

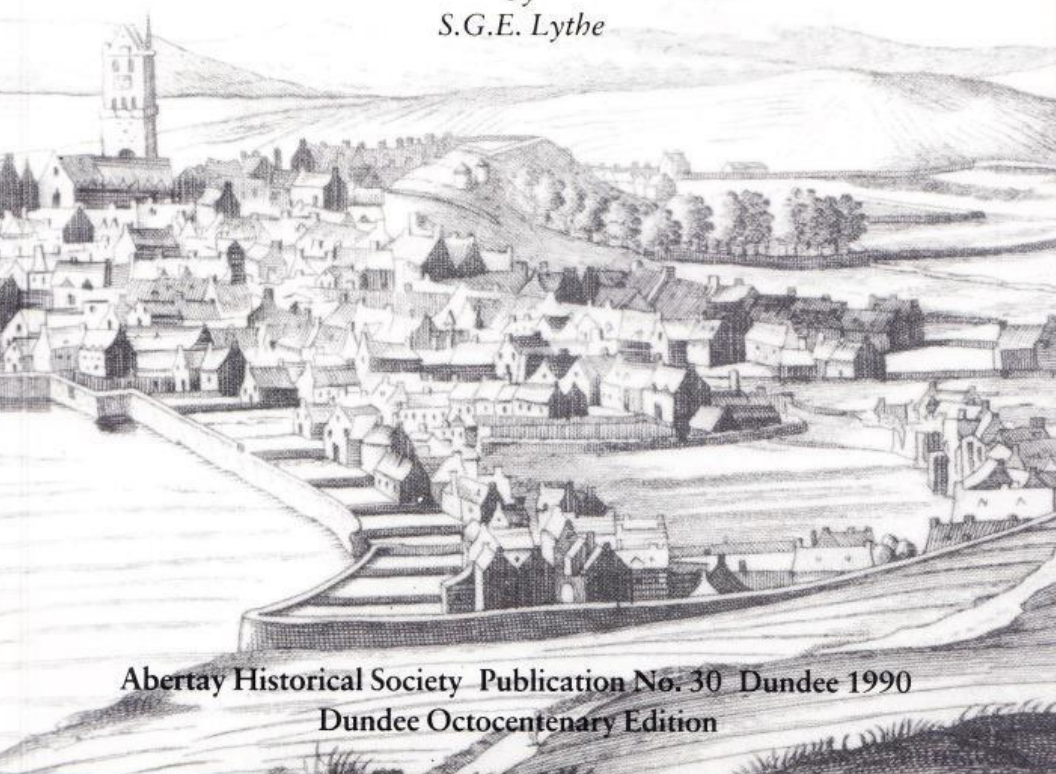
ELIZABETH P.D. TORRIE

MEDIEVAL DUNDEE

A Town and its People



*with an
Introductory Essay
by
S.G.E. Lythe*



Abertay Historical Society Publication No. 30 Dundee 1990
Dundee Octocentenary Edition

The Abertay Historical Society

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The Society was founded in May 1947, and exists to promote interest in history, particularly the history of the Tayside region, Perthshire and Fife.

Details of the Society's other publications will be found inside the back cover. The Society is always interested in discussing ideas for possible publications. Intending contributors should direct enquiries to the Editor.

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ACKNOWLEDGEMENTS

During the course of my research into medieval Dundee I have been fortunate in the assistance given by many people. My first debt is to colleagues on the Scottish Burgh Survey team, in particular Mrs Sylvia Stevenson, since this work owes its origins to the Scottish Burgh Survey Report: *Historic Dundee, the Archaeological Implications of Development* (1988). I am indebted to the Historic Buildings and Monuments Directorate of the Scottish Development Department for permission to reproduce illustrations from the Report.

This publication is, however, of a much broader remit and is a new consideration of life in Dundee. The views expressed here are my own and do not necessarily represent those of the Burgh Survey team. The notes attest to the value of research on Dundee undertaken by previous writers, and, although my approach to the town in the middle ages might at times be at variance with theirs, I would like to acknowledge the stimulus they have given to my own work.

A number of friends have generously given their time, both by reading my text and also by offering advice in areas in which they are more able than I. In particular I wish to thank Dr H. Booton, Professor J.B. Caird, Professor I.B. Cowan, Mrs G.C. Dean, Dr E.L. Ewan and, also, the research team of the Scottish Urban Archaeological Trust. My husband, John, and children, Robin and Sarah, have given me their constant support, without which this work would not have been achieved; and I particularly acknowledge my indebtedness to my late father, Reverend Canon T. Dennison, for his wise and practical guidance.

My work in Dundee has been greatly speeded by the assistance of various institutions and individuals: Miss L. Thorns and the Dundee Museum and Art Gallery; Mr I. Flett and the Dundee District Archive and Record Centre; the staff of Dundee Public Library, Wellgate; Tayside Environmental Education Project; Dundee University Library, Archive Centre; Mr J. Boyd; Dr W.H.K. Turner; and Mr J.F. Hutcheon, Chief Engineer, City of Dundee District Council.

