most part grass land, and the sloping ground was called 'the Lordburn Braes.' John Gardiner, merchant, got a lease of the braes, with liberty of a sluice of water

¹ Agriculture of the County of Angus, p. 198.

for his bleaching-green. In 1744 he obtained 'liberty to build a mill for washing and knocking cloth or yarn close by the dam, at the corner of his bleaching-field,' on condition that the malt-mill was not to be damaged by his taking water from the dam. For this liberty, with the grass of the Lordburn Braes, the yearly rent was £8 Scots. The privilege of the inhabitants to wash and bleach 'made linen clothes,' but not uncut webs or thread, 'from the top of the dam to the corner of Thomas Watson's yard dyke,' was reserved.

The records contain notices about the year 1728 of proprietors of houses in High Street being charged an additional feu-duty, generally about £3 Scots, for liberty to erect projections on the street. The streets of the burgh about this period were not numerous. Mr Mudie, writing in 1742, says: 'The town is composed of one street [High Street], running from north to south, about 500 geometrical paces in length; and another street [Marketgate], about 150 paces long, lying parallel to the south end of the former, about 80 paces from it, and next to the water, with three or four by-lanes or wynds; and a small street [Millgate] on the west side of the water. The gardens interspersed and adjoining to the town take up three times more ground than is built on. On the water, there are two bridges of stone, one near the north end of the town, and another near the sea. The town doth contain about 250 houses, and 2500 inhabitants.'¹ Some of those 250 houses had fallen into a dilapidated condition by 1751, for in that year the Council appointed a committee to inspect ruinous dwellings, and to appraise them, with a view to their being sold. In the following year, the situation of the shambles being found to be inconvenient, it was resolved to erect a new slaughter-house at the head of Marketgate. The old market-cross, as well as the old shambles, disappeared at this reforming period. The following Council minute on the subject is dated November 21, 1746:

'The Magistrates and Council, considering that the market-cross standing in the middle of the street obstructs the passage, and is very inconvenient because of the narrowness of the street at the place where it now stands, resolve to have it removed, and appoint the Magistrates to inspect and consider what place will be most convenient for erecting another, and to report; and that Provost Gellatly agree with workmen for taking down the old cross and building a new one, and oversee the work.'

The old cross was taken down, but no new one was erected.

On the grant of the Abbey precinct being obtained from the Crown in 1754, the Town Council proceeded to make arrangements for the ground being feued. The most of it was feued at from £3 to £4 sterling per acre. A plan of streets was prepared. With regard to that part of the precinct called the Convent Churchyard, it was resolved that it should 'lie in grass for the use of the inhabitants washing and bleaching their linen for as long as the Magistrates and members of Council

¹MS. Account of Arbroath.

for the time being shall judge reasonable.' It thus appears that the Town Council reserved the right to feu the Convent Churchyard. A proposal to that effect was made in 1780, but it was not carried out, and the ground continues to 'lie in grass.'

About 1764 a number of houses were erected on the lands of Grimsby. For the benefit of its feuars in that district, as also for the advantage of the harbour, the Council in 1765, after purchasing some property for the purpose, opened up a road between the Shore and the Forfar Road, the road now known as West Grimsby Street.

In 1764 the Town Council agreed to widen the road at North Port, near to where the Police Commission about thirty years ago effected a similar improvement. The improvement in 1764 was in connection with the formation of the present road from Arbroath to Montrose. The widening of North Port necessitated the taking down of the port or gate which stood at this the northern access to the town.

In the matter of attention to the state of the Brothock, there was a petition before the Council in 1759, at the instance of Provost Gellatly and others, representing that some proprietors conterminous to the burn had placed obstructions in the channel, which caused the water to stagnate, and go back upon the petitioners' houses. The Council resolved to raise actions against the persons complained against, in order to compel them to open a sufficient passage for the run of the water.

The Magistrates, with the view of making the administration of justice speedy and cheap, anticipated by many years the passing of the modern Small Debt Acts. Some time prior to 1733, when complaint was made to the Town Council that the order had been infringed, they had enacted that no inhabitant of the burgh should pursue another in any other judicature than the Burgh Court for sums under £100 Scots.

A curious glimpse into the state of matters in the town as regards trade, lawful and unlawful, is obtained in a minute of Council of date 20th July 1744. At that time smuggling was common on all the coasts of the island. In Scotland it was stimulated by much political antipathy to the Government, and even those who had no Jacobite leanings nevertheless hated the new excise laws. In a poor country, considerations of gain powerfully reinforced those of politics. Thus it happened that smuggling was not looked upon as a disreputable business. The following is the deliverance of the Town Council of Arbroath on the subject:

'The Magistrates and other members of the Town Council convened, considering that the practice of smuggling did a few years ago greatly prevail in this place, but that of late, by the diligence of the officers of the Customs and Excise, the same hath been almost totally defeated and suppressed, to the ruin and undoing of almost all the dealers therein, they, the Magistrates and Council, out of a Christian tenderness for the great though just sufferings of their unhappy neighbours, and a firm persuasion that this destructive trade was upon the point of expiring, and that

the general inclination of the inhabitants was now turning to the more lawful and commendable business of improving the linen and other manufactures, agreed not to have taken any notice of what was past, and to have followed the general bent of the nation in discouraging smuggling for the future, had they not been called upon by the late Convention of Royal Burghs to manifest their sentiments in a public manner; they therefore hereby declare their abhorrence of the unlawful and pernicious practice of smuggling, and their firm and hearty resolution to discourage and suppress the same by all lawful means for the time to come, and to encourage and support the sober and diligent tradesman and manufacturer as the only visible means left to restore frugality and industry, and thereby repair the evils that have happened; and they appoint this their unanimous resolution to be recorded in the Council books, and an extract thereof to be transmitted by the clerk to the town's agent, to be inserted in the public newspapers.⁷

This declaration by the Town Council of their abhorrence of smuggling suggests that in it they were almost protesting too much. It is obvious, however, that the unlawful trade was very commonly followed, as indeed it continued to be for a good many years after its denunciation by the Town Council.

A curious local story is told of the period when smuggling was at about its best, or its worst. It is picked up in one of the by-paths of literature,—the 'Life of John Metcalf, commonly called Blind Jack of Knaresbrough.' The incident does not relate to smuggling; but, if true in its details, it would suggest that on this one occasion St Thomas, belying his ancient and well-earned reputation, was not particularly 'good to strangers.' Metcalf, for a blind man, did some most extraordinary things in the course of his long life. He took part in the expedition against the rebels in 1745, and the knowledge which at that time he acquired of Scottish goods led him afterwards to revisit Scotland repeatedly on trading enterprises. On one of those visits he was on a voyage from Leith to Newcastle with a cargo, when such heavy weather was encountered that he and the ship's crew expected that their vessel would founder, and she was driven near the coast of Norway. The narrator of Metcalf's exploits thus continues the story:

'But the wind changing, hope began to return, and the captain put about for the Scotch coast, intending to make Arbroth. A signal of distress was put up, but the sea ran so high that no boat could venture out with a pilot. He then stood in for the harbour, but struck against the pier end, owing to the unmanageable state of the vessel, from the loss of her mainsail; she narrowly escaped being bulged; but having got to the back of the pier, was towed round to the harbour, with near five feet of water in her hold. Her escape from the merciless elements, however, did not seem

to terminate her dangers; the country people showed a disposition to seize her as a wreck, and plunder her; but fortunately there was at hand a party, consisting of an officer and twenty men, of Pultney's regiment, who had been in pursuit of some smugglers; and Metcalf knowing them well [from his having served with them against the rebels], the officers sent three files of men to protect the vessel while the crew were removing the goods to a warehouse. As this vessel stood in need of repairs, Metcalf put his goods on board another, and in her got to Newcastle.'¹

¹ Life of John Metcalf (Knaresbrough), p. 55.

This is quite a circumstantial narrative ; but it is to be hoped that the Englishman's fears had at least exaggerated the hostile attitude of the 'country people.' What is stated in the narrative is very unlike the generous treatment which was extended to shipwrecked crews at Arbroath shortly before and soon after the date of 'Blind Jack's' visit.

There is a notice in the records of the Town Council of the value in the year 1738 of the fish teinds of the parish. The Council agreed to take the 'teind fishes' from Mr Cruikshank, the minister, for three years, paying £36 Scots yearly, or £3 sterling, being £6 Scots more than their value twelve years afterwards, when Mr Bell reported upon the stipend to a committee of the General Assembly.

CHAPTER II.

FINANCIAL DIFFICULTIES OF THE CORPORATION.

THE Corporation having got deeply into debt, in large measure in consequence of the sums expended on building the harbour, the Town Council agreed in 1762, 'in order to lessen the charge on them, to stent the proprietors of houses and yards within the burgh for the minister's stipend, house-rent, communion elements, and the schoolmasters' salaries.' Some economical arrangements were come to at the same time. The allowance to the commissioner to the Convention of Burghs was restricted to £2 ; the provost was to get no more than £6 yearly, 'for the charge of all public meetings and entertainments' ; and Magistrates who admitted burgesses were to pay all charges on that account. A chamberlain was appointed—perhaps the appointment of a collector twenty years before had been useless—and it was ordered that no precepts should be granted unless they were signed by all the Magistrates, if they were at home. Finally, it was agreed that every effort should be made 'to save money, and lessen charges in the management.'

It was about the time that the Magistrates and Council proposed to relieve themselves from the ecclesiastical and school burdens of the burgh, and to lay them upon the proprietors of heritages, that they were engaged in their contention with the Guildry. They had also on hand one of their disputes with the brewers about the tax on ale. Having consulted counsel about these matters, and about the feuing and planting of the town's moor, they resolved to apply for an Act of Parliament 'for easing the common good of the minister's stipend and schoolmaster's salary, and to get the inhabitants stented for these.' However, about a month after the Council had agreed on going to Parliament, it reconsidered the matter. The result was a resolution that, rather than go to Parliament, it would

accept from the inhabitants a tax of two-and-a-half per cent., which it appears the Corporation thought it was entitled to levy without seeking the sanction of the Legislature. This tax was to be for the payment of the minister and schoolmaster, who from that time forward were to receive no more money out of the town's revenue.

As was to be expected, the inhabitants did not see the proposal to impose a new burden upon them in the same light in which it was seen by the Town Council; and the minister, Mr Bell, finding that his stipend was not paid, gave notice, along with the schoolmaster, who was in the same position, of an action in the Court of Session to compel payment. This notice was sufficient, for the Council, on the advice of its law agent, resolved to continue making these payments 'until such time as the community'—that is, the common funds of the burgh—'shall be relieved thereof by the Legislature.'

The embarrassment of the town's funds had been going on for years. It was ascertained in 1762 that the interest on the debts exceeded the annual income by between £200 and £300. At that time, Provost John Wallace, according to a statement made by him in an action in the Court of Session, re-entered the Council to contribute what assistance he could towards the relief of the community. Mr Wallace claimed that he and his partners in trade had upon their own credit reduced the rate of interest, and by frugality of management, aided by an increasing revenue, had greatly improved matters. But in 1764, on the day of the election of Magistrates, as Provost Wallace was going up the stair of the old Town House to the meeting of Council, he was called aside by a guild brother, Mr Gellatly, who told him that an action was about to be raised against the Magistrates for malversation of the public funds.¹ An action of this nature was raised; and in the papers connected with it, which are of course of an *ex parte* character, it is alleged that Mr Gellatly proposed, and that Provost Wallace listened to, a scheme by which the former would withdraw from giving his countenance to such an action. If any such arrangement was entered into, it was ineffectual to ward off from the Council public criticism and inquiry into the state of the funds. Strong opinions were expressed with regard to what was believed to be the mismanagement of the affairs of the community, either by the then Magistrates or their predecessors; and the inhabitants, led by the Guildry and the Incorporated Trades, demanded an investigation. The Town Council chose to regard the incorporations as prompted in this matter by a few factious men, but it yielded to the demand made upon it. At a meeting held in June 1765, the Town Clerk was ordered 'to lay open before the Convener, and those representing the Incorporated Trades, the whole affairs of the burgh as many years backward as they shall incline; and if needful, they may employ one skilled in business, who is quite disinterested, and not connected with the faction, to assist them; and in all time coming, how soon the accounts are

¹ Papers in case against the Magistrates and Council of Aberbrothock.

cleared with the town treasurer or factor, they are annually to be laid before the deacons of the incorporations if required.' The members of Council acted with fairness in this matter, as if they had nothing to fear from the strictest possible investigation. Stewart Lyell of Newgate, Robert Wilkie, James Sturrock, and Alexander Aberdein, were appointed by the Incorporated Trades and others of the inhabitants to make the inspection into the management of the town's funds. They were of the 'faction' mentioned by the Council; but notwithstanding that, they were admitted as inspectors. Other inspectors were appointed by the Council to act along with them, these being James Gardyne of Middleton, Alexander Graham and James Mudie, merchants, and Andrew Smith, deacon of the wrights. The inspection took place in the Town House, and creditors of the town who wished to witness it were allowed to be present. It began in June 1765, and in October following the Town Council complained that it was going on slowly, 'the inspectors spinning out time, and only attending frequently one hour in a day.' Again, on 4th January 1766, the Council, weary of waiting for the result of the inspection, ordered a letter to be written to the deacons of trades, requesting them to insist that the inspectors would make their demands; and stating that if there had been any embezzlement of the funds, the members of the Council would heartily co-operate with the incorporations, or any other of the inhabitants, to make those accountable at law who had been guilty of embezzlement or mismanagement. At length, on 25th January, there was forthcoming a report by the inspectors, Messrs Lyell, Wilkie, Sturrock, and Aberdein, from which it appeared, as a result of their investigation, that there was £39,045 16s. 3d. Scots, or about £3254 sterling, unaccounted for. Answers were given by the Town Council to the report of the inspectors, who were required by the Council to give a written declaration that they were satisfied. If they failed to do so, they were to be held liable in all damages the town and Council had sustained by their 'unreasonable proceedings.' Nothing came of this threat, and the matter was allowed to drop; but a result of the investigation was, that the Council, as at the outset of these proceedings it had proposed to do, agreed to allow the accounts of the town treasurer to be open for a fortnight annually to the inspection of the inhabitants.

The financial affairs of the town continued to be involved in difficulty; and in 1773 the Council resolved, in conjunction with the Guildry and Trades, to call a meeting of the town's creditors. In the following year, it was agreed to apply for sequestration, or a surrender of the whole funds into the hands of any person appointed by the creditors to receive them, with protection of the members of Council in their persons and effects. It was also agreed to make application to the Convention of Burghs in 1774 for relief to the burgh in its distressed state. Mr Sturrock, who had entered the Council as dean of guild, was appointed to make this application. In July, Mr Sturrock reported to the Council that, as its commissioner to the Convention, he had given in a petition, 'setting forth the miserable distressed

state of the town with regard to the great load of debt, and prosecutions carried on against the present Council and their predecessors, as granters of bonds to certain creditors.' The Lord Advocate supported the petition, and the Council thanked his Lordship. The petition, however, was not complied with, as it had not been lodged in due time; but the Convention recommended that it should be presented again in the following year. Ultimately, the Corporation got some help from the Convention of Burghs, but not to a great extent. A meeting of its creditors was held on 5th August 1774, when protection was granted to the members of Council, and it was in consequence of this protection that those elected at the following Michaelmas consented to take their seats. An arrangement was soon after entered into with the creditors, by which the Town Council agreed to increase the shore dues, with the consent of the Guildry and the Trades. Creditors calling up their money were generally paid at the rate of 80, and sometimes at 90 per cent. This continued down to 1795. Those who allowed their money to remain in the hands of the Council were paid in full.

The Town Council thus got out of its monetary difficulties creditably. In the course of its troubles it had a litigation with the Guildry, and at one time it appeared as if it were to be completely at the mercy of that body. The incorporation proposed an elaborate scheme of a reconstructed sett of the burgh, which would have given the Guildry a very potential voice in the management of Town Council business. It was proposed that the Guildry should be entitled to appoint four ordinary councillors, including the dean, and seven 'extra councillors.' The latter were to take a full share in the management of the affairs of the community, except that they were not to be eligible for the magistracy, and were not to vote in the election of the Magistrates. The scheme was ultimately reduced to one of admitting annually into the Council two members nominated by the guild brethren, exclusive of the dean. The two, however, did not sit in the Council expressly as representatives of the Guildry. They were put upon the leet, and chosen in the ordinary way. Their being chosen at all was an offence to the trades, who desired a similar privilege, and after the lapse of a few years the innovation was abandoned.

CHAPTER III.

BURGH ADMINISTRATION, 1766-1780—THE TOWN HOUSE—THE AMERICAN WAR—
MEAL MOBS—A TROUBLESOME QUARTERMASTER.

THE provosts in office during the period over which the financial embarrassment of the town extended were:—James Butchart, elected at Michaelmas 1766, in succession to John Mudie; David Mudie, 1769; Alexander Keith, 1772; David Greig, 1775; John Ochterlony, 1777; and David Greig was again elected in 1780.

In the midst of its difficulties at this time, the Town Council was giving attention to street and sanitary improvements. In 1768, John Rolland, merchant in 'Copegate,' received an abatement of his feu-duty in consideration of his removing an outside staircase and other projections on the street from a property which he had bought. From about 1769 to 1779 many projections were removed. In the latter year the Council ordered that all 'to-fall [lean-to] houses in High Street be pulled down as an encroachment and a nuisance.' In 1771, a feuar at Ladybridge wished to rebuild his house a little further out than it was. He offered more than an equivalent of ground, but the offer was refused because of the proposed encroachment on the street. The records of the Council contain many such notices.

In reference to trade interests, the Council refused in 1767 a petition of the bakers for a charter to the 'old kiln,' as it was of opinion that, if it gave the incorporation such a right, the bakers might prevent families from drying their wheat at the kiln. On the other hand, the Council trafficked in the soil of the Common. It gave a lease of the clay of the High Common to William Fitchet, who was to use it in brick-making. The ceremony of 'riding the marches' of the burgh was performed on Thursday, 12th March 1778. This ceremony was accompanied with some small amount of pomp and circumstance. The Provost, Bailies, and Council, attended by their officers, by the deacons of the trades, and by the land labourers, or carters, all on horseback, and with the accompaniment of music, perambulated the burgh bounds, the procession starting from the Town House, and the proceedings of the day being wound up with considerable festivity. Anciently, the ceremony of riding the marches was frequently performed. It was one of the customary celebrations in connection with St Thomas' Day. Thus, in 1734, the marches were ridden on 8th July o.s., the day after St Thomas' market. That appears to have been about the last of the ordinary annual ceremonies of the

kind, as prior to 1778 the marches had not been ridden for many years. It was expressly stated in the appointment that they were ridden that year 'to prevent encroachments by neighbouring heritors.'

In the year 1779 the Town Council resolved to abandon the old tolbooth, which had been erected as a Town House and a prison about a century previously. The building, which stood on the east side of High Street, was declared to be 'wholly ruinous, and insufficient for detaining any prisoner.' The occasion of its being given up was an offer by John Milne, convener of the trades, to give £60 as a contribution towards building a new Town House. The money was given conditionally on a new Town House and prison being erected within two years from the date of the gift. The building then erected as the Town House was the Guildry buildings,—destroyed by fire in October 1880, and rebuilt—the site of which had been the Town-Clerk's office. It was built in part by public subscription. The ground floor was a prison, the first floor was the Council Chambers, and the third storey was erected by the Guildry Incorporation for its own use. The plan of the building was by Andrew Smith, wright. Notwithstanding the ruinous condition in which the old tolbooth was declared to be in 1779, the building, which was sold to a private owner, continued to be occupied, and was not pulled down till 1864.¹

John Wesley, in one of his visits to Arbroath,—that which he made in May 1770,—was struck with the improvements which were going on. He writes: 'I have seen no town in Scotland which increases so fast, or which is built with so much common sense, as this. Two entire new streets, and part of a third, have been built in these two years. They run parallel with each other, and have a row of gardens between them, so that every house has a garden, and thus health and convenience are consulted.'² The two streets which Mr Wesley had in view when he wrote were the Abbey Streets, erected within the precinct of the Abbey. Pennant, when he visited the town in August 1772, noted in regard to it: 'It is a small but flourishing place, well built, and still increasing; the town has been in an improving state for the last thirty years, and the number of inhabitants greatly augmented,—this is owing to the introduction of manufactures.'³

A dozen years before Pennant's visit, another famous traveller, Richard Pococke, bishop of Meath, was in Arbroath. Writing from Dundee to his sister, on 9th August 1760, he says: 'Arbroath consists of about 1000 houses built of red freestone which make one street half a mile long, and two other small streets. They have a great trade in linnen yarn, sail cloths, osnaburgs, and other linnens, and have formed a very pretty bason by the help of three or 4 piers into which a vessel of 100 tons can come.'⁴

About this time, notices of matters of national interest begin to occur in the records of the Town Council. Great events—wars and revolutions abroad, and a

¹ *Supra*, p. 93.

² *Journal of Rev. J. Wesley*, vol. iii. pp. 577, 578.

³ *Pennant's Tour* (edit. 1776), ii. 331, 332.

⁴ *Tours in Scotland*, p. 220.

large amount of disaffection at home—were impending, but the Town Council of Arbroath maintained a strictly conservative position amidst all the turmoil. In 1769, on 22nd April, the Council adopted this thoroughly loyal resolution: 'The Council, considering the riotous and licentious disposition of the people, and they under the name of liberty daring to insult the Parliament, the supreme courts of justice, and the throne itself, unanimously agree to present his Majesty with an humble address, assuring him that they will support the Crown and constitution as far as they are able.' A few years afterwards, the Council had another opportunity of lamentation over the wickedness of the times. In October 1775 it addressed his Majesty George III. on the occasion of the revolt of the North American colonies. Telling the King that he was the best of sovereigns, the councillors assured him that they would think themselves wanting both in duty and gratitude to himself if they did not, at that critical time, join with the rest of his Majesty's loyal subjects 'in giving public testimony to their detestation and abhorrence of the present unnatural rebellion in some of your Majesty's colonies in North America, as well as those wicked artifices used by designing men to instigate and support it.' About this time, the King's birthday was celebrated in Arbroath with notable rejoicings. We have this account, under date at Arbroath, June 5, 1776, of one of those celebrations: 'Yesterday being the anniversary of his Majesty's birthday, the same was observed here with every demonstration of joy. After dinner, the magistrates and principal inhabitants repaired to the Town House, where his Majesty's and many other loyal healths were drunk. The convener and his deacons, with a party from their respective trades, drew up at the cross, where a plentiful glass was provided for them, which circled round, with many loyal toasts, at each of which was a volley of small arms, with great exactness; and the whole testified the firmest attachment to his Majesty and government, and their greatest abhorrence and detestation of the present American unnatural rebellion.'¹ Soon afterwards the Council petitioned Parliament against one of the measures that were supported by the advanced opinion of the day,—the bill which was introduced in 1779 for the abolition of the penal laws.

In the year 1778 the Town Council had considerable local experience of the fact that the times were out of joint. The troubles of the period had contributed to a rise in the price of meal and bread; and in consequence of the high prices there had been several meal mobs in the burgh, caused by the exportation of grain by Mr Greenhill, factor to Sir David Carnegie, and others. The most considerable of these riots took place in May 1778. A firm in Greenock, Messrs Johnstone, Armstrong, & Co., had commissioned Messrs Jolly & Sturrock, grain merchants in Arbroath, to purchase for them from 700 to 800 bolls of oatmeal. This had been done, and part of the meal was shipped at the harbour. The inhabitants—many of them, in the severity of the times, badly off for bread—had seen the shipment of the grain with

¹ Dundee Weekly Magazine.

decided disfavour. Messrs Jolly & Sturrock stated that the convener, deacons, and council of the trades countenanced and encouraged the people in their objection to the exportation of meal, and that even the Magistrates and Town Council had acted in the same way. It is certain that all these persons, together with Messrs Jolly & Sturrock, were joined in a summons which was raised in the Court of Session by the firm of merchants in Greenock. The summons was raised because the meal was not delivered to the merchants. Mr Jolly alleged that a resolution was formed by certain of the trades and inhabitants, countenanced by the convener and deacons, to set fire to his house and to the warehouses of his firm, and to murder himself, because he had undertaken to check their riotous disposition. It is probable that Mr Jolly alleged more than the exact fact in saying that any such resolution was passed, but there certainly had been rioting; and Mr Jolly, seeing the state of feeling that prevailed, instead of exporting the grain, sold it at the market price to the trades. Yet this did not prevent a serious disturbance from occurring. On the night of the 19th May a mob proceeded to the harbour, where the grain vessel was lying with a portion of her cargo on board. They tore down the sails and rigging of the ship, and, not satisfied with having thus disabled her from proceeding on her voyage, broke open the hatches, and carried off 200 bolls of meal, which had been reserved for shipment on account of the trades not giving sufficient security for the whole cargo. The Magistrates had on this occasion given all the assistance in their power to preserve the peace,—at least Mr Jolly said so in a representation which he made to the Town Council on the subject on the following day; but, with the exception of the glovers, none of the trades attended to maintain order, although they had received intimation to do so. The Council, on this matter being reported to them, ordered that a guard of twenty burgesses, such as could be depended upon, should be turned out to patrol the streets nightly, from nine o'clock at night till five in the morning. Another popular outbreak, however, took place on the 29th May. On the evening of that day, a mob assembled before Mr Jolly's house, kindled on the street a fire which blazed up in front of the windows, and made things so uncomfortable for him that he deemed it prudent to get away from his house, along with his family. The windows of Mr Peter Sturrock's house were smashed in the riot. The popular fury appears to have culminated in that outbreak. At all events, next day the Magistrates and Council felt that they might run the risk of discontinuing the guard, which does not appear to have been of much use. The result of the action in Court was that Messrs Jolly & Sturrock were held liable in damages for non-delivery of the meal, and the Incorporated Trades were also mulcted in damages. As for the Magistrates and Council, they were found not liable; but the Court marked its sense of the inefficiency of the magisterial measures for the preservation of the peace by refusing to allow them their expenses.¹

¹ Papers in case of Johnstone, Armstrong, & Co., v. Jolly & Sturrock, the Magistrates, and Trades.

At a period later than when the disturbances about Mr Jolly's meal occurred, one valiant provost showed that he was equal to a whole guard in putting down meal mobs. The time was about the year 1811, when the country was suffering from our own protective legislation, and from the attempt of Napoleon to close the ports of Europe against Britain. The privations of the people at that time were very great; the price of the quartern loaf had risen to 1s. 6d., and a peck of oatmeal cost 3s. 6d. In Arbroath, as in many other towns, a mob determined on seeking relief by attacking the residence of one of the grain merchants. With this object in view, a large number of persons made a rush down High Street. Provost John Andson was standing on the street at the time talking to some gentlemen, and on seeing the mob going in the direction of the grain merchant's house, he offered, if anybody would join him, to attempt a rescue. The gallant provost was joined by a number of kindred spirits, and the party succeeded in dispersing the mob, who had begun to demolish the windows of the merchant's house. The same night a meeting of the inhabitants was called by tuck of drum. The Provost presided, special constables were enrolled, and an end was put to the disturbances.

Reverting to the period of the first of these meal riots, the members of the Town Council had a special personal proof of the insubordinate spirit which was abroad. About the time of the great meal mob, there was a certain William Ritchie, a shopkeeper in the burgh, who had been appointed to act as quartermaster for billeting soldiers—an office the duties of which were at that time somewhat onerous. On one occasion Ritchie had on hand more soldiers than usual, and not knowing how to dispose of them, he refused to act. The Magistrates thereupon ordered him to fulfil his duties. This he essayed to do, but it was by sending two soldiers to the house of each member of the Town Council. Ritchie was probably aware that all councillors were exempt by custom and privilege from having to provide lodgings for soldiers; but when the men were refused accommodation by the outraged municipal dignitaries he sent them back, with a note to the effect that unless the councillors provided for them 'he would make them smart for it.' The Magistrates then made out an order for the imprisonment of Ritchie. Ultimately, in the year 1779, the dispute got into the Court of Session. The Magistrates were successful in the action, Ritchie being found liable in expenses, by reason of the insulting nature of his billet cards.¹ Mr Ritchie afterwards became one of the bailies of the burgh himself. In 1777 he built, largely with stones from the Abbey, the house in High Street at the north side of Abbey Path. During the wars with France, early in the century, this house was the headquarters of the recruiting service for the army, at the head of which was Sergeant Fawns, who used to make the town lively with fife and drum.

¹ Papers in the case.

CHAPTER IV.

BOMBARDMENT OF THE TOWN BY CAPTAIN FALL.

THE war of Great Britain with her American colonies and with France led the Town Council of Arbroath, in common with similar bodies, to take measures to assist the Government and provide for local defence. In 1779, the Council, considering that there was an urgent need of seamen for the fleet, resolved to pay bounties to young men offering themselves for the service. The bounties were to be paid out of money subscribed by the members of Council themselves. Towards the end of 1779 the Council resolved, in co-operation with other burghs, to petition Parliament to grant some ships of war as a convoy for vessels trading between London and Leith. The seas had for about a year been infested with the enemies' cruisers, and it was not an uncommon occurrence for ships to be overhauled and taken prizes into French ports, where their crews were detained in captivity. In September 1778, an Arbroath ship was captured on her voyage home from Riga, and the crew were consigned to a French prison. About a year afterwards a collection was made in the Parish Church for those unfortunate persons, who had been reduced to great straits, their jailors declining to supply their wants, and their friends at home being unable to do so.

Such occurrences led the Magistrates to think with some anxiety not only of the hazard to which shipping was exposed, but of the defenceless state of the town, and the whole of the neighbouring coast. It was accordingly agreed to petition the Government for six or eight large guns, and for two hundred stand of firelocks. In order to make further provision for the defence of the place, the Town Council resolved in January 1781 to erect a battery at the harbour. The Guildry and the Incorporated Trades co-operated in the work, and the former, to assist in paying the expense, imposed a double cess or tax for one year on traders and on owners of heritages within the burgh.

The battery had not been erected when an event occurred which proved in a forcible manner that there was an urgent necessity for such a defence to the town and port. This was the visit of the French privateer Fearnought,—an occurrence which has found several local historians, chiefly in verse. The story of the privateer's attack upon Arbroath has, by a resolution of the Magistrates of the time, been preserved in the records of the Corporation; and the testimony of eye-witnesses of the bombardment, as handed down to the present time, supplies a few additional particulars.

The Fearnought cutter, of Dunkirk, commanded by Captain William [Gulielmus] Fall, who is often confounded with the more celebrated Paul Jones, was one of those privateers which had been busily engaged in picking up defenceless Baltic traders and coasting craft. On the afternoon of Wednesday, 23rd May 1781, she stood into the bay of Arbroath, and the white flag of France was run up. When the cutter's colours were displayed there was no room to doubt that her object in visiting Arbroath was not friendly; but a precise intimation of the nature of his mission was speedily given by Fall, who sent a boat's crew ashore with a message for the authorities. Along with his own men Fall sent two of the crew of an Aberdeen vessel which he had captured in sight of Arbroath, these captives being sent possibly as an indication to the 'chiefs of the town' of the power of the privateer. A shot fired from the Fearnought at a crowd who had assembled on the Ballast Hill, but which did no other damage than the cutting of some ropes of a laid-up ship, must also have been meant to impress the townspeople with the belief that their best course was to surrender. The written messages of the privateer to the Magistrates were printed a few years after the occurrence,¹ and since then they have several times been reproduced. The first message was as follows:—

'At Sea, May twenty-third.
'GENTLEMEN,—I send these two words to inform you that I will have you to bring to the French colour in less than a quarter of an hour, or I set the town on fire directly: such is the

order of my master, the King of France, I am sent by. Send directly the Mayor and chiefs of the town to make some agreement with me, or I'll make my duty. It is the will of yours,

'G. FALL'

On this message being handed to the Provost, the Council was hurriedly convened. It consisted at the time of: David Greig, provost; George Hill and Alexander Hay, bailies; John Neish, dean of guild; James Kerr, convener of the trades; John Ochterlony and James Butchart, late provosts; Alexander Aberdein, James Renny, William Fitchett, and David Balfour, late bailies; Patrick Ritchie, William Smith, James Ferrier, William Soutar, and David Balfour, merchants; and Alexander Vannet, manufacturer. All the members attended the various deliberations of the Council in this important crisis of affairs. It was the first time that the Town Council of Arbroath had deliberated with the messenger of a foreign enemy waiting for his answer at the door of the Council Chamber, and with a ship of war lying in the bay, ready to belch out destruction upon the burgh. The situation was decidedly difficult. At the time, the burgh was all but completely defenceless. A company of soldiers, probably militia, about sixty strong, had been billeted at Arbroath for some months; but it happened that, a day or two before Fall's appearance, half of them had gone to Perth as an escort to some Spanish prisoners who had been put ashore at Aberdeen from a British ship, and had been brought on to Arbroath. In this state of matters, the Magistrates adopted the only

¹ Old Statistical Account of Scotland, vol. vii. pp. 344-346,

course, other than surrender, which was open to them. They tried to gain time. Fall's messenger was detained till seven o'clock at night, no doubt to the annoyance of his choleric master, and was then sent back by the Magistrates with this answer : 'That they had received Captain Fall's letter, in which he mentioned no terms ; that they would be glad to know his terms, which would be laid before the inhabitants ; and how soon their opinions could be collected, an answer would be given him. Meantime, they hoped he would desist from doing the town any injury, by firing on it or otherwise.' This answer having been sent off to the privateer, and Mr Patrick Ritchie, one of the councillors, having meanwhile gone to Montrose, distant twelve miles, for a party of military from that town, it was proposed to enrol for action such of the inhabitants as could be furnished with arms. But of course Fall understood that the authorities of the town were only seeking to gain time, and he at once sent them this second message :

' At Sea, eight o'clock in the afternoon,
' May twenty-third.

' GENTLEMEN,—I received just now your answer by which you say I ask no terms. I thought it was useless, since I asked you to come aboard for agreement. But here are my terms : I will have £30,000 sterling at least, and six of the chief men of the town for *ôtage* [hostage]. Be speedy, or I

shoot your town away directly, and I set fire to it.
—I am, gentlemen, your servant,

' G. FALL.

' I sent some of my crew to you, but if some harm happens to them, you'll be sure we'll hang up the mainyard all the prisoners we have aboard.

' To Monsieurs the Chiefs Men of Arbrought,
in Scotland.'

According to the tradition, Provost Greig did not on this occasion act a valiant part. He is said to have been exceedingly perplexed in the unusual circumstances in which he found himself placed ; and there is a story, which may or may not be true, that he advised the Council to try to 'prig' Fall down—that is, endeavour to prevail upon him to accept a less sum as ransom. The sum named was ridiculously exorbitant for the little town, of some five thousand inhabitants, which Arbroath then was. This consideration has suggested the notion that Fall wrote francs, not pounds sterling, which would make the ransom £1250 instead of £30,000. But Fall had had many opportunities of becoming acquainted with the reckoning of British money, and he would naturally use the computation which was familiar to the persons to whom his missive was addressed. Besides, even if the Magistrates in the hurry of the time had mistaken francs for pounds, this mistake was not likely to be made by the Town Clerk when, two days after, Fall by his departure having relieved the town of all immediate danger, he engrossed the letters of the privateer in the records of the Council. But there was hurry and confusion enough in the burgh, both within and without the Council Chambers, while the cutter was lying in the bay ; and the Provost does not appear to have been quite the man for the situation. The virtual direction of affairs was taken by the minister, the Rev. Alexander Mackie, who, according to unvarying accounts, showed much spirit and judgment on the occasion, and by two of the neighbouring

lairds, Mr Lindsay Carnegie of Kinblethmont and Mr Fraser of Hospitalfield. Those gentlemen were present at a meeting of the principal inhabitants along with the Town Council, and in consequence of their advice, and of the good spirit displayed by the Council generally, it was resolved to return to Captain Fall's second message a verbal answer to this effect: 'That he might fire as much as he pleased on the town; and as to his setting fire to it, the inhabitants would endeavour to prevent that as much as was in their power, as the Magistrates could not agree to such terms.' The military in the town, along with from eighty to ninety of the burgesses, supplied with arms of a miscellaneous character,—a force of not more than 120 men,—were posted at the Ballast Hill, an elevation composed of the earth excavated from the harbour when it was made in 1725; but being without ordnance, they were unable to respond to the cutter's guns. These began to blaze away very vigorously as soon as the message of the authorities was delivered to Fall; but the shot did but feeble execution. Some of the balls passed through the roofs of houses, and a few chimney-tops were knocked down. A ball, which is one of the relics of the bombardment that are still preserved, passed through the window of a house in Grimsby, but it hurt nobody, and did little damage otherwise. Other shots, flying over the town altogether, buried themselves in Cairnie Hill. But the fact of the town being under bombardment at all was rather alarming, and the women and other non-combatants were sent to Cairnie and up the Den of St Vigeans for safety.

Among the inhabitants who remained in the town there was a good deal of stir and noise, besides that produced by the cutter's cannonade. Hugh Barr, the town's drummer, went through the streets beating his drum as a summons to the burgesses, which they could scarcely have needed, to turn out to do whatever was in their power in the way of resisting the common enemy; and in this service he was kept in countenance by the town's cow-herd, who blew lustily on his horn. A 'character' known as 'the Simple Tailor,' and another bearing the still more compromising name of 'Satan Barclay,' are credited by tradition with having kept up a musket-fire on the cutter from behind the shelter of the Nuckle Rock, until a shot from the privateer coming rather too close persuaded them to retreat. The cannonade from the ship was kept up for several hours. It ceased at nightfall, but the defensive force which had been placed at the Ballast Hill was held in readiness to frustrate any attempt to land that might be made by the crew of the cutter. In this it was to have been assisted by the inhabitants, and by a party of soldiers who had arrived from Montrose along with Mr Ritchie, whose horse is said to have dropped dead in consequence of the haste with which it had been ridden to the neighbouring town. During night patrols kept watch at the Ballast Hill and along the coast, east and west; but there was no attempt to land, the cutter lying quietly at anchor all night. At daybreak the bombardment was resumed. The shots were not sent in such rapid succession as during the previous evening, but they were

sent red-hot, with the view of fulfilling Fall's threat to burn the town. The bombardment continued until nine o'clock, but without doing much harm. Captain Fall then betook himself again to letter-writing, sending a third message to the authorities. Along with those of the cutter's crew who took this message, there are said to have been some of the crew of two Arbroath vessels which the privateer had captured in the morning, as, without being aware of the presence of an enemy, they were making for the harbour. The message ran thus :

' At Sea, May twenty-fourth.
' GENTLEMEN,—See whether you will come to some terms with me, or I come presently with my cutter into the harbour, and I will cast down the town all over. Make haste, because I have no time to spare. I give you a quarter of an hour

for your decision, and after I'll make my duty. I think it would be better for you, gentlemen, to come to me of you on board presently, to settle the affairs of your town; you'll sure not to be hurt. I give you my parole of honour.—I am yours,
' G. FALL.'

The Magistrates now felt that it was in their power to give open defiance to the privateer. The tide being out, the boat landed among the rocks, where the Frenchmen were met by the Magistrates, accompanied by the soldiers, and where they got their answer. A flag of defiance was hoisted on the pier-end, and the Magistrates sent Fall this verbal reply: 'That they would be glad to see him on shore, and that they would give him the best reception in their power.' On that answer being received, the fire from the cutter was resumed. It was better directed than the bombardment had been previously, but still it did little damage. There must, however, have been some narrow escapes. The Rev. James Hall, who visited Arbroath a few years after the bombardment, states in his book of 'Travels in Scotland,' that 'Mr Bruce, the Church of England clergyman here, was, I find, in imminent danger; for, while he was but a little distance, a ball broke in pieces the spade with which, but a few minutes before, he had been digging in his garden. The marks of balls on some houses are to be seen at this day.' The same writer says: 'Though the inhabitants were dreadfully alarmed, when they first saw and heard the cannon balls whizzing over their heads, and many had run to coal cellars, &c., to hide themselves, yet, like soldiers, after a first and second engagement, they became not so much afraid. Indeed, one of the weavers was so little affrighted at them, that, wishing to have one of them, he followed it after it had lighted running into the streets; but it was so hot when he came up to it, that it not only burnt his hands, but a hole in his apron, as had happened to others, while he was carrying it home.' This suggestion of relic-hunting in the midst of a bombardment is good.

Fall, seeing that he was making no impression, and probably being afraid lest a report of his cannonade might have reached some of his Majesty's ships cruising on the station, weighed anchor in the course of the forenoon of the 24th. He had taken ransom for the small craft he captured in the bay. One of the Arbroath ships was ransomed at fifty, and the other at seventy guineas. On leaving Arbroath, Fall proceeded to Aberdeen, appearing off that port on 26th May. He

entered the harbour in pursuit of the 'Liberty,' which he carried off along with the 'Haywood' privateer. There appears to have been gross mismanagement in the defence of Aberdeen, for though both vessels were anchored under the guns of the battery scarcely a shot was fired from the fort. An examination was afterwards made into the matter, and the gunner made an affidavit to the effect that, 'being roused from his slumbers, he ran to the battery, where he found a large crowd of people, who had fired off three of the guns. He desired them to retire, but they refused, and the crowd and confusion was so great that it was not possible to work the guns with effect.'¹

The attack of the privateer on Arbroath is a locally memorable episode of the wars in which the country was then engaged. Threatening at first, it happily resulted in but little damage to property, and none at all to life or limb. It is said that Fall was afterwards taken prisoner, and arraigned on a charge of piracy for his attack on Arbroath, but was acquitted.

Two days after the Fearnought had made sail the Town Council met, and renewed its application for 'one or two hundred stand of small arms, with ordnance and stores sufficient for a battery. It was also resolved 'that every means be used for procuring forces, and putting the place in a state of defence, so as to prevent any such sudden attacks or alarms in future.' Lord Stormont and the Secretary of the Admiralty were communicated with on the subject. These representations, backed up as they were by the powerful argument of an actual bombardment, were attended to. By instruction of the Government, Captain Andrew Fraser, chief engineer for Scotland, prepared the plan of a battery, which the Council proceeded to erect at the Ballast Hill. The work was contracted for by Andrew Smith, wright, and Alexander Hill, mason, and the funds were provided by public subscription in the town. The battery was armed with six twelve-pounders, and during the war a party of artillery was kept at Arbroath to man the guns. From accounts for powder which they paid about this time, the Town Council seem to have provided the ammunition. One of these accounts in 1782 was for £47 4s. 'for powder for the battery.' In the same year the Council agreed to co-operate with the Government in raising troops; and in the month of June a meeting of the inhabitants was held in the church with the object of inducing young men to enlist in the army.

¹ 'Book of Bon-Accord,' Aberdeen, 1839.

CHAPTER V.

SEDITION—MEALMAKER AND SANDS—STEWART KYD—THE WAR—THE VOLUNTEERS—
CAPTURE BY THE ENEMY AT SEA.

THE war in which Captain Fall was a very minor actor was a prelude to the greater wars of the French Revolution and of the Napoleonic Empire. The Government of monarchical France, in helping the American colonies to independence, gave a mighty stimulus to that principle of liberty which was about to overthrow the monarchy of the Bourbons, and to send a revolutionary thrill throughout Europe. The institutions of our own country stood unmoved, but not unassailed, amidst the storm. They had zealous champions in the Magistrates of Arbroath. In the year 1793, when the revolutionary fervour in France was at its hottest, the Town Council, in one of their frequent addresses to the throne, assured the king, in terms similar to those they had employed in 1769, that they would co-operate with his Majesty in his endeavour to preserve the constitution of the country and its establishments, civil and religious.

About this time the Magistrates of Arbroath had an opportunity of making proof, such as it was, of their loyalty to Church and State, and they were not slow to avail themselves of it. There was in Dundee a political organization called 'the Society of the Friends of Liberty.' This Society delegated one of its members, George Mealmaker, to attend what were called the Scottish and British Conventions, which were assemblies of Radical politicians. These Conventions were held in October and November 1793. Mealmaker was secretary of his society, and this circumstance, as well as his character as a delegate, drew upon him the attention of the officers of the Government in Scotland. His house having been searched by the police in May 1794, he deemed it prudent to retire for safety from Dundee to Arbroath, where he lodged in the house of Robert Sands. He had been residing in the outskirts of the town for about a fortnight, when, accompanied by a kindred spirit, Robert Sands, son of his entertainer, he went into the town, where the two stayed until night. On their way home they called at the coffee-room to see the newspapers, and soon after they came upon a number of persons at a street corner. In Mealmaker's account of the affair, it is stated that they were 'to appearance masons and weavers,' and that they 'bellowed out a number of opprobrious epithets and abusive language.' An altercation ensued, and it ended in Sands, who was secretary to the Friends of Liberty in Perth, being dragged by the mob before Provost Aberdeen, Bailie Renny, and the Town Clerk, Mealmaker following. The

two, although protesting that they themselves were the injured persons, were fined for assault, and were committed to prison on suspicion of being disaffected to the Government. A guard, under the command of Major Fraser of Hospitalfield, was set over them; and Mealmaker alleged that when his brother came from Dundee to see him, the guard fired on him and others who were speaking to the prisoners at the window of their cell, under the impression that they were encouraging the two men to attempt an escape. Mealmaker describes his and his friend's prison by saying it had 'the horrors of a bastile.' 'The door of our cell,' he says, 'was not allowed to be opened but in the presence of a guard of twenty-five or thirty men, raised for the purpose of guarding us every night. No person was allowed to see us but in the presence of our keepers, and that only at our window. Our letters going and coming must be inspected by the Town Clerk or some of the Magistrates. Our victuals must also pass through the grates of the window, after being strictly examined what they were. For three days no water was allowed us. Our bed must be the hard flooring, no straw nor bedclothes being permitted us, though we were willing to purchase or get either for ourselves. For eight days we continued in this state, and we were denied the use of fire, though the damp was sore against us.'

Mealmaker and Sands had been a second time examined before the Magistrates, to whom, after they had been seven days in prison, the former wrote a letter maintaining their innocence of all crimes, and commenting severely on the treatment to which they had been subjected. The letter concluded by leaving the Magistrates to their own consciences, and by saying: 'Your conduct to us has been one act of despotism and tyranny, more becoming a Turkish bashaw than Magistrates in this kingdom under his gracious Majesty King George the Third.'

This letter had the effect of procuring bedding for the two unfortunate patriots, but they continued to complain of rough treatment at the hands of the guard. They were, however, removed to Dundee, and immediately thereafter to Edinburgh, where, after being judicially examined, and having been in prison for about a month, they were liberated. On regaining his liberty, Mealmaker wrote a letter of indignation to 'the Lord Provost of Arbroath, Mr Aberdein.' The chief point in this letter was a demand for restitution of a snuff-box which had been taken from him when he was in prison in Arbroath. Subsequently, in January 1795, he and Sands addressed a similar letter to the Provost. These epistles, with a narrative of the imprisonment, were published as an appendix to Mealmaker's 'Moral and Political Catechism of Man,' and the whole concluded with an 'Ode to Liberty,' written by Robert Sands when he and Mealmaker were in prison in Arbroath.¹ The 'Catechism' deals largely in first principles, and their application to practical politics would not now be considered extreme; but its publication was the means

¹ The Moral and Political Catechism of Man; and an Inhabitant of Britain. By George Mealmaker. (Edin. 1797.)

of making a political martyr of its author. Mealmaker was in 1798 tried before the High Court of Justiciary for sedition, as being the writer of this political tract; and being convicted, he was sentenced to fourteen years' transportation. He died in exile at Quebec in 1808. 'His widow, a poor but respectable woman, survived her persecuted husband thirty-five years, and died in Dundee on November 13, 1843.'¹

Mention may be made of an Arbroath gentleman, a contemporary of Mealmaker and Sands, who followed the same course of patriotism which they took. Mr Stewart Kyd was born in Arbroath, and received his school education at the local Academy. At the age of fourteen he became a student in King's College, Aberdeen, where he took the degree of M.A. Removing to London he was called to the bar, and he was the author of several law books which gave him a name in this country and were reprinted in the United States. In November 1792 Mr Kyd became a member of the 'Society for Constitutional Information,' which brought upon him the displeasure of the authorities. He was arrested on 29th May 1794, and examined before the Privy Council, after which he was discharged. In the following month he was again arrested, and on this occasion was committed to the Tower on a charge of high treason. A true bill was found against him and others, and on 25th October they were brought to trial before a special commission at the Old Bailey. There were thirteen prisoners joined in the charge. Among them were Thomas Hardy, John Henry Tooke, and John Thelwall. The trials were taken separately, and when these three had been acquitted the Attorney-General stated in court, on 1st December, that no fresh evidence would be brought against the other prisoners, who were accordingly also acquitted. Mr Kyd died at his chambers in the Temple, 26th January 1811.²

When the forces of the French Revolution, of which political agitation in this country was one of the results, began to be directed by military genius, it was found necessary for the British seaports to look to their defence. In August 1794, John Fraser of Balmadies, as a Deputy-Lieutenant of Forfarshire, waited on the Town Council of Arbroath for the purpose of urging upon that body the necessity of enrolling volunteers for the defence of the town and the suppressing of tumults. The Magistrates, in their interview with Mr Fraser, gave the town a good character. The behaviour of the people, they said, had hitherto been peaceable and orderly; but looking to the situation of the country, the Council resolved to recommend the inhabitants to enrol themselves as volunteers.

Several corps of volunteers, other than that raised in the town, were regularly drilled at Arbroath. Thus, for a number of years the Brechin corps was stationed at Arbroath for six weeks each year. A certain element of picturesqueness was introduced into the burgh life of the period by the volunteers, and by the troops of yeomen and companies of militia who were quartered from time to time in the place.

¹ Norrie's Dundee Celebrities, p. 22.

² Notes and Queries, July 3 1880.

The volunteers were required to go through a good deal of hard drill. Their muster-ground was on the lower part of the High Street, at a part then known by the name of the 'Lang Plainstones.' The Common was where they were drilled or reviewed. A review of the Royal Arbroath Volunteers was held on Saturday, 21st May 1800. The troops were commanded by Major Balfour, and reviewed by Colonel Macfarlane, who expressed much satisfaction with their appearance.¹

The state of war was not without some social alleviations, if we may judge from a copy of verses which was left one morning in the autumn of 1799 in the Arbroath coffee-room. The verses are entitled 'A Farewell to Arbroath,' and they bear to have been written by one of the Meigle and Coupar Yeomanry Cavalry :

'Arbroath, farewell ! thou much-loved scene, Where kindness winged each passing day ; In thee so blest our stay has been, With pain we force our souls away.	Should danger rouse your loyal host, To prove th' impious menace vain,
'But tho' the parting trumpet's sound Now bids us leave thy friendly shore, Arbroath shall oft be pledged around The social tables in Strathmore.	'Whate'er the patriot's bosom warms, The civic, the fraternal tie, Shall summon us to friends in arms ; With them to conquer or to die.
'And should a foe insult this coast,— Where long may peace and plenty reign,—	'Ye matrons kind, ye nymphs so fair, Who charmed us with endearing smiles, For such as you we'll proudly share The soldier's dangers and his toils.'

The peace of Amiens gave the country a breathing-time, and local volunteering fell off. But the brief peace being followed by a war in which Napoleon threatened invasion, it was necessary that more energetic preparations should be made than ever for the defence of the country. Everywhere, in 1803 and 1804, the emergency was felt to be great. In Arbroath, in the summer of 1803, four companies of volunteers, each of them consisting of eighty men, were enrolled. Every volunteer had the freedom of the burgh conferred upon him, and a public subscription, headed by Provost Mill, was opened for defraying the expenses of the force.

The volunteers, in case of invasion, would have been called away, in terms of the conditions of their service, to aid in repelling the enemy. In order, however, that the town might not be left wholly defenceless, about fifty or sixty special constables were enrolled in November 1803. They were armed with pikes, and their special duty was declared to be to 'protect private property and to prevent internal commotions.'

In April 1804 the Town Council found its business interrupted by the two bailies, the dean of guild, the convener of the trades, the town clerk, and a number of common councillors, being under the necessity of marching with the volunteers to Dundee for three weeks' drill. For the purpose of trying what kind of stuff they were, the volunteers were marched about a good deal, especially while the prospect

¹ Arbroath Magazine, p. 488.

of invasion appeared imminent. There exists a tradition to the effect that, with this object in view, the officers of the Arbroath corps circulated a report that the French had landed in Lunan Bay, one of the points at which a landing, if anywhere, was thought to be probable. There was a mist on the sea, and some vessels looming large in the offing were supposed to be French ships of war. The drums beat to arms, and the tradition is that the whole corps promptly assembled, with the exception of two of the men, who had shown the 'white feather,' and were found in ignominious hiding. This local incident of the old volunteer times has been reproduced by Sir Walter Scott in one of the scenes of 'The Antiquary.'

Arbroath did its duty in raising a volunteer corps, and in contributing its required quota of men to his Majesty's ships; but, like all the seaport towns, it had a horror of the press-gang. The 'impress' were frequent visitors to the port, bringing with them separations and sufferings that caused many a family to realize acutely the agonies of war.

The seas being infested by the enemy's cruisers, until the victories of the great English admirals annihilated the Maritime Confederacy, shipowners and shipmasters were liable to suffer in person and property. In the year 1805, two ships sailed from Arbroath, one of which was commanded by Mr William Chapel. The two schooners were just about ten hours' sail out of port, when they were run down by a French cruiser and sunk. Their crews, who had been transferred to their captor, were carried round by the north of Scotland, and by the Irish coast, towards France. The Frenchman was pursued by a British frigate, but he got off, and landed his prisoners in Spain. Mr Chapel and his companions in misfortune were then marched across the Pyrenees into France, and lodged in the military prison at Verdun. After remaining there three years, Mr Chapel, with four others, succeeded in making his escape. Encountering some perils by the way, he at length arrived at home in safety. He afterwards for a great many years took an interest in the affairs of the port, and died, at a good old age, in 1859. The Magistrates and Town Council followed the events of the great war with an attentive interest. When they received news of Napoleon's banishment to Elba, they, together with the Guildry and Incorporated Trades, and others, walked in procession in honour of the occasion, which they further honoured by dining together, along with a large number of their fellow citizens, Provost Andson presiding.

CHAPTER VI.

BURGH ADMINISTRATION, 1781-1815—RIOTS—PUBLIC-HOUSES—THE CORN LAWS—
THE TOWN COUNCIL AND TRADE—THE PRESENT TOWN HOUSE—THE BELL ROCK
LIGHTHOUSE—ELECTION DINNERS—BURGH REFORM.

CONSIDERABLE activity was shown in conducting the local affairs of the community in the end of the eighteenth century and the beginning of the nineteenth. Charles Allan was elected provost of the burgh at Michaelmas 1783. In the following year, on 25th February, John Colvill was appointed Town Clerk on the retirement of Mr Alexander Mudie, who died soon afterwards. It appears from the minutes of Council that Mr Colvill, who had previously acted as depute-clerk, paid £315 for the office.

Provost Greig was in 1786 re-elected to the chief magistracy, and this honour was once more conferred upon him in 1791, on the retirement of Mr Allan, who had been re-elected in 1788. Alexander Aberdein, who had taken a prominent part in opposing the prevailing Wallace section of the Council some years before, became provost at the election in 1793. He was succeeded in 1796 by David Balfour, whose successor, chosen in 1799, was William Mill. The occasions on which a vote of the Town Council has been taken on the election of a provost have been rare. One of them was in 1802, when James Johnston was elected by a majority of one vote. Alexander Hay, who acquired the estate of Letham Grange, succeeded in 1805; and John Airth, jun., in 1808. John Andson was chosen provost in 1811. Mr Andson's name was originally Anderson. He reduced it to two syllables in order the better to distinguish himself from a considerable number of persons of the same name who in his time did business as merchants in Arbroath. Provost Andson was an energetic man of business, and a public-spirited chief magistrate. During his provostship the town-clerkship became vacant by the death, on 26th October 1812, of Mr Colvill. On 16th November following, David Louson, who had been depute-clerk, was appointed Town Clerk. Mr Colvill had recommended him as his successor. The Council again took a money payment for the office, and the sum paid was £1000. It is understood that the money was spent by the Council in paving with cobbles that part of High Street extending from Horner's Wynd to Lordburn. Mr Andson died in July 1814, while he was still provost. The vacancy does not appear to have been filled up until the annual election in September, when Andrew Duncan was appointed.

One of the four members who entered the Town Council at the Michaelmas

election in 1781 was a gentleman of distinction—Sir David Carnegie of Kinnaird, grandfather of the Earl of Southesk, and who, but for the attainder of his family, would himself have enjoyed the earldom. Sir David, who had travelled a good deal, was a scholar and a poet. After he had served the burgesses of Arbroath in their municipal Council, he represented them in Parliament, and subsequently he was member for the county of Forfar. His being chosen a member of the Town Council did not give universal satisfaction. In the following year, obviously with reference to his election, William Ritchie, dean of guild, and Thomas Shanks, convener of Trades, 'protested against the election of persons into the Council who are neither traders nor residents in the burgh, as an arbitrary, unjust, oppressive, illegal, unconstitutional measure, wholly contrary to the ancient usage and constitution of the burgh, highly injurious, and an encroachment upon the undoubted rights and inherent privileges of the freemen and citizens thereof.' Sir David was both a burgess and a guild brother; but the protesters appear to have been right as regards the spirit of the Act of the Scottish Parliament on the subject, if not also as to its letter. In 1790 a protest was entered against Sir David Carnegie, who, however, continued in the Council.

The Ladyloan grass, which had for centuries formed a portion of the common good of the burgh, dropped out of the rent-roll in 1803. It had been diminished in quantity by the widening of the Dundee road, and another reason given for its abandonment was that the taxman had often made depredations on neighbouring properties. The town's own property was subject to some depredations. A committee of the Town Council reported in 1805 that there had been considerable encroachments on a number of the properties of the Corporation. The committee was instructed to set up march stones; to enter into a pecuniary settlement with those of the encroachers who were so inclined; and to prosecute the refractory for recovery of the ground which had been taken from the public. It had been found necessary to appoint a standing committee of the Council on encroachments, and it existed for many years. In 1813, a number of old people gave testimony as to encroachments at the Common Folds and the Nolt Loans. The threat of prosecution was renewed, but two years afterwards the Council consented to allow those who had encroached at the Nolt Loans to keep their ground, on their paying for it at the rate of £100 an acre, and leaving a road of sufficient breadth.

The Council in 1785 recognised a right of private property in Provost's Close, a lane leading from High Street to Gravesend. The public had been in the habit of using it; but on the application of a son of Provost Ochterlony, and to prevent disputes, the Council gave a declaration that the close was Mr Ochterlony's sole property. The community continued to be allowed to make use of the close, and in consideration of this privilege the Council made a small contribution towards paving it.

Among the street improvements undertaken about the beginning of the

nineteenth century was the widening of Ladybridge, and the erection, at the foot of Horner's Wynd, now Commerce Street, of a stone bridge over the Brothock, in place of the wooden bridge which had been the sole means of communication at that point between the eastern and western districts of the town. An improvement of considerable importance was undertaken about the same time in the opening up of Hill Street, in a line with Horner's Wynd. The street, which was originally a narrow passage, was opened in 1806. Some good houses were built in it, and it also contained a flesh market, which, however, was soon abandoned, the ground being afterwards feued for dwelling-houses. In 1795 the Council bought a number of old houses in Hamilton Green, for the purpose of effecting an improvement in that part of the town. The lots of ground were sold for feuing, and it was made a condition that the houses to be erected should be built uniformly, so that there might be no projections on the street. A little was done in 1812 to make a straight street of Gravesend. In the following year an arrangement appears to have been made with Mr Lindsay of Almericlose for the opening up of the road from the foot of Lordburn over the Brothock, now called Panmure Street. Mr Lindsay built a bridge over the burn, in the place of an old ford, and he offered the road to the Council for £100. The Council proposed to give him £20, and that he should undertake to raise the balance by subscription. Whether this was done or not, the road became a public thoroughfare, and one of considerable importance. The bridge over the Brothock at this point was rebuilt in 1872. Millgate, West and South Grimsby, and Abbey Street, were paved about the year 1815. In 1812 the inhabitants in School Braes, now Hill Terrace, petitioned for money from the town's funds to enable them to widen the road and to form a terrace in front of their houses. The Council remitted this matter to a committee. It does not appear whether money was given, but the road was widened and the terrace formed.

During his own provostship and that of Mr Andson, Provost Duncan took the leading part in promoting the considerable street improvements which were effected at that time. This gentleman was a most energetic magistrate, and he carried out his reforms without any of the statutory powers with which public authorities are now invested. One of his principal improvements was the paving of High Street, and the removal of obstructions, from Horner's Wynd to the Abbey Tower, according to a plan by Mr Alexander, Perth. In December 1815, Mr Goodall called attention in the Council to the eminent services of Provost Duncan, particularly in planning and personally superintending the making and repairing of streets. He proposed that, in recognition of his services, the Provost should be presented with a piece of plate. Mr Duncan, however, declined this honour, contenting himself with the thanks of the Council.

Besides improving the burgh streets, the Town Council paid some attention to the roads in the neighbourhood of the town. In 1786 they assisted the county authorities in building a bridge over the Elliot. While co-operating with the

county in the erection of this bridge, the Council opposed, but ineffectually, the Road Bill for the county which became law soon afterwards. It regarded the bill as unjust to the burghs. The Keptie Hill tollbar was a special grievance; and the Council resolved, in conjunction with the town of Forfar and the parishioners of Carmyllie and Arbirlot, on opposing in the Court of Session its erection. The opposition was in vain, but the grievance is now only of historical interest, all toll-bars in Scotland having been abolished by the Roads and Bridges Act, 1878.

In the year 1806 new shambles were built at Newgate, not without opposition from Mr James Butchart, owner of the estate. The same gentleman afterwards, in 1814, asked the Council not to consent to the erection of a saltwork near his property, as he foresaw that it would be a nuisance. The Council did not interfere, and the work was proceeded with. There had been a previous proposal to feu part of the ground in front of the Common for a saltwork. Part of the High Common was feued in 1782. Again, in 1809, the Council resolved to let two pieces of the High Common,—the part called the Clayholes, which is the piece on the west side of the railway bridge, and another that was covered with broom. The Council was of opinion that these parts of the Common were of no use to the public for recreation; but William Watt, convener of the trades, as representing the incorporations, protested against their being let. The west side of the Low Common was let for a ropework in 1812.

A local chronicler, writing in 1799, took a sanguine view of the prosperity of the town, and the results of the improvements which had been undertaken by the Corporation. He says: 'The town has increased much of late in its trade and population, owing partly to the war, and chiefly to its excellent situation for foreign trade, of which the inhabitants, by their attention and industry, have availed themselves; and by the improvements that are taking place it will become one of the handsomest towns in Scotland.'¹

About the beginning of the present century, the Corporation turned its attention to a considerable improvement, the bringing of water into the town. As was the case at that time with many larger towns than Arbroath, the only water which had been in use was that of the spring-wells in the town and its suburbs, and the 'pit-wells,' as they were called, in the gardens of the inhabitants. The district being well watered, there was a good supply from those sources, but with the increasing population it became inadequate. In 1802, it was brought under the notice of the Council by Provost James Johnston, that Mr Strachan of Tarrie had, at the request of Sir David Carnegie, 'agreed to give the springs in the Hays on his property to the town upon receiving such a compensation as Sir David should think reasonable.' The Council, impressed with the importance of this proposal, and 'as it had been long wished to procure a supply of spring water,' appointed the Magistrates, the Dean of Guild, the Convener of the Trades,

¹ Arbroath Magazine, p. 114.

and Messrs William Mill, Andrew Duncan, Alexander Hay, Charles Allan, David Balfour, John Airth, jun., and John Colvill, Town Clerk, as a committee to take the necessary steps for obtaining the water. The committee set about its work diligently, but difficulties arose. The subject was to have been brought up for consideration at a meeting in 1805, but it was delayed then, as most of the members of the Council, with the Town Clerk, were required to be on duty in Dundee as volunteers. Volunteering and the war came to an end; but still the question of a local water supply remained where it was. It was ultimately decided by the Town Council in 1815, that the terms proposed by the Laird of Tarrie were inadmissible; and it was recommended that the matter should be postponed. Provost Hay, however, regarded postponement as amounting virtually to an abandonment of the work,—‘a work,’ as he said, ‘imperatively necessary, and of vital interest to the health, comfort, and prosperity of the whole inhabitants.’ In consequence of the strong advocacy of Mr Hay, the Council obtained a survey from Mr George Alexander, the same gentleman who had been employed as surveyor in the street improvements. The instruction to Mr Alexander was to ‘report as to the eligibility of taking up the water on the nearest ground to the fountain-head not belonging to Tarrie.’ The report which was prepared in accordance with this instruction recommended that the springs at Hays and Culloden should be directed into a tank, and brought into the town in pipes. Mr Hay, in urging the utilization of this water, remarked that, of all the towns in the county, Arbroath was most favoured by nature in respect of water; he mentioned the tradition that it was this advantage which had led to the spot being chosen as the site of the Abbey; and he asked how it was that Arbroath ‘should be the only town of the county seemingly doomed to be deprived of one among the greatest comforts and blessings which nature can bestow, namely, water of uncommon excellence, and that comparatively at the lip.’ This ardent and able member of the Corporation undertook that the work, which was estimated to cost £2000, including the expense of an Act of Parliament, should be carried out without imposing any new burden upon the inhabitants. To begin with, only seven wells were to be erected; but it was provided that ‘if the town should become more full of money, small pipes can at any time be carried across the water to the western parts.’ But Mr Hay was too sanguine for his colleagues in the Council, who declined to go on with the scheme.

Soon after the abandonment of the water scheme, that question led to a serious riot. About the year 1816, Mr Kirkcaldy, the farmer of the lands of Hays, had ploughed up the footpath leading to the ancient spring-well known as Hays Well, which from time immemorial has been made use of by the inhabitants. A mob collected at his house, Abbey Bank, and having shown by some window-smashing what their disposition was, the farmer deemed it prudent to seek safety in flight. The matter was brought before the Council, which took some steps to have the well

and the path leading to it re-opened, and this was accordingly done. In 1842 the well was fitted up as it now is by public subscription. It has since been surrounded by a small pleasure park which was gifted to the town a few years ago by Mr C. Strachan Carnegie of Tarrie.

A record of the Town Council, dated 7th May 1807, gives the following notice of disturbances in Arbroath, and their cause: 'The Magistrates and Council, taking into their serious consideration that of late many riots have taken place in this town,—(one of which has been the cause of a most melancholy circumstance),—arising from the alesellers in town keeping open their doors and receiving company during the whole hours of the night, and even on Sundays; the Magistrates and Council therefore feel themselves called upon to exert their authority for the suppression of these evils: and, first, they have resolved that no licence for selling ale will be granted to any person this year in this town and liberties, unless he or she shall produce a certificate of his or her good character, signed at least by two of his or her nearest and most respectable neighbours; second, the Magistrates and Council find it necessary to enact, and it is accordingly hereby enacted, that from this date no person selling ale, &c. (except innkeepers having accommodation for travellers), shall on any account have company in their houses beyond eleven o'clock at night at furthest, and on no account on Sunday during divine service.' It was ordained, further, that offenders should be 'severely fined, and deprived of their licence.' These enactments by the Magistrates of Arbroath were an almost exact anticipation of the statutes which now regulate public-houses in Scotland.

As bearing upon the matter of the consumption of liquors, it may be stated that in 1801 the Town Council petitioned Parliament to prevent the distillation of grain for twelve months, owing to the scarcity which had existed for two years, and the consequent sufferings of the poor. A like resolution was come to in December 1816, when the country was suffering from the collapse of trade that followed the termination of the war. In 1813 the Council adopted a petition to Parliament against the proposal to impose a protective duty on the importation of corn. It pointed out that agriculture was flourishing, that it stood in need of no such protection; while, on the other hand, commerce and manufactures were not in a satisfactory state, and in consequence of the fall in prices, 'the labouring and industrious workman could hardly earn as much as keep himself and his family from absolute starvation.' This was the first of a long and consistent series of resolutions by the Council and the community in opposition to the Corn Laws, ending in 1846 in public rejoicings on their abolition, and in an address of gratitude to Sir Robert Peel. One of the foremost of the local free traders was the late Mr George Canning, who by voice and pen had eloquently denounced the protective duties on corn long before the formation of the Anti-Corn Law League.

Although opposing the corn laws, the Council saw no impropriety in interfering

in some other respects with the free course of trade. The Incorporated Trades, zealous enough in maintaining their own trade privileges, had in 1799 begun to purchase coal as it was brought into the harbour, for the purpose of retailing it. The Council prohibited them from purchasing more than was sufficient to supply their own members. The prohibition was on the ground that an effect of the trades buying up the coal was to raise prices, and to cause inconvenience to people both in town and country. A resolution of a similar character was come to in 1814 with regard to the sale of fish. It was represented that on the arrival of north-country boats their cargoes were bought by wholesale dealers, 'to the great injury of the inhabitants.' The competition of the wholesale dealers, and perhaps also



TOWN HOUSE—OLD GUILD HALL TO RIGHT OF PICTURE.

the resort of the boats to the port, were stopped by an order of the Council prohibiting the fishermen from selling to the dealers for forty-eight hours after they had by bell intimated their arrival.

The improvements which were being made in High Street suggested to a number of the burgesses the desirability of a new Town House being erected, and Provost Hay brought the matter before the Council in January 1807. That body approved of the proposal, and an arrangement was entered into by which the Guildry Incorporation bought the old Town House for £800. The ground on which the Town House was built had been acquired for a body of subscribers, who were to erect upon it a coffee-room and library; but the subscribers accepted instead the offer of accommodation on the second floor of the Guildry Buildings. The erection of the Town House—containing a Town Hall, Council Chamber, offices, Court-house, and

prison—was proceeded with in 1803, from plans by Mr Logan, architect, and at an estimated expense of two thousand guineas. Scott makes allusions to the Town House in 'The Antiquary.' In the novel it is described as the 'new Council House,'—a description that is historically correct, for it was built only a year or two before the time to which the incidents in the novel refer. In 1844 the architectural features of the building underwent a little modification. The access to it, like that to the first Town House with which we are acquainted, was originally by an outside stair. The stair was taken down, and the wing connecting the edifice with the Guildry Buildings was added about the same time. When the alterations were being made, it was contemplated to convert the ground floor of the Town House into shops; but a public meeting of the burghesses had the good taste to veto that proposal, and it was not carried out.

The part of the Town House that was made a jail continued to be so used till the erection of a new prison in Gravesend. In the older buildings which had been occupied by the Corporation, as well as in the present Town House, the municipal business of the town was transacted in the premises that were used also for the detention and punishment of offenders. This was an arrangement that was very common in the Scottish burghs. The first prisoner committed to the prison in the new Town House was a certain Tibbie Hall, whose offence was that she had been a ringleader in a mob of women who were opposing the king's press-gang. A culprit of a different kind was he who, not long afterwards, being convicted of a serious crime, was lashed at the cart-tail from the Town House to Tower Nook and back: he was the last offender who suffered in that way in Arbroath.

A few years after the building of the Town House, a work of much more importance than it, and partly carried on in the burgh, was begun. This was the erection of the lighthouse on the Bell or Inchcape Rock. A great storm, involving many shipwrecks, on the 2nd, 3rd, and 4th December 1799, directed public attention to the desirability of erecting some kind of beacon on this dangerous reef. Upwards of seventy vessels were wrecked at that time on the north-east coast, and many of the crews were lost. Five vessels were wrecked at Arbroath, and of these the crews of two perished. The *John Caird*, of Arbroath, was wrecked at Bervie, and her crew, seven in number, were drowned. The whole of the wrecks were attributed to the well-founded dread which mariners had of the unbeaconed Inchcape Reef. But for fear of the danger that lay in their way, they could have run for shelter to the Firth of Forth; and two of them in attempting to do so were broken to pieces on the Bell Rock. The most memorable wreck that had taken place on the Rock was that of the *York* 74-gun ship, which was lost upon it with all her crew. The scheme of erecting a lighthouse having been taken up by the Commissioners of Northern Lights, their engineer, Mr Robert Stevenson, made a survey of the rock in 1800. He found many traces of wreck upon it, including, in that military age, a considerable number of warlike weapons,

probably from the wreck of the York, and a silver shoe-buckle. In 1802 a Convention of Burghs was moved by Provost Duncan, and agreed, to take the subject of a lighthouse on the Inchcape Rock into its serious consideration. In the following year a bill was brought into Parliament to enable the Commissioners to proceed with the erection of a lighthouse; but it was lost in the House of Lords. Two years afterwards it appears to have been still for



BELL ROCK LIGHTHOUSE : EBB TIDE.

necessary to satisfy some objectors as to the necessity of the projected work. In November 1805 the Town Council of Arbroath received a letter from Mr. Cuninghame, secretary to the Northern Lights Commissioners, stating that 'it was intended to apply to Parliament for aid in erecting a lighthouse on the Bell Rock, and requesting authentic information of the accidents which had recently happened, how far a lighthouse would have prevented such accidents; and in general, if such a light would prove beneficial to the commercial interests of the country.' The Council appointed a committee to procure the required information. At length

Mr Stevenson's opinion as to the practicability of erecting a durable lighthouse on the rock having been fortified by that of Mr John Rennie, C.E., an Act of Parliament authorizing the undertaking was passed in 1806, and operations were begun in 1807. When the Commissioners' vessel the *Pharos* sailed for her station at the Bell Rock at the commencement of the work, she was on 9th July 1807 met by a committee from Arbroath, consisting of David Balfour, Andrew Duncan, David Cargill, John Fleming, and William Kidd, shipmasters and merchants, who had been invited as being familiar with the coast. The lighthouse is a circular tower. It is on the principle, improved by Mr Stevenson, of Smeaton's work on the Eddystone Rock, but the erection was a task of greater difficulty than



SIGNAL TOWER AND HARBOUR BASIN.

that earlier enterprise. The rock is exposed only for a short time at low water, and as it is about twelve miles distant from Arbroath, the nearest land, the task of building the lighthouse upon it was one of no ordinary magnitude. The lower courses of the tower are of granite, obtained from Aberdeenshire quarries; the remainder of the tower, up to the cornice, is of stones from Mylnfield quarries, near Dundee. These were prepared in a workyard in Ladyloan, Arbroath, in commemoration of which a lane adjoining Ladyloan Parish Church has within recent years been named after the Bell Rock. The stones for the cornice and the parapet of the light-room are of the liver rock of Craigleith quarry, and were prepared in a yard at Greenside, Edinburgh. The foundation-stone of the lighthouse was laid on Sunday, 10th July 1808, with masonic honours. A barrack-house for the reception of the workmen had been placed upon a temporary wooden erection. It was only in summer that the work could be proceeded with, and even then it was attended

with frequent perils. Only two lives, however, were lost in the course of the operations. Whilst the work was going on, many were sceptical as to whether it would ever be completed, or, if completed, whether anybody would be got to venture his life in the lighthouse. From the first the Magistrates of Arbroath had shown great friendliness to the work, and a berth in the harbour was given to the lighthouse service. On the invitation of Mr Stevenson, the Rock was visited on 3rd July 1810 by Provost Airth, ex-Provosts Balfour and Milne, Bailies Duncan, Fleming, Andson, Wightman, and Kid, together with Mr Colvill, Town Clerk, Messrs Bruce, Bell, Balfour, Johnston, Christie, and Lindsay. The lighthouse was completed in the beginning of 1811; and the light was exhibited for the first time on the night of the 1st February in that year. The tower is 100 feet in height,—or, with the light-room, 115 feet,—42 feet in diameter at the base, and 15 at the top. It contains six apartments, including the light-room, which from the first has been supplied with the best apparatus. The light is a revolving red and white light. The tower is supplied with two large bells, which in foggy weather are constantly tolled night and day, by the same machinery that moves the lights, so that the traditionary warning bell of the Abbot of Aberbrothock has on the rock a literal and noble successor. At Arbroath there is a signal tower for the lighthouse, fifty feet in height, with storehouses and houses for those of the keepers whose turn it is to be on shore, and the families of the keepers. The signal tower with its connected buildings was completed in 1813. Including these buildings on shore, the erection of the lighthouse cost £61,331 9s. 2d.,¹—not a large sum to be spent on a work so beneficent. Terrible storms often rage around the lighthouse, and even in a summer storm the sea spray has been known to be dashed up as high as the lantern; but during all the years that have elapsed since the light was first exhibited, only one or two small vessels have stranded upon the Inchcape Rock, and there has been no loss of life. Sir Walter Scott, who visited the lighthouse in 1814, gave expression to his estimate of its value in the lines which he wrote in the visitors' book:

' Far in the bosom of the deep,
O'er these wild shelves my watch I keep,
A ruddy gem of changeful light
Bound on the dusky brow of night.
The seaman bids my lustre hail,
And scorns to strike his tim'rous sail.'

From the time it was first lighted until the night of Saturday, 5th April 1890, the Bell Rock light had never failed to send out its friendly signal to the mariner. As an additional warning during foggy weather, there had early in 1890 been fitted up on the lighthouse a cotton-powder explosive signal, under the direction of the Commissioners of Northern Lights. The signal was first brought into ordinary use on 17th March. On the night of Saturday, 5th April, there was

¹ Robert Stevenson's Account of the Bell Rock Lighthouse. Edinb. 1834.

by accident a premature explosion, which had the effect of doing considerable damage to the lantern or light-room, the glass being blown out. The light apparatus was not much damaged, and only one of the keepers was injured, and that but slightly. But the explosion extinguished the light, and the lighthouse remained dark until the evening of Sunday, 13th April, by which time the lantern had been repaired. Since then there has been no accident.

In his 'Memorials of Angus and Mearns,' Jervise states that 'one horse, the property of James Craw, a labourer in Arbroath, is believed to have drawn the entire materials required for the building. This animal latterly became a pensioner of the Lighthouse Commissioners, and was sent by them to graze on the island of Inchkeith, where it died of old age in 1813.' 'Bassey' was the name of the Bell Rock horse. Its bones found a place in the museum of Dr John Barclay, an eminent anatomist, by whom the skeleton was bequeathed to the Royal College of Surgeons, who placed it in their museum in Edinburgh.

A lifeboat has been stationed at Arbroath for upwards of a century. For many years the station has been under the management of the Royal National Lifeboat Institution. In November 1838 some gentlemen of Arbroath expressed their appreciation of an ever memorable and heroic rescue at sea, by presenting Grace Darling with a locket, chastely wrought in gold, and inscribed: 'To Miss Grace H. Darling, from a few gentlemen of Arbroath, to mark their sense of her brave conduct on 7th September 1838.'

In 1807, Mr Hay being provost at the time, the Town Council, on 2nd July, passed this self-denying ordinance: 'The Council, considering that there are now many public works in agitation, the execution of which will require considerable sums of money, so that it is proper to retrench as much as possible the expenditure; with this view they agree that in future the dinners usually given at the election of the magistracy shall be entirely discontinued, which will be a considerable annual saving in favour of the town.'

The Council adhered to this virtuous course for only four years. On the eve of the election in 1811 they resolved thus: 'When it is considered that much time and labour are bestowed by the Magistrates and Council on the affairs of the burgh, without any consideration whatever, and as the town's affairs are now in a very flourishing state, it has rather a singular appearance that the members of the Council and those concerned in the election should not have a convivial meeting on the election of the magistracy: Resolved, therefore, that there shall be a dinner at the election of the Magistrates annually, to be defrayed from the town's funds, but to be strictly confined to the members of Council, and those deacons and others having an immediate connection with the election, together with the retiring dean of guild and convener, as well as the Established clergymen in the town, the rector and the teachers of English and writing in the public school.'

These annual feasts, paid out of the common good of the burgh, were an

indication, small but sufficiently accurate, of one of the ways in which much of the corporate property was frittered away in every burgh in Scotland. A great deal of corruption had long existed in the management of burghal affairs. For this the close character of the Town Council was directly responsible. By the ancient constitutions of the burghs, the Magistrates and Councils were elected annually by the free suffrage of the burgesses; but by Acts of the Scottish Parliament 1469 and 1474, the system of self-election was introduced. So early as the reign of Charles II., the attention of Government was directed to the scandalous abuses arising from the close system of election. In 1684 a royal commission was issued for inquiring into the affairs of the burghs, which, originally centres of liberty, had through corporate mismanagement become sources of social corruption. The commission was issued by the king on the ground of its being understood 'that in many of our royal burghs the common property and revenues have, by the magistrates for the time, been either profusely dilapidated or privately peculated.' Reference was made to debts having been contracted without necessity; to their remaining unpaid, notwithstanding that grants had been given by the Crown for paying them; and to self-interested motives which led factions in the burghs to get themselves elected to the magistracy. The object of this royal commission was to bring corrupt administration to an end, through a strict account being required from the magistrates of the management of burgh property. But that object was not then attained. In 1693 the Scottish Parliament passed an Act directed against maladministration by burgh magistrates; and in the following year another commission of inquiry was granted by the Crown. Three years before the date of this commission Lord Provost Anderson of Glasgow, in a supplication presented to the Convention of Royal Burghs, stated 'that of late the burgh is become altogether incapable of subsistence, in regard of the heavy burdens that lie thereupon, occasioned by the vast sums that have been borrowed by the late magistrates, and the misapplying and dilapidation of the town's patrimony.' What with the mismanagement of their corporate property, and the decay of their trade which took place during the forty or fifty years succeeding the Union, affairs in the burghs fell into a very depressed state; with the revival of trade, and the inspiration of a more vigorous life, a demand for reform arose. A Burgh Reform Bill was promoted in 1789. It may be mentioned that those who had charge of it drew up a paper, entitled 'A Substance of Grievances as now exhibited by the promoters of the Reform Bill against the Magistrates of Aberbrothock.' This paper was transmitted to the burgh by the Convention of Burghs, and the Town Council appointed a committee to consider it. It was at the time that they were in difficulties with their creditors.