All of these I thank for their help and encouragement. I would also like to acknowledge my debt to the Abertay Historical Society. Their invitation to me to write a piece on this medieval town has given me the excuse to return often to the modern city, where I have been received with kindness and warmth by the people of Dundee.

CONTENTS

	Acknowledgements	2
	Abbreviations	4
	Introductory Essay by S.G.E. Lythe	5
Chapter I	Introduction	11
Chapter II.	Pre-Burghal Settlement	15
Chapter III.	Burgh Liberties	22
Chapter IV	Markets and Merchants	31
Chapter V.	The Growing Townscape	49
Chapter VI.	Private and Public Lives	81
Chapter VII.	Postscript	101
	Index	109

LIST OF ILLUSTRATIONS

Fig. i.	Relief map of Dundee, compiled by S. Stevenson	14
Fig. ii	Drift geology of Dundee, compiled by S. Stevenson	16
Fig. iii	Conjectural sketch map of settlement in Dundee in the early eleventh century, by E.P.D. Torrie	18
Fig. iv	Lady Walkstairs House	28
Fig. v	Dundee's trading hinterland, by E.P.D. Torrie	32
Fig. vi	R.A. Edward, 1678. Map of the Shire of Angus	38
Fig. vii	J. Slezer, 'The Prospect of the Town of Dundee from the East', included in <i>Theatrum Scotiae</i>	39
Fig. viii	Conjectural sketch map of Dundee in the late thirteenth century, by E.P.D. Torrie	40
Fig. ix	Conjectural sketch map of Dundee in the late fifteenth century, by E.P.D. Torrie	54
Fig. x.	J. Slezer, 'Dundee from the North', included in <i>Theatrum Scotiae</i>	73
Fig. xi	Gardyne's house	74
Fig. xii	Dundee in the mid-seventeenth century by E.P.D. Torrie	102
Fig. xiii	W. Crawford, Dundee delineated in 1776	106

ABBREVIATIONS.

APS	<i>The Acts of the Parliaments of Scotland</i> , edd. T. Thomson and C. Innes (Edinburgh, 1814-75)
DAGM	Dundee Art Gallery and Museum
DDARC	Dundee District Archive and Record Centre
MsDBHC	Manuscript, Dundee Burgh and Head Court Book
PRO	Public Record Office, London
PSAS	<i>Proceedings of the Society of the Antiquaries of Scotland</i>
RMS	<i>Registrum Magni Sigilli Regum Scotorum</i> , edd. J.M. Thomson <i>et al.</i> (Edinburgh, 1882-1914)
RRS	<i>Regesta Regum Scotorum</i> , edd. G.W.S. Barrow and others (Edinburgh. 1960-)
RSS	<i>Registrum Secreti Sigilli Regum Scotorum</i> , edd. M. Livingstone <i>et al</i> (Edinburgh, 1908-)
SBRS	Scottish Burgh Records Society
SHR	<i>Scottish Historical Review</i>
SHS	Scottish History Society
SRO	Scottish Record Office, Edinburgh
SRS	Scottish Record Society
TA	<i>Accounts of the Lord High Treasurer of Scotland</i> , edd. T. Dickson and J. Balfour Paul (Edinburgh, 1877-1916)

The Abertay and the Renaissance of Tayside History

**A Reflection
by
S.G.E. Lythe**

When they ventured into ponderous humour, academic reviewers of large books used to report with glee that 'on my wife's kitchen scales' each volume 'weighed 3½ lbs'. Alongside A.C. Lamb's *Dundee: its Quaint and Historic Buildings* such books were mere pamphlets. Published in 1895, Lamb measures 18" by 15" and 3 Viz" thick and weighs the best part of two stones. But whilst unrivalled in bulk and lavish production, this is but one of a formidable list of major works dating from the last decades of the nineteenth century. Without reference to any bibliography one recalls the two volumes of *Old Dundee* by Alexander Maxwell ('Uncle Alexander' to one of the Abertay's early officers); Warden's enormous scholarly contributions in *The Linen Trade*, *Burgh Laws and Forfarshire*; Hay's *Charters and Writs*; Norrie's *Celebrities*; Boase's *Century of Banking*; the general histories of the city by Thomson and Maclaren; Millar's edition of *The Compt Bulk of David Wedderburne* and the useful historical essays reprinted almost every year in the *Dundee Year Book*.

Then came the barren years from the early 1900s to the Second World War. Certainly book production of the extravagance of Lamb was highly improbable as the economic life of Dundee slid rapidly into the slough of depression, but the virtual absence of any overt interest in local history seems to suggest a mass desire to let the dead past bury its dead. The dearth of on-going research was all too evident when it became necessary to write die historical chapters for the *British Association's Dundee Handbook* for the 1939 meeting. Edited by the then doyen of professional historians in Dundee, R.L. Mackie, who himself wrote on architecture, the three history chapters were all by recent English incomers. Aside from that there were a few flutters of interest in the surrounding countryside with, for example, books on Errol and on the church at Fowlis Easter.