In the year of this first and abortive Reform Bill, an order was made by the House of Commons for an account of all lands and other heritable property sold, feued, or alienated by the magistrates of burghs since the Union. The order was

duly obeyed by all the burghs except those of Fortrose, Pittenweem, and Lochmaben; and a Parliamentary committee in 1793 reported that, in the whole of the alienations since the Union, 'there did not appear above one hundred instances where the property was sold by public sale.' The same report bears: 'Glasgow and Arbroath appear to have contracted very considerable debts, by several Acts of Geo. I. and II. and 27 Geo. III. cap. 46, imposing and continuing a duty of two pennies on the pint of ale for payment of these debts, and other purposes.' It appears from the report and its appendices that the gross revenue of the burgh of Arbroath for the year 1788 was £864 1s. 7½d. The sums collected for ten years by assessment on the inhabitants amounted to £802 16s. 8d.; the amount of the land tax for the same period was £436 13s. 4d.; and the balance was the sum collected over and above what was paid to Government.¹ In most of the burghs the sums collected were similarly in excess of the amount of the land tax.

The object of the Reform Bill of 1789 was to obtain for the burgesses of the various burghs an effectual control over their own public affairs; but although more than one attempt was made in this direction in Parliament, the revolutions and wars in Europe postponed parliamentary and burgh reform until a new generation had arisen.

CHAPTER VII.

BURGH ADMINISTRATION, 1816—1833—THE PRISON—POLICE—PROJECTED CANAL—MAIL AND STAGE COACHES—FISHERMEN—PARLIAMENTARY AND BURGH REFORM.

EXTENDING from the close of that treated of in the last chapter, the next period of burgh history may conveniently be regarded as terminating when the Burgh Reform Act was passed. It covers about eighteen years. William Kid, who was elected to the office at Michaelmas 1817, was the first provost in this period. He was succeeded in 1820 by James Marnie, who held office two years, he having resigned in September 1822. On Mr Marnie's resignation, James Goodall was elected provost, and he continued in office till Michaelmas 1825. William Renny succeeded, and held office only one year. On Mr Renny's resignation, ex-Provost Duncan was, by the unanimous voice of the Council and the inhabitants, recalled to preside at the Council Board. He was then well advanced in years, but he accepted the office, and discharged its duties for another triennial period with the public spirit which had distinguished his previous civic reign. He died in 1840, in the eighty-second year of his age. James Kay became provost in 1829. William

¹ Report by Select Committee of the House of Commons.

Anderson succeeded in 1832, and his was the distinction of presiding over the last unreformed and the first reformed Town Councils of Arbroath.

The subject of 'encroachments' continued to occupy a good deal of the attention of the municipal authorities. It was repeatedly reported to the Town Council that small pieces of land in and about the town had been taken possession of by persons who had not paid for them. The Clerk was instructed to take legal proceedings against the persons concerned; but little redress was obtained. About the year 1822 the Town Council went to law for the purpose of resisting what it regarded as an encroachment in the Abbey Burying-Ground. It sought to interdict the Rev. Mr Gleig from enclosing his place of interment; but after a considerable sum had been spent in the matter, the Council consented to the re-erection of the enclosing railing, which it had caused to be thrown down. The burying-ground about that time was in such a neglected state, that the dean of guild and the convener of trades made complaint about it in the Town Council. This was in 1827, and, in consequence of the action then taken, it was agreed, on the suggestion of the Kirk-Session, to appoint a committee to manage the burying-ground, the committee consisting partly of the Session and partly of the Council. This arrangement lasted until 1867, when, a new Cemetery at Muirlands having been provided, the Town Council resolved to undertake the exclusive management of the Abbey Burying-Ground, the Kirk-Session waiving for the time, but at the same time reserving, those rights of administration which it claimed to possess.

About the year 1829 the Town Council began to make an encroachment on its own account. It ordered the gradual demolition of the Wardmill Hill, a favourite resort of the inhabitants, with the object of ultimately feuing its site. The sand and gravel were sold as ballast, and on the clay being reached, the hill was let as a brickwork. In this way it was in the end reduced to a plain; and, in accordance with the original intention, the ground has been feued. The hill was thus made to bring revenue into the burgh exchequer, but its destruction was disapproved of by many of the inhabitants.

Their jail in the new Town House gave the Magistrates a good deal of trouble. The door was in the lobby of the municipal building. This door opened into a smaller and dimly lighted lobby, in the ceiling of which hung a gilded dragon or griffin, which was at one time the weathercock of the old steeple of the church. Facing the entrance door were two dark cells, with strong, grated doors. Upstairs were two rooms, one for debtors and the other for criminals. The system of discipline was anything but strict. The debtors, as in most other prisons at the time, were allowed to beg for alms, by hanging out a bag from their room window low enough to admit of money being dropped into it by passers-by. The prisoners had the freedom of all that portion of the building which was devoted to their use; and it was even common to allow prisoners to go out of doors, on their engaging to return in the evening to be locked up. This state of matters gave rise occasionally

to laughable incidents. In one of the earlier years of the century, an old woman named Margaret Hodge was imprisoned by the Bakers' Incorporation for an offence against their exclusive privileges of trade. Quite properly, an offender of this sort had all the liberty which a prisoner could expect to have, including the liberty of going at times to her own house during the day. It is told of her that one night, on returning to jail, finding the premises shut up, so that she could not get admittance, she, to the amusement of the bystanders, made loud complaint of the jailor, Jamie Mill, declaring that it was a shame to keep a decent woman out of her bed at that time of night; and threatening, if she were not speedily admitted into the prison, that she would complain to the provost.

But the laxity of administration at the prison was attended with some results to the burgh which were not amusing. As was to be expected, escapes were frequent, and the Magistrates were repeatedly required by aggrieved creditors to make good the liabilities of debtors whom they had failed to keep securely. Several of these cases were taken into court, but the Magistrates had either to pay in full or to compromise the matter. In one case they pleaded, but ineffectually, that they were not responsible for the debt, 'as no prudent care or attention could have foreseen the expedient which the prisoner had recourse to,' in getting through the floor of the prison, and effecting his escape. The sums which in this way the Corporation was called on to pay from time to time were considerable; and in the year 1819 it occurred to the Town Council that it would be more economical to make the prison secure. Tradesmen were accordingly employed for this purpose; but complete security was not attained, escapes continuing to take place with considerable frequency. On the occasion of an escape in 1827, the Lord Justice-Clerk, when presiding at the Circuit Court in Perth, took notice of the conduct of the Magistrates with regard to the management of the prison. The Magistrates made a representation on the subject to the Lord Advocate, Sir William Rae; and after his Lordship had instituted inquiry he exculpated them, but recommended the dismissal of the jailor, whose conduct, he said, had been extremely reprehensible. The jailor was accordingly dismissed. In 1840, on the appointment of a County Prison Board, under the authority of an Act of Parliament, the Magistrates ceased to have the management of the local prison, save through representatives sent by the Town Council to the Board. At the same time, prison assessments began to be levied. In the following year it was proposed by the General Prison Board for Scotland, that such prisons as the one at Arbroath should not be places of detention for debtors. This was opposed by the Town Council, principally on the ground that it would be a hardship on civil prisoners to remove them from the towns in which they resided and had their business. The County Board took the same view, so far as Arbroath was concerned; and it was then agreed to erect the prison in Gravesend, on the site of the old guard-house. In 1862, the prison of Arbroath, together with those of Montrose and Brechin, was closed by an order of the Home

Secretary. The only prisons left in the county were those of Dundee and Forfar ; and the prison of Forfar is now only local, and for limited detention.

A faint attempt towards establishing a system of police in the burgh was made in the year 1819. Contributions were made by the inhabitants to pay four night watchmen during the winter months, the Town Council undertaking to provide the men with watch-coats, rattles, and lanterns. A similar appointment was made in the following winter. In October 1821, a public meeting was held in the Town Hall, with the view of setting up a more regular police. The necessity for this was said to be the large number of vagrants and depredators then infesting the town and neighbourhood. To meet the case of vagrants, there was an official with the expressive title of the 'beggar-runger' ('rung,' a big stick), who was wont to receive tramps at the Montrose Road, escort them through the town, and shew them the road to Dundee. At a public meeting held in 1825 it was resolved to recommend the Town Council to apply to Parliament for a local Police Act for the town and suburbs, the Act to contain power for paving, cleaning, and lighting the streets, and for supplying the town with water. This recommendation was not given effect to ; but as stated (p. 340) in connection with the transference of the management of the harbour to the Harbour Trust, the General Police Act, 3 and 4 William IV. cap 46, was adopted. It was adopted at a meeting of the inhabitants in September 1836, and the first commissioners were elected on the 15th of the same month. The adoption of the Act introduced for the first time a regular assessment on the inhabitants for police purposes. In 1838 the assessable rental for police purposes was £21,100. Soon after the Police Act was brought into operation, the present Police Office was built on the site adjoining the prison. The Act of King William remained in force in the burgh until the adoption, on 14th March 1866, of the General Police and Improvement (Scotland) Act, 1862, under which the Town Council became the Police Commission. This Act was superseded by the Burgh Police (Scotland) Act, 1892, which continues the Town Council as the Commissioners of Police. Although consisting of the same persons, the Burgh Commissioners are administratively a body distinct from the Town Council. The first Clerk of Police, appointed in 1836, was Alexander Guild. He held the office for a year or two, after which Robert Lyon was appointed. Mr Lyon resigned, and was succeeded in 1847 by David Smith. On Mr Smith's death, in the end of 1896, Mr W. F. Mackintosh, who had for a few years been assistant clerk, was, in January 1897, appointed to the office.

In 1825 an important improvement was introduced. The streets and houses were lighted with gas, a company having been formed for the purpose.

The first visitation of cholera to this country, in 1831, was an event which might well lead local authorities to urge upon their constituents the necessity of adopting sound sanitary regulations. In Arbroath, on the first news of the appearance of cholera in the country, a Board of Health was appointed, and funds for

sanitary purposes were placed at the disposal of the Magistrates. The dreaded disease broke out in the town in 1832, the first case occurring in an old two-storey house in Market Place, long ago demolished. By day and night the alarmed inhabitants kept up fires of flax mats, tar, and sulphur, in the hope that by such means they would arrest the progress of the plague. A common place for these fires was at the top of Marketgate, in front of Burnside Mill. Valuable furniture was thrown out of plague-stricken houses and burned at the Common. The town at the time was not in a good sanitary state, and suffered severely from cholera.

In 1821, the White Hart Hotel, the old hostelry of the town, being ruinous, was rebuilt by the Corporation. It was sold in 1851, since which time it has been private property.

The Town Councils of Arbroath and Forfar contemplated a very considerable work in the formation of a canal between the two towns, to be called the Strathmore Canal. The first survey, which extended from Arbroath to the ruins of Restenneth Priory, was made in 1783, by Mr Whitworth, C.E. The matter was more thoroughly gone into in 1817, when, at the request of Provost Duncan, Mr Robert Stevenson, the engineer of the Bell Rock Lighthouse, made a survey. The immediate cause of the scheme being taken up then was the want of fuel in Strathmore, from the failure of the peat mosses, and the great expense of land carriage. The expense of cartage from Arbroath to Forfar was from 14s. to 15s. per ton, and by the canal it was to be reduced to 7s. Power was to be taken to extend the canal westward to Coupar-Angus, and eastward to Brechin. At Arbroath it was to communicate with the harbour by means of a lock. It was anticipated that the trade of the town would be much developed by the canal, and that the Magistrates would be enabled to extend and improve the harbour. In 1824 the Town Council subscribed £200 for another survey. In the following year they had a report from Mr Stevenson with regard to a proposal to form a railway from Arbroath through Strathmore, and the canal scheme then finally fell out of sight. A number of years elapsed, however, before the railway was made, and meanwhile the roads were the only means of communication. Mail coaches and stage coaches passed through the town daily, bringing with them that stir which in those days helped to enliven the towns and villages that were situated, like Arbroath, on some great line of road. In addition to the coach that carried his Majesty's mails, the 'Saxe Coburg' stage passed by way of Arbroath on the road from Edinburgh to Aberdeen. Then there were the 'New Times,' from Aberdeen to Perth; the 'Highlander,' from Montrose to Dundee; and the 'Commercial Traveller,' which ran daily between Arbroath and Dundee. These and other stage coaches supplied the town with its principal means of communication with neighbouring and distant places. The mail-coach drivers and guards often suffered much from exposure in winter. One of them, M'George, a guard on the eastern road, lost his life, being found frozen to death with the mail bags round his neck, in the great snow-storm of 1822-23. The mail

coaches stopped at Misses Fielding's inn (the White Hart), and at that time the post office was immediately opposite the inn. The Town Council memorialised the Post Office Department in 1836 to put on a diligence between Arbroath and Forfar. The Post Office agreed to do so for twelve months as an experiment, provided the toll-duties were remitted. To meet this condition it was necessary for the town to raise a subscription, as the Road Trustees declined to remit more than a half of the dues. Besides the bustle necessarily caused, the daily arrivals and departures of mail and stage coaches introduced a certain element of picturesque-ness into the burgh. Another place in the neighbourhood, now quiet enough, which was enlivened by the road traffic was Woodhill Inn, the half-way house to Dundee. As to passenger traffic by sea, the 'Eoby' and 'London,' Arbroath and London smacks, afforded the means of making acquaintance with the capital; but that was a voyage which, being an event in a lifetime, was not to be gone about without much consideration and preparation.

The Town Council, in the interest of the community, continued from time to time its endeavours to prevail upon fishermen to settle in the burgh. The feudal claim of the Earl of Northesk, fortified by law, to the service of the fishermen of Anchnithie, was for long a barrier in the way of fishermen migrating from the village to Arbroath. The Council tried Shetland, Bervie, and other places, offering to pay families of fishermen all expenses of removal, and to give them a bonus besides; but in this they had but indifferent success. In the year 1773 there were only three fishing boats at Arbroath besides the pilot-boats; and it was considered at that time that the fishing trade had 'mostly failed.'¹ At length, in 1830, serfdom for fishermen being then long extinct, Bailie Muir reported to the Town Council that several Anchnithie fishermen were willing to come to Arbroath, provided they got proper sites on which to build houses. It was proposed by the Council to found a fishing village in front of the West Common; but the Anchnithie colony settled at the foot of High Street. They have proved themselves an industrious and useful class of people,—supplying the harbour with pilots, the lifeboat with a skilful and hardy crew, and the fish market with an important article of food.

Arbroath at an early period was interested in parliamentary and burgh reform. The first public meeting of the inhabitants to promote the reform of Parliament was held on the Common, on Monday, 25th January 1817. At this meeting a committee was appointed to arrange with the Magistrates for a larger meeting, which was held on the Abbey Green on Monday, 3rd February. About four thousand persons were present. Provost Duncan presided, and he was supported by the members of the Town Council, the Guildry, and Incorporated Trades. It was stated to the people that this was the first meeting of the kind, in any royal burgh in Scotland, at which the Magistrates and other public bodies had taken a part. Among the persons who addressed the assemblage were Provost Duncan,

¹ Old Statistical Account of Scotland, vol. vii. p. 344.

ex-Provost Airth, Mr James Goodall, and Mr David Gibson. The speeches set forth the miseries of the country, the result not only of a close system of Government, but of the reaction in trade which followed on the termination of the long war. Resolutions were unanimously adopted demanding a redress of grievances, and pledging the meeting 'to obstruct the election of any candidate for a seat in Parliament who should not engage, in the most positive terms, to promote the great cause of parliamentary reform, and an immediate abolition of existing abuses.'¹

These resolutions were followed up in 1820 by the Arbroath Corporation voting for Mr Joseph Hume, when he was returned to Parliament as member for the district of burghs. The contest was between Mr Hume and Mr Mitchell. The latter having challenged the vote of the Arbroath commissioner, the Town Clerk was summoned to London to produce before a committee of the House of Commons the Town's charter and the Council minutes. He was accompanied by Provost Kid; and the validity of the vote, which appears to have been disputed on very slender grounds, was admitted, Mr Hume accordingly taking his seat in the House. A few years after this, Mr Hume temporarily retired from the representation of the burghs, and was succeeded by Mr Horatio Ross of Rossie.

In the exciting years 1830 and 1831, the subject of parliamentary reform was frequently considered by the Council and by public meetings of the inhabitants, and the passing of the Reform Bill in 1832 was celebrated by a 'jubilee' dinner on 16th August of that year. The day was observed with great public rejoicings, in which the people of the neighbouring country district largely took part.

At the first election for the burghs to the Reformed Parliament, the election taking place in December 1832, Mr Ross was opposed by Mr Patrick Chalmers of Aldbar, who also was a Liberal, when Mr Ross was returned by 801 votes, against 539 for Mr Chalmers. In Arbroath there were at that time 472 registered electors, who in the election were thus accounted for: Voted for Ross, 228; for Chalmers, 195; did not vote, 34; absent by indisposition, 2; did not vote in consequence of removal from premises registered upon, 3; paired off, 2; rejected by refusal to take oaths, 5; removal from Arbroath, 1; appeared after close of poll, 2.

Contemporaneously with the movement for the reform of Parliament there went on a movement for the reform of the burghs. In February 1817, Mr Hay proposed a motion on this subject in the Town Council. The object sought was to do away with the system of self-election. The motion was referred to a committee, who in the month of May brought up a long report. The committee was very decidedly in favour of popular representation. 'In our burgh,' the report stated, 'the great mass of burgesses feel little, if any, interest in public affairs, from the management of which they are entirely excluded; and the natural consequence arising from all exclusive regulations is, that it produces upon those whom it affects not merely

¹ Proceedings in Arbroath for obtaining a Reform in Parliament. (Arbroath, 1817.)

indifference, but very often positive hostility.' Publicity in the transaction of municipal business was desiderated by the committee, who asked the question, 'What was the case in our own burgh in former times, when an oath of secrecy was imposed upon every member of Council? The public interest was compromised, and held to be of minor importance to the selfish purposes of private advantage.' The practical suggestions made by the committee were, that the system of permitting the popular bodies in the burgh—the Guildry and the Incorporated Trades—to nominate a certain number of persons whom the Council should elect to its membership, should be revived. An application was made to the Convention of Burghs to alter the sett of the burgh, so as to give effect to the proposed reform; and the Convention on 12th July 1821—Provost Marnie and Bailie Anderson being present as representing the burgh—passed an Act giving effect in the main to the petition of the burgh. The Act did not pass, however, without dissent. The commissioner for Aberdeen dissented, 'as considering it to be illegal and unconstitutional in the Convention to innovate or alter the sett of a royal burgh in any circumstances whatever, and the commissioner for Perth dissented because the alteration was not in precise conformity to what was asked by the petitioners.'¹ By the alteration agreed upon the Guildry and the Trades acquired the right to nominate four members of Council each year, the Council electing two of those so nominated. They thus obtained a concession similar to the one which was aimed at by them, and partially granted, towards the close of the eighteenth century.

Mr Joseph Hume had an opportunity in 1827 of expressing his opinion on the municipal condition of Arbroath, and on the general question of the representation of the public in local governing bodies. The opportunity was presented through the Magistrates applying to him to use his influence in Parliament to obtain a renewal of the tax on ale. Mr Hume, in a letter he wrote to the Town Council, pointed out that there was great reluctance in the House of Commons to continue this taxing power to self-elected magistrates. He suggested that the Magistrates should call a meeting of the inhabitants to consider the matter, and continued: 'I know no Corporation which is better able to make that appeal with confidence of support from their constituents than the Magistrates and Council of Arbroath. Taxation and representation is one of the maxims I have laid down for myself since first I took a part in public business; and as the Council of their own accord admitted members from the trades and merchants (who form the bulk of the community who pay taxes) into Council, the proceeding I suggest would only be in accordance with that principle.' Mr Hume went on to say: 'I am proud to be the representative of Arbroath, and am anxious to see it take the lead in liberal measures.' The Town Council, however, did not follow Mr Hume's advice as to consulting the inhabitants. In 1828 they obtained a renewal of the Twopenny

¹ Miscellany of Scottish Burgh Record Society, p. 294.

Act, as it was called, for twenty-one years. The Harbour Bill in 1836 was threatened with opposition if the Council did not surrender this tax, which the inhabitants generally thought they should have done, seeing that the community had agreed to assess themselves for police purposes. The Town Council, however, resolved to maintain the tax; and it continued in operation till 1849, when it finally ceased.

Before the Burgh Reform Act was passed, the Town Council gave other proof of its interest in popular election than that which was seen in the concession to the Guildry and Incorporated Trades. Prior to the ordinary election in 1831, a number of members resigned, and the Council, on the motion of Mr William Renny, resolved to ask the burgesses to nominate to the vacancies. The first election of Councillors under the Reform Act took place on 5th November 1833, the period of election having been changed by the Act to the first Tuesday of that month from the term of Michaelmas, the time at which elections in the Scottish burghs had for centuries taken place. The number of councillors was fixed by the Act at seventeen, being the smallest number allowed by the sett of the burgh. The seventeen chosen by 'the ten-pound' electors were the following, in the order of voting: William Andson, merchant; Robert Allan, merchant; James Goodall, Peasiehill; James Walker, merchant; Patrick Wilson, bookseller; James Kirkland, merchant; George Kidd, ropemaker; Robert Gordon, merchant; David Paterson, manufacturer; James Gibson, tanner; William Chapel, shipowner; James Anderson, merchant; Thomas Wightman, baker; David Muir, shipowner; John Towns, manufacturer; Andrew Sturrock, merchant; and George Phillip, merchant. A number of these had been in the Council before the passing of the Reform Act. The Magistrates were elected as follows: William Andson, provost; Robert Allan, senior bailie; David Paterson, junior bailie; James Walker, treasurer; and James Anderson, dean of guild. The Reform Act allowed only two bailies to Arbroath. By the Municipal Elections Act, passed in 1852, the number of councillors was fixed at eighteen, as at present, and the number of bailies was increased to three.

In an address by the Town Council to the 'reforming king,' William IV., on his accession in 1830, there occurred this bold piece of posthumous flattery of his predecessor on the throne: 'Endeared as his Majesty was to all his people by a career of unrivalled glory and unexampled success in war, and devoted as his Majesty was to the improvement and amelioration of the internal policy of the country, the melancholy event which is now so universally deplored cannot but be viewed as a national calamity.' The victories of Wellington were thus made to reflect glory on the memory of George IV.

CHAPTER VIII.

STATE OF THE POPULATION—MARKETS—HIGH STREET—AMUSEMENTS—A ROMANCE
OF THE PEERAGE.

WITH the development of the linen trade, the burgh had been growing into a place of some importance. By the beginning of the nineteenth century the population had increased to 7000, making more progress in the preceding fifty years than it had done at any previous time. When the census was taken in 1821 the population stood at 8906; and in 1831 it was 11,211. As to the condition of the people generally, it was, and continues to be, good in respect of house accommodation. The town covers a large extent of ground. There is thus not much crowding even in poor districts. Mr Canning, in a contribution which he made to the 'New Statistical Account' of St Vigeans about 1835, does not hesitate to say that 'Arbroath may be pronounced as decidedly the cleanest manufacturing town in Scotland.'¹ The same writer remarks on the cleanliness and self-respect of the people of Arbroath, and on the healthiness of the town. He also notices with commendation the influence of the Total Abstinence Society, at that time a new agency in the town.

The healthiness of Arbroath was due not only to sanitary reforms within itself, but to an improvement in the condition of the neighbouring lands. The Rev. Mr Gleig, writing about the year 1790, says: 'About twenty years ago, intermittent fevers were very prevalent, particularly during spring months; but since the lands in the neighbourhood, in consequence of a keen spirit of agriculture, have been drained, the disease has totally disappeared.'²

The Rev. Mr Aitkin, in his 'Statistical Account' of St Vigeans, bears his testimony to the progress which agriculture had made. He notices the large extent of enclosed acreage in the parish, and contrasts that with the state of things which existed in the year 1754, when 'there were not forty acres, gardens excepted, enclosed.' The land was being rapidly brought under cultivation, and rents were in consequence rising. On this subject Mr Aitkin says: 'It is generally allowed here that the raising of the rents in this district has, among other causes, contributed to the activity, attention, and industry of the farmers, who have of late been roused from that torpid and insignificant rank they formerly held in society, and are become, in this part of the country, an acute, sensible, and

¹ New Statistical Account of Scotland—Forfarshire, p. 504.

² Old Statistical Account of Scotland, vol. vi. p. 350.

intelligent set of men.' As yet, however,—about the year 1790,—there was no great wealth, and consequently no luxury either among farmers or lairds. Of the latter there were ten who were resident in St Vigeans parish, and of these Mr Aitkin says: 'One heritor keeps a two-wheeled carriage; but there is not a four-wheeled chaise belonging to any heritor residing.' The same writer says:

'The farmers generally dress in a plain manner. The common colour of their clothes is blue, and many of them still wear the Scotch broad bonnet. The dress of a number of the men-servants is a little showy, and rather superior to that of the females of the same rank. Many of the farmers are now accommodated with good houses, built of stone, and slated. In 1754, there were not three

farmers in the parish who had half a dozen knives and forks; now these implements abound in almost all their houses. Few of them at that time drank tea; it is now common among people of inferior station. In 1754, it was common for the farmer and his wife to eat at the same table with his servants; now they eat in a separate room.'¹

While this was the state of farmers in the immediate neighbourhood of Arbroath towards the close of the eighteenth century, a statement by the Rev. Mr Gleig of wages and prices at that time indicates something of the condition of the labouring class in the town and district:

'A common labourer receives from 1s. to 1s. 2d. per day; the wages of a journeyman smith are from £5 to £7 a-year, with his victuals; shoemakers will earn from 6s. to 8s., and house carpenters about 8s., a mason 10s., a slater 12s., and a weaver from 7s. to 10s. per week. A gardener has 1s. 3d. per day; bakers have the same as smiths; tailor, from 6d. to 8d. per day, with his victuals. The common wages of a servant-maid

is £3; some receive £3 10s., and some £4 per annum. Beef, mutton, lamb, veal, and pork, from 3½d. to 5d. per lb.; butter, 8d. to 11d.; cheese, 5s. per stone; eggs, 3½d. to 4½d. per dozen; fowls, from 1s. 8d. to 2s. per pair; oatmeal, 15s. 6d.; wheat, £1 1s.; barley, from 17s to 18s. per boll. The town is well supplied with butcher meat, but fish scarce and dear; dry fish imported in boats from Peterhead and other fishing towns in the north.'²

From the period reported upon by the Rev. Mr Gleig and the Rev. Mr Aitkin, or earlier, the hours of labour, especially in towns, were oppressively long, and Saturday afternoon brought with it no break in the monotonous round of toil. It was common in Arbroath for weavers to work fourteen hours daily, and yet be unable to earn more than a bare subsistence, or hardly that. But happily the time for working fourteen hours a-day came to an end. By the mill operatives in Arbroath, as elsewhere, the Ten Hours Act was hailed as a great relief; and when weaving came to be done in power loom factories, the relief extended to that branch of the trade also. Since the passing of the Ten Hours Bill, the working week in the textile trades has been further legislatively reduced to fifty-six hours. The principal result of these changes is a distinct improvement both in the moral and material condition of the people.

Not even the hard conditions which prevailed before the passing of the Factory Act prevented the inhabitants from making holiday on the day of St Thomas. In earlier times, the anniversary of the patron saint of the burgh had been a day of

¹ Old Statistical Account of Scotland, vol. xii. pp. 168-184

² *Ibid.* pp. 351, 352.

rejoicing and holiday-keeping, and it has so continued long after the 'Saint and Martyr' has, in the popular imagination, become very shadowy indeed. Until the introduction of railways, the favourite resorts of St Thomas excursionists were places in the neighbourhood of the burgh, Auchmithie, Chance Inn, 'The Moon' at Marywell, Ethie haven, the East and West havens, and there were enterprising persons who made the trip to the Bell Rock. All classes of the inhabitants resorted to one or other of these places for their midsummer holiday. Sim Sands, a local satirist, says: 'Drinking and shooting among the lower orders, and rustication and rural dinners among the higher classes, form the chief enjoyment of this day, and Auld St Thomas' Market-day has been so celebrated in Arbroath for many centuries.' He adds: 'Long may it be so!'¹ Happily the holidays—in the plural now—continue to be celebrated, but not exactly in the old fashion. The railways have introduced a change. The people now have the opportunity, which they readily embrace, of visiting distant scenes and cities, and of spending their time more satisfactorily than in shooting and drinking.

St Thomas' Market was one of the principal markets of the year. It was held on the Low Common on the 18th of July, and at it there were considerable transactions in cattle. Since 1846, the market has been held on the 18th or the first Saturday thereafter; and it has so dwindled away that it is of little more importance than the ordinary weekly market. The chief markets now are those held, for the hiring of servants and for general business, at the Whitsunday and Martinmas terms, and the winter market. Owing to the removal terms being now by law on 28th May and 28th November, the Magistrates changed the term markets to these dates, if a Saturday, or, if not, the first Saturday thereafter. The date of the winter market has been altered from the last Saturday of January to the first Saturday of March. In the olden time, almost all the business of the market day was done in the open market, not in shops. There were 'bonnet stands,' 'smiths' stands,' 'wrights' stands of timber dishes,' 'country shoemakers' stands,' 'cloth country stands,' and stands for many articles of merchandize, including all country produce, wool, flax, webs of cloth, and every article that might be included in a chapman's pack.²

With regard to the weekly market, sundry attempts have been made to hold it on Thursday instead of Saturday, and for some time it was so held. In 1780, an experiment of that nature was abandoned, and a return made to Saturday. In 1845, there was a petition by merchants and others that the market might be again appointed for Thursday. The reasons assigned were of a business and religious character. It was maintained that Thursday would be more suitable than Saturday for bank arrangements; and that by the market being held on Saturday 'the Lord's day was often encroached upon, most revolting scenes occurring on Sabbath morning.' With the prayer of a similar petition in 1859 the Town Council

¹ Sands' Poems—Notes, p. 137.

² Schedule of Land Customs of the Burgh, year 1775.

complied, and in the spring of the following year the change to Thursday was again tried; but in consequence of the opposition of the farmers and corn merchants it proved a complete failure, and since then the market has been uninterruptedly held on Saturday.

Until 1854 the only market-place was the High Street, in front of the Town House; but in 1852 plans for a spacious Corn Exchange and Market Place were obtained from Mr Edward, architect, Dundee. The building was erected on an extensive site behind the Town House, and cost £6000. It was opened for business on Saturday, 2nd June 1855. As a commercial speculation, it has never come up to the expectations that were formed of it by its promoters.

Notwithstanding the improvements which had begun to be made, the High Street, now a very good street, had but a mean appearance previous to about the year 1820. Many old and inferior houses were still standing, and the shops were diminutive, with small knotted green glass panes in many of the windows, in which there was no great display of goods. The shop doors were in halves, upper and lower. The lower was generally closed, and it was common to see the shopkeeper leaning out over the door of his shop discussing the news of the day with his nearest neighbour, who also would be leaning over his door. Business went on in those days without any hurry; and during meal hours the doors were closed altogether, the customers having to wait until the shopkeepers had dined. The state of society in which this was possible was favourable to the production of 'characters;' and at a time when every small village possessed its strongly marked individuality, Arbroath had several of them. There were those who were of weak intellect, and those who had no failing of that nature. In the latter class was Alexander Grant, for forty-two years town's-officer, and the energetic head of such police as the burgh had in his time. Grant, before entering on the service of the Magistrates of Arbroath, served in the Sutherland Fencibles. One of his many municipal duties was to act as toastmaster when, on the king's birthday, the Magistrates assembled in the Town Hall to drink his Majesty's health. Grant, who was on the whole disposed to magnify his office, hardly made it impressive to the amused crowd, to whom he was in the habit of announcing the loyal toasts from the Town Hall windows, in some such style as this: 'The king be trunckt!' 'The queen be trunckt!' 'All the royal family be truncken!' The old town-officer has been commemorated in an 'elegy' by Sim Sands.¹ 'Deacon Elshender' is another worthy whose memory has been embalmed in Sands' pages.² He was the Vulcan of the Abbey Path, and long the stranger's guide to the Abbey itself. Elshender, or Alexander, was a sort of local Munchausen, and it is by his reputation of that kind that he is chiefly remembered. He was the first who held the office of Keeper of the Abbey under the Commissioners of Woods and Forests.

The High Street of the burgh was made lively on some other occasions than the

¹ Sands' Poems, pp. 40-43.

² *Ibid.* pp. 69-137, and Notes.

weekly market-day. It occasionally witnessed a display of civic pomp, as in the start for the riding of the marches. A more popular turn-out was that of lads and lasses, and of numerous itinerant venders of apples, on Hallowe'en. The anniversary of the king's birthday was the occasion of a good deal of powder being burned, and also some amount of mischief-making. About the year 1816, or a little earlier, it became a practice to fire guns in the streets in honour of marriages, but the Town Council issued an ordinance against it. The observance of May-day was much more common in the olden time than it is now. Young persons of both sexes were in the habit of going into the country to gather 'the may,'—primroses,—and of walking along the cliffs to engrave their names on the Maiden hillock at the Cove haven. In connection with these observances, a tragic event occurred on the first Sunday of May in the year 1807. In the spirit of frolic, a number of young men had gone to the house of a person who lived near the Common, and commenced a series of trifling annoyances, by knocking at the door and windows of the house. This exasperated the man, who, with gun in hand, followed the lads. One of them, George Shepherd, seeing him approaching them, went up to him when he had got to the Shore, and said that he surely did not intend to shoot any of them; whereupon he raised his musket, and discharged its contents into the breast of Shepherd, who died shortly after. The homicide was tried on a charge of murder, and sentenced to death, but the sentence was commuted to banishment.

Among the amusements of the people, the drama held a place, and was better supported by all classes of the community than it is now. We learn from an old play-bill that 'King Lear' was produced for the first time in Arbroath at the 'New Theatre,' on 21st May 1793. The production of the scenes of the tragedy must have been a considerable effort for the resources of the local stage. The 'New Theatre' was situated in Commerce Street, in the tenement in which there is at present a tobacconist's shop. The house was built as a theatre, and the lessee about that time was a Mr Hamilton. The premises, or part of them, were afterwards converted into a stable for the George Inn. Later, the Trades Hall, now the Sheriff Court-House, was the usual place for dramatic representations. It continued so for many years, and under the management of 'old Ryder,' subsequently of Mrs Pollock, good plays, well acted, were placed upon the stage. 'Rob Roy' was always a favourite, and play-goers of his time had the pleasure of seeing Ryder as 'Rob,' and occasionally Mackay in his original part as 'the Bailie.'

Mention has been made several times in the course of this History of the considerable amount of secular work and amusement which was commonly gone through on Sunday in the olden time. The news-rooms, with the exception of that of the Mechanics' Institute, were open on that day. The practice, however, was censured by the Church. About the time of the passing of the first Reform Act, and for some years later, there were in Arbroath a number of small club-houses,

where working-men met on Sunday to read the newspapers and discuss politics. The long hours of labour which then prevailed were an excuse for the practice.

Connected with the district of Arbroath there is an interesting romance of the peerage. In the parish church of Lunan there is attached to the pulpit a brazen support for a baptismal font, and likewise to the precentor's desk, or lectern, a sandglass-stand of the same metal. Each of these articles bears this inscription: 'Given to the church of Lunan by Alexander Gavin, merchant there, and Elizabeth Jamieson, his spouse. 1733.' A bell, also belonging to the church, which used to be rung at funerals, bears a like inscription. This Alexander Gavin was for many years beadle of the parish of Lunan, an office which he added to his business as a 'merchant,' or retailer of groceries and other provisions. His father, James Gavin, had also held the office of beadle; and it was in his time that the remarkable history which follows began:

'It happened in the lifetime of James [Gavin] that a Dutch vessel was wrecked in the bay of Lunan; and the beadle, taking pity on the destitute condition of the castaway skipper, invited him to share the hospitality of his humble abode. This kindly offer was readily accepted; and the acquaintance thus so strangely formed resulted in the marriage of the Dutch skipper with the beadle's daughter, Catherine Gavin. Soon thereafter the skipper, with his wife, left for Holland, where he renounced the seafaring life, and betook himself to the less dangerous and more lucrative pursuits of commerce. After Catherine's departure, Alexander succeeded his father in the office of beadle. He married Elizabeth Jamieson, and had a son named David. This David Gavin, while a young man, was invited to Holland by his uncle and aunt; became in course of time a partner in the business carried on by the skipper; and married his cousin, the skipper's daughter, who, however, soon thereafter died. Having amassed a considerable fortune, David Gavin returned to Scotland and purchased the estate of Langton, in Berwickshire, as well as some other property; and married, in 1770, Lady Betty, daughter of the Earl of Lauderdale. The issue of this marriage was three daughters, one of whom, Mary Turner, married in 1793 the Earl of Breadalbane, and was the late Dowager

Marchioness, and mother of the present Marquis and of the Duchess of Buckingham. Alexander Gavin, the kirk-beadle of Lunan, was thus the father-in-law of an Earl's daughter, the grandfather of a marchioness, and the great-grandfather of a marquis and a duchess, whose family, by her marriage with the Duke of Buckingham, are the lineal descendants of a daughter of Henry II., and thus remote heirs to the British throne. Not many years ago there were people alive in the parish of Lunan who knew Alexander Gavin, and remembered him after he had become, through his son's affluence, independent of the emoluments of his office and the profits of his shop, sauntering about dressed in a long vest of scarlet, embroidered with lace of gold, and carrying in his hand a gold-headed staff. It was after he reached this state of comparative independence that he presented to the parish the sand-glass and baptismal font supports and the bell—memorials of the duties he had long discharged, and acknowledgments of the kind providence he had so strangely experienced. A solitary tree on the estate of Lunan, near by the monument of Colonel Blair, marks the spot where stood the cottage of Alexander Gavin, and will continue, so long as it withstands the inroads of decay, to be an object of special interest to all who are acquainted with the facts of this strange history.¹

¹ *Arbroath Guide*, February 22, 1862.

CHAPTER IX.

BURGH ADMINISTRATION, 1834-1899 — POPULATION — IMPROVEMENTS — RAILWAYS—
WATER SUPPLY—PURIFICATION OF THE BROTHOCK—GAS TRANSFER—CEMETERIES
—VICTORIA PARK—VOLUNTEERS.

MR. ANDSON, the first of the Reform provosts, having completed the triennial term of office, Robert Allan was elected provost in 1836. In 1839 he was succeeded by Alexander Mann, who was re-elected in 1842, and resigned in the following year, when James Gibson was appointed to the provostship. Mr Gibson continued in the office till 1849, when he was succeeded by William Johnston, who held office for three years. The portraits of Provosts Mann and Johnston are hung in the Town Hall.

Under the Municipal Elections Act an election of the whole Council, instead of the usual third, took place in November 1852. Robert Lyon was elected Provost in 1852; J. S. Esplin, Dick Johnston, and John Kidd, bailies; John Simpson, dean of guild; and William Sim, treasurer. These were the first office-bearers in the Council after it had attained its full number of members, as at present. In 1855, John Lumgair became provost; and James A. Dickson of Woodville followed in 1858. Mr Lumgair was re-elected in 1861, and again in 1864, holding office until the expiry of the triennial period in 1867. In recognition of his services to the burgh, he was on 28th May 1868 entertained to a public banquet, at which his successor in office presided; and on that occasion he was presented with his portrait, which was added to the collection in the Town Hall, and also with a silver epergne. Mr Lumgair's successor in the provostship was Mr David Corsar, who held the office for two years. At the election in 1869, which was the second that took place after the extension of the suffrage to householders, local opinion in regard to municipal matters ran high. It was concentrated principally on two questions—a proposal to introduce a water supply, and a matter as to interments on Sundays, a resolution directed against which had been adopted by the Town Council. At a public meeting of the inhabitants, the water scheme and the burial resolution were condemned; and at the succeeding municipal election representatives were chosen whose views coincided with those of the meeting. After the election, four of the old members resigned office. A peculiarity of the election in 1869 was, that two artisans were returned to the Council; and a third candidate of that class soon afterwards obtained a seat. Arbroath was the first burgh in Scotland in which working-men were admitted to membership of the municipality. The resignation

of the four members of the Town Council in 1869 necessitated a new election to fill the vacancies; and the appointment of Magistrates was deferred until it had taken place. The Magistrates were elected on 29th November, when Mr James Muir was unanimously chosen provost *ad interim*. In November 1870 he was re-elected for the ordinary triennial term, and he was again re-elected in 1873, holding office until 1876, when he retired. George Shield, who had long held office as a baillie, was in 1876 elected to the provostship. He was succeeded in 1879 by Alexander Reid, who was re-elected in 1882, and died in the following year. Provost Reid was only the second Provost of Arbroath, so far as the records show, who died in office. On his death, George Thornton was elected. He continued in office till the ordinary period of retirement in 1886. Alexander D. Anderson was Provost from 1886 to 1889, when George Keith was elected. Mr Keith was re-elected in 1892. In 1895, and again in 1898, Colin Grant was chosen Provost.

Mr Louson, Town Clerk, died on 11th December 1858. He had held the office fully forty-six years, the last eleven in conjunction with his partner in business, Mr John Macdonald. The Council expressed in their minutes their high sense of his moral worth, benevolence, and public spirit. On the death of Mr Louson, Mr Macdonald became sole clerk. He will be long remembered in the town as a man of more than ordinary sagacity, who admirably managed the affairs of the burgh. Mr Macdonald died in 1868; and on 28th May of that year, his son, Mr W. K. Macdonald, was unanimously chosen Town Clerk. Mr Macdonald had since 22nd September 1864 held the office of depute-clerk.

During this period in the history of the burgh, the population of the town has been doubled. From 11,211 in the year 1831, it advanced to 14,568 in 1841, to 16,986 in 1851, 17,657 in 1861, 20,170 in 1871, 21,758 in 1881, and in 1891, 22,993, excluding seamen, but including 187 inhabitants of the old royalty who were outside the Parliamentary burgh. With the growth of the town very considerable improvements were introduced. In 1840, the Council resolved to rebuild Horner's Wynd bridge, now called Brothock Bridge. The bridge was then a somewhat narrow road over the Brothock, between the west end of Horner's Wynd and East Grimsby. From time to time it has been widened; and its neighbourhood is now a spacious place, in which there are good public and private buildings. An important improvement was also effected in the opening up of a carriage road from the east end of Millgate, through the lands of Brothock Bank. Previous to this being done, the principal access to the centre of the town from the west was by way of the Grimsbys,—a circuitous route through narrow streets. Anciently, the chief access was by the Shore and Ladybridge. About the same time that Brothock Bank road was opened up, the Council turned its attention to making an access to High Street, by way of Park Street, from the north-east end of Millgate. In 1859, an arrangement was made by the town with the trustees

of the late Mr Louson, by which the latter gave ground for making a road to Park Street; and the bridging of the Brothock at this point was then proceeded with. Hume Street bridge was rebuilt in 1841. Gravesend, an important thoroughfare in the district of these bridges, was much improved in 1855 by the removal of obstructing erections; and Mr Alexander Gordon, of Burnside Spinning Mills, the principal proprietor in the street, was thanked by the Council for the assistance he had given in the matter.

It was proposed in 1849 to make a street from High Street to Hill Place, but this was not carried out. The High Street itself, extending from the Abbey to the sea, contains, besides the Town House and the Sheriff Court-House, several public buildings of recent erection,—the Public Hall and Museum buildings, the Guildry buildings, and the offices of the Royal Bank, the Bank of Scotland, and the Commercial Bank. The banks have contributed to the architectural adornment of Arbroath. The first to build was the British Linen Company, who erected offices at Brothock Bridge, on the site of the town house of the Lindsay Carnegies of Boysack. The Clydesdale Bank, the North of Scotland Bank, and the National Bank of Scotland have also branch offices in the town. The Public Hall buildings—which include, besides the Public Hall, an assembly room, the Museum hall, and other apartments—were begun in 1865 and were completed in 1867, when the Public Hall was opened. The total cost of these buildings up to date has been £5930. An organ was erected in the Hall in 1874 at a cost of £1127.

With the growth of its population, the town has been widely extending its borders, from east to west, and north. The lands about the Hays, in the east, round by Cairnie and Lochlands to Rosebrae and the lands of the Colvill Mortification in the west, districts in which about sixty years ago there were but few houses, are now well built upon, while in High Street and other of the older parts of the burgh there has been a good deal of rebuilding. In 1880 the Commissioners bought the properties at Hamilton Green known as 'the Island,' while they were carrying out improvements at the Abbey. Later, they bought the School Wynd properties, and those on the north side of Kirk Wynd. All the buildings comprised within the latter purchase were demolished; Kirk Wynd, now known as Kirk Square, was widened, and High Street also was widened at the same point, handsome blocks of buildings being erected in Kirk Square and High Street. The improvement was completed in 1890. The municipal boundaries of the burgh were largely extended in 1864, and a later extension has made them conterminous with the Parliamentary boundaries. In 1889 a vote of the inhabitants approved of a division of the burgh into electoral wards, and the Town Council thereupon made a division into six wards, these being High Street, Millgate, Keptie, Lochlands, Guthrie Port, and Abbey.

Until 1844, Arbroath had, for Customs purposes, possessed only the rank of a 'creek,' notwithstanding that in population, and in the amount of duties paid, it

even then exceeded at least a dozen other places in Scotland which were classed as head ports. The inconvenience which was thus caused to shipmasters and the consignees of cargoes led to the matter being brought before the Town Council early in 1844, by Provost Mann and Mr Canning; and the result was, that by a Treasury minute, dated 17th May of that year, which followed on representations made by the Council, Arbroath became an independent port. Owing to Customs changes it has again ceased to be a collectorship. Since 1883 Arbroath has been a port under the charge of a superintendent or principal coast officer. Until 1899 the business of the Post Office in Arbroath had been carried on in premises leased by the successive postmasters; in that year the Government commenced the erection of a building of their own in Hill Street to accommodate the large development of the various branches of business carried on by Her Majesty's Postmaster-General. An Arbroath man, James Chalmers, was an early postal reformer. He was born in the town in 1782, and at an early age removed to Dundee, where he joined his brother William, who had established a bookselling business there. Mr Chalmers died in 1853. For years his son, the late Mr Chalmers, spent time, and published many pamphlets, to make out that his father was the inventor of the adhesive postage stamp. Mr Chalmers, helped by local researches in Arbroath and Dundee, strongly supported his case.

The growth of the town is reflected in the figures of its valuation. In 1856 the valuation of the burgh was £38,634; in 1898-99 it was £90,147, exclusive of railways.

Railways have of course largely developed local trade. The Town Council honourably distinguished itself in strenuously supporting at an early date the scheme of a railway between Arbroath and Forfar. It took up the matter in 1835, and resolved on subscribing £4000 to the undertaking. In the same year Lord Panmure called a meeting at Woodhill Inn of all those who were interested in the formation of a railway between Dundee and Arbroath. The meeting, which was held on 12th October, was attended by, among others, Provost Andson and the Town Clerk. The Council subscribed towards the survey, and took shares to the amount of £500. Both lines were zealously promoted by Lord Panmure, and by Mr W. F. Lindsay Carnegie. The Dundee and Arbroath Railway was opened from Arbroath to Craigie on 6th October 1838; to the Rood Yards of Dundee on 3rd June 1839; and to the present terminus at Dock Street, Dundee, on 1st April 1840. It was the custom at the time to give names to railway carriages, and the first two carriages on the Dundee and Arbroath line were named the 'Lord Panmure' and the 'Patrick Robertson.' Lord Robertson, who upwards of a generation ago was a notable wit in the Edinburgh Parliament House, was before his elevation to the Bench standing counsel for the Dundee and Arbroath line. The Arbroath and Forfar Railway was opened for five miles on 3rd September 1838, and for the whole line on Thursday, 3rd January 1839, when the

first train, drawn by the 'Victoria' engine, left Arbroath at half-past eight in the morning, carrying the directors and a large number of passengers. Previously, the directors had made an experimental trip in the 'Lady Jane' carriage. The Arbroath and Forfar line was 'as at 1st February 1848, leased in perpetuity by the Aberdeen Railway Company, whose rights as lessees are now, in consequence of successive amalgamations, vested in the Caledonian Railway Company.' At first the entrance of the Dundee and Arbroath line into Arbroath was by Seaforth, and the station was at Ladyloan. That had been opposed by the Arbroath and Forfar Company, who reasonably wished the Dundee and Arbroath line to enter the town by way of the High Common, so that the two lines might be joined to each other. This route was taken in 1846, the Seaforth part of the line being then abandoned. Two years afterwards, on 28th January 1848, railway communication by way of Guthrie Junction was opened between Arbroath and Montrose. The North British Arbroath and Montrose Railway, which takes the coast route by Inverkeilor and Lunan Bay, was opened throughout for goods traffic on 1st March 1881, and on 1st May 1885 for passenger traffic. It was opened as a single line, but has since been doubled between Arbroath and Inverkeilor. This line, together with the construction of the Forth and Tay bridges, has had the effect of restoring to Arbroath the position which it occupied in the old coaching days, of being a station on a great east coast route between north and south.

On 1st February 1880 there came into operation an Act of Parliament giving the North British Railway Company a joint ownership, with the Caledonian Railway Company, of the Dundee and Arbroath Railway. In 1877 the Upper Wardmills, which had long been the property of the town, were sold for £5400, and it is understood that the lands connected with the mills are to be ultimately used for an extension of the North British Company's station accommodation at Arbroath. After inquiry, an order has been issued by the Board of Trade authorising the conversion of the branch single-line from Elliot to Carmyllie into a light railway under the provisions of the Light Railways Act. This branch line has hitherto been used for goods traffic only, chiefly that of the Carmyllie quarries.

There has long been a movement on the part of the Town Council and the public to improve and extend, or reconstruct, the station at Arbroath. Plans were prepared, and were proposed to be given effect to in a bill which was promoted by the Caledonian Railway Company in 1896; but the Town Council threatened opposition because of the plans providing for closing the level crossing at Spink Street, and the Company withdrew those clauses of their bill which related to Arbroath. Since then there have been fresh negotiations for improvement and extension of the station, but up to the present time (1899) nothing actually has been done.

When the bill for taking the Dundee and Arbroath Railway through the Common was before Parliament, there was considerable opposition to it, because of

damage to the recreation ground of the inhabitants. Mr Hume called attention to the subject in Parliament, but to no effect. Although the Common was certainly damaged, this was counterbalanced by the advantages to the public of the new route given to the railway. Some improvements were made on the Common in the year 1852, when trees were planted along the boundary of the higher ground.

The water question, and the kindred one of purifying the Brothock, continued at intervals to command attention. Early in 1850, a report was obtained by the Town Council on a proposal to utilize the streams in the neighbourhood for a supply of water to the town. The report on this scheme was not favourable. A committee of the Town Council condemned it as inadequate, and declared that it would be necessary to obtain a supply from some more distant source. The Council was of the same opinion; and in 1855 the valley of the Elliot was surveyed by Mr P. D. Brown, C.E. This scheme was estimated to cost £40,000. About the same time, other plans of supplying the town with water, one of them combining with it a plan to cleanse the Brothock, were considered; but, chiefly because of the cost of carrying them out, they were set aside. As the manufacturers, having the Brothock supply, which was supplemented by some wells, took up the position that they did not require water for the purposes of their trade, and there being a large number of private wells throughout the town yielding water for domestic use, it was found impossible to obtain general sanction to a large scheme. The Town Council was every now and then passing resolutions in favour of such a scheme; but nothing further was done in the matter. This was the state of affairs when, in 1863, the late Mr William Gibson, Maulesbank, presented the town with a small water supply. The water was derived from the Hays, and supplied about a dozen street wells. Soon afterwards, the inhabitants of the Townhead district, by contributions raised among themselves, brought water in pipes from a cistern sunk in the Montrose Road, the water being distributed to street wells in that part of the town. Small as these schemes were, they afforded, in the scarcity which had arisen, an appreciable addition to the quantity of water available for the domestic use of the inhabitants.

The necessity of bringing in a larger supply of water was in 1869 brought under the notice of the Local Authority by the Board of Supervision. As already stated, this was one of the points on which the inhabitants, at the municipal election that year, decided in the negative. But although the members then returned to the Town Council were opposed to any large water scheme, the water question continued to command a good deal of attention. Ultimately, acting on a suggestion by the late Mr Patrick Allan-Fraser of Hospitalfield, the local authorities resolved to sink a well in a piece of ground in Nolt Loan, on the north of Keptie Hill, belonging to the Corporation. It was believed, from the dip of the land and the character of the strata, that a large supply of water would be obtained there. This expectation was realized. At the depth of no more than 45 feet, the supply was found to be so large that it was considered unnecessary to sink further;

and the utilization of the water was proceeded with. The ground belonging to the Corporation in which the well is sunk being only a narrow strip, part of the adjoining land was feued from the proprietors, the Patrons of Colvill's Mortification, and a large tank was erected, at an elevation of 40 feet from the surface of the ground. To this tank the water was pumped up, and distributed through pipes to all the districts of the town, the water rising to nearly the highest points. It was at first not allowed to be taken by pipes into dwelling-houses, but it supplied about 130 street hydrants, and was made use of for certain trade purposes. The water is hard, but is otherwise of good quality. The scheme cost about £5000 at first,—a sum soon added to by extensions. It was on 25th September 1871 that the water



HILLSD, SHOWING THE FIRST WATER TANK.

from the Nolt Loan well was first turned on to the town. The scheme was planned and carried out by the late Mr John Milne, superintendent of police, who also performed the duties of burgh surveyor.

In the year 1878 the Commissioners allowed the Nolt Loan water to be carried by pipes into private dwelling-houses, charging at the rate of sixpence per 1000 gallons. In the same year a proposal was brought forward in favour of obtaining a larger supply from the Crombie reservoir, belonging to the Dundee Water Commissioners, but, meeting with little support, it fell through. To secure the purity of the water supply, a lease was taken of the land between Nolt Loan and Keptie Hill, belonging to the Colvill Mortification, and soon afterwards the land was laid out as a skating pond. In order to allow of the water reaching the higher levels of the town, a large and castellated water tower, containing three capacious tanks, was designed. The tower was completed in 1885, when the tank which had

been erected in 1871 on the lower ground was taken down. The height, above the sea level, of the ground on which the old tank stood is 58 feet; from the ground to the top-water level of the old tank, 40 feet, giving a total height of 90 feet above the level of the sea. The height of Keptie Hill at the point on which the water tower stands is 111 feet, and the top-water level of the tanks 137 feet, above sea level. Water was supplied from the tower to the town, for the first time, on 23rd July 1885. About the time that the water tower was built a second well was sunk a few yards from the first. It was sunk to the depth of 51 feet, being 6 feet deeper than the first. The two wells are connected with each other by means of an adit. Additional pumping machinery was obtained, and a pumping station was erected.



WATER TOWER.

Much attention continued to be given by the Burgh Commissioners to the water supply. It was found to be illegal to charge both a water assessment and a meter rate. The latter was accordingly discontinued, and this, together with the growth of the town, led to a much larger use of the water. In 1893 Professor Fidler, of University College, Dundee, was consulted as to extending the supply by connecting the pumping station at Nolt Loan with additional wells to be sunk at Warslap, where certain experimental operations were carried out. Afterwards Mr James Wilson, C.E., Edinburgh, was asked to advise the Commissioners. He reported in October 1895 unfavourably to the pumping scheme, and suggested to the Commissioners to consider whether it would not be advisable to adopt a gravitation scheme. By a majority a resolution in favour of such a scheme was passed, but it was unanimously condemned at a meeting of the ratepayers held on the eve of the municipal election in 1895. The election resulted favourably to the 'Nolt Loan'

party, and at the first meeting of the Commissioners thereafter the resolution to resort to a gravitation scheme was rescinded. The Commissioners then resolved to consult Mr M'Culloch, C.E., who reported on an extension of the Nolt Loan scheme. The chief features of his report were the sinking of a well on the lands of Warslap, and the connecting of it with the wells and pumping station at Nolt Loan by means of an adit about 500 yards long, including an extension of the adit 100 yards westward, partly into the lands of Hospitalfield. The adit, which is built of brick, and horse-shoe shaped, is 6 feet 6 inches in height, and the greatest breadth is 3 feet 6 inches.

Something has been done to rescue the Brothock from its foul condition. In 1850 the Town Council appointed a committee on the subject of restoring the stream, which had become a receptacle of almost all the sewage of the burgh, to a state of comparative purity. The result was, that a plan for purifying the burn was obtained from Mr Findlater, C.E.; but it was not given effect to. There continued to be many complaints by the inhabitants as to the state of the water. On the occasion of one of these in 1852, the Town Council resolved, on the motion of Provost Lyon, that measures should be taken for the formation of a main drain from the extremity of the royalty at Panmure Street, along the Lordburn 'stank' [ditch], and down the Brothock to the sea. The Council had no authority beyond the royalty, and hence the partial character of this scheme, it being left to the Police Commissioners to see to the cleansing of the upper part of the burn. However, the only part of this scheme which was gone on with was the small portion relating to the Lordburn stank. At length, in 1872, a main drain, extending from the sea at Danger Point to the Dens, was undertaken. The drain intercepts the sewage, and a general system of drainage has been constructed throughout the town.

About the same time that these improvements were gone on with, others of an important character were undertaken by the Town Council and the Police Commissioners, mostly on the motion of Provost Muir. Many of the streets were repaved. In 1870, an arrangement was entered into with the Gas Company for the transference of their work to the Corporation; and this transfer was carried through by an Act of Parliament obtained in the following year. A considerable renewal of the works was effected in 1890 and 1898. The first installation of the electric light in Arbroath took place in the late Mr Lowson's Baltic Works in 1891. Eight years afterwards the Gas Corporation obtained a provisional order for the supply of electric lighting to the town. Mr David Chapel, who was clerk to the Gas Company, was appointed to the same office when the works were transferred to the Corporation.

In 1867, Provost Lumgair being then in office, a new cemetery was provided at East Muirlands, at an expense, including the laying out of the ground, of £6000. The first interment took place on 31st October 1867. Six acres were added in 1874, making the whole extent of the cemetery about twenty acres. The cheaper

grave spaces for sale were rapidly bought up, and in 1893 the Town Council, as the Burial Board, purchased about twenty acres of land on the farm of Warddykes, situated in the eastern district, as an additional cemetery. This cemetery is called the Eastern Cemetery, as the other is now called the Western Cemetery. Altogether, including the price of the ground, laying out, enclosing, and building two lodges—one at the Brechin Road and the other at the Montrose Road, it cost about £8000. It was opened for interments towards the close of the year 1894, the first interment taking place on Christmas Day.

The electric telegraph was extended to Arbroath in the year 1860, and the telephone was introduced into the town in 1885. A weekly Sheriff Court was established in 1887, the Court being opened on 5th October of that year. The Wednesday half-holiday in the shops is an institution highly prized by the shopkeepers and their assistants. Arbroath was one of the first, if not the very first, of Scottish towns in which such a holiday was introduced. It was established in 1865, and has been remarkably well kept ever since. At first the closing hour was three o'clock in the afternoon; then two; and lately, by general agreement between the shopkeepers and their assistants, it has been fixed at one o'clock.

From time to time there were various proposals to acquire land for a public park. Largely through the energy of Provost Grant, the parks extending from the lands of Springfield to the Ness, and from the Braeheads to the sea, were purchased for this purpose, by public subscription, from Mr Strachan Carnegie of Tarrie, as a memorial of the Queen's Diamond Jubilee, and were converted into a spacious public park. The Victoria Park, as it is named, was formally opened with much rejoicing on Diamond Jubilee Day. The road to the Ness, which had been dilapidated by encroachments of the sea, was at the same time converted into a carriage drive, and the road by West Seaton cottages was also improved and its management taken over by the county road authorities. A few years previously the Braeheads footpath was widened, and in 1895 an iron bridge was thrown over the den at West Seaton, and the footpath continued to the Ness. There was thus formed an unbroken footpath, overlooking Victoria Park and the sea, from Arbroath at Boulzie Hill to the picturesque sea-cliffs. At its western extremity the Victoria Park includes St Ninian's Well, classed as one of the holy wells of Scotland.

The Corporation and community have never been backward in expressions of the loyalty of the royal burgh. The coronation of her Majesty the Queen was celebrated by street decorations; a procession to the Common, a stoppage being made at the harbour, where a salute was fired by vessels lying there; a demonstration of the trades on Boulzie Hill, a dinner in the Town Hall, and fireworks on the Common. The Queen's Jubilee in 1887 and her Diamond Jubilee in 1897 were similarly celebrated. At the close of the Crimean war, the then Secretary for War, Lord Panmure (Earl of Dalhousie), was entertained to dinner by the gentle-

men of the shire on 30th December 1856. Sir John Ogilvy, convener of the county, presided on the occasion. The dinner was held in the Corn Exchange of Arbroath, and was the largest assembly of the kind that had ever taken place in Forfarshire. Lord Panmure was himself a sufferer by the war, in the death of his brother, the Hon. Lauderdale Maule, whose remains were brought from Varna and interred at Panbride, now also the last resting-place of the distinguished man who, successively as Fox Maule, Lord Panmure, and Earl of Dalhousie, long took a prominent part in conducting the business of the nation, as well as that of his county.

In 1852, soon after his coming into possession of the Panmure title and estates, the Town Council presented Fox Maule with the freedom of the burgh. Almost the only other persons on whom this honour has been bestowed in the course of the nineteenth century have been Lord Brougham, the late Mr W. F. Lindsay Carnegie of Boysack, Lieutenant Medley, one of the founders of the Arbroath Museum, a former Earl of Northesk, the late Mr Graham Binny, W.S., Colonel Rait, C.B., the late Mr Allan-Fraser of Hospitalfield, and the late Mr Andrew Lowson.

The new Volunteering which began in the country in 1859 was gone into in Arbroath with heartiness. Mr Dickson was in office at the time as Provost, and he induced the Town Council to interest itself actively in the movement. An Artillery and a Rifle Corps were formed in Arbroath. The first election of officers took place on 26th August 1859, when Captain H. F. Lindsay Carnegie of Boysack was elected Captain of the Artillery Corps, with Messrs John F. Dickson and James Addison as Lieutenants. The officers of the Rifle Corps were chosen as follows: Messrs James A. Dickson, 1st Captain; James Muir, 2nd Captain; David Salmond, 1st Lieutenant; John A. Anderson, 2nd Lieutenant; C. W. Corsar, 1st Ensign; David Corsar, 2nd Ensign. The two companies of Rifles formed in 1859 now number three, and there are three batteries of Artillery. To no one has volunteering in Arbroath been so much indebted as to Mr Dickson of Woodville. After serving successively as Captain and Major, he was promoted in 1868 to the rank of Lieutenant-Colonel, and in 1884 became Colonel. He was for nearly twenty years in command of the 2nd (Angus) Volunteer Battalion of the Royal Highlanders, comprising all the Rifle Volunteers of Forfarshire outside Dundee. After being granted an extension of one year's service beyond the period allowed by the regulations of the War Office, he on 4th January 1888 retired from the command of his regiment, on which occasion he was entertained at dinner by his brother officers, as a mark of their cordial appreciation. In 1894, on the death of Colonel Kinloch of Kilrie, who had held that office, Colonel Dickson was gazetted to the Hon. Colonelcy of the Angus Rifles. As a recognition of his services to the Volunteers, to which he was then to add many more years of valuable service, Colonel Dickson, at that time Major, was in August 1866 presented with a valuable vase in silver. The ceremony, at which Fox Maule, Earl of Dalhousie, presided, took place in the Town Hall, in presence of the subscribers to the presentation.

PART VII.

INSTITUTIONS AND SOCIETIES—TRADE—NAMES OF STREETS—THE ABBEY BURYING
GROUND—AUCHMITHIE, EASTHAVEN, CARNOUSTIE, FRIOCKHEIM—LITERATURE,
SCIENCE, AND ART—THE CLIFFS AND CAVES.

CHAPTER I.

CHARITABLE AND OTHER PUBLIC FUNDS AND INSTITUTIONS—PUBLIC LIBRARY—THE
MUSEUM—CO-OPERATIVE AND FRIENDLY SOCIETIES.

ON 14th January 1836, a meeting of the inhabitants of Arbroath was held in the Town Hall, on a requisition of the local medical practitioners, to devise means for establishing a dispensary, and in the same year the dispensary was instituted. But the want of a house for the reception of cases of the sick poor was much felt; and in February 1843 the Town Council agreed to give a site at the Common, at a nominal feu-duty. The Infirmary was opened to patients on 12th January 1845. This institution is both a dispensary and an infirmary. Provost Mann, its first president, was largely instrumental in getting it established. The Infirmary has received liberal support from persons connected with Arbroath and its neighbourhood. The first Baron Panmure conferred upon it an annuity of £50; besides which it is in possession of funds amounting in 1898 to £11,359 18s. 10d., being principally moneys given and bequeathed for the purpose of permanent endowment. The institution is supported by public subscriptions, and by the annual proceeds of its investments. A Convalescent House in connection with the Infirmary, and under the management of its directors, was formally opened on 1st May 1891, by the Rev. Dr Duke, of St Vigeans. The house is situated at Jennyswells, fully three miles from Arbroath, on the Forfar road. It was erected through the liberality of the late Mr Alexander Duncan, of Rhode Island, United States, and his brother, Mr John Duncan of Parkhill. The house contains accommodation for eighteen beds. In 1891 there was also established in

Arbroath a District Sick Nursing Association, which is in affiliation with the Queen Victoria Jubilee Institute for Nurses. In the year 1882 the Local Authority erected an Isolation Hospital in the immediate neighbourhood of the Infirmary. The accommodation was limited, and in 1899 the Burgh Authority and the Local Authority of the Arbroath district of Forfarshire resolved to erect jointly an hospital on the lands of Little Cairnie, large enough to allow of more than one disease of a contagious or infectious character being treated in the hospital at one and the same time.

The part of the town situated in the original parish of Arbroath possesses a Destitute Sick Society, which is supported entirely out of the interest of accumulated funds, the amount of which is at present £1127. The Society was founded about the year 1818. There exists a similar Society for the parish of St Vigeans.

An Industrial School was opened at Demondale in 1853, mainly through the exertions of the late Miss Rolland of Abbethune, and Provost Johnston. Miss Rolland presented the institution with the house in which the school is held. The same charitable lady likewise gave a sum of money to redeem the feu-duty. A few years ago Mr Duncan of Parkhill, who has long been president of the institution, generously enlarged and improved the school buildings. The Industrial School has an endowment fund amounting, at the closing of the accounts for the year 1899, to £5630 1s. 2d. (including £667 15s. 7d. expended on additions to the school), the proceeds of which go towards meeting the annual expenses.

The Seamen Fraternity, the oldest friendly society in the town, was instituted two centuries ago. It was reconstructed in 1784, when John Spink was elected preses, and the first extant minute is dated 17th April of that year. The fraternity is now composed entirely of master mariners, or persons who have occupied that position; but at one time mates, carpenters, and seamen participated in its membership. In 1898, the property belonging to the fraternity consisted of funds to the amount of about £1300, and a ground-annual of £14. The annual proceeds are divided among the widows and orphans of members; the sum thus paid in 1898 was £52. The annuities are granted on the condition of good behaviour.

Some years after the Seamen Fraternity was formed, the town acquired the first of those charitable funds commonly known in Scotland as 'mortifications,' in which it has of late years become rich. This the earliest of the mortifications is Carmichael's. In 1738, Mr Carmichael, shipmaster and shipowner, bequeathed twenty-four acres of land in Ponderlawfield, several dwelling-houses, and 9500 merks Scots, for the benefit of poor widows of shipmasters. This fund, like the others, is managed by a body of patrons, or trustees. The number of pensioners is restricted to seven, among whom the proceeds of the estate are divided half-yearly. The amount allowed to each widow, as fixed at Martinmas 1898, was £15 for the year.

The next of the mortifications in order of time is Colvill's. Under the deed

of mortification of Mr John Colvill, Town Clerk, in 1812, £30 a-year was paid to the parochial schoolmaster of Arbroath for the education of five poor children; £30 to the schoolmaster of St Vigean's for a like purpose (moneys which are now administered by the Educational Trust); £10 to the Scottish Episcopal clergyman of the town; and £10 are distributed among the most necessitous poor of the town, under the management of the Kirk-Session. The residue is divided between twenty poor householders, selected by the patrons. As most of the lands bequeathed by Mr Colvill are now feued, the estate has become valuable. The amount distributed to each of the twenty poor householders in 1899 was £18.

Dove's mortification dates from 1841. The free rental of a dwelling-house in Park Street was applied to the education of boys of poor parentage, born or resident in the town or suburbs. The number on the fund was seven. The property has been sold, and the fund is administered by the Educational Trust.

In 1844, the late Mrs Rennie Strachan of Tarrie gave £1000 for an annuity of £50, to be given in charity by a body of trustees. One half of the money is spent in the purchase of coals, and the other half in the purchase of oatmeal, which, in terms of the trust, are distributed at Christmas amongst the most necessitous poor of the town and suburbs.

The Forbes Fund is formed of bequests by Provost Johnston, his wife, and her sister, Miss Forbes. It is dated 1864. The annual revenue of the fund is distributed in sums of not less than £8 or more than £10 yearly, for the relief of destitute widows and old unmarried females in Arbroath. The number who received the benefit of the fund in 1898 was seventeen,—seven at £10 each, four at £9, and six at £8 each.

In 1868, Mr William Gibson, Maulesbank, merchant, bequeathed large sums to form three distinct charities. The first of these charities is called the Gibson Fund. The annual proceeds of the residue of Mr Gibson's trust-estate are applied thus: £100 to the Rector of the High School, for the education of eight boys in his department of the school,—a sum now forming one of the endowments of the whole school; and the remainder to be divided at Whitsunday yearly in sums of not less than £20, and not exceeding £25, among poor householders of the town of Arbroath, preference being given to 'respectable worthy people of fallen fortunes.' The number of persons on the fund in 1898 was forty-seven, and each of them received £20. The second of Mr Gibson's mortifications is called the Gibson Christmas Charity. Under it the annual revenue of a sum of £2000 is applied, one half in the purchase of coals, and the other half in the purchase of groceries, oatmeal, and clothes, divided at Christmas yearly among necessitous poor, in the same manner as Mrs Renny Strachan's charity. The third of these charities is Gibson's Mortification for Sixteen Poor Householders. The annual revenue of a sum of £4000 is divided at Whitsunday yearly among sixteen poor householders of Arbroath.

The Duncan Charity, dated 1869, is administered by the Provost, Magistrates, and Town Council. Mr David Duncan, Greenbank, merchant, left the annual profits of three-eighths of the residue of his trust estate for behoof of poor, aged, and reduced persons of either sex, being natives of or old residents within the Parliamentary boundaries of the burgh, and not objects of parochial relief. The number of persons on this fund in 1898 was thirty-seven, and they each received £10.

In 1875, Mr William Petrie, manufacturer, Lillies Wynd, bequeathed the free income of the residue of his estate, to be annually distributed, subject to liferents which have not yet expired, in sums not exceeding £10 among 'ten poor, deserving women of respectable character, born in, and belonging to, and at the time resident in the parish of St Vigeans, and who have not been in receipt of parochial relief for the preceding five years at least.'

In the year 1876 John Mudie of Pitmuir bequeathed the personal estate of his sister, Miss Catherine Mudie, of Arbikie, to which he had succeeded as her residuary legatee. This fund is called the Arbikie fund, the free revenue of which is divided in annuities of £40 amongst deserving persons residing in the parish of Arbroath and St Vigeans. The number of persons on the fund in 1898 was nine.

The Arrott Mortification, referred to in the donations to the minister and kirk-session of Arbroath (p. 292), was bequeathed by Dr James Arrott, Dundee. The sum presently amounts to slightly over £4600, and ultimately will be added to by about £1000. Nineteen persons received annuities of £6 in the year 1898, and smaller grants were given to others.

The late Alexander Smith, Brothock Bank, bequeathed £1591 to the kirk-sessions of Arbroath and Inverbrothock, the annual proceeds of which are applied to destitute sick persons in Arbroath and suburbs. The sum bequeathed for a like purpose to St Mary's Episcopal Church (p. 292) was an eighth of the residue of Mr Smith's estate, amounting to £786.

The sum of £200 was in 1880 bequeathed by Robert Miln, Viewfield, to be applied annually in the purchase of coals and meal for the poor of that part of the original parish of St Vigeans which is situated within the Parliamentary burgh.

Among other organizations in the town of a benevolent character are the Ladies' Clothing Society, the Town Mission, the Female Home Mission, an agency of the Scottish Coast Mission (for which a hall was built in 1872), a Maternity Aid Society, and a branch of the Society for the Prevention of Cruelty to Animals. A Temperance Society, still in existence, was established in 1837; two years afterwards it had 1500 members, and possessed a good deal of influence in the town. It started the scheme of building John Street Hall, now St Ninian's Chapel, but the work was chiefly carried out by the Chartists, who also at that

time were an energetic body. Good Templarism was introduced into Arbroath in 1869, and there are a number of local lodges of the order.

A branch of the Young Men's Christian Association was established in Arbroath many years ago, and within recent years there has been instituted a Young Women's Christian Association. Both associations have premises of their own in High Street. Those of the Young Women, which were provided largely through the liberality of the late Mr Lowson, Elm Bank, were formally opened on 16th September 1891. Mr C. W. Corsar presented the Young Men's Association with a commodious dwelling-house, which was adapted for their purposes, with the addition of a hall. These premises were formally opened by Mr Corsar in October 1891. Both associations are well equipped. The Young Men's Association possesses a good reading-room and a gymnasium.

A Subscription Library was established in the town in the end of the year 1797. It was long located in the Guildry buildings, and in 1868 was removed to



PUBLIC LIBRARY.

rooms in those of the Public Hall. By that time it had declined considerably in membership and influence, and various attempts were made to popularise it. A scheme of this nature was carried into effect in the beginning of 1875, and, the charge for membership having been reduced to a small sum, the number of members enrolled in that year was about 1100. From this time the Library was known as the Public Library. Its membership again fell off, until within a few years it was less than half the number at which it stood in 1875. The desirability of having a really popular library was much felt, and a considerable section of the community was of the opinion that the only way to establish such an institution was for the town to adopt the Public Libraries Act. A proposal to this effect, however, was twice rejected by large majorities of the ratepayers. The amending Act passed in 1894 put it in the power of Town Councils in Scotland to adopt the Act for the community, and the Act was adopted by the Town Council of Arbroath on 8th October 1896. The adoption of the Act was facilitated

by two generous gifts, and without some such gifts it would have been impossible to carry on the Library with efficiency. In the first place, Mr Andrew Carnegie, the liberal promoter of public libraries, gave £1000 for the Library in Arbroath on condition of the Act being adopted. A still larger gift came from one of the citizens of Arbroath, Mr David Corsar, of The Elms, formerly Provost of the burgh. Mr Corsar bought the old High School from the School Board, enlarged and entirely reconstructed the buildings, providing ample lending library accommodation, reference library room, a large reading-room, and picture gallery. This free Public Library was formally opened on 4th June 1898 by Mr Alexander Gordon, of Ashludie, who had long interested himself in library affairs, and who was the first Chairman of the Library Committee after the Act was adopted. At the ceremony, Mr Corsar conveyed the buildings to the Magistrates and Town Council, for behoof of the community. The Right Hon. John Morley, M.P. for the Montrose district of burghs, was present, and took the first book out of the Library, which was a copy of the first edition of the 'History of Arbroath.' There had been a public procession, and in Hill Place, in front of the Library buildings, Mr Morley addressed an assemblage of citizens which densely crowded that spacious locality. In the afternoon of the same day he was the chief speaker at a banquet in the Town Hall, over which Provost Grant presided.

In January 1840, Lieutenant Medley, R.N., who had been resident on duty at Westhaven, wrote to the Town Council informing that body that he was so impressed with a sense of the many hospitalities he had received from the inhabitants of Arbroath, that he offered the whole of his collection of curiosities as a foundation of a Museum. With this nucleus of 'curiosities' the Museum was started. A few years afterwards, the Council voted £50 to assist in getting a suitable building for its accommodation. In that year premises in Hill Street were purchased, and the Museum continued to be housed there until in 1867 it was removed to the upper hall in the Public Buildings, which had been designed for it. Among many gifts by the late Mr James Renny, of Edinburgh, to the Museum, there is a collection of shells and British fishes, which belonged to the late Professor Fleming, of the New College, Edinburgh. Many of the fishes in this collection are typical, being standards of reference. The Museum contains a fine specimen of the *Pterygotus*, from the Carmyllie quarries. It is a well known fossil, and is the admiration of all palæontologists by whom it has been seen. The specimen is a fragment, showing the tail-plate and eight post-thoracic segments. It measures fully $3\frac{1}{2}$ feet in length; the creature, when entire, would be about 6 feet long. The Museum also contains a specimen of the *Eucephalaspis* (*Cephalaspis*) *Lyellii*. The *Pterygotus* and *Cephalaspis* are exceptions; but, as is generally the case in local museums, illustrations of the natural history of the district, to which special prominence ought to be given, are rather scarce. There is a like want as regards

the staple industry of the town. One of the local antiquities in the Museum is the church bell of Navar—a parish in the north-east of Forfarshire, which was united to the parish of Lethnot in 1721. The bell, which was the gift of Mr John Fyfe, minister of Navar, was cast in Rotterdam in 1655. It continued at Navar after the union of the parishes, and when the church fell into ruins it was suspended from a tree in the churchyard, and afterwards was placed in a tower built to receive it. In 1827 the heritors proposed to remove the bell to Lethnot, but this was stoutly resisted by the people of Navar, who concealed it, and it remained in concealment till 1838, when it was given up to Lord Panmure as a condition, insisted on by him, of his renewing the lease of a farm adjoining the churchyard. His Lordship sent the bell to the church of Arbirlot, where it remained till it was cracked, and then this bell with a history, and which is said to have had a remarkably sweet tone, was presented by Lord Panmure to the Arbroath Museum.

A Mechanics' Institute was established in 1832. For a few years previously there had been in existence an artisans' reading-room and an artisans' library. The managers of these institutions set about raising funds for the erection of a building to contain both. In their appeal to the public they declared that the new institute was to be non-political, and that it was not to be 'factious'—a word suggestive of the strong political feeling of the time—and that the only object in view was 'to procure instruction to a large number of the community whose means have hitherto prevented them from obtaining it themselves.' This was the origin of the Mechanics' Institute. The foundation-stone of the new building, situated in Market Place, was laid on 16th August 1832, the day on which the passing of the Reform Bill was locally celebrated. The ceremony was performed by Lady Jane Carnegie, the wife of Mr W. F. Lindsay Carnegie of Boysack. The Institute consisted of a library and a reading-room, being a continuation of the institutions which it succeeded, and during the first year of its existence lectures of a scientific character were delivered in connection with it. The library was discontinued in 1875, from which time the Institute consisted only of the reading-room, supplied with newspapers and periodical literature. The membership of the Institute fell off of late years, particularly after the opening of the Public Library, with its reading-rooms. It was in consequence resolved by the members to close it, and it was closed accordingly at the end of March 1899. Along with the resolution to discontinue the Institute it was resolved to apply to the Town Council, with whom the funds are vested, to co-operate with the office-bearers in an application to the Court of Session for authority to transfer the value of the property in Market Place and the funds to the Public Library. The funds consist of £425, residue of the estate of Mr John Storrar, who long held office as president of the Institute, paid over to the Magistrates and Town Council on 11th November 1880 for behoof of the Institute, and £100 gifted by the trustees of the late Mr David Cobb, of Taypark,

near Dundee. On 29th May 1899 the Town Council agreed to join with the Institute in an application to the Court of Session to the foregoing effect. Another reading-room, or Coffee-Room, as it was called, established towards the end of the eighteenth century, in connection with the Subscription Library, was removed with it from the Guildry buildings to the Public Hall buildings, and became extinct about twelve years ago. A Natural History Association was formed in 1880, and has continued to be carried on with vigour. It has printed a number of its papers.

A Horticultural Society has been in existence since 1824, and there is also a Chrysanthemum Society. A Choral Union and a Philharmonic Society have done much to develop musical culture and taste, and there are several instrumental brass bands and pipe bands. There are a number of clubs in the town—the Whist Club, established in 1802; another Whist Club, instituted in 1891; the New Club, a Burns Club, the Literary Club, an Art Club, and a Dramatic Club. The clubs or organizations devoted to play are numerous. They include a good many cricket clubs; the chief of these is the Arbroath United, long established and of good repute in the game. The United possesses an excellent park at Lochlands, gifted to it in 1894 by the patron of the club, Mr W. K. Macdonald, Town Clerk. There are several football clubs. The Arbroath, the chief of them, was established in 1878. A Golf Club has its course on the links at Elliot. There are four bowling greens in the town, two of them public, being made by the Town Council, and two the possession of private clubs. Cycling, curling, and other outdoor recreations are likewise organized into clubs. Among other organizations there are two building societies, a society for the defence of the licensed trade, a photographic association, a plate glass association, a canine society, and ornithological societies. Free Masonry, believed to have been established in the town for centuries, is represented by three lodges—St Thomas (No. 40), St Vigian (101), and Panmure (299), and by the Royal Arch Chapter, Hope No. 9.

A Savings Bank was established in the town in 1815. Since 1896 the funds have been invested with the National Debt Commissioners, and the Bank has been certified under the Trustees Savings Bank Act, 1863. At 20th November 1898, being the close of the financial year, the number of accounts was 2886, and the balance due to depositors was £97,760 6s 5d.

There exist in the town important organizations which owe their origin entirely to working-men, and which have for many years been managed by them with much prudence and ability. These are the co-operative and friendly societies. It has been noticed that the Incorporated Trades co-operated in supplying articles of ordinary provision to their members. The Rev. Mr Aitkin has given an account of other co-operative and friendly agencies. At the time he wrote, an estate in the parish of St Vigeans, adjoining Arbroath, was in course of being feued, and

'villages,' long since included within the town, were erected upon it. It is in reference to this district that Mr Aitkin writes :

'In the above district there are two societies, one of which takes the name of the St Vigeans Weaver Society, instituted in 1787, and governed by a preses and councillors, chosen annually. This society consists at present (*circa* 1790) of 87 members, all weavers; and they admit none but those who have been regularly bred to the business. The preses buys from 800 to 1000 bolls of meal yearly, and from 400 to 500 bolls of coals, all which is given out to the members at three or four months' credit. This society affords 2s a-week to their poor, which is paid out of the general fund; and when the fund happens to be reduced to a certain sum, their poor are supplied by a

contribution among the members. The other is called the Townhead Society; is managed in much the same manner as the former, but admits members of all occupations, and has no stated allowance for their poor, but bestows as their funds will allow. The chief design of the establishment of these societies was for providing coals and meal for the families concerned in them, which they are enabled to purchase at a cheap rate by laying in large quantities at proper seasons; and they find ample credit by the whole members being bound for the payment. The members of both societies show particular attention to the moral character of the persons they admit.'¹

At present there are five co-operative associations in the town. Three of them are engaged chiefly in retailing groceries and general household provisions. The oldest of these bodies is the Equitable Co-operative Society, which was started in 1833 under the name of the 'Arbroath Economical Association,' a name which was changed to 'Guthrie Port Provision Association of Arbroath' in 1861. It was registered in 1865 as the Arbroath Equitable Co-operative Society. The West Port Association came into existence in 1834, and the High Street Society in 1869. The Friendly Coal Society was begun in 1867. The fifth of these co-operative societies is a Butcher Meat Society, which was started in 1896. All these societies are registered under the Industrial and Provident Societies Act.

The friendly societies having a local habitation in the town are those commonly called 'yearly societies.' There are at present ten of them. They are sick and funeral societies, and are also made use of for the deposit of money that is drawn out, generally a few weeks prior to the Whitsunday or Martinmas term, for the payment of house rent. The great friendly societies of the country are well represented in Arbroath, where they do a large business. In the town there are fifteen branch trade unions.

¹ Old Statistical Account of Scotland, vol. xii. pp. 175, 176.

CHAPTER II.

THE TRADE OF THE TOWN.

IN noticing the Incorporated Trades, the Town Clerk, writing in 1742, says: 'The weavers are as numerous as all the other trades put together. The greatest manufacture is coarse linen, which is commonly sold green, and the greatest part sent to London. Of late, the most considerable merchants have set up a manufacture of white and checked linens, which they are in good hopes to bring to perfection.'¹ The coarse linen spoken of by Mr Mudie was Osnaburgs. The manufacture of this fabric was introduced into the town by accident; and the story is thus told:

¹ In 1738 or 1739, a weaver in or near Arbroath, having got a small quantity of flax, unfit for the kind of cloth then usually brought to market, made it into a web, and offered it to his merchant as a piece on which he would be willing to lose something. The gentleman, who had been in Germany, immediately remarked the similarity

between the piece of cloth and the fabric of Osnaburgs, and urged the weaver to undertake the manufacture of other pieces of the same kind, which he reluctantly agreed to do. The experiment succeeded to a wish, and many hands were soon employed in the neighbourhood of Arbroath.'²

Provost John Wallace was the merchant to whom this weaver sold his fortunate web. The manufacture of the fabric speedily became the staple of the town. Pennant says that 'Osnaburgs were made in Arbroath before any encouragement was given by Government, or the Linen Company erected in Edinburgh.' The same writer, speaking of the population at the time of his visit in August 1772, says:

'The number at this time is said to be about three thousand five hundred: these principally consist of weavers of coarse brown linen, and some sallowcloth; others are employed in making white and coloured threads; the others are either engaged in the shipping of the place, or in the necessary and common mechanic trades. Beside

the export of brown linens and that of thread, much barley and some wheat is sent abroad; but so populous is the country, that more than an equivalent of meal is imported. The foreign imports are flax, flax-seed, and timber from the Baltic. The coasting trade consists of coal from Borrowstoness, and lime from Lord Elgin's kilns in Fife.'³

Mr John Wallace carried on business with Mr James Gardyne, under the firm of John Wallace & Co. His firm was the first of the large manufacturing establishments in Arbroath. Mr Wallace's partner, James Gardyne, was laird of Lawton. The firm were spinners of yarns and threads, and were merchants and

¹ MS. Account of Arbroath.

² Warden's Linen Trade (2nd edit.), p. 541.

³ Pennant's Tour in Scotland, ii. 132.

shipowners. Both partners were also members of a local firm of linen manufacturers, but in which they were rather sleeping than active partners, the management of the linen business being attended to by another partner, John Gardiner. It was Mr Gardiner who in 1774 obtained from the Town Council a lease of 'the Lordburn Braes, with liberty of a sluice of water for his bleaching green, and liberty also to build a plash mill on the Brothock.' The extent of the business carried on by Wallace & Co. seems remarkable when it is borne in mind that it was conducted in the midst of quite a small community. Their business connections extended far and wide. As merchants, they were in the habit of buying large quantities of malt and bear, and exporting it at Arbroath chiefly for Norway. Their shipmasters were instructed to call at any port in Norway where they were likely to be able to sell to advantage, and their cargo home was generally herrings or timber. That was the time of the infancy of the Scottish herring fishery, when herrings were imported into Arbroath from the North of Europe.

Wallace & Co.'s yarns were chiefly exported to Spain, whence cargoes of oranges and lemons were brought home. They had some slight dealings with Holland for flax, but the character of their relations there may be gathered from an instruction to a correspondent 'to try if for once they could get the better of the Dutch.' From Holland and other countries the ships brought home rum, arrack, velvet for dresses, muslins, boots, and tea. The firm imported flax from Russia, and tar and potash.

There is a glimpse in the letter-book of John Wallace & Co. of the manner in which spinning was done at the time and until the introduction of steam power in spinning. At the time of a heavy demand for yarns a correspondent of the firm had written to them that the old women of the district should be 'spinning like mad,' seeing that the prices were so high, so that there should be no difficulty in delivering yarns. Mr Wallace writes in reply, explaining that the firm used to supply flax to the old women, who spun it into yarn, but that the women were now able to buy flax themselves and spin it, so that they took their yarn to market instead of delivering it to the firm.

There is a deal in the letters of this firm to their London agents, Alex. Hogg & Co., about the thread manufacture, and it is generally written in a somewhat doleful tone. As previously stated, the thread manufacture was carried on in the Abbot's House. It was never a prosperous trade in Arbroath, and in the days of its final decline the Rev. Mr Gleig had a joke about it to the effect that 'the thread trade in this place may be said to be thread-bare.'¹ Mr Wallace, however, continued the trade as long as he lived, and it was not extinct as one of the local industries until the close of the eighteenth century.

The firm of John Wallace & Co. received a gratuity of £100 from the Board of Manufactures to indemnify them in part of the expense which they had incurred in

¹ Old Statistical Account of Scotland, vii. p. 345.

making improvements in manufacturing and bleaching machinery. On 28th April 1750 they wrote a letter to the trustees in acknowledgment of this gift. In the letter, which was signed by Mr Wallace, Mr Gardyne, and Mr Gardiner, they state that their improvements had been at an expense upon themselves of not less than £1500 sterling, adding: 'We are about enlarging our bleachfield just now four to five acres. We will be asking from the Honourable Trustees something, and we refer it to their Honours to bestow on us as we merit, for we tell you honestly our sufferings.' A request or suggestion of this kind would sound strangely now, but by Messrs Wallace & Co. it was put forward as a matter of right, the Board of Manufactures having been brought into existence for no other purpose but to give encouragement, which was then thought to be needed, to such enterprise as theirs. Continuing their letter, Messrs Wallace & Co. say: 'None in the kingdom have done more towards improving the spinning than ourselves. We yearly spin for our own use forty to fifty thousand sppls., besides what we sell or send into England. What we find unfit for our own manufactory, if any makers of linens want these sorts of yarns they are at any time welcome at the market price. We this year sold some parcels to Dundee folks under the price the English people pay us; but that is a trade by which we are out of pocket, and cannot therefore be continued.' As flax merchants and linen manufacturers, this firm had of course a close connection with Riga. Their interest there appears to have been in part attended to by Mr John Mudie, who was of an old Arbroath family, and was the grandfather of the late John Mudie of Pitmuis. He had gone to Riga to establish himself as a Baltic merchant. Latterly the firm of Wallace & Co. assumed another partner, a Mr Graham.¹ Probably they never reaped a full reward for their enterprise and industry—such reward, that is, as may come to commercial men now—although they maintained a foremost position in the town; but they did a great deal to arouse Arbroath from the listlessness of a little semi-agricultural burgh, and to give it a start in that commercial progress which has resulted in its becoming a large and prosperous community.

It may be mentioned here that the family of Wallace, so long influential in the business and municipal life of Arbroath, came to Arbroath from the parish of Kirkden, where their arms, with those of the family of Gardyne, are on a pew in the parish church. The house of Provost John Wallace was situated in High Street, on the site now occupied by the Public Hall. John Wallace was married to a sister of John Mudie, of Riga, and Mr Mudie was married to a sister of Mr Wallace. The Wallaces were connected by marriage with the Gardynes of Lawton; the James Gardyne who was in partnership with John Wallace in his business as a merchant, shipowner, and manufacturer was of the family of Middleton.

¹ The paragraphs relating to the firm of Wallace & Co. are written from a letter-book of the firm, still extant, and in the possession of Mr Charles

Weir, flax merchant, Arbroath, a representative of the Wallace family.

The local importations of flax in the year 1765 amounted in value to £15,000 sterling, and Mr Wallace's firm were the principal importers. For the twelve months from 1st November 1796 to 1st November 1797, the manufacture of Osnaburgs and brown linens in Arbroath amounted to 953,090 yards, valued at £44,005. These figures are those of the stampmaster. Sailcloth was not stamped; but in 1796 there were about 500 looms employed in the burgh producing this article, the product being about as extensive as that of Osnaburgs and other brown linens. In 1798 the imports from the Baltic of flax, hemp, and flax-seed amounted to about 1000 tons. The sailcloth and linens manufactured at Arbroath about this time were shipped at the port chiefly to London; smaller quantities were sent to Glasgow and other parts.¹ Towards the close of the eighteenth century the manufacture of 'scrim' was introduced:

'About that period the manufacture of a particular kind of cloth for coachmakers and upholsterers was begun in Arbroath. The parties who established the manufacture opened a shop in London for the sale of it; and in 1793 they had eighteen looms working in Arbroath. One of the kinds was remarkable for its thinness, and more deserved the name of gauze than linen. A weaver was able to weave about forty yards of it a-day; and the selling price was 4d per yard.'²

Up to the early years of the nineteenth century, before the introduction of steam power, the development of the local manufacturing trade, during the previous fifty years or so, can be spoken of only with reference to the state of things which had preceded. The condition of trade then was one of contrast to what it is now, rather than of comparison. There were some business concerns on a larger scale, but it was a common arrangement for the manufacturer to occupy a one-storey cottage, one end of which was his dwelling-house, the other being his weaving-shop. The weaving-shop usually contained four looms. At one of these the master wrought himself, and two journeymen and an apprentice had charge of the others. The pirns were filled in the dwelling-house by the master-weaver's wife and daughters. There was little or no division of labour, all the processes, from the dressing of the newly-imported flax to the disposal in the market of the woven cloth, being undertaken or directly superintended by the manufacturer himself. The master attended personally to the cleaning of his yarns in the tubs and 'caves' of the splash-mill, where he had often to wait his turn among other masters who were there on the same errand with himself. This splash-mill was the Nether Mill, situated at the top of East Grimsby. It was built about 1740, on the site of an older mill; and was discontinued in 1863, when the business was removed to the Greens. About a century ago few women were employed at the looms; but, on the other hand, until the hand-loom was generally superseded by the power-loom, it was common for out-door craftsmen to betake themselves to the looms in winter, when they were unable to pursue their ordinary occupations.

The first spinning mill in Arbroath in which steam was introduced was the

¹ Arbroath Magazine, pp. 2, 61.

² Warden's Linen Trade, p. 143.

Brothock Mill, the date of its introduction being 1806. The Brothock Mill, which continues to be one of the principal spinning mills in the town, was at that time occupied by Messrs Renny, partners of the firm of Messrs Fitchet & Sons. The Inch Mill was supplied with a steam-engine in the year 1808. It was of sixteen-horse-power; and for about seven years it drove at the same time spinning and corn-grinding machinery. At the end of the seven years it was wholly converted into a flax and tow mill. In the parish of St Vigeans, but outside the town of Arbroath, the Inch Mill was preceded by a small mill at Letham, which was only the second attempt in Scotland to spin flax by machinery. The Letham mill was at first driven by water-power, and a small engine was afterwards added.

Mr Canning says, in his account, that 'the period embraced between the years 1820 and 1826 may be considered as the halcyon era of the linen manufactures in this quarter.' To meet the requirements of the growing trade, the lands of Almerieclose, consisting of about thirty-five imperial acres, lying on both sides of the Brothock, were feued; and in a short space of time large factories and streets of dwelling-houses were erected. Then there followed the commercial disasters of 1825-26. Speaking of the effects of the panic in Arbroath, Mr Canning says they 'were experienced here with overwhelming severity.'¹ This was indeed a bad time for everybody in Arbroath, for the trade of the place was for many months almost at a complete stand-still. But although the prospect was not exhilarating, a joke even then was not out of the question. It is told that one day a stranger to the town, bent on seeing the Abbey, came up to a knot of bankrupt citizens standing in conversation in the burgh market-place, and asked to be shown 'the ruins of Arbroath.' 'Sir,' said one of the citizens, 'you are in the midst of them.' The period of ruin soon passed away, for by the year 1827 trade had revived a good deal, and wages had risen.

In 1842, there were fifteen spinning mills in the parish of St Vigeans, driven by twenty steam engines, having an aggregate of 250-horse power; and giving employment to 1240 persons, of whom 275 were flaxdressers, and the remainder millworkers, in the proportion of 250 males and 715 females. Of the men, 110 were employed as millwrights, foremen, overseers, &c. The quantity of flax consumed in these mills was estimated at 5500 tons per annum, of the average value of £200,000. The value of the yarns spun was calculated at £264,000.² These figures relate only to the part of the town situated in the parish of St Vigeans. In 1833, when there were twelve spinning mills in St Vigeans, there were four in the parish of Arbroath. About that time the total quantity of flax spun in the town was 7000 or 8000 tons per annum.

Although trade had revived soon after the catastrophe of 1825-26, it experienced many fluctuations, and was not generally in a prosperous state. In April 1843 a report on the subject was presented to the Town Council; and it appears from it

¹ *New Statistical Account of Scotland—Forfarshire*, p. 502.

² *Ibid.*, p. 503.

that in 1841 the wages of canvas weavers per week were : First class, 8s. 11d. ; second class, 7s. 1d. : sheeting weavers, first, 8s. 6d. ; second, 7s. : dowlas weavers, first, 6s. 4d. ; second, 4s. 7d. The week was one of fourteen hours for each of the six days. From 1836 to 1841 there had been a fall of 20 per cent. in the price of canvas-weaving. During the same period the wages of those employed in the spinning mills had fallen 18 per cent. ; flaxdressers, 20 per cent. ; machine makers, 20 per cent. ; house carpenters, 20 per cent. ; masons and labourers, 15 per cent. Oatmeal at this time was 1s. 9½d. per stone, and the 4-lb. loaf 8¾d., so that the condition of work-people could not have been satisfactory. The Town Council's committee reported that the decay of trade had been of long continuance. Many factories were then, and had been for some time, unoccupied ; many more were partially occupied ; the weavers in employment were restricted to half or two-thirds time, and even that was very irregular. A change, the committee reported, had taken place in the local trade, by which an important part of it had been well-nigh annihilated. In place of manufactured goods being sent to foreign countries, yarns were sent, the foreigners manufacturing the cloth themselves. The committee believed that this state of matters was occasioned by the then restrictive policy of the British Government in regard to the productions of foreign countries ; and the Town Council petitioned for reform in this respect.

About the year 1847, power-looms for the weaving of sailcloth, the staple manufacture of Arbroath, were introduced into the town. Their number increased rapidly ; and hand-loom weaving in the linen trade was gradually extinguished. In 1850 there was a local movement to raise funds to assist flaxdressers to emigrate, on the ground that machinery had superseded manual labour.

The staple trade of Arbroath suffered severely from the financial difficulties of 1857. The civil war in America gave it a great development, and many additions were made at that time to the mills and factories. During the last quarter of a century the trade has not made much progress. In consequence of the continued decrease in the number of sailing ships, the demand for sailcloth for ships' use has fallen off. Manufacturers are directing their attention to other fabrics for which their looms are suitable, as well as to sailcloth, and in this way they are able to keep their machinery going. The spinning of flax and tow yarns is at present (1899) more prosperous than it has been for years, and millworkers in every department are fully employed. Generally, the number of spinning-mills and factories in the town, with their output, is much the same as stated in the first edition of this work. Nor have four-and-twenty years produced much difference in wages in the staple trade, which may be quoted thus : Flaxdressers in constant employment, an average of 20s. per week ; spinners (women), about 10s. a-week ; weavers, women, 13s., and men, from 17s. to 18s. a-week ; tenters and mill foremen, from 25s. to 27s. a-week ; mechanics employed in the mills and factories, from 24s. to 26s., and their foremen, from 28s. to 32s. a-week. In

Arbroath employers and employed are on friendly terms with each other—a state of matters to which the exceptions have been rare.

A curious allusion to the devotion of the people of Arbroath to trade occurs in a book entitled 'A Summer Ramble in the North Highlands in 1825.' The author visited Arbroath, and makes this satirical remark about the trading class: 'A stranger (in Arbroath) finds himself wofully out of his place at their firesides if he know not the relative qualities and current prices of Riga PTR and PDR, and was lucky in enjoying the hospitality of a warm-hearted friend (not an importer of Riga PTR) who had a beautiful retreat in the neighbourhood.'

Of branches of industry other than the linen trade, not chiefly directed to the supply of local wants, there may be noticed the tanning of leather. This trade, one of the most ancient in the town, was until about forty years ago carried on to a very large extent, the tanyard then in operation at Lordburn being one of the largest in the country. The work was so considerable, that when it was closed it was felt as if the prosperity of local trade had seriously suffered. Early in this century, before the Lordburn tanwork was built, the value of the hides dressed yearly in the one tanyard in the town was £2500. Within the last thirty years the boot and shoe trade has been largely developed. The goods produced in these factories find a market over a large part of the country.

There are several large engineering works in the town. Lawn-mowing machines are a principal manufacture at one of them. The manufacture of gas and water apparatus is carried on to a considerable extent in the town; there is a chemical and asphalte work in the neighbourhood, and there are a large confectionery work and a coach-building establishment.

An important part of the trade of the district consists in the 'Arbroath pavement' of commerce. The pavement quarries of Forfarshire are the oldest and most extensive in Scotland; and all the larger quarries are within a few miles of Arbroath. The most extensive of the quarries are those of Carmyllie, situated six miles from the town. They have been worked for centuries. About a hundred years ago the land of the parish was still divided into small farms and pendicles, and each farmer was allowed the liberty of quarrying on his own farm. The farmers generally worked in the quarries from the time they got the seed into the ground until harvest. The principal quarrying at that time was for heavy rough slates, which were carted to Dundee and the neighbouring towns, and also shipped to Leith, to be used in roofing houses there and in Edinburgh. It was not until about a century ago that the Carmyllie quarries began to be worked for pavement to any considerable extent; and after they had been so worked for a short time it was commonly feared in the district that they would rapidly be exhausted. The farmer of East Hills of Carmyllie had seven or eight men quarrying; and it is told that one day, after they had made some disappointing searches for good pavement, the foreman recommended them to take up their tools and go home to their master,

and tell him that the quarries were done. But soon after this the quarries began to be worked on a still more extensive scale. It was found necessary, in order to get rid of the water in the principal quarry, to cut a drain through a large part of the parish; and this was done at a cost of £3000. The quarries at Carmyllie, Leysmill, and others in the district of Arbroath, are supplied with powerful cutting, planing, sawing, and polishing machines. The stones are used not only for pavement, but also for architectural ornaments, and for general building purposes.

For about twenty years Arbroath possessed a bank of its own, called the Arbroath Bank. It was begun in 1825, and in 1844 its business was transferred to the Commercial Bank of Scotland.

CHAPTER III.

STREET AND OTHER PLACE NAMES.

THE nomenclature of streets presents views of the history of the towns in which they are situated,—that is, when names are not chosen arbitrarily, in mere caprice, and without respect to local associations, as they too often are. In Arbroath, although the street names are not all strictly local in their associations, there has been little arbitrariness in their selection. The older names are about as old as the burgh itself; and most of these are much older than the streets to which they are now attached. The High Street is the first street in the town of which mention is made in the oldest records—those of the Abbey. It is noticed in the Chartulary in the year 1303, by which time the burgesses had built houses on it. But it was only about the year 1720 that it began to be called the High Street. Formerly the houses on the west side, from the Abbey Tower to Lordburn, were called Eleemosynary Street. It may be regretted that this name, characteristic as being derived from the neighbouring almonry of the Abbey, has passed out of use. From Lordburn to Kirk Wynd, the street was anciently called Rotten Row. The name, which is that of a fashionable resort in London, occurs in other towns both in England and in Scotland, and it has been a puzzle to philologists. It is perhaps derived from the Dutch for retinue; and in Arbroath it may be suggestive of retinues or processions to and from the Abbey. Below Kirk Wynd, and extending to the sea, the High Street was called Cobgate, Covgate, Cowgate, or Copegate. 'Cowgate' is a common name in Scottish towns, and it has been supposed that in Arbroath it connects itself with the bestial of the burgesses, which in early times formed an important part of the local economy. But the form 'Copegate' is of very frequent occurrence. It is probably derived

from the Scotch word *coft*, 'to buy,' leading to the conclusion of its having been in ancient times, as it is still, the chief market-place of the burgh.

From the upper part of High Street there branch off to the west, James Street, Church Street, Lordburn, and Applegate. James Street is modern, and it derives its name from Mr James Watson, formerly proprietor of Towerbank House. One of the principal breweries in the town, established by David Knight, was in this street; its site is now occupied by a dwelling-house. All the district in the neighbourhood, extending to the Brothock, and a short way on the further side of the stream, bears the ancient name of Almerieclove. Church Street was known until about forty years ago as Braick's Wynd, it being so called after a proprietor. It derives its present name from the church of the Scottish Independents, which is situated there. With regard to Lordburn, the commonly received derivation of the word is that it is a contraction of 'Lord Abbot's Burn,' the springs from the Hays, after passing through the Abbey precinct, flowing that way to the Brothock. The same word occurs at Forfar, where, if it was derived from a lord, his lordship must have been the Earl of Strathmore. Another suggestion that has been offered is, that Lordburn is a corruption of 'lower burn.' 'Loreburn' is the name of a street in Dumfries. It and two small narrow lanes in the same town, 'East-burn Wynd' and 'West-burn Wynd,' derive their names from breweries. This is not an improbable origin of the word 'Lordburn' in Arbroath, especially keeping in view the large brewing trade which was formerly carried on in the town. One of the meanings of the Scotch word *burn* is, 'the water used in breweries.' Applegate is believed to derive its pleasant name from the gardens formerly in its neighbourhood. In the gardens attached to the dwelling-houses there are still some trees of the Abbot's apple, or ozlin. Although Lordburn and Applegate are very old streets, none of the existing houses is of great antiquity; the older of them succeeded the rows of thatched cottages that are figured in Slezer's view of the town.

The branch streets on the east side of the upper part of High Street are all comparatively modern, the whole of that side of the street having anciently been occupied by the boundary wall of the Abbey precinct. Abbey Path is a path or 'steep' leading to the Abbey; the word is literally descriptive, *path* or *peth* in Scottish signifying 'a steep and narrow way.' Allan Street bears the name of John Allan, wright; and Kirk Wynd, now Kirk Square, is so called as leading to the Town Church.

The lower part of High Street is intersected by Commerce Street and Hill Street. The former is a very old street, but the origin of its old name of 'Horner's Wynd' is doubtful. The name may be that of the Nicholas Horner who was a bailie in the burgh four centuries ago; or it may be derived, like the names of some other streets or lanes in Scottish towns,—such as Bucklemaker Wynd in Dundee,—from a trade carried on in it, which on this supposition would be the trade of making such articles as horn spoons. It was in 1860 that, after a good

deal of opposition, the name was changed to Commerce Street ; but in feu-charters, and sometimes colloquially, the street is still called 'Horner's Wynd.' Hill Street—a modern street—takes its name from Boulzie Hill ; as do also Hill Place, Hill Terrace, and Hill Road, in the same neighbourhood. Again, at the Ladybridge Street and John Street intersection, the street on the west of High Street is old, and that on the east new. Ladybridge takes its name from the old Chapel of Our Lady at Bridgend ; but the name of 'Ladybridge Street' is modern ; formerly the street was called New Wynd. John Street is one of two streets in the town bearing the same name. It is generally called John Street East, to distinguish it from the other ; and it is named after the late Mr John Butchart, son of Mr James Butchart of Newgate. Union Street East, on the same estate, is so named to distinguish it from a Union Street in the western part of the town. Both the streets which form the most southern intersection of High Street, Old Shorehead and Seagate, are old. Old Shorehead derives its name from the circumstance of its having been built opposite the old 'shore,' or Abbot's harbour. As to Seagate, the name occurs in Abbey charters of the fifteenth century. For a long time the street was called East Wynd, but its ancient name has been restored. South Street is a modern continuation of Seagate.

The streets, old and new, whose names have a connection with the Abbey are numerous. Ponderlaw Street and Lane are situated in the 'field' which belonged to the 'punder' of the Abbey, the officer who had charge of its woods and forests. Smithy Croft is a street built on the croft which was possessed by the master smith and armourer. In the olden time the trade of the smith and armourer was an important one in every burgh ; and it may be supposed that in Arbroath, to which the monastery was constantly attracting persons of distinction, the master smith had always plenty of work on hand, besides that which was required for the Abbey itself. Fisheracre, the name of a street, is supposed to have been a possession of the person whose office it was to see that the monastery was well supplied for the season of Lent. The name 'Barber's Croft' may have had a similar origin, the barber being about as important a person as the fisher to a community of shaven monks. But it is more likely that the name is derived from the family of which Barbour the poet is supposed to have been a member. In the sixteenth century a person of this name occupied the croft near the Darn Gate, that is, where the street called Barber's Croft is situated, and it may possibly have been named after him or some of his ancestors. Barngreen and Hamilton Green, old streets, are Abbey names. Barngreen was the site of the barns of the monastery, or of some of them. As to Hamilton Green, it is generally supposed to derive its name from the now ducal family who long had a connection with the abbacy ; 'Homlow' or 'Humlow' Green, by which the place was sometimes called, being probably a corruption. The Hays is the name of meadow lands, now built upon, close to the Abbey ; hence also Hayshead. Hay's Lane, on the other hand, is believed

to bear the name of Provost Hay. Warddykes is so called from its neighbourhood to the 'ward' of the monastery, a portion of its lands. 'Wardmill,' 'Wardmill Hill,' and 'Wardmill Road' have a like origin. 'Demondale,' in this locality, is another ancient name, occurring in the Chartulary of the Abbey as 'Damysdayll,' which is derived, most probably, from the 'dam' or pool of water that stood in this small 'dale' or hollow before the demolition of the Wardmill Hill.

'Newgate,' which gives a name to three streets, East, West, and South, goes back to Abbey times. There was a street of that name in the fifteenth century. Dishlandtown Street and Keptie Street, with West Keptie Street and Keptie Road, are modern; but the names, which are those of the lands part of the streets are built upon, occur in the Chartulary. In 1838 the Commissioners of Northern Lights gave the trustees of the Colvill Mortification a part of the east end of the Bell Rock garden to enable them to make a road from Millgate Loan to the lands of Dishland. When Free Ladyloan Church was built there a few years afterwards the road came to be popularly known as 'Mount Zion Brae,' and this odd name has recently been formally given to it. The lands of Grimsby are mentioned in the Chartulary, but how they came to be known by the name of the port on the Humber, or whether the identity of names is more than an accident, perhaps cannot now be discovered. The streets bearing the name of Grimsby, North, South, East, and West, date only from the latter half of the eighteenth century. Millgate was a street in the time of the Abbey. It was so named from its being the 'gate,' *i.e.*, road, to the burgh meal mills at Millhead. Millgate Loan is a modern extension of Millgate. The present Marketgate, the road to the market place, was a street in the fourteenth century. The lands of Cairnie are frequently mentioned in the Chartulary. A considerable part of the estate is feued, and one of the streets bears its name. The word signifies a fort. The primitive inhabitants of the district probably availed themselves of the natural advantage of the high land for the erection thereon of some rude work in fortification.

Besides the Abbey Path, a number of modern streets in the town have had their names suggested by the monastery. These, which are all in one district, are: Abbey Street, East and West Abbey Streets, Abbey Park (facing the Convent Churchyard), Convent Street, Abbot Street, and St Thomas Street. Abbot and Convent Streets are of recent erection.

The town has three 'Ports'—Guthrie Port, North Port, and West Port. The two latter are of course named from their situation. Guthrie Port, as also Guthrie Hill, bears the name of a former proprietor. As to Stobcross, the continuation of Guthrie Port northward, the word, which occurs also among local names in Glasgow, appears to be a corruption of 'St Abb's Cross,' and likely it indicates the site of an ancient cross. Before the erection of a stone bridge at Stobcross, the Brothock was crossed there by a wooden bridge. In the olden time the crossing was a ford, called the Cellarer's Ford, after the officer of the monastery who bore that title. The

name East Links, applied to houses near the old Saltwork, recalls the time when the lands there were open bents along the sea-shore. At Seaton Den, at the east end of the road in front of Victoria Park, there stood a spinning-mill previous to 1826. High Common is a name similar in signification with East Links. There is another class of names which have been given to parts of the ancient common of the burgh. Rosebank was originally included in the town's moor. It is named after the person who feued it, Alexander Ross. Rosely is a modern name. The place to which it is applied was formerly called Townfield. In the vicinity of the town there are two places of the name of Bloomfield. One of them was part of the town's moor, and was formerly known as Muirlands. There are also East and West Muirlands, the latter being now known as Roseville, and the former having been converted into the Western Cemetery. A part of Woodville was also comprehended within the extensive burgh moor. Tutties' [Scottish *tout* or *toot*, 'the blast of a horn'] Nook is the place where the town's herdsman assembled the cattle by blowing his horn or trumpet, to take them, by Nolt [cattle] Loans, to the moor. The Greens is an old name. The yarn bleaching-green to which it is applied is a portion of the extensive 'Greenyard' mentioned in the more ancient records of the burgh, and in those of the Abbey. The East, West, and Cross Mill Wynds are named as leading to the Wardmill. Ladyloan, like Ladybridge, takes its name from the Chapel of our Lady at Bridgend. When the land in that quarter was in corn and grass, the house immediately to the west of Ladyloan Parish Church was the farmhouse. A narrow lane beside the church has recently received the name of the Bell Rock Lane, from the fact that it was in an adjoining yard, partly occupied by the site of the church, that the stones for the Bell Rock Lighthouse were hewn.

School Wynd, a lane or street three or four centuries old at least, but now no longer in existence, derived its name from the burgh school, which was situated there. Academy Street is the name of the street adjoining the old High School, and leading to Ponderlaw. Orchard Street is so called from its occupying part of orchard ground, which extended along the western bank of the Brothock from Bridge Street to Stobcross Bridge. In the centre of the factory district, its grimy surroundings now are as unlike as they possibly can be to the original orchard state of the locality. Brothock Bridge stands in no need of explanation. The bridge, or a former one, which gives name to the street or square, was at one time called after the public Shambles, when they occupied a site in the neighbourhood. Bog Lane, originally called 'the Bog,' indicates what was the nature of the ground on which part of the street is built. Park Street is so called as occupying part of the site of a yarn park. Lochland Street bears the name of the estate of Lochlands, which again derives its name from lochs formerly in the low-lying land at the base of Keptie Hill. Green Street is another of the streets whose names have a topographical origin. The locality was pasture-ground. Wellbank has a similar

origin. Bridge Street owes its name to its proximity to the bridge over the Brothock at Almerieclose. Gravesend is an old name, the origin of which is uncertain; ancient graves have from time to time been discovered in the locality. Garden Street is named as having been built on garden ground. Long Row simply indicates the length of a row of old-fashioned houses in the lane of that name. Bakers' Wynd leads to what was once the public bakehouse,—an early and unfortunate co-operative enterprise. Gayfield is supposed to be suggestive of the cheerful appearance of its locality. The name has of late years become known far and wide in connection with the Arbroath Football Club's park, which is situated there. Bank Street has no connection with commerce. The street is so called as being built on a bank of ground, terminating the slope from Keptie Hill to Millgate Loan. The ground was feued by Provost Gibson, who erected the house in the neighbourhood called Hyde Park. The name of this house is a play on a word. Hyde Park is not named after the great park in London. Mr Gibson was a tanner, his house is built opposite what was his tannery, and its name, appropriately enough, was at first written 'Hide.' Inch owes its name to its position between the eastern and western branches of the Brothock at Stobcross. The Shore is of course named from its proximity to the harbour. Wareslap, or Warslap, is so called from the large quantities of seaweed that during storms are cast up on the shore opposite this place. Blind Loch and Blind Toll are names suggested by the circumstance that in the district where they occur neither loch nor toll-bar is now to be seen; the toll-bar had disappeared long before the legislative abolition of tolls in Scotland. Gallowden, a small farm, is believed to be an ancient place of execution. The farm of Culloden is said to have got its name from the circumstance of its having been possessed, or tenanted, by a person who fought in the battle. Springfield Terrace is named as being situated on the estate of Springfield. Hawthornbank, the name of a house and garden, is derived from a hawthorn hedging which surrounded the property a good many years ago. Windmill, Greenbank, Seaforth, Elm Bank, Abbey Bank, The Elms, Cairniehill, Woodside, Fernlea, Denley, Ashbrook, Rosebrae, Mayfield, Cliffhouse, Cliffburn, and other houses in the town and neighbourhood, have also their names from local peculiarities. Caenlochan is Gaelic, signifying 'the head of the little loch.' Market Place is another of the names which need no explanation; and St Vigeans Road, a new street, joins the road leading to the church and kirk town of St Vigeans. Brechin, Montrose, and Dundee Roads are similarly named. The Mawkin Pool is a name for the mill-dam above Almerieclose Bridge. It is as old at least as the middle of the fifteenth century, and its origin is uncertain. It may be derived from the name of a person, perhaps the person who made the dam; and as appears from the Chartulary of the Abbey, there was a family of the name of Makvnis in the town in the fifteenth century. The name of the pool, as now pronounced, is identical with the Scotch word 'maukin,' signifying a young maidservant. 'Emis-

law' occurs in the oldest records of the burgh; 'Timbergreen' is also an old name. Glover Street is named after the Glover Incorporation, who at one time were proprietors there. None of the other incorporations has been similarly honoured. Reform Street is a new street, with a political name.

In Arbroath a large proportion of the street names have a personal origin, and some of these are the names of statesmen and politicians. Russell Street was so named in compliment to Lord John (Earl) Russell, as one of the champions of reform. Hume Street bears the name of the best remembered of the representatives of the burghs, Mr Joseph Hume. Mr Horatio Ross of Rossie, and Mr Chalmers of Aldbar, a distinguished antiquary, who were members for the district of burghs, have given their names to Rossie Street and Chalmers Street respectively. Recently, in Stanley Street, the name of the Derby family was reproduced by a political admirer of the late Earl, the late Mr John Walker, manufacturer, who built Stanley Works, and whose name has been given to a block of dwelling-houses, Walker Place, facing the Abbey Green on the east side. Salisbury Place, a cross street off Nolt Loan Road, is another political name. Gowan Street is named after the Rev. Mr Gowans, formerly minister of Lunan. In the streets there appear clusters of family names. Lindsay Street is named after Mr Robert Lindsay, formerly of Almericlose; two of his sons give their names to John Street West and Robert Street respectively; and Helen Street and St Mary Street bear the names of his daughters, the 'St' being prefixed to the latter name to distinguish the street from other Mary Streets. Spink Street is so called after Mrs Lindsay. Ogilvy Place and Howard Street bear the names respectively of the late Sir John and Lady Ogilvy. Kinnaird Street is of the same family connection, the deceased wife of the present baronet of Inverquharity, Sir Reginald Ogilvy, having been a daughter of a former Lord Kinnaird. Panmure Street and Maule Street are named after the first Baron Panmure. The name Colvill Place commemorates the founder of the Mortification which bears his name. The Trustees of the Mortification have given proof of their loyalty in the names applied to other streets on their lands. These are: Queen Street, Victoria Street, Albert Street, Princes Street, Alexandra Place, and Duke Street. Elliot Street and Elliot Place are named after the wife of the late Mr Pennycook, who was superior of the ground. The name Lillies Wynd is that of William Lilly, who had a woodyard there. Hannah Street bears the name of a daughter of a proprietor in the neighbourhood, Mr James Dick. Formerly the locality was called 'the Siccars.' Dickfield Street is called after Mr Dick himself. He was at one time a merchant in the town. Kyd Street, in the same locality, is named after John Kyd, eldest son of John Kyd of Muirlands, who acquired the land on which the street is built. The name of Ann Street is that of Mr Kyd's eldest daughter. Fergus Square and Fergus Street are called after the Rev. Mr Ferguson, who was minister of Farnell in the eighteenth century. Mr Ferguson was proprietor of Lochlands, and the feus on his estate were at first

known as Fergustown. Jamieson Street bears the name of Mr Jamieson, farmer, Brianton, who resided in the cottage called Pleasance, when it was the only house in the street or the neighbourhood. Anderson Street is called after the late Mr John Anderson, auctioneer. Murray Place is named after the late Mr John Murray, contractor, the first feuar; Croall's Wynd, after a proprietor and builder of that name; Wallace Street and Catherine Street have a like origin; Addison Place takes its name from the former superior of the ground. In this locality are Nolt Loan Road and Hillend Road, both old place names. Nolt Loan Road—Road, as a superfluity, might have been omitted—was formed into a street by unemployed men a few years ago, and is largely feued. Hillend Road is named after the old farm of Hillend, at the end of Keptie Hill. This small estate, now mostly feued, is the property of the Town Council as the trustees of the Duncan Charity. Lochshade, another old place name, has been made to give way to Dalhousie Place, a street extending between Nolt Loan and Viewfield Road. The latter street takes the name of the villa of Viewfield. Hope Street is called after the daughter of a principal proprietor there; the house of Annesley, after a daughter of the late Provost Johnston; Stuart Street, in compliment to Mr Stuart, wright, as being the first feuar in the street. George Street is named after George Carey, mason, the first feuar. Doig's Vennel is also named after a proprietor; and in Arrott Street the name of the late Dr William Arrott, for many years a medical practitioner in the town, is perpetuated. Provost's Close, an old lane within the burgh, is so named from Provost Ochterlony. Danger Point was named by a proprietor, John Croall, from the frequent inroads of the sea upon his land. A populous district has sprung up in what was formerly known as Hay's Field, east from the Abbey. The field was feued by the late Dr Peter Leonard. Leonard, Sidney, and Ernest Streets bear the names of three of his grandsons, sons of the Rev. Dr Duke of St Vigeans. In this neighbourhood there are also four new streets: Hayswell Road, bearing the name of Hay's Well; Culloden Road, named after Culloden Farm; and Carnegie and Strachan Streets, which bear the name of the proprietor of the land, C. C. Strachan Carnegie of Tarrie. In the same locality is Palmer Street, which preserves the name of the late Dr Palmer, a medical practitioner in Arbroath. Seaton Road is a modern continuation of the Ponderlaw line of road; Kinloch Terrace, on the Keptie Road, takes its name from the loch which was formerly in its neighbourhood; Cairnie Loan marks as a street name a recent appearance of stone and lime amidst the silvan beauty of the Lovers' Loan at Cairnie.

CHAPTER IV.

THE ABBEY BURYING GROUND.

THE oldest known interments in the Abbey of Arbroath were those of its founder, King William the Lion, before the high altar, and of his brother-in-law, Gilchrist, Earl of Angus, who was buried before the altar of St Catherine, in the south transept of the church. One of the oldest tombstones in the Abbey Churchyard is a flat red sandstone slab, with this fragment of an inscription:

'Hoc est tumulus AIKMANORUM de Lordburne.'

The date is supposed to be about 1560. The Aikmans of Lordburn and Cairnie held these lands for centuries. In a manuscript book by William Aikman of Cairnie, dated 1700, there is a statement concerning a local tradition that the first of the Aikmans in the district was an English goldsmith, who was brought out of England by King William the Lion to do the gold and silver work of the Abbey. 'Aik' is a Scottish form of 'oak,' and the crest of the Aikmans is an oak. In the same manuscript it is stated that 'in the churchyard of this town [Arbroath] there is a burial place belonging to them [the Aikman family] built after the manner of a chest, vaulted and asseler work within, with this inscription on the top in very ancient characters, lately revised by John Aikman of Cairnie: "Hic jacet antiqua Aikmanor de Lordburn familia," in which there is reported to have been laid ten John Aikmans of this family successive without interruption, whereof the late John Aikman of Cairnie was the last.' In the vestry of the Abbey there is a monumental brass, placed there in 1869 by Captain Robertson Aikman of Ross, and thus inscribed:

'To perpetuate the memory of my ancestors, the AIKMANS of Lordburn and Cairnie, this tablet is placed in the Abbey of Aberbrothwick on the stones that covered the resting-place in the Abbey grounds of ten John Aikmans, the last of whom was born 1613, and died 1693. He was designated the Gude Laird o' Cairnie. His eldest son, William Aikman, was an eminent advocate, and Sheriff of Forfarshire. He succeeded to Cairnie, and died 1699, and was buried in the Greyfriars Kirkyard, Edinburgh. He was succeeded by his only son William Aikman, the celebrated historical painter of Scotland, who sold Cairnie in 1707. He was born 1682, and died in 1731, and with his only son John rests in the Greyfriars Kirkyard, Edinburgh. Thomas Aikman, the second son of

the Gude Laird o' Cairnie, was a lawyer of eminence, and Keeper of the Records of Scotland. He bought the lands of Ross and Broomelton, Hamilton, Lanarkshire. Here the representative of the Aikman family now resides. The Abbey was visited by me, my wife, and eldest son Thomas S. G. H. R. Aikman, on the 10th anniversary of our marriage, the 21st September 1868, and this tablet is presented to the Town by me the great-great-great-great-grandson of "the Gude Laird o' Cairnie," in affectionate remembrance of the Aikmans of Lordburn and Cairnie, who resided in and near Arbroath for many centuries. Hugh Henry Robertson Aikman. Ross House, Jan. 1st, 1869.'

Another slab of red sandstone, which stands near the vestry door, and is much

worn, is from the tomb of one of the Piersons. This fragment of the inscription can be traced :

'Hic jacet honorabilis . . . I. P. [Pierson arms] 1589.'

The Piersons were for generations an influential family in Arbroath and neighbourhood. In the eighteenth century they held, among others, the lands of Barngreen, Smiddycroft, Lochlands, Berryfauld, and Balmadies. One of them, Robert Pierson, advocate, who came into possession of the property in 1763, married Anne, daughter of John Fraser of Kirkton and Hospitalfield. He was grandfather of the late Mr James A. Pierson, who succeeded to Guynd on the death of his maternal uncle.¹ For some time the family also possessed the Wardmill of Arbroath. Alexander Piersoun of Wardmylne, with Sir John Carnegie of Ethie and others, was in 1617 an arbiter in a dispute between Harie Wood of Bonytoun and Frances Ogilvie of New Grange as to marches.²

The monument of Dr Henry Philp, minister of Arbroath, and his wife, is one of the most interesting in the Burying Ground in its relation to family histories. In the biographical introduction to his translation of 'The Grameid,' Canon Murdoch has a notice of this gravestone. He says: 'The figures, I think, were an offering to the memory of their parents by James, Marjory, and Isabel Philp, but were raised, perhaps, from a recumbent position in the more ambitious structure of which they now form a part by James Philp, the father of the poet who, blazoning his arms and those of his wife, Margaret Graham, describes himself as "the buielder." His initials J. P. and those of his wife M. G. in association with their arms, and the date 1674, at which time we know they were alive, plainly indicate the erection of the monument by them to the memory of those below. The initials of Henry Philp and Isabel Paterson in connection with the figures identify them. The other initials, I think, are to be thus read: M. is for Marjory and J. P. below is for James Philp, the J. G. opposite giving the initials of the wife of James Philp, Jane or Isabel Guthrie'; who was daughter of the minister of Arbirlot.³

Alexander Peter, who at Michaelmas 1617 was elected a member of the Town Council,⁴ and became town treasurer, seems to have been an active reformer, judging from the inscription on his tombstone :

'Such a treasurer was not since, nor yet before,
For common works, calsais, brigs, and schoir;
Of all others he did excell,
He devised our skoel [school], and he hung our bell.'

The following inscription records the death of another of the seventeenth century treasurers of the burgh :

'Here lyes ane honest and vertvres man called
JAMES IOHNSTONE, thesavrer in Aberbrothock,
who departed this lyfe the last day of Febrvary
1685, and of his age 59 years.'

'Life is the gate of Death,
And Death did me restore
Vnto the Lord my God,
Who is the King of Glorie.'

Jervise's Epits. and Ina, i. p. 385. ²Privy Council Reg., x. 541. ³Grameid, xiii., xiv. ⁴Supra, p. 155.

Inscribed on a stone erected in 1669 by the husband of deceased :

'Vxor casta parens felix, matrona judica
Sare viro, mundo Martha, Maria, Deo.'

'Here lyes GISEL WEST, spous to John Carnegy,
doctor to the Gramer Schooll of Aberbrothock,
who departed this life the 27 of Aprile and of her
age 37, Having brought forth seven children,
four of them died before her, to witt, CATHERN,
THOMAS, and CATHERAN CARNEGIES, 1699.'

'Here lyes a wife was chaste, a mother blest,
A modest woman, all these in one chest ;
Sarah unto her mate, Mary to God ;
Martha to men, whilst here she had abode.

Upon a broken slab, with monogram and death's head, &c. :

'Heir lysis ALEXANDER HALIS, spo. . . to Ewfan Grant, who died the 5 day . . . 1630
yeirs; the 36 yeirs of his age.'

A broken record of the death of two sisters—probably—children, within about
a month :

'Hier lysis AGNIS BROVNE . . . departit
this life to His eternali glo . . . day the 14
of April 1647, being . . . years thrie month
and 21 dayis old.'

'Heir lysis IRANE BROVNE, dep. . . ednsday,
the last of Merch 1647, being 4 yiers 4 months
4 dayis old.'

'Heir lyes WILLIAM STIVIENSON, who was a
malt man bvrge of Aberbroth, and departed this
lyf wpon the 19 of Ianvare 1665, and of his age

64, with his spovse ISOBEL RYNKNE, who departed
this lyf the 7 of Decembr, 1669, and of her
age 67.'

This inscription is followed by some lines of verse, partly worn away, expressive of
resignation.

'Heir lysis JAMES CHRISTY, merchand burges of Arbroth, who departed this lyf the 27 day of
Febrvare 1673, and of his age 63.'

The family of Renny is of antiquity in the burgh. On the oldest of their
tombstones in the Abbey Burying Ground there is inscribed :

'Heir lies IONY RENNY, cordiner, who deceasit ye 23 day of Ianvar 1630 ye 82 of his age.'

The inscription to John Renny is round the edge of the stone, which shows a shield
charged with a tree, with a human figure among the branches. There is also
inscribed on the stone :

'This stone was revised by John Renny in
memory of his father JOHN RENNY, merchant
and late bailie of Arbroath, who died ye 3d Jany.
1752, aged 75. He married Nicolas Fitchet, who

bore him 8 children, 3 of them lies beside this
stone, and 5 survive, viz., John, James, William,
Margaret, and Agnes Renny. Again revised by
Samuel Renny, sen., nephew of the above, 1838.'

On an adjoining stone :

'In hope of a blessed resurrection, here lyes
WILLIAM RENNAY, late bailie of Aberbrothock,
husband to KATHREN FORSYTH, who departed

this life on the 20th day of May 1714, and of his
age 42. Likewise five children, MARGT., PATRICK,
JOHN, JAMES, and GEORGE RENNYS.'

Upon a stone on which are sculptured emblems of the brewers' trade :

'Here lyes JOHN MIKESON, maltman burgis of
Arbroth, who died the 14 of Febr. 1694, and

of age 63 years. And Agnis Shakirt his spous, who
died the 4 of March 1703, and of age 59 years.'

The maiden name of John Mikeson's wife, Shakirt, seems to have ceased from
Arbroath, but it was for centuries a common local surname.

A tablet built into the south wall of the Abbey Church is thus inscribed :

'This burial place, built anno 1726, belongs to Mr JOHN FERGUSSON, minister of the Gospel at Aberbrothock, who was licensed and ordained minister at Robertson, in the Presbytery of Selkirk, anno 1698, and was admitted minister of Aberbrothock anno 1699.'

The burial place referred to in the inscription on the slab is said to have been a tomb of some architectural pretensions.¹

The name of another of the eighteenth century ministers of Arbroath, the Rev. William Bell, is preserved on a stone in the Abbey :

'Under this stone is deposited the mortal remains of the Rev. Mr WILLIAM BELL, minister of the Gospel, sometime at Benholm, in Mearns, from whence he was translated to this town, the scene of his labours for the last 27 years of his life. He died 17th December 1775, aged 55. "I have fought a good fight," &c.

Mrs Bell, as the inscription further states, was buried near her husband. She was daughter of the Rev. John Willison, minister at Dundee, author of a well known religious work, 'The Afflicted Man's Companion.'

Surely the memorial of a contented man :

'JOHN HARRIS, weaver, Wardmill Croft, died 1788, aged 77.'

' . . . What few vain marbles can
May truly say, "Here lies an honest man."
Calmly he look'd on either life ; and here

Saw nothing to regret, or there to fear ;
From Nature's temp'rate feast rose satisfy'd,
Thank'd heaven that he had liv'd, and that
he dy'd.'

'Here lies the mortal part of GEORGE KYD of Woodhill, whose many excellent qualifications made him amiable in the sight of God and man. The ornaments of the Christian and gentleman were conspicuous in him, but were most transcendently so when his Religion and Loyalty suffered the test of the worst of times. While Right and Wrong, Truth and Falsehood, are distinctions among men his memory must be dear, as now

his early death is justly lamented by all who knew how much he was the best friend and agreeable companion, the tenderest father, most affectionate and comfortable husband.
Could worth or wishes stretch our scanty span,
Long had the world enjoy'd this worthy man ;
But longer life, alas ! could not be given
For prayers or tears : such was the will of Heaven.
He died the . . . 1735, the 42' [year of his age.]

The stone, which is flat, is adorned with the coat of arms of the deceased. The reference in the panegyric to the 'test of the worst of times' is doubtless to the troubles arising out of the rebellion of 1715. Mr Kyd was probably, like many of the gentlemen of Angus of his time, a Jacobite and an Episcopalian.

'WILLIAM RITCHIE, one of the Bailies of Arbroath, died 1795, aged 55 . . . The righteous seem to ly by in the bosom of the earth as a wary pilot in some well sheltered creek till the storms that invest this lower world are blown over ; but

ere long they shall hoist their flag of Hope, and sail before a sweet gale of Redeeming love towards Immanuel's happy shore—the blessed port of Eternal life.'

Bailie Ritchie was probably the billet-master who gave some trouble to the Magistrates about the year 1778, and ultimately became a Magistrate of the burgh himself.²

'This stone, set up by James Couper in Aberbrothock and Isabel Wilkie his spouse, in memory of their children, viz. : WILLIAM, who at the

present date survives ; as also MAGDALENE, who died Feb. 22, 1747, and ANNA, died Sept. 22, 1748.'

¹ *Supra*, p. 100.

² *Supra*, p. 360.

It appears from some rather doggerel lines on the stone that the children died in infancy. The inscription is peculiar as showing that one of the children in whose memory the stone was erected was alive at the date of erection.

On the north wall of the Burying Ground :

' . . . Lysis JOHN GIPSON, sone was to David Gipson, present Diken of Hammerman of Aberbrothock, who departed this lyfe the 2 of Iuly 1702, and of his age 17 years.
All men and wimen most depert,
When days are spent on Erth.'

A grey granite stone, with the following inscription in gilt lettering, marks the grave of a benefactor of generations of widows, the founder of the first of the Arbroath 'funds' :

' Here lie the remains of Mr JOHN CARMICHAEL, shipmaster, Aberbrothock, who departed this life in the year of our Lord 1735. This stone, in place of one which had decayed, is erected by the Trustees of the Mortification founded by him for behoof of seven poor widows of shipmasters within the burgh of Aberbrothock, in order to point out the grave of one whose good example in aiding those of fallen fortune, and in caring for the poor and the distressed, has since been followed by many benefactors of this community. 1886.'

In the south aisle of the Abbey Church there is a flat stone, partly covered by the encroaching turf, with a Latin inscription, of which this is a translation :

'Beneath this stone rests all that could die of the Very Reverend Bishop HENRY EDGAR, son of David Edgar of Keithock. For 36 years he faithfully discharged the duties of his sacred office at Aberbrothoc, and died in the full hope of a blessed resurrection on the 21st day of August 1765, in the 71st year of his age. "The Lord hath given, the Lord hath taken away; blessed be the name of the Lord." He had as wife BARBARA, daughter of the Rev. William Rait, pastor of Monikie, who erected this monument. Looking for the immortal glory of the Resurrection, she yielded up her spirit to God, on the 21st day of May, in the year from the Nativity of Christ 1774, and in the 82nd year of her age.'

It was Bishop Edgar's brother who was secretary to the Chevalier de St George.

A slab built into the south wall of the Abbey is inscribed :

'S. D. G. Here lyes the mortal part of RACHEL LUMSDEN, spouse was to John Niven of Peebles, who died 9th July 1786, aged 38 years. Also WILLIAM NIVEN, their son, who died 9th Oct. 1786, aged 4 years 6 months; ANN NIVEN, their daughter, who died 19th Jan. 1788, aged 4 years and 7 months.'

The above named Rachel Lumsden was a sister of Harry Lumsden, who bought the estates of Clova and Auchendoir, in Aberdeenshire, from his cousin the Laird of Cushnie. Having no family, his nephew, afterwards Sir Henry Niven-Lumsden, son of the above, succeeded to these properties. His father was a staunch Jacobite, and it is said that his grandfather was taken prisoner in the '45, and beheaded at Carlisle, and that her son John was with him when he was arrested. John afterwards became a tobacconist, made money, and bought the property of Peebles [near Arbroath], and subsequently that of Thornton in Aberdeenshire.¹

On this stone there is shown Death, leading on Time, with sandglass :

' Here lyes JAMES SPINK, son to James Spink, his spouse, who departed this life the 24 of Aprill mariner in Aberbrothock, and Kathren Spink, 1744, and of his age 9 years 7 months 4 days.'

¹ Unpublished note by the late Andrew Jervise.

On children of John Peter and Mary Wylie, 1771 :

'He that is born to-day and dies to-morrow
Loses some hours of joy, but months of sorrow.'

A stone in the Burying Ground bears the names of two of 'Meg Matthew's bairns' :

'To the memory of W. CRUICKSHANK, Esq., aged 67 years. This stone is erected as a tribute
late of Jamaica, son of the late Rev. Geo. Cruick- of regard by his sister, Mrs Isabel Haldane.'
shank, minister of Arbroath, died 15 Sep. 1817,

On the tomb of the Rev. George Gleig :

'Rev. GEORGE GLEIG died 19th January 1835, being dead, yet speaketh. Also of Mrs MARY
in the 78th year of his age and 47th of his DUNCAN GLEIG, his wife, who died on the 19
ministry in the parish of Arbroath, to which he, January 1836, aged 75.'

Mrs Gleig was a sister of Jonathan Duncan, Governor of Bombay.

A marble tablet built into the wall on the right of the high altar of the Abbey is inscribed :

'To the memory of the family of OUCHTERLONY is erected in compliance with the wishes of the
of The Guynd, the mortal remains of whose late John Ouchterlony, Esq. of The Guynd.
ancestry lie interred near this spot. This tablet July 1844.'

Upon a slab of white marble, inserted in an upright monument, there is inscribed :

'Sacred to the memory of Major JOHN FRASER PARROTT, his wife, who died 2nd February 1851,
of Hospitalfield and Kirkton, who died 16th aged 88 years.'
December 1809, aged 50 years, and ELIZABETH

Major Fraser was the last male representative of the Frasers of Hospitalfield, Kirkton, and Balmadies. His wife, Elizabeth Parrott, was of Hawksley Hall, Warwickshire. Major Fraser had the command of the Angus Fencible Volunteers. He was quartered with his regiment at Dumfries when Robert Burns died. The Angus Fencibles attended the funeral, and Major Fraser, who was an admirer of the poet, out of respect to his memory put the first spadeful of earth into his grave. Major Fraser's daughter was married to the late Mr Patrick Allan-Fraser of Hospitalfield, and his remains, with those of his wife, have been reinterred in one of two vaults in the Mortuary Chapel which Mr Allan-Fraser erected in the Western Cemetery. Mr and Mrs Allan-Fraser are interred in the other vault.

A veteran of the Napoleonic wars is here commemorated :

'Sacred to the memory of JN. ANDERSON, who R.N. ; and as he lived so he departed respected
after fighting the battles of his country from the by all who knew him, on the 21st January 1863,
year 1790 to 1815, and being wounded in the aged 72 years. Also of CLEMENTINA BUTTAR, relict
the glorious actions of the Nile and Egypt, and faith- of the above, who died at Edinburgh on the 2nd
fully serving during various other actions in the June 1869, and was interred there.'

Another veteran servant of his king and country met with a sad termination to an honourable career :

'This stone was erected by John Christie, months, unfortunately lost his own life in the
mariner, in memory of his father JOHN CHRISTIE, water of Elliot on the 24 of Sep. 1785, aged 79
who, after serving his Majesty 37 years and 9 years.'

John Christie was the post-rider between Dundee and Arbroath. It was a wild night, the 24th September 1785. There was a great storm of wind and rain, and when Christie, on his journey from Dundee to Arbroath, with the mail bags in his possession, arrived at the ford of the Elliot, he found that the usually small stream was a roaring torrent. The cottagers at Elliot advised him to go round by Arbirlot bridge, but that would have lengthened his journey by about two miles, and, resolving to attempt the passage he headed his horse to the ford. The horse reached the further bank in safety, but the old man was swept away, and his body was next morning found at the mouth of the river. His death led a year afterwards to the erection of the bridge at Elliot.

Upon a marble slab :

'Sacred to the memory of JOHN BOWMAN, Parochial Schoolmaster of St Vigeans, who died 11th August 1836, and of his wife MARY CREE, who died 11th March 1841, both aged 72 years.'

'Sacred to the memory of his father ALEXANDER BOWMAN, who died at St Vigeans on the 11th December 1811, aged 82 years.'

Mr Bowman, who was a native of Brechin, had a high reputation in his time as a schoolmaster.

Upon a marble slab, in the base of an obelisk :

'This monument is erected by Alexander Hay, Esq. of Letham, to the memory of his daughter MARJORY, who died 14 Nov. 1810, aged 14 years.'

Her opening virtues gladdened the heart of her parents, and now sustain them under their loss.'

Marjory Hay was a sister of the late John Hay of Letham Grange, who died 23rd May 1869, aged 73 years, and was interred in the family burial place in the Abbey Burying Ground. He succeeded his father, Provost Hay, as proprietor of the estate of Letham, to which he added Grange. Being looked upon as a typical country gentleman, he used frequently in the common speech of the country side to be known as 'Squire' Hay—a title unusual in Scotland. He was a kind master as well as a good landlord and keen sportsman. Mr Jervise, in his unpublished notes,¹ says of him that his domestics rarely left his service. 'What d'ye think,' he said in his garden to Mr Jervise one day, 'that gardener said to me the other day when I paid him his hundredth half-year's wage, "I doubt, sir, we'll no be sae lang thegither again."' Mr Hay was a bachelor. Some years after his death the estate of Letham Grange was acquired by the late Mr Fletcher of Rosehaugh, and it now belongs to one of his sons, Mr Fitzroy C. Fletcher of Letham Grange and Fern.

'Mr JOHN STRATON, who filled the office of teacher in the Commercial Department of the Arbroath Academy for upwards of 29 years. Born

29 March 1791; died in the discharge of his duty 17 April 1850. By sorrowing and affectionate brothers and sisters.'

Upon a marble slab, set in freestone :

'Erected by Mary Balfour in memory of her husband HENRY SHARPEY, who died on the 31st Oct. 1801, in the 44th year of his age; also HENRY SHARPEY, her son, who died on the 19th

Dec. 1805, in the 7th year of his age; and DAVID SHARPEY, her second son, who died 15th Oct. 1808, aged 8 years.'

¹ In the Library of the Society of Antiquaries of Scotland.

Mrs Sharpey married, as her second husband, Dr Arrott, medical practitioner in Arbroath, three of whose sons followed the profession of their father. Dr William Sharpey, Professor of Physiology in University College, London, was Mrs Sharpey's son by her first marriage. Professor Sharpey, who also is buried in the Abbey, is noticed in the chapter on Literature, Science, and Art.

In the next inscription there are the names of Mrs Sharpey's sister and brother-in-law :

'Sacred to the memory of Rev. RICHARD WATSON, minister of Arbirlot, who died 7 Sep. 1829, aged 87 years, and of ISABEL BALFOUR, his wife, who died 17 January 1837, aged 77 years, and of RICHARD WATSON, their only son, who died 24 Nov. 1799, aged 18 years; also of ISABELLA PHILLIP, their grand-daughter, who died 21 July 1823, aged 15 years.'

Upon a marble slab, sunk into south side of a light sandstone monument :

'To the memory of ARCHIBALD WATSON, Col. 1st Bengal Cavalry, 60 years in the service of the H.E.I.C. Born Feb. 6, 1780; died Aug. 23, 1855.'

'This gentleman, who selected the spot for his interment, and had his monument prepared, some years before his death, was brother to the late Mrs Rolland of Auchmithie. She married a second husband, Capt. Scott, who bought Abbethune, and whose burial place is at St Skae, in Craig.'—*Jervise*.

'JANET GOURLAY, died 1804, aged 55.'

'By him whose conquests thro' the world are known, My dust lies here, my better part's above,
To my mean original am thrown; So I, not Death, the Conqueror prove.'

Upon a stone, with these verses, there is inscribed :

'JAMES MUIR, shipowner, died 1803, aged 60.'

'Ye who with youth and pleasure sail, And ye who long have stemm'd the tide,
Soft gliding in the summer breeze, While round your bark the billows rave,
Prepare to meet the wintry gale, Hope to a shelter'd port can guide,
And think of Life's tempestuous seas. A haven of rest beyond the grave.'

On another stone the last of the Chief Magistrates of the burgh who bore the name of Ouchterlony is, with his family, commemorated :

'Sacred to the memory of Provost JOHN OUCHTERLONY, who died 23rd Dec. 1804, aged 61 years; and ISABELLA OUCHTERLONY, his spouse, who died 7th July 1818, aged 79. Likewise five of their family, CATHERINE, AGNES, JAMES, GEORGE, and ANN OUCHTERLONY, are all interred here. 1840.'

Provost Kid is commemorated by a monument in marble :

'WILLIAM KID, merchant and banker, and sometime Provost of Arbroath, died 1st April 1837, aged 62, his wife, MARGARET ALLAN, having predeceased him 2nd Sept. 1818, aged 39. In memory of a mother of whom he was bereaved at too early an age to appreciate her maternal love and many virtues; and of a father who was distinguished for sincerity and uprightness in every relation of life, this tablet, as a humble tribute of filial affection, is erected by their son Charles Kid.'

Upon a granite obelisk :

'In memory of WILLIAM BRUCE, minister, Episcopal Church, Arbroath, and HELLEN FORBES of Blackford, his spouse; also their daughter JEAN, who died in infancy.'

'In memory of WILLIAM BRUCE, H.E.I.C.S., who died 10th July 1865, aged 89, and MARGARET HILL, his spouse, who died 15th Oct. 1849, aged

73 years. WM. FORBES, who died 21 Sep. 1827, aged 19 years, and GEORGE, who died 1st Oct. 1836, aged 22 years, and their five daughters, who all died in infancy. Also of their son ROBERT WARDLAW BRUCE, M.D., who died 6 April 1877, aged 70 years.'

Upon a marble slab in the west wall :

'Near this monument are deposited the remains of COLIN BRUCE of Seaforth, who died 26th Aug. 1815, in the 59th year of his age. This tablet

is erected by Margaret Blyth, his relict, as a tribute of regard to the memory of an affectionate husband.'

A stone in the Burying Ground bears the name of one who was a man of influence when the trading incorporations were still locally powerful bodies :

'Sacred to the memory of WILLIAM GRAY, dean of the Fraternity of Brewers in Arbroath, who died 19 January 1827, in the 47th year of his age. This monument was erected by the Fraternity of

Brewers of Arbroath, as a tribute to the memory of a worthy member who was twelve times elected Dean of the Incorporation.'

Upon a marble slab, set in a freestone enclosure :

'GEORGE GIBSON, tanner, Arbroath, died 25 Oct. 1842, aged 64 years; BRIDGET VANNET, his wife, died 21st March 1809, aged 23 years. This tablet was erected to their memory by their son

William Gibson.'

'WILLIAM GIBSON of Maulesbank, merchant in Arbroath, died 15 June 1868, aged 61.'

Mr Gibson of Maulesbank was the founder of the charitable endowments which bear his name.

Inscribed on a handsome short column of Aberdeen granite :

'In memory of BEN. M. KENNEDY, editor, etc., 'Arbroath Guide' from 1842 to 1856. Born at

Wick, 21st Nov. 1800; died in Arbroath, 24th Jan. 1861.'

Before settling in Arbroath, Mr Kennedy edited the 'John O'Groat Journal.' He possessed good literary taste and ability.

'In memory of Major-General JAMES DAVID GREENHILL, C.B., H.E.I.C.S., who died at Abbey Bank, 15 Feb. 1840, aged 63 years. This stone

was dedicated by his widow Mrs Mary Ranken, who died 18 Aug. 1840, aged 43 years.'

Inscribed on an obelisk :

'Erected by the United Presbyterian congregation North Grimsby Street, Arbroath, to the memory of their pastor, the Rev. JOSEPH HAY,

A.M. Born 4 July 1797, ordained 15 Oct. 1823, died 11 July 1859.'

Here is the simple memorial of an artist who died at an early age, and whose fine work in portraiture gave promise of even greater excellence :

'A. B. MIDDLETON, born 6 May 1829; died 17 Jan. 1860.'

A stone with this simple inscription upon it marks the grave of 'Tom Watson,' poet :

'Sacred to the memory of THOMAS WATSON, who died 26th January 1875, aged 68 years.'

Other family names are inscribed on the stone.

'Erected by James Henry Giekie to the memory of his brother Lieut. WM. GIEKIE, R. Navy, who

died at Arbroath, 22 Sept. 1813, aged 26 years.

The first minister of what is now the Abbey Parish Church is commemorated on a stone in the Burying-Ground :

'Rev. ROBERT THOMSON, 29 years minister of the Abbey Chapel, Arbroath, translated to Carnock in 1826, where after discharging the duties of

minister four months he died 17 Nov. 1826,' aged 66.'

Mr Thomson was twice married. His first wife, Alison Lowson, died 4th December 1808, aged 42 years; his second wife, Ann Allan, born 1798, died in 1855.

'Erected to the memory of the Rev. ALEX. HISLOP, minister of the East Free Church, Arbroath, by his congregation and friends. He was ordained Aug. 8, 1844, and died March 13, 1865, aged 57.'

The following touching memorial lines are inscribed on a freestone obelisk :

'Sacred to the memory of ELIZABETH KEITH, wife of William B. Oat, merchant, Australia, and their four children, MARY KEITH, ROXAMINA, ADA, and LIZZIE, all drowned off the Auckland Islands, on their passage from Melbourne in the ship "General Grant," 13th March 1866.'

'No sculptured marble can mark the spot
Where mother and children sleep;
No flowers may wave o'er their cold, cold grave,
Far down in the pathless deep.
Ah! little they deemed on that fatal morn
When the parting kiss was given,
They would meet no more on an earthly shore,
No more till they meet in heaven.'

'This frail memorial of an imperishable affection is erected to JOHN TOWNS by his bereaved widow Helen Keir, not to recount the virtues of the dead, nor to declare her sorrows; but that his children may have a continual memorial before them of

that departed parent, who died while in the magistracy of Arbroath on the 12th of October 1840, at the house of his son-in-law at Liverpool, and was here interred on the 19th of that month, aged 56.'

About a dozen years ago the late John Ritchie Findlay of Aberlour, principal proprietor of 'The Scotsman' newspaper, erected in the Abbey Burying Ground a monument in memory of his father and mother, their children, and other members of the family. It is thus inscribed :

'In memory of PETER FINDLAY, born April 5th 1777, died Nov. 26th 1855; and his wife HANNAH DALGETY, born March 16th 1777, died Oct. 27th 1852. And of their children: PETER, born Feb. 10th 1800, died in Bombay, Nov. 10th 1850; JOSEPH, born Dec. 8th 1802, died in Glasgow, Aug. 27th 1832; CHARLES, born April 24th 1804, died in Glasgow, Nov. 30th 1891; BENJAMIN, born Dec. 4th 1806, died at Fricockheim, Oct. 22nd 1880; HANNAH, born June 3rd 1808, died at Glasgow, Aug. 3rd 1897; WILLIAM, born Aug. 21st 1810, died in Glasgow, Feb. 22nd 1872; EDWARD, born Jan. 13th 1813, died at Bournemouth, Feb. 14th 1876; ELIZABETH, born Sept. 16th 1816, died at Arbroath, Nov. 22nd 1835; GEORGE, born Oct.

27th 1820, died at Arbroath, Aug. 31st 1846. Also of ROBERT, MARGARET, and DAVID, who died in childhood; and of MARGARET, infant daughter of Peter Findlay, jun., who died 1827. Also in memory of ELIZABETH SCOTT, wife of Charles Findlay, who died January 26th 1838; and their children JAMES SCOTT FINDLAY, died at sea, Feb. 12th 1870; and of ROBERT, CATHERINE, and HANNAH, who died in childhood. ELIZABETH LAIRD, second wife of CHARLES FINDLAY, died in Glasgow, Feb. 18th 1890, aged 82. Also of the Father and Mother of Peter Findlay, ROBERT FINDLAY, born Dec. 19th 1742, died Feb. 5th 1802; MARGARET RITCHIE, born May 14th 1730, died Feb. 10th 1819.'

On the base—'Erected by John Ritchie Findlay.' The monument, which is of stone from Craigleith quarry, is oblong and massive, with moulding, and ornamentation in the form of pediments.

There are a number of enclosed burial-places belonging to families in the town and district. The quiet and beautifully kept Burying-Ground, with the picturesque ruins of the Abbey, forms a striking contrast to the bustle of the streets outside its gates.

CHAPTER V.

AUCHMITHIE—EASTHAVEN—CARNOUSTIE—FRIOCKHEIM.

AUCHMITHIE is one of the oldest fishing villages on the east coast of Scotland. It is so old that nobody knows anything about its beginning.

The opinion has been ventured—but that is matter of opinion, and nothing more—that its origin goes back to the time of the Danish incursions on the East coast, and that its population are of Scandinavian lineage. The earliest notice of the village occurs in the Chartulary of Arbroath Abbey. Auchmithie was situated within the barony and regality of Aberbrothock, and was thus a possession of the Abbey. The first mention of it in the Chartulary is in the year 1434. After that date it is mentioned frequently, and always in connection with a lease of the land, or a portion of it, with the village. Among successive lessees were Thomas Lyon, Duncan Fithie, Simon Fithie, William Harwar, Simon Boys, and John Brahame. In 1533 Marion Ogilvy, the morganatic wife of Cardinal Beaton, obtained a lease of part of Auchmithie. The village remained in the possession of the monastery until after the Reformation, and beyond the period covered by the Chartulary. It was in 1564 that it ceased to be monastic property. At Perth, on 23rd June 1565, Queen Mary confirmed a charter dated 4th November 1564, granted by John, Commendator of the Abbey of Aberbrothock, and his convent, by which, for sums of money paid, they disposed in feufarm to their vassal John Carnegy of Setoun and Katherine Fotheringhame his spouse the fishing village of 'Echmuthe,' as it is called in the charter, 'with the lands known as Fischersehed, the brewhouse of said village with its lands, with the houses and crofts in said village, with the harbour and fish-house of said village,' to be held by them and the longer liver of them in conjunct fee, and by the heirs of the said John Carnegy; whom failing, by James Carnegy his brother and his heirs male whomsoever, and the assignees and subvassals of the said John and James whomsoever, of said monastery. All this was given for £3 13s. 4d.—Scots, doubtless—annually, with 6s. 8d. of augmentation and duplicand on the entry of heirs.¹ That appears to have been the beginning of the proprietary connection of the Carnegies with Auchmithie—a connection which has lasted ever since. The charter in their favour was really granted by Lord John Hamilton alone, the Commendator for the time being, the conjunction of the 'convent' being a mere formality. Prior to 1564 the monks had been dispersed, and Lenten entertainment, or Friday fare, in the providing of which the fishermen

¹ Reg. Great Seal, vol. 1546-80, No. 1636.

of Auchmithie must have been useful, had ceased to be a customary religious observance.

When John Carnegy of Seaton—an ancestor of the Earl of Ethie, afterwards the first Earl of Northesk—agreed to pay £3 13s. 4d. annually for Auchmithie and all that belonged to it, the men and women of the village may not have been looked upon as part of its belongings. But later they were held to be serfs or thralls. A judicial decision to that effect was given in the year 1705. In that year an action was raised before the Privy Council by the Earl of Northesk 'against Robert and James Cargills and the Magistrates of Aberbrothwick for their interest.' In the complaint, which is dated 28th May 1705,



AUCHMITHIE.

it was set forth that 'servants, particularly when employed to serve as white fishers, have been allways Lookt upon as tyed to continue with their said masters and not to depart and leave their possessions and service, specially betwixt terms, without their master's leave and consent, nor aught any to harbour, resett or detain such mentennents or servents, whyt fishers by their constant employment, to the prejudice of their masters and against their consent, seeing that the foresaid white fishers by their possessione, occupation, and manifest dependence upon their masters as his mentennents and servants, specially by payment of constant supplies of fish for the use and service of their master's house and familie, are upon the matter in the same condition and subject to the same oblidgevents as salters and coaliers, who are and were allways adjudged to be so astrict and bound to their masters and their possessions.' It was further stated in the complaint that the Cargills had left Auchmithie between the terms of Martinmas and Whitsunday

clandestinely and under cloud of night, and had gone to Aberbrothock, and there had taken up house. The Magistrates—David Ramsay, provost, and Alexander Webster and William Renny, bailies—refused to give up the 'runaways,' and were ordered to compear before the Privy Council.

Answers for the Cargills and the Magistrates to the 'lybel and complaint' were lodged. In these answers it was set forth that on 13th August 1686 there was entered into a contract by way of tack between the Earl of Northesk upon the one part and David Cargill, skipper in Auchmithie, and John and Robert Cargills (one of these a defender in the action) on the other, whereby the Earl set in tack some dwelling-houses and arable land, at that time possessed by David Cargill,



AUCHMITHIE, LOOKING SEAWARDS.

lying in the Seatoun of Auchmithie, with the liberty of great and small fishing boats for the space of nineteen years from Martinmas 1685, for which the Cargills were bound to pay a certain tack duty, under a penalty of £100 Scots. The defenders further stated that they had continued in the possession of the lands set them, 'though with no great satisfaction. Having earned and laid to the fore by their great industry and labour some small sums of money for the sustenance of themselves and their families in their old age, there were ways and means fallen upon by some illwillers in the neighbourhood to raise processes for trifles in the Earl's baron court, and thereupon to decern the defenders in exorbitant fines.' The defenders seem from their statement to have been disposed to say that the Earl had nothing to do with these processes—'it was not to be thought that the Earl could have the least occasion'—but they went on to state that they would be

obliged to underlie the annoyance of which they complained 'if they should continue longer in the complainer's ground, especially when warned at the Earl's instance to remove, and therefore do they think themselves at liberty to remove when and where they pleased.' The defenders further answered 'that the nature of this libel is altogether new and unprecedented, noways condescending upon any law, custom, or practice, from which the conclusions libelled could be drawn, so that the same are entirely irrelevant; for the defenders by nature, being also free as any other man, and no law, fact, or deed of their own having restricted their liberty of disposing themselves to what employment they pleased, or from following their employment in any part of the nation, it's not to be conceived how such a groundless libell could be raised against them. There can be no argument drawn from the Act of Parliament Ja. 6th anent coalliers and salters. For this being a statute introduced against natural liberty cannot by any rule of law or reason be extended beyond the precise terms thereof, which comprehends none others but coalliers and salters. This libel seems the more groundless, that the defenders were under tack and agreement with the Earl, containing mutual protestations on either side, which implies an antecedent freedom; and consequently at the ish (close) of the said tack leaves the persons contractors in the same case they were formerly; and if they had not formerly been free, but bound slaves to the Earl of Northesk, to work his fisher boats at his pleasure, there could be no need of a tack, and far less of an ish. The fish boats whereby the defenders earned their livelihood belonged to themselves and noways to the Earl, and the Earl by his tack gives them a liberty of small and great fish boats, which was a privilege to the defenders, and which they may renounce when they will; for he that has the liberty to use may not use at his pleasure. And so if the defenders did pay up their tack duty in reason, it would seem the Earl had no more to ask. By a precept of warning under the Earl's hand, dated at Ethie, the 31 of March last bypast, the saids defenders are warned 40 days before the term of Whitsenday to flit and remove themselves, wives, families, and servants, sub-tenants, cottars, goods and gear from their respective possessions. So that it is pretty odd whilst that the defenders, in obeying the Earl's warning, should be harrassed with Council processes, and brought over from their labour and imployment, the only means of their and their family's subsistence. How the Magistrates of Aberbrothock come to be libelled against in this process is not conceivable, for it cannot be pretended that they ever kept them in their service or withdrew them from their masters, nor have they the least knowledge what may be betwixt the Earl and the saids persons; but the saids Magistrates suppose that there is no law to hinder persons living peaceably under the Government to reside in their burgh, nor are they obliged to turn their burgesses, such as thir defenders are (when they behave themselves regularly and according to the law of the land) out of their burghs.'

The Magistrates further pleaded separately in an instrument dated at Aber-

brothock, 7th May 1705, 'that they knew nothing of the saids James and Robert Cargill, their removing, their coming with their boats, goods, family, and effects to reside in the said town of Aberbrothock, that they were not to protect and that the Earl might do with them what he pleased, only they looked upon their boats being there as accidentall for following their fishes, which was open for any fishermen to do, and that the said James and Robert Cargill being burgesses of the town, and having free houses there, they could not as Magistrates discharge them from residing in their own houses.'

It was replied that this was not a sufficient ground for the Magistrates to protect them, seeing they were the Earl's immediat servants as white fishers, and went away without getting his certificate or so much as acquainting him thereof in procuring any legal declaration in term of law.

The judgment of the Privy Council, as follows, was altogether against the fishermen :

'Edr. 11 December 1705. The Lords of Her Majestie's Privie Councill haveing proceeded to advyse the process at the instance of David, Earle of Northesk, proprietor of the Seatoun of Auchmethie and the whytfishing and fishers thereof, against James and Robert Cargills, whytfishers there, and the lybell with answers thereto and depositions of the witnesses taken thereupon being all read in their presence, and the said Lords having considered the same the saids Lords have found and hereby find the saids two de-

fenders withdrawing themselves and running away with their boats and all their instruments of fishing and other goods and gear from the said Seatoun of Auchmethie and from the said Earle's service as fyshers was unwarrantable, and therefore the saids Lords have appoynted and ordained, and hereby appoynts and ordains the saids James and Robert Cargills defenders to return back to the said Seatoun of Auchmethie and to the said persewaris service there as formerly, with their boats and other instruments of fishing.'

There follows the customary formal direction to the Sheriff-Depute of Forfarshire, and to all sheriffs, stewards, bailies of regalities and bailiearies, justices of peace, and magistrates of burghs within whose bounds the two defenders were reset to cause them to be delivered back to the Earl of Northesk, and their hail boats and other instruments of fishing. The interlocutor is signed 'Queensbery.' On 19th June the Privy Council had 'assoilzied the Magistrates from the points and articles of the libel and declared them quit thereof.'¹ But there seems no reason to doubt that the Magistrates had to do with the removal of the two fishermen to Arbroath. The matter is referred to in Fraser's 'History of the Carnegies.' The writer of that work, referring to an 'original letter at Ethie,' states that Lord Northesk complained of the conduct of the Magistrates to Sir William Stewart, Lord Advocate, who gave an opinion against the fishermen being allowed to transport themselves from one master to another, and that they might be reputed in the same condition as colliers and salters. It was no doubt in consequence of his having received this opinion that Lord Northesk raised his action, resulting in a judgment in his favour. For long afterwards the Magistrates

¹ The narrative of this case is condensed from the papers in the process, preserved in the General Register House, Edinburgh.

again and again offered inducements to Auchmithie fishermen to settle in Arbroath, and the large fishing population now in the town originated from Auchmithie. There had ceased to be any legal difficulty in the way of the migration of fishermen from Auchmithie to Arbroath. By the judgment of the Privy Council in 1705 they were treated as if the law applicable to colliers and salters applied to them, but the Act 15 Geo. III., cap. 28, set colliers and salters free from their bondage.

The village of Auchmithie, during the summer months especially, is much frequented by people from far and near. There is much in its still remaining old-world quaintness, as well as its picturesque situation, its one long street being perched on the top of a high cliff, and the grandeur of the cliffs and caves in its neighbourhood, to attract visitors. The great attraction, however, is the romantic interest which Sir Walter Scott threw over the place when he selected it for the main features of the 'Musselcrag' of 'The Antiquary.' There is a well established tradition that he resided in the village inn for some days. Mrs Walker, a renowned hostess, was at that time the landlady of 'The Northesk Arms.' In honour of Sir Walter Scott, the name of the house was altered in her time to 'The Waverley Inn,' but the old name was afterwards restored. Before Scott's time, Robert Burns, on his return along the east coast from his third Highland tour, was at Auchmithie on 13th September 1787. He breakfasted there, and examined the huge chasm of the Gaylet Pot, in its neighbourhood, sailing from Auchmithie to Arbroath in order to see the rock scenery of the coast.

Before the village had become famous it was visited by the Rev. James Hall, an English clergyman, who in 1807 published his book of 'Travels in Scotland.' He regarded the inhabitants as sufficiently primitive, and from his point of view with some reason, for they took him for 'a shoemaker' from London lately settled in Arbroath, and a crowd of them were importunate that he should 'take their measure.'

In December 1876 a remarkable discovery of coins was made at Auchmithie. In a severe sea storm about Christmas a bank of shingle near the old landing-place was carried away, and its site was found to be thickly strewed with coins. Thousands of coins, including metal tokens of various towns and companies, with buttons of all sizes and patterns, are said to have been picked up. There were coins, chiefly copper, of all the British sovereigns, from James V. to Queen Victoria, and there were various foreign coins, including a silver franc of Henry III. of France. The Rev. Dr Duke, minister of St Vigeans, examined the spot. It is the place where the fishermen had for centuries, previous to the building of the new harbour, been accustomed to divide and sell their fish after bringing them ashore, and where they daily hauled their boats up and down. Dr Duke suggests, and with considerable probability, that the coins, buttons, and similar articles which were found were simply the accumulation of the losses of centuries,

as when a coin or such like article dropped among the shingle it would disappear, and high tides would carry it still deeper into the ground.

A good many improvements have been introduced into Auchmithie. It is many years since the school was erected by the then Earl of Northesk. The village, with some of the adjacent land, has since 1885 formed a *quoad sacra* parish. The present church and the manse are recent erections. In 1870 a water supply, carried up from a spring at the base of the cliffs by hydraulic power, was given to the village by the late Earl of Northesk. A commodious village hall, with reading-room, was opened in 1886.

A small fishery harbour, the foundation stone of which was laid on 12th July 1890 by Mr Barclay, M.P. for Forfarshire, has been built, and the road from the village to the harbour has been improved. Three-fourths of the money for the harbour was obtained as a grant from the Scottish Fishery Board. The harbour is under the management of a body of trustees, created by a provisional order in Parliament.

About the end of last century the population of Auchmithie numbered 180, and there were six boats' crews. The population at present numbers between 300 and 400. There are about a dozen crews of white fishers; in the season, six large boats go to the herring fishing, and as many as about a score of boats follow the crab and lobster fishing in the season.

About sixty years before the date of the burgh charter of Arbroath, the fishing village of Easthaven, which was even then of great antiquity, was erected into a free burgh of barony. The charter of erection, dated at Falkland, 17th March 1540-41, was granted by James V. to Thomas Maule, son and heir apparent to 'Robert M. de Panmure, and his heirs.' The charter granted also the lands and barony of Panmure, as fully detailed in the deed, 'which lands the said Robert personally resigned, and which the king, for the good service of the said Robert, incorporated into the free barony of Panmure.' The charter proceeds to say that for the singular favour, &c., 'he created the village and lands of the East Haven (*Orientalis Portus*) of Panmure a free burgh in barony; and granted to the inhabitants power of buying and selling, &c.; and that they should be burgesses, and elect bailies annually, with the consent of the said Robert and his heirs, and have a market-cross and weekly market on the day of Mars, and a free yearly fair on the day of St Luke and throughout eight days, with tolls, &c.; And with power to the said Thomas and his heirs of settling said land on particular burgesses hereditarily: To be held with the power of building towers, castles and fortalices on said lands with iron doors, battelling, corbellsailze, &c.'¹ This grant was confirmed by a charter by James VI. dated 7th March 1610, which also granted to Patrick Maule of Panmure the patronage of the church of Panbride.²

¹ Reg. Great Seal, 1513-1546, No. 2315.

² Reg. de Panmure, ii, 318.

When the Rev. Robert Edward, minister of Murroes, published his 'Description of the County of Angus,' in 1678, the then Earl of Panmure had it in contemplation to build a harbour at Easthaven. Indeed, Mr Edward says that the work was begun, adding that there 'vessels are invited to take shelter when by contrary winds they are prevented from getting up the river.' An English translation of Mr Edward's book—Mr Edward wrote in Latin—was published at Dundee in 1793. Concerning the projected harbour at Easthaven, fully a century before, the translator, in a note, says: 'Nothing more seems to have been done in it than collecting a few stones for the purpose. It is much to be regretted that this scheme was not carried into execution; for a small quay, either at East or West haven, would not only have been of great service in the view above mentioned; but as the whole of the neighbourhood is now supplied with coals and lime at one or other of those places, the conveniency of a safe harbour would have been of general advantage. At present vessels cannot at all venture to land there during the winter months; and frequently they suffer considerable damage at other seasons, by storms happening to blow from the south or east.'

Perhaps the reason for the harbour at Easthaven not being proceeded with was that the Earl died young, and his brother, Earl James, became immersed in the troubles of the Revolution and the subsequent rising of the Jacobite party in 1715. Easthaven never became a place of importance as a burgh of barony. About the time that a harbour was projected, or earlier, the place began to be called Maulesburgh, in consideration of its erection as a burgh of barony, and sometimes Mauleshaven, but the old name has prevailed. Easthaven is a fishing and agricultural village, and a station on the Dundee and Arbroath Joint Railway. Prior to the introduction of railways it was the common pleasure resort of Arbroath people during the St Thomas market holidays. The old village was overshadowed by the new, Carnoustie—now a burgh—of which Westhaven, greatly older than Carnoustie, forms a part.

Carnoustie was founded by Thomas Lowson, a wright, residing in Barry. About the year 1797 he feued two acres from Major Philips, the then proprietor of the estate of Carnoustie. His feu, with the land around it, was at that time quite a wilderness; but Mr Lowson, who was a shrewd and energetic person, lived to see his house the centre of a beautiful and populous watering-place. He died, in the ninety-second year of his age, on 2nd April 1856, and was buried in the churchyard of Barry. At the time of the founder's death the population of Carnoustie was somewhat under 2000; at the census taken in 1891 it was 4113. In 1889 the village became a police burgh, its inhabitants having adopted the General Police Act. Its first Provost was Mr D. A. M'Corquodale, banker. Since the adoption of the Police Act the Commissioners elected by the inhabitants have done much for the improvement of Carnoustie, including the laying out and paving of streets, the introduction of a water supply, improved street lighting,

and the purchase of the links as a golf course. The neighbouring links of Barry have within the last few years been acquired by the War Office as a military training ground, the troops undergoing training being encamped on the links.

Carnoustie, although a modern burgh, and a modern place altogether, possesses a very old name. The estate of Carnoustie formed part of the extensive barony of Kirriemuir, and it is mentioned under the form 'Carnowis' in a charter by James IV., dated at Falkland, 1st August 1510, in favour of Archibald, Lord Douglas, the son and heir apparent to the late George, Earl of Angus.

Barry, Arbirlot, Marywell, Colliston, and Friockheim, are the chief other villages in the district of Arbroath. The greater part of the burgh of Carnoustie is situated within the parish of Barry. Arbirlot is a very old kirk town, and Marywell and Colliston are roadside villages. Friockheim, like the burgh of Carnoustie, is comparatively modern, but from the extracts from the Register of the Privy Council given in an earlier part of this work it would appear that about three centuries ago there was a considerable population in the locality. The modern village of Friockheim was founded early in the nineteenth century by Provost John Andson, of Arbroath, who added the Norse termination of 'heim' to the old local name of 'Freek.' The land was feued from the estate of Middleton. Provost Andson's son, the late Mr John Andson, who died in 1873, took much interest in the village, and did a good deal for its development. The population of the *quoad sacra* parish of Friockheim at the census in 1891 was 1265.

CHAPTER VI.

LITERATURE, SCIENCE, AND ART.

THE most distinguished association of Arbroath with literature consists in it and its neighbourhood having been selected by Sir Walter Scott for the scenery of one of his best novels, 'The Antiquary.' Sir Walter, as a great literary artist, does not, in depicting particular scenes, copy localities exactly; but there is abundance of evidence in his local allusions that Arbroath is the 'Fairport' of his story. The neighbouring fishing village of Auchmithie has the best claim to be the original of its 'Musselcrag.' There are several claimants for 'Monkbarns,' the residence of 'Jonathan Oldbuck, Esquire;' but the house which best answers the description is Hospitalfield, a former possession of the monks of Arbroath. Ethie Castle, a seat of the Earl of Northesk, is supposed to be the original of 'Knockwinnoch.' 'Kinblythemont,' occurring in the novel, is very nearly in spelling the Kinblethmont of the locality. The greatest liberty which Sir

Walter has taken with places or things in the district is with the Abbey. The Abbey, somewhat altered, is the original of 'St Ruth's Priory.' In Sir Walter's time it was not so encompassed by the town as it is now, but it was in close proximity to it; and it is removed in the story to a silvan solitude in Seaton Den or Kelly Den.

Through its Abbey, Arbroath had a connection with the learning of the mediæval period; and, as before noticed, there was one man of distinction educated at the school of the Abbey—John Barbour, Archdeacon of Aberdeen. But it is probably impossible to determine now whether the father of Scottish poetry, the author of 'The Bruce' and 'The Steward,'—the latter work now lost,—was connected by birth with the town or its neighbourhood. All that can be said on the point is, that the poet's name was a surname in the locality about his time.

Alexander Mylne, the first President of the Court of Session, was another eminent student of the monks of Arbroath, but at a later period than the time of Barbour. Mylne's birthplace is a matter of uncertainty, as it seems to have been unknown to any of his biographers, who also say nothing about his place of education, except that his university training, or part of it, was received at St Andrews, where he was a determinant in 1494. The notice of his education at the Abbey of Arbroath is contained in a letter to General Hutton by the Rev. Mr Will, minister of Guthrie, who was a zealous and well-informed antiquary. In the letter, which is dated 8th June 1815, Mr Will says: 'I am in possession of a very ancient copy of St Jerome's Epistles, presented by Alexander Mylne, first President of the Court of Session, to the library of the Abbey [of Arbroath], when he was official of Dunkeld, in gratitude for his having received his education there.'¹ Mylne was appointed Abbot of Cambuskenneth, which office he held along with that of President of the Court of Session; and he is generally referred to as Abbot Mylne, he having been eminent in that capacity. The name, in one form or another, has long been common in Forfarshire; and the fact of Mylne having been educated at the Abbey of Arbroath, as also his having been prebendary of Monithie in the Cathedral of Dunkeld, and afterwards Dean of Angus, suggests the probability of his having been a native of the county, perhaps of Arbroath or its neighbourhood.

The enterprise of Arbroath has developed most strongly in trade; but the town and its immediate neighbourhood have from time to time made contributions to the professions, including that of arms. With regard to soldiers, the Rev. Mr Aitkin has a notice of one connected with the district who attained to distinction in his day. Writing of St Vigeans, Mr Aitkin says: 'The only eminent man that has appeared in this parish during this [eighteenth] and a part of the last century was Sir James Wood of Bonnington, Colonel of the Scotch Fusiliers in the reign of Queen Anne. He served in Flanders under the Duke of Marlborough, and acquired

¹ Hutton's Collections, vol. ix.

considerable reputation in his profession.¹ The district has produced soldiers of distinction since Mr Aitkin's time; but it is those natives of the town or neighbourhood who have made an appearance in literature, science, or art with which this chapter is concerned. David Pierson of Lochlands is the earliest of these whom we have been able to trace. Mr Pierson was son of Thomas Pierson, who was infert in Lochlands towards the close of the sixteenth century, and who obtained for Arbroath its charter as a royal burgh. David Pierson was the author of a curious book, entitled 'Varieties; or, a Surveigh of Rare and Excellent Matters, necessary and delectable for all sorts of Persons. Wherein the Principall Heads of diverse Sciences are illustrated, rare secrets of Naturall things unfoulded, &c. By David Person, of Loghlands, Gentleman.' This work was published in London by Thomas Alchorn, 'at his shop in Paul's Churchyard, at the sign of the Green Dragon.' It is now as rare as the 'rare and excellent matters' of which the author discourses, and is consequently prized by book-collectors. The 'Varieties' is 'digested into five books.' The author was a considerable traveller; he was in Florence in 1618, and there he saw the comet of that year, of which he gives an account. His work was begun at Paris, and the author says it was forced to the press by the importunity of friends against his own inclination. He promised ere long 'a work far more worthy of his readers' goodness'—'a treatise of metaphysics, wherein you shall find that noble science more perspicuously delineated.' This last work is not known to be in existence, except as it may be comprehended in the fifth book of the 'Varieties,' which contains an 'Introduction to the Metaphysics.' The 'Varieties' may be described as a compilation of the superstition and folk lore which in the time of its author was ceasing to be known as science, but in which he appears to have believed. He describes the astronomy of Copernicus as 'a frantic and strange opinion,' and pins his faith to that of Ptolemy. The first book is occupied with astronomy, with the earth, the elements, and such subjects as the generation of fishes. Meteors, earthquakes, and other natural phenomena are among the subjects treated of in the second. The discourse in the third is on armies and battles, ancient and modern; on duels; on death and burial ceremonies; on mental reservation; on laughing and mourning. The fourth book is on 'curiosities'; and a good many things of that character, both in mind and matter, are adduced, among them being old philosophies and speculations as to sleep and dreams. Besides metaphysics, in the fifth book there are treatises on the numbers three and seven, on prodigies and miracles, on the philosopher's stone, and on the world. The 'Varieties' is prefaced by many commendatory notices in Latin and English versè. One of the latter is by the poet Drummond, of Hawthornden, who, describing Mr Pierson's performance, says:

'This book a world is; here, if errors be,
The like (nay worse) in the great world we see.'

¹ Old Statistical Account of Scotland, vol. xii. p. 185.

Each of the five books is dedicated to some distinguished person, and with most of them, if not all, the author appears to have been on terms of intimacy. They are: James, Duke of Lennox; Patrick, Archbishop of Glasgow; Thomas, Earl of Haddington; John, Earl of Traquair; and Thomas, Lord Binning.

In 1609, consequently before Mr Pierson's time, there was published at Edinburgh a work with the quaint title, 'A Garden of Grave and Godlie Flowers, planted, polished, and perfected by Mr Alexander Gardyne.' Gardyne is a surname of Arbroath and its neighbourhood, but it is doubtful whether the author of the 'Garden of Grave and Godlie Flowers' can be claimed as a local author. There is some evidence that he was a native of Aberdeen.

At the University of Wittenberg in 1682, there was an Arbroath scholar of the name of John Guthrie, one of whose productions has come down to the present day. It is a pamphlet of eleven leaves quarto, and there is a copy of it in the Library of the British Museum. John Guthrie seems to have been proud of his native place, for his work, which is a college thesis delivered at the University in 1682, bears to be by 'Johannes Guthreii, Aberbrothensis, Scoto Britannus.' The subject of the thesis is John Barclay's 'Iconem Animorum,' an interesting little book, describing the manners of the several European nations.

It was about this period, rather later, that James Philp of Almerieclose wrote his epic, 'The Grameid,'—a eulogy on his kinsman John Graham of Claverhouse, Viscount Dundee.

Arbroath—the neighbouring district included—has during the last hundred years produced a fair proportion of the minor poets of our country. The first of these was Alexander Balfour. Balfour was not a native of the town, but was born within a few miles of it, in the parish of Monikie. He was born in humble life, and in his childhood he received but little education. His career was chequered, and mostly unfortunate. He was apprenticed to the weaving trade, afterwards he taught a school, and at the age of twenty-six years he became clerk to a manufacturer in Arbroath. Balfour subsequently changed his situation; but on the death of his first employer he carried on the business in partnership with his widow, during which time he resided in a house in Applegate. For a time he prospered in business, but subsequently suffered losses; and he then, in 1814, removed to Trottick, near Dundee, where he assumed the management of a branch of a London house. This house failed in the following year, and Balfour was under the necessity of accepting the situation of manager of a spinning-mill at Balgonie, in Fife. He removed to Edinburgh in 1818, and was employed as a clerk by Mr Blackwood, the publisher. A few months afterwards he was seized with paralysis, and was in consequence obliged to relinquish his employment. He died at Edinburgh on 12th September 1829. Balfour had attempted composition at the early age of twelve years. At a more advanced age, but while still a young man, he was a frequent contributor of prose and verse to magazines of the day. He is the author of an

account of Arbroath in Brewster's 'Encyclopædia,' and he contributed papers to Tilloch's 'Philosophical Journal.' During the wars with France he wrote patriotic songs in a work called the 'Northern Minstrel,' published at Newcastle, and made similar contributions to the newspapers. Most of his songs were republished in London, and some of them, being set to music, were, in the patriotic fervour of the time, sung in the theatres. One of his patriotic pieces, published about this period, was entitled 'The Genius of Caledonia; a Poem on the Threatened Invasion.' After his removal to Edinburgh, Balfour published his principal work—a novel, 'Campbell; or, The Scottish Probationer.' The last ten years of his life, although owing to disease he was unable to leave his chair, were years of much literary activity. In 1819 he edited an edition of the poems of his deceased friend, Robert Gall. In the following year he brought out his 'Contemplation, and other Poems'; 'The Farmer's Three Daughters,' a three-volume novel, followed in 1822; and 'The Foundling of Glenthorn; or, The Smuggler's Cave,' another novel, in 1823. 'Characters omitted in Crabbe's Parish Register, with other Tales,' was published in 1825. It is a volume of graceful poetry, and the subjects and scenery of several of the poems are connected with the district of Arbroath. From about 1820 to 1826, Balfour also contributed tales, sketches, and poems, chiefly illustrative of Scottish rural life, to 'Constable's Edinburgh Magazine.' In 1827, through the intervention of Mr Joseph Hume, M.P., he received from the Treasury a donation of £100 as a recognition of his literary talent. He published his last novel, 'Highland Mary,' in the same year. A posthumous volume, entitled 'Weeds and Wild Flowers,' with memoir by Dr Moir, the 'Delta' of 'Blackwood,' completes the list of his literary labours. Balfour was an elegant writer both of prose and verse. Many of his stories and sketches reveal a fine vein of pathos.

William Allan, another local poet, was born in Arbroath about the year 1780. His pieces are of a fugitive character; it is not known that any collected edition of them was ever published. Melancholy is a prevailing characteristic of Allan's poems. He anticipated his own early death in a poem entitled 'The Man of Sorrow.'

David Carey was a poet and novelist of character and standing similar to Balfour. He was born in 1782 in Arbroath, where his father was a thread manufacturer. Having completed his school education, he entered in his father's office; but his taste for literature soon led him to Edinburgh, where he obtained employment from Mr Constable. After a brief stay in the northern capital, he went to London; and when he was only about twenty years of age he became connected with its periodical press. In 1802, he published 'Pleasures of Nature; or, The Charms of Rural Life, and other Poems'; in 1803, 'The Reign of Fancy, a Poem'; in 1804, 'Lyric Tales.' Carey was an able writer on the Whig side of politics, and his party offered him, as a reward for his services of this nature, a situation at the Cape of Good Hope. He declined the offer; but on the Whigs

soon after going out of office, he showed himself true to them by publishing a trenchant satire on their successors. It is entitled 'Ins and Outs; or, The State of Parties. By Chrononhotonthologos.' The adoption of this *nom de plume* might lead to the inference that Carey was of the family of H. Carey, the English dramatist who wrote the mock tragedy bearing this name; but perhaps it was only identity of name, not family relationship, which led him so to style himself on the title-page of his satire. About the date of the publication of 'Ins and Outs,' Carey published 'Secrets of the Castle,' a novel, and 'Poems, chiefly Amatory.' He removed to Inverness in 1807 to edit the *Inverness Journal*, and he remained there about five years. While he was in the North, he became impressed with its scenery and traditions, as appears from most of his subsequent works:—'Craig Phadrig; Visions of Sensibility, with Legendary Tales, and Occasional Pieces, and Historical Notes'—a work which was dedicated to Lord Seafield, as 'a tribute chiefly of gratitude for the kindness and hospitality of his Highland friends and neighbours.' 'Craig Phadrig' was followed by 'Picturesque Scenes; or, A Guide to the Highlands'; 'The Lord of the Desert, Sketches of Scenery, Foreign and Domestic Odes, and other Poems'; and 'Lochiel, or the Field of Culloden,' a novel. In 1812, Carey, having removed from Inverness, conducted the *Boston Gazette*. He afterwards returned to London, and made a short visit to Paris. One of the fruits of his sojourn in the French capital was 'Life in Paris,' a curious and rare book. Feeling ill, he returned to his father's house in Arbroath, and died there on 4th October 1824, in the forty-second year of his age.

The father of the poet, novelist, and political satirist, David Carey, sen., was also an author. He wrote 'Thoughts on the Principal Articles of the Christian Religion,' which was published in 1822.

John Sim Sands—born somewhere about Alyth, but from long residence and otherwise closely connected with Arbroath—was, like the younger David Carey, a satirist; and some of his satires, particularly on members of his own profession of the law, are keen. Sands, however, comes a long way after Carey. He was a contributor of poetical and prose pieces to various periodicals of his day. He also published a volume of verse, entitled 'Poems on Various Subjects: Political, Satirical, and Humorous.' Most of the poems are local, and some of them are extremely personal. The book contains a deal of smart writing. The longest of the poems is on 'Deacon E——r's [Elshender's] Last Visit to the Redhead.' It is quite worthy of the remarkable 'character' who is its hero. One of the local pieces is the 'Elegy on Saunders Grant.' In the 'Battle of the Brothock' the story of Fall's bombardment of Arbroath is told. By an odd freak of his muse, the author of 'Deacon E——r's Last Visit to the Redhead' paraphrased the 137th Psalm. Sands for some time edited a local newspaper, of which he was also proprietor.

John Rickard, teacher, Arbroath, published a little treatise on Arithmetic in 1810. It contains some curious poetical puzzles he gave his pupils. David

Dick, of Arbroath, was the author of 'All Modern Slavery Indefensible,' published at Montrose in 1836. John Craik, a curious character, published two small books of verse, one of them at Dundee, in 1792, and the other at Arbroath, in 1802. A volume of verse was also published in Arbroath by a poet of the name of Alexander Herald, who seems to have been a native. 'Flights of Fancy, consisting of a Variety of Poetical Pieces, Satirical, Humorous, and Pathetic, by a Lady' was published by Patrick Wilson in 1844. James Airth was the author of a volume of poems, the principal of which is entitled 'Maud's Dream.' The opening scene of the 'Dream' is a cottage on Montrethmont Moor, and the time about that of Malcolm Canmore. Mr Airth was a baker in Arbroath. He emigrated to America, whence he returned about the year 1859, and died in Dundee about 1870.

John Steill, a native of Arbroath, published in 1854, at Edinburgh, a pamphlet entitled 'Scotland and her Union with England,' in which he advocated the re-establishment in Scotland of a native Legislature, 'based on Scottish principles and devoted to Scottish interests.' He was the author of numerous other pamphlets, of similar character, in some of which he denounced the 'clearances,' or the doing away with small agricultural holdings in the Highlands of Scotland and in Ireland. Mr Steill was a member of a family who had been landowners in Forfarshire for generations, but at the time of his birth, on 16th December 1807, his father was a saddler in Arbroath. Mr Steill passed the greater part of his life in Edinburgh, giving his attention to literary and antiquarian pursuits. He died in July 1871, bequeathing about £4000 for the erection of a bronze statue of Sir William Wallace in Aberdeen. The bequest was subject to the liferent of his housekeeper, who died in 1877, and the statue was erected in April 1888.

Thomas Watson, one of the best poets that Arbroath has produced, was by trade a painter. His 'Rhymer's Family' was published in 1851, and was acknowledged by the critics to possess sterling merit. Indeed, much of its contents had stood the previous test of admission into magazines of a good literary class. 'The Rhymer's Family' having been long out of print, Mr Watson published in 1873 a new and enlarged edition of his works, under the title of 'Homely Pearls at Random Strung.' It consists of poems, songs, and prose sketches. Mr Watson died on 26th January 1875. The late George W. Donald, keeper of the Abbey, had deservedly a favourable reception as a local poet. Mr Donald was born at Westfield, near Forfar, on 2nd April 1820. He filled in succession situations as a schoolmaster in the county, and in September 1866 he was appointed keeper of Arbroath Abbey—an appointment which he retained until his death on 3rd May 1891. Over his grave in the Western Cemetery a few friends have erected a stone in memory of 'a true poet and kindly-natured man.' Mr Donald's book, 'Poems, Ballads, and Songs,' originally published in 1867, reached a second edition. David Carnegie, who died on 16th

December 1890, published a small volume of pleasing verse. 'Rural Notes' (1886), by the late James Crichton, is a volume of verse by a gentleman who was for many years a contributor of racy prose and verse to the *Arbroath Guide*. Mr Crichton was born at Perth on 5th April 1811, and died at Tarry Bank, Arbroath, in his eighty-second year. He was for a short time stationmaster at Broughty Ferry on the Dundee and Arbroath Railway, and was the first who held that appointment. Mr Crichton had extensive experience in farming and land management in this country and in Canada. A volume of songs and poems was published a few years ago by David L. Greig. Indeed, Arbroath may be said to rival Paisley in the number of its poets—writers of good verses, but many of these poets have published only in the columns of the local newspaper press.

Other Arbroath men, not publishing locally, have made contributions to literature. Dr Peter Leonard, who was born at Arbroath in 1802, was the author of 'Records of a Voyage to the Western Coast of Africa in H.M.S. Dryad, in the years 1830-1832.' At the time of the publication of this work it was favourably reviewed, partly because of the account which the author gave of the slave trade. Dr Leonard, following his profession of medicine in the Navy, saw much service in all parts of the world. While serving on the south-east coast of South America, he was awarded the 'Blane Gold Medal' for his medical and surgical reports for 1845-47. He attained to the highest rank of his department, that of Inspector-General of Hospitals and Fleets, and died on 1st May 1888 at the manse of St Vigeans, the residence of his son-in-law, the Rev. Dr Duke. George Canning wrote on many of the public questions which from time to time have agitated the country. He died 15th May 1881. Alexander S. Murray, LL.D., keeper of the department of Greek and Roman Antiquities in the British Museum, is the author of an admirable 'Manual of Mythology,'—Greek, Roman, Norse, Old German, Hindoo, and Egyptian, and other works. Dr Murray has also contributed valuable articles to periodical literature on classical art and antiquities. Thomas Hill Jamieson, keeper of the Advocates' Library, Edinburgh, who died, while still a young man, on 9th January 1876, was the author of a Life of Alexander Barclay, the adapter into English of Sebastian Brandt's 'Ship of Fools.' Besides the 'Life,' Mr Jamieson's volume contains notices of Barclay's works. Joseph Anderson, LL.D., curator of the Museum of the Society of Antiquaries of Scotland—an eminent authority on Scottish antiquities—is a writer on archæological subjects. He has edited an edition of 'The Orkneyinga Saga,' for which he wrote an elaborate introduction. Dr Anderson's chief works are 'Scotland in Pagan Times,' and 'Scotland in Early Christian Times,' being the Rhynd lectures in Archæology for the years 1879-82. James Donald, who met his death in a railway accident about twenty-five years ago, was an editor of dictionaries and other educational books;

Alexander Main has written a life of Dr Samuel Johnson, and in another volume he has compiled some choice morsels from the works of George Eliot; P. Barry, who is also author of some books on gunnery, has written on social questions; the late Provost Johnston gave to the world some pamphlets on the currency; and James Anderson is author of a book of travels. J. Sands wrote a book on St Kilda and its islanders which attracted a good deal of attention. It was the fruit of a prolonged sojourn by its author on this lonely island of the Hebrides. Mr Sands is also the author of a book, locally printed, entitled 'King James' Wedding and other Rhymes' (1888). It was illustrated by Charles Keene, Harry Christie, and other artists.

Besides the works of local poets, some books of a local character have issued from the Arbroath press. Among them are David Miller's 'Arbroath and its Abbey' (1860), the Rev. Dr Blair's (Dunblane) 'Random Recollections' of various districts of Scotland, and 'Chronicles of Aberbrothock'—the latter a series of light sketches, written to a considerable extent in the vernacular of the district; and J. M. M'Bain's 'Arbroath Past and Present' (1887). These works made a first appearance in the columns of the *Arbroath Guide*. Their authors are not natives of Arbroath, but closely connected with it. Mr Miller, whose book is valuable, died in Dundee, on 9th February 1879. Thomas Mason, who is chief librarian of St Martin's Free Library in London, and was educated in Arbroath, is the author of a work of a different kind, 'Adam Dickson,' a novel. This book also appeared originally in serial form in the *Guide*. A. N. Simpson is the author of 'Parish Patches' (1888) and other volumes chiefly illustrative of the Natural History of Forfarshire. Mr M'Bain has also published a book on the 'Bibliography of Arbroath Periodical Literature.' John Bremnar, printer, who died at a great age in July 1896, was the author of a small guide-book to the Abbey, and one of similar size, to the cliffs and caves.

Arbroath does not appear to have possessed a printing press until about the close of the eighteenth century. The first local printer and publisher was John Findlay, and the imprint of Peter Cochrane is on some books published by Mr Findlay. The latter was a native of Fettercairn, in the Mearns. His father dying when he was an infant his mother married again, and went to reside in Edinburgh, where young Findlay learned his business as a printer in the office, it is believed, of Messrs Oliver & Boyd. Afterwards he went to Dublin, where he remained two years and married. On the advice of the Rev. Mr Thomson, the first minister of the Abbey Parish Church, he in 1798 took up his abode in Arbroath, beginning here the business of printer and publisher. One of the first of his publications was the 'Arbroath Magazine.' It was begun in 1799, and twelve monthly numbers were published, the enterprise being abandoned in 1800. The Magazine consists of essays and sketches; it does not contain much local matter. Findlay also brought out an edition of Stewart of Pardovan's 'Collections and Observations,' an edition

of 'Ossian,' and one of Burns' Poems. The whole edition of Burns does not seem to have been sold. It must have been printed in one of the early years of the century, but there are in existence some copies with a reprinted London title, and the date 1824. Findlay had in after life visited the London publishers, and in this way, probably, his edition of Burns got its London title-page. In point of bulk, the greatest work locally published by Findlay was an edition, in two volumes quarto, of Holinshed's 'Scottish Chronicle.' The book is excellently printed, and it says much for the enterprise of the publisher. It is an interesting fact that Findlay 'set up' and printed with his own hands the whole of the 'Scottish Chronicle.' This work and others were brought out in parts, which were taken round the country-side for sale. When he was in Arbroath, Mr Findlay's house took fire from the burning of the composition used to make printer's inking balls or rollers. By this accident his daughter was severely burned, and her life was saved only by her being thrown from a window. Mr Findlay, who jumped after her, also suffered injury. He did not remain long in Arbroath. He removed to Musselburgh, then to London, where early in the nineteenth century he was in a stationery business in Whitechapel. In 1815 he returned to Dublin, where he developed a special trade of army printing, which has continued to be successfully carried on by his descendants.

After the lapse of many years, the monthly *Arbroath Magazine* was followed by the *Arbroath Journal* and *Arbroath Herald* weekly newspapers, both of them short-lived. A periodical called the *Arbroath Argus*, or Forfarshire Political and Critical Review, appeared in the year 1836. It was edited and published in Arbroath by Mr Sim Sands, but was printed in Edinburgh. The existence of the *Argus* was brief. In 1842 the *Arbroath Guide* succeeded the earlier local essays in journalism, The *Saturday Evening Guide*, started in 1855, was one of the first penny newspapers. It was lately, as its afternoon edition, merged in the *Arbroath Guide*, which continues to have a vigorous existence.

In July 1846, 'The Pennyworth,' a local literary journal, made its appearance. Somewhat of the character of the well-known 'Chambers's Journal,' it was published monthly; but notwithstanding that it possessed considerable merit, it ran its course in twelve months. Its editor was Mr Ben. M. Kennedy, the first editor of the *Guide*. In 1856, a newspaper called the *Arbroath News* was begun in the town by the late Mr John Mitchell, who had been long connected with the *Montrose Review*; it expired in about a year. A second *Arbroath Herald* was started in 1887.

Not much can be said concerning the connection of the town with science. The first known local scientific names do not occur until about the commencement of the nineteenth century. They are those of David Thomson and George G. Carey. Thomson served an apprenticeship as a sailor, and became a shipmaster. He was

the inventor of the longitude scale, and the author of lunar and horary tables that are still used in navigation. He took latterly to mercantile pursuits, and died at Mauritius. George Guthrie Carey was brother of David, the poet and novelist. He was a teacher of mathematics in Edinburgh, and afterwards in London. Carey was the author of several scientific books,—‘Astronomy as it was and is,’ an applied system of arithmetic, an elementary book on astronomy and geography, and a work on chemistry. He also edited a publication called ‘The Artisan.’ Carey assisted in founding the Arbroath Mechanics’ Institute, by delivering lectures for its benefit on subjects in natural philosophy. His death took place in Arbroath in the end of 1832.

Dr Neil Arnott, a distinguished physician and natural philosopher, is claimed as a native of Arbroath, but it is proper to state that there is a doubt with regard to his birth-place. We have it on respectable authority that he was born in a house in the High Street of Arbroath, a short way down from the White Hart Hotel, on the same side of the street; and it is certain that he spent some of his early years in the town, with which his family was connected. On the other hand, it has been stated that Dr Arnott was born at Dysart, in the parish of Maryton. He was born about the year 1788, and was educated at the Grammar School of Aberdeen. Dr Arnott died in March 1873. His ‘Elements of Physics’ is a standard work; and the stove which bears his name, and which he invented, is well known.

Other local inventors were the late James Hunter and Alexander Shanks. Mr Hunter, who was born in Arbroath about the beginning of this century, invented stone-dressing machines, and Mr Shanks machines for lawn mowing. The late Mr W. F. Lindsay Carnegie of Boysack, one of the most public-spirited gentlemen of his shire, took much interest in the work of both these inventors, as he did in everything—specially including railways and the Harbour of Arbroath—that was likely to promote the prosperity of the district.

Dr William Sharpey, an eminent physiologist, was born in Arbroath 1st April 1802. His father died five months before his birth, and his mother, whose maiden name was Balfour, afterwards married the late Dr William Arrott, Arbroath. Dr Sharpey received his school education in Arbroath, and subsequently studied at the University of Edinburgh, where, after further prosecuting his studies in London and Paris, he took the degree of M.D. Subsequently he visited the medical and scientific institutions of France, Italy, and Germany. In 1836 he was appointed to the chair of anatomy and physiology in University College, London. Three years afterwards he was elected a Fellow of the Royal Society of London, and for nineteen years he was secretary of the Society. He held many other honours and appointments at home and abroad, one of which was LL.D. of Edinburgh University. Professor Sharpey was the author of several medical publications. In 1874 he retired from his professorship on account of failing sight, and received

a pension from Government. Dr Sharpey died in London on 11th April 1880. His remains were removed to the house of his half-sister, the late Miss Arrott, in Arbroath, and they were interred in the family burying place in the Abbey on the afternoon of Saturday, 17th April 1880. Dr Sharpey was one of the most illustrious of Arbroath's scientific men. In 1869 his pupils and others, as a testimony to his eminence in science, and to his abilities as a teacher, raised a fund to endow a physiological scholarship in University College, London. The scholarship bears his name.

As being a native of the near neighbourhood, though unconnected with the town itself, there may be mentioned the late James Bowman Lindsay. Mr Lindsay was born at Carmyllie in 1799, where in early life he followed the occupation of a weaver. When at the loom, he devoted himself to self-instruction, and in 1821 matriculated at the University of St Andrews. Soon afterwards he settled in Dundee, where, after passing a somewhat obscure life, he died in 1862. Mr Lindsay's attainments in languages and natural philosophy were remarkable. He was an early student of electricity, and one of the first to experiment in wireless telegraphy. For many years he was engaged in the preparation of a dictionary of fifty different languages.

Sir John Kirk, M.D., son of the late Rev. Mr Kirk, minister of Arbirlot, was educated at Arbroath, after which he studied medicine at the University of Edinburgh. During the Crimean war he served as a physician in the hospital of Scutari. When the war came to an end, Dr Kirk travelled for a time in the East. Afterwards, in 1858, he accompanied the late Dr Livingstone, as a botanist, in his exploring expedition to Africa. Subsequently he was appointed British Consul at Zanzibar, and has also seen important public service in West Africa.

Alexander Brown was a native of Grange of Conan, in the neighbourhood of Arbroath, having been born there on 8th February 1814. He was well known for his ardent devotion to astronomical and meteorological science. Mr Brown was originally a weaver, and was afterwards, for many years, employed in the office of the Town Clerk. In recognition of his scientific attainments and services, he received the honorary degree of LL.D. from the University of St Andrews. Dr Brown died in July 1893. Subject to the liferent of his widow, who has since died, he bequeathed the residue of his estate to trustees, for the purpose of establishing a bursary for boys belonging to the town of Arbroath, and resident therein at the time, who may be studying the physical sciences at either the University of St Andrews or University College, Dundee, a preference being given to the University of St Andrews.

William Spink, teacher of navigation, has, like David Thomson early in the century, worked steadily in the direction of making things easier for those who 'go down to the sea in ships.' He has invented an instrument for indicating or correcting a ship's course at sea.

Painting is the only one of the fine arts in which Arbroath has made any noticeable appearance. In William Aikman, the painter, it lays claim to having produced an artist of considerable eminence. Aikman was born at Cairnie on 24th October 1682. His father, the laird of Cairnie, was an advocate at the Scottish bar; his mother was a daughter of Sir John Clerk of Penicuik. It was the wish of his father that Aikman should follow the profession of the law; but the son resolved on devoting himself to art; and having sold his patrimonial estate, into the possession of which he had entered by the death of his father, he removed to Rome, at the art schools of which he prosecuted his studies for three years. He then travelled for about two years in the East, returning to his native country in the year 1712. For a number of years he worked at his art in comparative obscurity; but about 1723, having fixed his residence in London, he attracted the notice of the Duke of Argyll, the Earl of Burlington, Sir Godfrey Kneller, and others, and received their patronage. This led to his being employed to paint portraits for many families of the first rank in England and Scotland. The fashionable portrait painter pleasingly imitated the simplicity of nature. Aikman was an intimate friend of the poets Somerville, Mallet, Allan Ramsay, and Thomson. He died in London on 4th June 1731. Six months previous to his death he had lost a son at the age of seventeen years; and the remains of father and son were removed to Edinburgh, where they were buried in the Greyfriars Churchyard. His four friends each mourned over him in elegiac numbers. Mallet wrote the epitaph which was inscribed upon his tomb.

It is a long leap, in point of time, from William Aikman to the late Alexander Bell Middleton, who was born in Arbroath on 6th May 1829, and died there on 17th January 1860. Middleton had given proof of the possession of much power in his art, as may be seen in his own portrait, now in the Picture Gallery of Arbroath Public Library; in that of Provost Johnston, in the Town Hall; and in pictures by him at Hospitalfield. James Greig, London, is a present-day Arbroath artist in black and white, and he is also the author of a volume of poems.

Art had a local representative in the late Mr Patrick Allan-Fraser of Hospitalfield, *H.R.S.A.*, who also made some contributions to literature, the principal of which is a work entitled 'An Unpopular View of Our Times; being the result of a free inquiry into the existing sources of demoralization, and the causes that have rendered inefficacious the schemes of social reformers, lay and clerical.' In this work many social subjects are discussed in a free spirit. But Mr Allan-Fraser was more widely known by his art as a painter than as an author. He was born in Arbroath in the year 1813, and was the youngest of the three sons of the late Mr Robert Allan, merchant in Arbroath. He studied painting at Edinburgh and Rome, and attained to special excellence in portraiture, as is seen in such works of his as the portraits of the late Mr Lindsay Carnegie of Boysack and Provost Mann, in the Town Hall, and that of the late Rev. Dr Bell, of Carmyllie, with

others, at Hospitalfield. In September 1843 he married Elizabeth, the only child of Major John Fraser of Hospitalfield, and his wife Elizabeth Parrott, daughter of Francis Parrott of Hawkesbury Hall, Warwickshire, after which he by Royal licence added to his own name that of Fraser, and assumed the arms of the Frasers of Hospitalfield. After his marriage, while still continuing to paint—though not following the art as a profession—he devoted considerable attention to architecture. He reconstructed the House of Hospitalfield, lavishing upon it much of the artistic talent of himself and others, including Mr John Hutchison, R.S.A. He built the house of Blackcraig, one of his Perthshire estates, together with a massive stone bridge across the Ardle at Blackcraig. His principal architectural work is the



HOSPITALFIELD HOUSE.

Mortuary Chapel which he erected in the Western Cemetery. It was a number of years in course of erection, and was completed in the year 1884. The Chapel is remarkable for the extent, variety, and beauty of its stone carvings. Mr Fraser gifted the Chapel to the community of Arbroath. In one of its two vaults are interred the remains of himself and his wife; in the other, those of his father-in-law and mother-in-law, which on the Chapel being built were removed from the Abbey for re-interment. Mr Fraser, who had been long predeceased by his wife, died on 17th September 1890. He bequeathed his estates in Scotland for the establishment of an art school at Hospitalfield. The scheme has not yet come into operation.

The late John Ritchie Findlay, principal proprietor of *The Scotsman* newspaper, a grand-nephew of Mr Ritchie, one of the original founders of the paper, was born in Arbroath in 1825 and died in 1898. He was a munificent patron of art, having

given to the nation the Scottish portrait gallery, erected in Edinburgh from designs by Dr Rowand Anderson. Mr Findlay, a man of a retiring disposition, who did a deal of good in an unobtrusive way, was not desirous that it should be known who was the donor, but at the ceremony of the opening of the Gallery it was publicly stated, and in a speech on the occasion he made appropriate acknowledgment. At the time of his death it was stated that Mr Findlay had again and again declined honours from the State, but he accepted the freedom of Edinburgh, of which he had been a citizen nearly all his life. The Corporation gave him the freedom of the city, in December 1896, 'in token of their respect for him, in recognition of his public spirit as a citizen of Edinburgh, and in testimony of their appreciation of his munificence in providing a noble edifice for the Scottish National Portrait Gallery.'

On the occasion of the Queen's Jubilee in 1887, the brothers Messrs John K., James G., and David Tullis, leather merchants in Glasgow, presented to their native town a valuable picture by Scott Lauder, 'Christ Teacheth Humility.' It is hung in the Art Gallery of the Public Library.

CHAPTER VII.

THE GEOLOGY OF ARBROATH—THE CLIFFS AND CAVES.

THE geological formations which enter into the Arbroath district of Forfarshire, arranged in descending order, are :

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|---|-----------------------------|-----------------------------------|
| <i>g.</i> Recent Alluvium of River Brothock. | } Glacial | } Recent
and
Post-tertiary. |
| <i>f.</i> The Fifty feet and Twenty-five feet Raised Beaches. | | |
| <i>e.</i> The One Hundred feet Raised Beach, | | |
| <i>d.</i> Sands and Gravels, | | |
| <i>c.</i> Boulder Clay, | | |
| <i>b.</i> Upper, | } Old Red Sandstone series, | } Palæozoic. |
| <i>a.</i> Lower, | | |

a. Lower Old Red Sandstone series.

With the exception of a small area of strata of Upper Old Red Sandstone age, to be mentioned, the rocks which form the floor of the district under consideration belong to the above formation. They consist of a series of red and

grey sandstones, with occasional beds of conglomerate, which stretch across the area in bands running approximately W.S.W. and E.N.E., and dipping southwards at angles of from 15° to 20° . Intercalated with these are one or more beds of andesitic lava, representing the extension eastwards and southwards of flows from the great volcanoes which now form the Ochil and Sidlaw Hills. All these strata constitute portion of the southern limb of a great arch, or elongated dome, into which the Lower Old Red strata of Forfarshire are thrown, the long axis of which coincides roughly with a line drawn from the Carse of Gowrie to the mouth of the River Lunan. It is along the crest of this arch that the celebrated Arbroath pavement flags occur, and they are therefore among the oldest rocks of the district.

b. Upper Old Red Sandstone.

To the east of Arbroath a narrow stripe about half a mile in breadth of pebbly red sandstones occurs, which may be assigned to this sub-division, where they are let down among the older rocks between two parallel lines of fault or dislocation. They occupy the shore between Cliffhouse and Whiting Ness, on one side of the promontory east of Arbroath, while they pass out to sea on the other side, forming the cliffs between the Pint Stoup and Castlesea Bay.

c. Boulder Clay.

No strata occur in this region to record the long period of time which must have elapsed between the deposition, the folding, and the faulting of the above-mentioned old rocks which form the floor of the region, and the laying down upon it of the Boulder Clay. This deposit consists of a stiff clay set with stones of all sizes, from mere sand grains up to boulders several feet in length and tons in weight. They are usually polished and striated, and arranged in such a manner as to be only attributable to the action of glacier ice, and the distribution of the material here and elsewhere in this country, as well as generally in North Europe, points conclusively to a time when Scotland was smothered in such a swathing of moving ice as that which now envelopes the greater part of Greenland. The Boulder Clay forms the subsoil of a large portion of the district, and where disintegrated gives rise to a more fertile soil than is usual with this deposit. This is in great part due to its being the product of the grinding down of rocks of Lower Old Red Sandstone age, which in this region of Scotland contain such a large proportion of volcanic material.

d. Sands and Gravels.

The Sands and Gravels which extend far above the level of the recent alluvial plains of the river Brothock, and which are often arranged in hillocks and serpentine mounds, of which the Keptie Hills are a good example, probably represent the debris left by the melting of the ice-sheet during its retreat owing to change of climate. Some of the large serpentinous mounds were in all likelihood formed in ice caves like that out of which the full grown Rhone issues from the Rhone glacier.

e. The One Hundred feet Raised Beach.

There is evidence that the land stood at one hundred feet lower level than at present during the time that part at least of the glacial sands and gravels was being deposited. A raised beach the upper limit of which is about 100 feet above sea level occupies a stripe of land, of about one mile in breadth, extending from Panbride to Arbroath. The deposits of this glacial sea here consist of gravel, fine sand, and finely laminated brick clays, which give rise to a very fertile soil. This sloping platform or bench, representing not only the beach deposits but those also of the shallow sea bed not exposed at low tide, is now cut up into sections by the streams which have flowed across it since its elevation. The fossils contained in these deposits are usually the remains of animals and plants that have their present habitat in polar regions or on our highest mountain tops.

f. Fifty feet and Twenty-five feet Raised Beaches.

Showing that the present level of the land was attained by more than one uplift, we have near Carnoustie, and on both sides of the Tay estuary, a raised beach the upper limit of which is 50 feet above the present datum line of mean high water. This often merges into what is known as the twenty-five feet beach, though there is often a small bluff or cliff separating the two. This lower raised beach, the twenty-five feet one, occurs on each side of Arbroath, and is bounded on its inner side by a more or less high bluff, showing that the land dwelt for a considerable time at this elevation between oscillations. In both these later upraised beaches and sea beds the fossils are identical in species with those that surround our shores at the present day, proving that a sufficiently long period of time elapsed between the elevation of the hundred feet and the fifty feet beaches to allow of the amelioration of the climate, the emigration of the arctic species, and the immigration of the present fauna and flora into the area.

The Brothock is one of the latest agencies in altering the features of the land in the district, and it is one whose operation, although so slow as to be almost imperceptible in the period of a single human life, is still going on. The river has in the course of untold ages cut out for itself the hollow known as the Den of St Vigeans, and has planed the flat of ground on which part of the town of Arbroath is built. It must accordingly have frequently shifted its channel, though it may have retained its average breadth. The current, striking with full force against the base of some projecting cliff, gradually undermined it, and masses of earth fell into the water, to be removed further down the stream, so that the high land was thus in process of time worn away, and the present alluvium of the Brothock was formed. In the course of this operation every part of the flat had been visited by the river at some time or other. It is often the case that two bends of a river cut their way towards each other till they unite. Probably it was in this way that the mound on which stands the Church of St Vigeans, with the churchyard, was formed, the Brothock having flowed round three sides of it while it was

a promontory jutting out into the alluvial flat. The stream had then cut across the isthmus connecting the promontory with the main bank, and left the mound insulated. After its insulation it was at successive times trimmed by the river, and frost, rain, and other wasting agents smoothed out the sharp outlines which had been left on it by the stream. Thus was the mound at St Vigean left to cluster around its associations, when the historic period arrived, which have made it the most interesting spot in the neighbourhood of Arbroath.

The last agent to be considered as altering the physical features of the district of Arbroath is the sea. It is at the cliffs that the action of the sea is most apparent. The cliffs begin at Whiting Ness, about a mile east from the town. The rocks composing them consist of red, mottled, and yellowish friable sandstone. They are much jointed and faulted, and the sea has taken advantage of many of the lines of weakness in its ceaseless warfare against the cliffs. The result is seen in a picturesquely-broken and cave-indented coast-line. It is from a study of the conglomerates or beds of concreted shingle found in this series that the secret of its formation can be made out. Many of the pebbles comprised in them are merely rounded fragments derived from rocks belonging to the Lower Old Red Sandstone formation, and in some cases they have been pebbles washed out of its conglomerates and used again to make up the newer beds. The sea has disinterred many of them from these later conglomerates, and once more rolls them about; for they now go to make up no inconsiderable proportion of the stones forming the pretty little pieces of beach found in all the 'coves' and creeks. It will thus be seen that the pebbles are very much harder than the matrix in which they are set. These rocks have as yet yielded no fossil remains by which their age might be determined, but they are evidently a continuation eastwards of the red sandstones which can be traced through the Howe of Fife into Kinross-shire. The upper portion at Dura Den yields those well-known fossils which show that they belong to the so-called Upper Old Red Sandstone series. They pass up insensibly into the Carboniferous group, and might as well be looked upon as belonging to the lowest members of that great system. The wearing effect of the waves is well seen at the cliffs. Stretching out in front of them there are flat rocks or skerries, which are exposed at low water. These skerries are of the same formation as the cliff, which had doubtless at a remote period extended as far out as the farthest of the skerries. The cliff has gradually been cut backwards by the sea. The stones on the beach, as has been said, mostly formed of the harder fragments derived from the cliff itself, are during storms dashed against it with great violence, and break off minute fragments of the rock. The cliff thus gets undermined, and masses of the rock fall down into the sea, to be used by it in the further process of disintegration. At places where the rock is more easily worn away, owing to jointing or the softer nature of the material composing it, caves are formed, and hence the many remarkable caverns on this part of the coast. Narrow inlets are also formed in the same

manner, where the nature of the rock is such that it cannot support the roof of what otherwise would have been a cavern.

The action of the sea near Arbroath, and especially to the east of the town, is thus mainly one of waste and abstraction from the land. Owing to the open sea lying to the east, and consequently to the strike of the storm-waves being obliquely inwards along the shore, part of the abstracted material is caused to travel westwards, and from being incessantly pounded on the shore during the process, eventually gives rise to the finest sand. This is borne along till it reaches a point where the action is counterbalanced by the combined effects of the outward current of the Tay estuary and the less powerful waves set up by the prevalent west winds. In this manner the great promontory of Buddon Ness has accumulated, and owing to the dry sand being swept inland by the wind, the general level of the surface has been raised above the reach of the highest waves, giving rise at the same time to the great barrier of sand dunes which fringe the coast and are so marked a feature near Barry. Smaller beaches accompanied by sand dunes occur here and there in the interval between Arbroath and Carnoustie; but these may be considered as only temporarily arrested stages in the larger process.

It was near Whiting Ness that there formerly stood the chapel dedicated to St Ninian. This somewhat wild spot was accordingly one of the ancient religious sites of the district. All traces of the chapel have long ago disappeared, but the locality of the chapel graveyard has been identified by means of remains of mortality which have been turned up in the ploughed field of which this ancient cemetery forms a part. The 'Ness' and the locality of St Ninian's chapel were selected by Alexander Balfour as the scene of his story of 'Mary Scott of Edenknoe.'¹ As an association of a different character, it was in this immediate neighbourhood that, about the beginning of the present century, there stood a spinning-mill which was one of the first in the district, and a trace of which still remains in the cottages at the foot of the hill, now tenanted by farm-workers. Rounding the Ness, in a walk along the sea-shore, we come to the old quarry from which the Corporation obtained the stones that were used in the public works of the town. The quarry was accessible only at ebb tide, and there may still be seen the cart track, cut through the rock, by which it was reached. It is here that we come upon the first of the many caves which occur on this coast, and which, with the great sea cliffs, form a striking natural feature of the immediate neighbourhood of Arbroath. Boys occasionally enter this cavern, and also another a short distance further along the shore; but the access is so difficult that probably they have been explored by but few grown-up persons. The entrance to the first is about five feet high, with a width varying from one to three feet. The explorer, when he has passed through this aperture, and has lighted

¹ Balfour's Characters and Tales, pp. 192-218.

his taper, finds himself in a fissure of the rock of an average width of about 14 feet, with a sloping roof. The fissure extends inland about 150 or 200 feet, and there are many stalactites on its roofs and walls. The entrance to the second cavern is even more difficult than that to the first, it being almost blocked up by a large stalagmite. It is possible, however, to scramble in, to climb along the ledge, and, by the light of a taper, to descend a good many feet to the spacious sandy-floored cavern, the roof and walls of which are adorned by beautiful stalactites. About thirty years ago there was found in this chamber an old wheel-barrow, covered with a coating of stalactite, green and sparkling. The barrow, perhaps centuries ago, had probably been made use of at the neighbouring quarry. It was in a tolerably



THE STALACTITE CAVE.

good state of preservation, most of the wood being sound. A short distance east from this cavern is one that has been called the Stalactite Cave. It has two entrances, separated from each other by many hundred feet. The western entrance is a narrow gorge, opening out on the sea-shore. This gorge had become filled up with fallen rocks, and it appears that the existence of the cavern had been long unknown prior to September 1842, when the gorge was opened and the cavern explored. The cave consists of two chambers, one larger than the other, but both of very considerable dimensions. The eastern entrance, which is through a tunnel at the base of a tall perpendicular cliff, can only be approached by boat. The sea flows in at both entrances, the waves meeting at full tide in the middle of the cavern, producing a reverberating noise which, especially in storms, is truly terrific. The roof and sides of the cavern were studded with stalactites, but many of these beautiful formations have been broken off and carried away.

The rocky coast presents a remarkably broken and serrated appearance, and many of the curious rock fragments and indentations or bays have local names. Thus, a curiously perforated rock a short way east from the Ness is called the Needle Eye, not far from which is the Mermaid's Kirk, or Pebbly Den, a recess covered with beach. The 'Kirk' is completely surrounded by rocks, but the sea obtains access to it through a long passage which it has tunnelled through the cliff. Near this is a small bay called the Mariners' Grave—from a shipwreck. The bay is hemmed in by almost perpendicular cliffs, and the only way in which an attempt could be made to rescue shipwrecked seamen was that of letting down ropes over the face of the cliff, after the manner of the rescue, on the same shore,



THE NEEDLE EYE.

in 'The Antiquary.' Such appliances actually were resorted to in saving life from shipwreck on the rock-bound coast of Arbroath, and, according to tradition, one tempest-tossed seaman was thus rescued on the occasion which originated the name, 'The Mariners' Grave.' The grooves which were made by the ropes on the edge of the cliff have been preserved by being re-cut from time to time by the young people of Arbroath. Connected with the Mariners' Grave there is a cavern in which there are many old stalactites, with moss, hart's-tongue, and rock-ferns, and there is a large rock near the centre of the chamber. The entrance to this cavern is difficult, except by boat. Beyond the 'Mariners' Grave' is a ravine locally called the Crusie, from its somewhat resembling in shape the old Scottish lamp. Near this is the Blow-hole, where the sea rises to a great height in storms through the hole in the rock which gives its name to the place.

Dickmont's Den is a long narrow inlet, with a great mass of rock in the centre

of the entrance. There are several caverns in and around the Den. One of them, which is very large, has two entrances from the ravine, besides one opening to the sea. The vista looking seaward is impressive. The sea enters the cavern, and looking down from the top of the cliff, when the sun is shining on the water, there is seen at this cave a peculiar appearance as of two large eyes. Perhaps from a certain weirdness in the surroundings of the place, the name of the Devil's Een has been given to this optical manifestation. Dickmont's Den possesses a remarkably distinct echo. A cavern beyond Dickmont's Den is noticeable as being a resort of flocks of pigeons, and hence it is sometimes called the 'Doo' or Dove Cave. A high rock in the same locality, projecting from the cliff, has been named the



DICKMONT'S DEN.

Three-Storey House. It is partly hollow, and there is an ascent inside to three successive ledges or landings. Between the outer rock and the cliff with which it is connected the rock has partly been worn away, leaving a large hole or opening, which at some points presents the appearance of three lights or windows. A short distance further eastward there is a curious 'stack' or pillar of rock, called the Devil's Head, or the Pint Stoup. The space between the cliff and the 'Head' is known as Duncan's Door. It is a landmark to fishermen and mariners, the place at a certain point in the offing having the appearance of an open door.

The Cove Haven, the next noteworthy feature of the coast, was at one time a resort of smugglers, as were the caves generally in the days when the contraband trade was in a flourishing state. Within it is situated the Masons' Cave, which name arose from the circumstance that the St Thomas Lodge of Freemasons used to meet in it annually on St John's Day for the admission

of members and the performance of the mysteries of their craft. After being long discontinued, the masonic visits to the cave have recently been resumed. The cavern is about 231 feet long, and from 12 to 24 feet wide. At its further end there is a fine spring of water. The Rev. Mr Aitkin, writing about 1790, says of this cave: 'The Mason Lodge of Arbroath built a gate to it, and gave it a door many years ago.'¹ Part of the stonework of this erection remains. This cavern is about the most accessible of the series. The descent to it is by means of a *brae* or sloping bank,—one of many such occurring on the coast,—whose fresh green turf, studded with beautiful wildflowers, stretches down almost to the water's edge, and is a striking contrast to the neighbouring rock scenery.



PINT STOUP, OR DEVIL'S HEAD.

Above the cave, about a hundred feet above the level of the sea, there are vestiges of an ancient fort, the remains of whose fosse and rampart are still visible on the land side. The fort, which had not been large, and may probably date back to the time of the Norse invasions, or even earlier, was called the Maiden Castle. This name, which is still given to its site, occurs in the Chartulary of the Abbey, Abbot David Lichtone having, on 6th May 1498, given a lease of one-half of the lands of Seaton to the cellarer of the Abbey for the maintenance of his office, on condition that he should provide a boat for fishing, near 'le Madyn Castel,' or wherever the Abbot and Convent might deem expedient.² Formerly, and probably when Abbot David granted this lease, there was a fishing village at Cove Haven, not any trace of which is now discernible. Immediately east from the Cove Haven the cliffs recede,

¹ Old Statistical Account of Scotland, xii. 182.

² Reg. Nig. de Aberbrothoc, pp. 316, 317.

leaving a bay, with fine shingly beach, of considerable breadth. The first cavern beyond this bay is called the Dark Cave. The title of the author of evil appears in connection with this cavern, as with some other features of the coast, a large rock inside the cave being called the Devil's Arm-chair. Near the Dark Cave are the Light Cave, the Forbidden Cave, and a cavern which may be entered when the tide is out, a noticeable peculiarity of which is a stalactite arch, near the end of the inner recess.

The Forbidden Cave, as its name implies, was long looked upon as a place of terror and mystery. Indeed, by the country people it was in former times regarded as an entrance to the nether regions, and was shunned accordingly. Connected with the Forbidden Cave there is the curious tradition of 'The Piper of Dickmontlaw,' on which Balfour has founded one of his metrical tales. The tradition itself is thus told by Balfour in a prefatory note to his story :

'Dickmontlaw is more than a mile distant from the entrance of the cave where, according to tradition, the piper and his wife entered when returning drunk from a wedding. Next morning the piper was heard at Dickmontlaw sounding his drone ; also, his wife singing the following distich, in a doleful tone :

" Lone, lost, and weary, plays Tammy Tyrie
Beneath the barns o' Dickmontlaw."

Soon after, the piper's dog was seen to issue from the cave, with such accompaniments as I shall not shock the feelings by naming ; but they plainly indicated the death of his mistress. The piper continued to play incessantly for some nights and days after, but was never more seen on earth. Thus runs the current tradition, which at one period was firmly believed by many.¹

There appears to be an Alpine version of the tradition of the 'Piper of Dickmontlaw.' In a satirical pamphlet published in Glasgow in 1805, entitled 'The Hoxoniad,' the author playfully alludes to one Peter Piper, town drummer of Arbroath, who it is said took a trip to the Alps, and was there discovered singing 'O'er the hills and far awa,' that he might learn the specific difference on the air in the art of ballad-singing.

One of the most remarkable results of the wearing effect of the waves on the Arbroath cliffs is seen in the Geylet Pot, which is situated about a quarter of a mile westward from Auchmithie. The Pot is a huge chasm in an arable field, with sea and pebbly shore at the bottom. It is situated a hundred yards from the cliff. Through that distance the ocean has tunnelled a passage for its waves, wide enough to admit a boat, and the sea rolls up into the Pot every tide. The roof of the passage is composed of rock strong enough, like the arch of a built tunnel, to bear the superincumbent soil ; but at the Pot itself the soil had been soft, had therefore gradually fallen and been washed away by the waves, and hence the chasm. Had it not been for the hardness of the rock outwards to the sea, there would have been no 'Pot,' but an ordinary indentation such as that of Dickmont's Den. The view along the tunnel of the Geylet Pot is almost unique, the spectator beholding 'through the deep gloom of the passage the sunlight playing beyond, and now and then a white sail passing the opening, as if flitting across the field of a

¹ Balfour's Characters and Tales, p. 219.

telescope.¹ The Rev. Mr Aitkin, who was minister of the parish in which it is situated, has given a good description of the Geylet Pot :

'The Pot is of the shape of an inverted urn, 50 yards in diameter ; but towards the west it loses a part of its circular form, and the ground ascends in a gentler slope than the other parts of the circle for 54 yards, till it terminates in an angular point at the place where it reaches the level of the adjacent field. The entry to it from the sea is 130 feet below the top of the rock ; and the depth of the Pot is 120 feet below the level of the ground round the edges of it. The opening from the sea is grand and awful, being about 70 feet high and 40 broad. The water from the sea runs into the

Pot by a subterraneous passage, which gradually contracts till it enters the bottom of the Pot, where it does not exceed 10 or 12 feet in breadth and height. When the sea is rough, the wind easterly, and high water, the boisterous element bursts in at the mouth of the Pot with amazing impetuosity, and roars, and boils, and froths, till the waves of the sea fall back, and allow it to retreat, which it does with great violence and a loud noise, which, on account of the depth of the cavity, is not heard at any great distance.²

Early in the year 1862 a large rock slip occurred on the southern face of the Geylet Pot. A short way beyond this remarkable chasm is the fishing village of Auchmithie, with several caverns, some of them inaccessible. Beyond the village is the Redhead, a prominent headland, and the highest point on this coast. At short distances further north there are in succession some places on the coast of historical and picturesque interest. These are : the ruins of St Murdoch's Chapel, formerly the parish church of Ethie ; Ethie Haven, or Torrens Haven, a small fishing hamlet ; and the beautiful and spacious Bay of Lunan, with the remains of Redcastle, an ancient fortified house, of which mention has already been made in the course of this History.

The Rev. Mr Edward (1678), and Mr Ochterlony of Guynd (*circa* 1682), have given quaint and interesting notices of the Arbroath caves, which, notwithstanding some slight repetitions, may be reproduced here. Mr Edward says :

'In the high and steep rocky shore on the north side of Arbroath there are many caves, some of which, by their vast length and extent, seem to surpass the utmost efforts of human power and industry to explore. They are fifteen in number ; some of the most remarkable we shall describe. And, first, the Filthy Cave (for every one has its peculiar name) is 60 paces in length, having the sea running up into it ; for 30 paces it may be entered. It is 40 feet wide, and 20 feet high. Seals frequent this cave, as they do all the others into which the sea enters, where, at the autumnal equinox, when they have their young with them, the country people go in boats, with clubs and spears, and kill both the mothers and their young, frequently sixteen at a time ; the oil and skins of which are disposed of to considerable advantage. They are killed at any time with guns, when swimming about the shore. The

second cave is called the Terrible Well (or Pot of Auchmithie), into which the sea enters forty paces (above this there are corn fields) ; at the end the cave is open, so that the sea is seen from above as are the heavens from below, as from the bottom of a frightful well. Astonishing numbers of sea fowl build in all these watery caves ; and as to those into which the sea does not enter, one of them is inhabited by foxes and wild cats ; and thousands of pigeons, which have deserted the neighbouring pigeon-houses, take up their residence in the rest. Into some of these caves the peasant² drive their sheep during severe seasons, as to a place where they will best be defended from the severity of the northern blasts. Last of all is the Forbidden Cave, whose vaulted roof is 15 feet in height, and 20 in width. Its length is said to be a mile. Some have gone in sixty paces, where they find a stone obelisk ; and it has been affirmed

¹ Miller's Old Red Sandstone (edit. 1869), p. 214.

² Old Stat. Account of Scot., vol. xii. p. 183.

for a truth that several people of considerable note went in further (rather too rashly indeed) with torches and candles, that they passed the stone obelisk a good way, and came to an iron one; and presuming to proceed still further, they were met by horrible spectres, and heard dismal yellings. There are many things told so wonderful that they are not to be believed, and shall not be here related. When the adventurers had got thus

far, their lights went out of themselves without any external cause, which so terrified and confounded them that they came out with the utmost precipitation, very frightened-looking gentlemen, quite unlike the bold fellows who went in. That no amphibious animal may here be without its cave, the otters have one of their own, and in which they are caught by the country people, who make considerable profit by them.¹



SHATON DEN.

The Laird of Guynd's account relates to the sea denizens of the caverns :

* There are abundance of amphibious creatures bred in the rocks betwixt Arbroath and Ethie, called sea-calves, who gender as other beasts doe; and bring furth their young ones in the dry caves, whereof there is abundance, and suck them there till they be of some bignesse and strength to swim in the water; the old ones are of a huge

bignes, nigh to ane ordinarie ox, but longer, have no leggs, but in place thereof four finnes, in shape much lyk to a man's hand, whereupon they goe but slowly. In the end of September, which is the time they go a land for calving, several in the town of Aberbrothock goe to the caves with boates, and with lighted candles search the caves,

¹ Edward's Description of the County of Angus, p. 39.

where, apprehending, they kill diverse of them, both young and old, whereof they make very good oyll. There is lykways of them in the river of Tay, but smaller, whereof none are taken, or any benefit made; there is lykways ane other creature in shape lyk to ane fish, called a mareswine, and will be of twenty or four-and-twenty feet long, all alongst the coast, but especially in the river of

Tay, where they are in great abundance, killing a great deal of salmond, and doing a great deal of injurie to the fishings. In this few years there were great numbers cast up dead all alongst the river of Tay, with great wounds and bylings upon ther bodys, which gave occasion to conjecture that there had been some fight amongst them at sea.¹

The Rev. Mr Aitkin has a brief notice of a seal-hunt in one of the caves—one which could be entered only at low water. He says: 'When seals abounded on this coast, it was customary to let people down to this cave with a rope round their body, to the depth of 40 feet, with ropes of straw rolled round their legs, and bludgeons in their hands, in order to kill seals.'² When Mr Aitkin wrote, towards the end of the eighteenth century, seals had ceased to abound, and the inhabitants must then have been under the necessity of looking elsewhere than to the produce of their own locality for a supply of lamp-oil for the long winter nights. Sir Walter Scott availed himself of the fact of the rocks at Arbroath being a former resort of seals in giving local colouring to his novel of 'The Antiquary.' An encounter between 'Captain M'Intyre' and the 'Phoca,' in which the latter had the best of it, is one of the amusing incidents of the story.

In addition to the quotations from the older writers, there may be given here some sentences from Hugh Miller's short description of the sea-coast of St Vigeans, the parish in which most of the rock scenery of the district occurs. Of the cliffs he says:

'The incessant lashings of the sea have ground them down into shapes the most fantastic. Huge stacks that stand up from amid the breakers are here and there perforated by round heavy-browed arches, and cast the morning shadows inland athwart the cavern-hollowed precipices behind. The never-ceasing echoes reply, in long and gloomy caves, to the wild tones of the sea. Here a bluff promontory projects into the deep, green water, and the white foam, in

times of tempest, dashes up a hundred feet against its face. There a narrow strip of vegetation, spangled with wild flowers, intervenes between the beach and the foot of the cliffs that sweep along the bottom of some semi-circular bay; but we see, from the rounded caves by which they are studded, and the polish which has blunted their lower angularities, that at some early period the breakers must have dashed for ages against their bases.'³

The Arbroath caves, though no longer tenanted by foxes, wild cats, and amphibious animals, and though their echoes are now never raised by the exciting noises incident to a hunt after seals, are not wholly unfrequented. Many of them have a weird appearance, quite justifying such names as 'the Dark Cave' and 'the Forbidden Cave.' From the top of the cliffs, too, which at some points rise to a height of nearly 200 feet, the view sheer down into some abysmal depth of darkened recesses formed by the broken coast-line, and with the sea moaning at the base of the rocks, is for only the strongest nerve. The cliffs are a favourite resort of the inhabitants of Arbroath, as well as of visitors to the town; while as to the

¹ Spottiswoode Miscellany, vol. i. p. 320. ² Old Stat. Account of Scot., vol. xii. p. 182.

³ Miller's Old Red Sandstone, pp. 213, 214.

caves, there are probably not many Arbroath schoolboys by whom even their darkest and furthest recesses have not been thoroughly explored. A pleasant boating excursion is one along the base of the cliffs when the state of the tide permits of a boat entering the inlets and caverns reached by the sea. The walk on the summit of the cliffs, along which there is a safe and satisfactory footpath, continuing the Braeheads footpath from Boulzie Hill at Arbroath, is not less pleasant. On the land side are seen cosy homesteads, the silvan beauty of Seaton Den, and cultivated fields extending almost to the very outer edge of the land. Seaward, again, there is the ocean with its mystery and ever-changing moods; while at almost every step a new and striking view of the rock scenery is opened up. The traveller along this path may well slacken his pace on nearing the Ness, and linger over the scene spread out before him. He may have gazed on fairer scenes, but not on many of more striking grandeur. The river Tay is seen pouring its waters into the ocean; the undulating hills of Forfar and Fife, with part of the coast line of both counties, are included in the view; at night there shines forth the bright beacon-light of the Bell Rock, the lighthouse itself being visible during the day as it towers above the waves. Standing near the site of the old chapel of St Ninian, the spectator may descry, across the waste of waters, the towers of St Andrews, the ancient seat of the Scottish primacy; while in the foreground, in the midst of an industrious, prosperous community, with all about it the signs of the modern civilization, is seen the ruined Abbey of Aberbrothock—emblem of a civilization which is as much a thing of the past as that of the republics and empires of antiquity, but which also was of value in its time.

APPENDIX.

FRAGMENT OF AN ARBROATH MISSAL.

AN interesting notice of the discovery of a fragment of an Ancient Missal that appears to have belonged to the Abbey of Arbroath appeared in the *Scotsman* newspaper of 21st September 1897, of which the following is an extract :

‘ Among some old and, in general, useless pieces of parchment which have been removed by the bookbinder from the covers of certain early printed books in Aberdeen University Library, the Rev. D. MacGregor, of Inverallochy, has found two small slips of parchment which, when put together, present the following words, written in an ancient character :

“ tranquilla pax in tua
“ Munera tue misericordie deus intuitu. vt. sanctorum no precibus taria. quorum
sacratissime in hac basilica reliquie continentur. p.”

“ Diuina libantes misteria quesumus domine. vt. sanctorum nos vbique intercessio protegat quorum
hic sacra gaudemus haberi patrocinia. p.”

‘ Obviously we have here the remains of a Mass for the Feast of Holy Relics. It is not the Mass usually said in the Western Church on that Festival. But it is a Mass for that day according to the custom of the Mediæval Scottish Church, for it is practically the same (so far as it goes) as the Missa “ In Festo Reliquiarum,” contained in the Book of Saint Ternan, which in the published edition runs thus :

“ ORATIO.—Præsta. quaesumus, omnipotens Deus, ut sanctæ Dei genetricis semperque Virginis Mariæ et sanctorum tuorum quorum reliquie in hac continentur ecclesiâ nos protegant merita; quantum eorum precibus *tranquillâ pace in tuâ jugiter laude lætemur*. Per eundem.

“ SECRETA.—*Munera tua, misericors Deus, majestati oblata, benigno, quaesumus, intuitu aspice; ut eorum nobis fiant precibus salutaria quorum sacratissimæ in hac basilicâ reliquie sunt reconditæ.*
Per.

“ POST-COMMUNIO.—*Divina libantes misteria, quaesumus, Domine, ut eorum nos ubique intercessio protegat, quorum hic sacra habere patrocinia.* Per.”

‘ The same Mass was also used at Aberdeen, for although the Aberdeen Missal has disappeared, we find in the Breviary, at the daily Service of the Blessed Virgin, that, of the two alternative prayers provided for the commemoration *De Reliquiis*, the Memoria which is appointed for use at Matins is the first prayer given above, while that which is provided for Vespers is the first prayer of the Mass for the Feast of Holy Relics as contained, e.g., in the York Missal.

‘ This Festival was celebrated on different days in different dioceses; as the Aberdeen Breviary itself says in the Kalendar, at viij. Id. Jul., “ Festa reliquiarum et dedicacionis ecclesie fiant secundum uniuscuiusque ecclesie consuetudinem.” According to the Sarum and Hereford Uses, it was held on the Sunday next after viij. Id. Jul. (8 July); according to the Lincoln Use on Prid. Id. Jul. (14 July); according to the York Use on xiv. Kal. Nov. (19 Oct.) In the Roman Missal, among the “ Missæ Sanctorum celebrandæ aliquibus in locis ex indulto apostolico,” there is a “ Missa SS. Reliquiarum,” to be held on the last Sunday of October. It has no resemblance verbally to the Mass now under examination.

‘ The provenance of our fragment is not difficult to discover. A little below the prayers given above, the following certification is written in a different handwriting :

“ Nos georgius de brana dei et apostolice sedis gracia episcopus dr. ornen. notum fecimus per presentes quia dedicauimus quatuor altaria infra monasterium de Abbr. vz. Altare sancte K. terine. Altare altare sancti laurencij et altare sancti nicholai xxvij^o augusti. Item consecrauimus capellam sancti Johannis baptiste, et dedicauimus altare eiusdem xxiiij^o die augusti. Item consecrauimus capellam sancti niulany et conf. et. dedicauimus altare eiusdem xxiiij^o die augusti ad

[instanciam] dominorum abbatis et conuentus de Abbr. Item dedicanimus ecclesiam sancti viganj et duo maiora altaria cum . . . eiusdem ad instanciam deuoti viri Johannis brounj unius par . . . prediete ecclesie xxv^o die augusti. In cuius rei Testimonio hoc presens scriptum sigillo nostro sigillauius ac manu . . . subscriptione roborauimus xxvij^o die mensis augusti [anno domini millesimo quadringentesimo octogesimo quarto.]”

‘Where the subscription ought to be there is a small hole in the parchment, and the green die round the edge of this hole is all that remains of the ribbon by which the seal was doubtless appended.

‘According to the authorities used by Dr Rankin in “The Church of Scotland, Past and Present,” vol. 2, pp. 376-8, “Aberbrothoc or Arbroath Abbey was founded in 1178 and dedicated to St Thomas of Canterbury by William the Lion. . . . Besides the high altar, dedicated to the patron, St Thomas à Becket, the Abbey Church had at least six others, viz. :—St Catharine, St Peter, St Laurence, and St Nicholas, all dedicated on one day, 26th August 1485, by George de Brana, Bishop of Dromore. The others were—Blessed Virgin Mary and St James.”

‘The document before us, though there is a discrepancy in the dates, is the original testification given after the consecration. The Bishop wrote it, or caused it to be written, on a blank space in the Missal, seemingly at the foot of the last written page. The other side of the leaf is blank, so that probably the Missa de Reliquiis was not written in the Proprium Sanctorum, but as the last of perhaps a miscellaneous collection of Missæ such as usually appear at the end of Missals.

‘Important documents were often engrossed in Missals, Evangeliaries, &c., not necessarily in a Service-book that was in actual use at the time, but rather, when possible, in one that, having from age or for some other reason become an object of veneration, was likely to be preserved with more than usual care. The charters in the Book of Deer are another case in point. Whether at the date mentioned the Arbroath Missal, of which this small portion is all that has survived, was regarded as a relic, or whether it was in daily use in the Abbey Church, it must at any rate have been written before the above entry was inserted—that is to say, the Arbroath fragment must be older, and may be very much older, than 27th August 1484. There is nothing, however, to show that it had any connection with the specially “Celtic” period; and, though comparatively trifling in itself, it at least increases the evidence of the widespread use in Scotland, during the Middle Ages, of a Missal, of which the Book of S. Ternan is a copy.’

The following, with reference to the article in the *Scotsman*, is from a letter, signed ‘D.’ (Rev. Dr Duke, of St Vigeans), which appeared in that paper on 24th September 1897 :

‘With reference to the curious discovery of the fragment of a Missal apparently belonging to the Abbey of Arbroath, recorded in Tuesday’s *Scotsman*, I have to point out that the certificate of dedication of churches and altars which it contains has been preserved in the Abbey Chartulary, and will be found at page 226 of the “*Registrum Nigrum*,” published by the Bannatyne Club. If your correspondent is correct in his supposition that the certificate had at one time a seal appended to it, it may be assumed that it is the original document attested by the Bishop of Dromore. It differs from the copy printed in the Chartulary in mentioning the dedication of the four altars in the Abbey Church first, though it was last in point of time. In the Chartulary the dedication of the chapels of St John and St Ninian, each with its altar, the parish church of St Vigeans, with its two great altars and cemetery, and the four altars in the Abbey are certified as having been done in four successive days, from the 23rd to 26th August 1485 inclusive, and the certificate bears to have been subscribed on the 27th. The lacuna in the fragment can be supplied from the Chartulary. The second of the four altars dedicated in the Abbey Church was “*Altare Sancti Petri*.” The words that describe St Ninian are “*episcopi et confessoris*.” The Church of St Vigeans and its two great altars were dedicated “*cum cimiterio*.” John Brown, at whose instance it was done, is described as “*unius parrochiani predietæ ecclesie*.” The bishop states that the document bore his seal and was confirmed “*Manuali nostra subscriptione*.” The discrepancy between 1484 in the fragment and 1485 in the Chartulary may be the result of misreading *quarto* for *quinto* or the reverse. John Brown was tenant under the Abbey of the neighbouring lands of Letham, being again mentioned at page 396 of the Chartulary as “*incola in Laitham*.” On the walls of St Vigeans Church five consecration crosses are still to be seen in their original positions, and four more were either displaced or covered up during the restoration effected in 1872. These probably mark the consecration of 1485, or it may be the earlier consecration by Bishop de Bernham of St Andrews in 1242.’

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