When the city returned to peace conditions in 1946 it found that William Bain had published *Witch's Blood*, a powerfully imaginative version of 'the town's story in the story of Elspet Rankyne's blood', but there was no carry-forward of orthodox local history study and no institutional provision for it, for, alone among the great Scottish cities, Dundee had never been associated with a city/county historical club such as the Bannatyne or the Maitand. In short a completely new initiative was

required and, in general terms, the major contribution of the Abertay Historical Society lay in reviving the very concept of local history and in providing a forum for its exponents. The founding fathers were in no doubt about their broad objective embodied in the formula 'to further the study of local history', which was endorsed at the foundation meeting in University College on 29 May 1947, and though there were some suspicions that established bodies in Perth might take exception, the territory was likewise quickly defined as 'Angus, Perthshire and Fife'.

But as politicians are well aware, generalised policy statements are susceptible to a variety of interpretations. There can be no doubt that the initiative came from University College where General Wimberley had recently become Principal and Frederick Wainwright had been appointed as Head of the then small Department of History. Both were enthusiastic, but had different concepts of how the Society should function. Dr Geoffrey Seed, who also was in University College at the time and became the Society's first secretary, kindly confirmed the present writer's recollection that the Principal, initially at least, was thinking in terms of a sort of Tayside Spalding Club, publishing a handsome bound volume each year funded by an annual membership subscription of maybe twenty guineas. Wainwright, a dedicated 'Dark Age' researcher, saw the Society in terms of the work he was planning on Tayside earth-houses as the beginning of his wider study of Pictland. Aside from that he stood, and rightly, for a high standard of scholarship in lectures and publications so that the Society would command the respect of the historical fraternity at large. But when the members met for the first lectures, the handful of professional historians constituted a tiny minority alongside the mainly silent majority who wanted local themes (preferably illustrated) with bright presentation and who had no wish to be engaged in pedantic hair-splitting.

In its early years the Society confined its activities to the programmes of lectures and excursions. Lectures had — and continue to have — an invaluable role in enabling the Council to cater for a diversity of tastes, to offer a platform for local enthusiasts to display their results and, periodically, to bring to Dundee experts from elsewhere to speak on subjects of 'general' historical interest. So the programme organiser could ring the changes from Bothy Ballads (with taped recordings) to Charles Phillips on his excavation of the ship burial at Sutton Hoo. From the start excursions managed to combine genuine instruction with light-hearted socialising. At a time when private houses and historic buildings generally were by no means so open to the public as they are today, the Society's courteous envoy, D.B. Stewart, could pave the way for visits by parties of members who invariably returned to Dundee happily refreshed both mentally and physically. By both these activities the Society jogged along, holding its membership but making no great intellectual demands and, above all, doing nothing positive for the historiography of Tayside.

The best part of six years passed before the Society ventured into print.

The Wimberley notion of country-house library volumes of 'Transactions' was a non-starter. The amount of publishable new material on offer was slight, and though some members have been generous there was always the counter-attraction of the specialist journals where publication could attract more academic kudos. One possibility was the printing or reprinting of existing material — a course which the Society happily followed in its reprint of Basil Hall's *Account of the Ferry Across the Tay* (1825) — but there was a strong feeling on all sides that the prime aim should be to encourage new writing. Aside from the shortage of potential authors there was the nagging problem of 'pitch' and, to put it bluntly, the reluctance of any of the professional historians to accept responsibility for editorship.

It will be understood from the foregoing paragraphs that the decision to publish D.C. Carrie's *Dundee and the American Civil War* was undertaken with no little trepidation. To the mind of the then Editor it satisfied three of the canons of good local history: it moved from the familiar to the less familiar, it related the local to the wider context, it was attractively written, and, as a bonus, it was a fresh furrow in a mainly untilled field of local textile history. Today, when young historians have the facilities to become learned more quickly, Carrie gets only a condescending reference (as in Mark Watson's *Jute and Flax Mills in Dundee*), but such is the fate of pioneers.

As Carrie was quickly followed by Turner's paper on textiles in Arbroath it must have looked as if the society - maybe taking on the mantle of Warden - was to focus heavily on Tayside's leading industry. In fact, of the 29 publications to date, only four have related directly to flax and jute, as much a reflection of the passive attitude of former Editors as of the ambivalent attitude of Dundee generally towards the earlier phases of the jute industry. For, by comparison, the Society has not neglected other branches of industrial history. R.H. Carnie's *Publishing in Perth* and D.W. Doughty's *Tullis Press*, both the outcome of original research, served (like Turner on Arbroath) to justify the Society's territorial claims. In publications 21 to 23,* readers were introduced to aspects of the history of fishing and one of its essential reinforcements - the salt industry - and again the regional coverage is strong. It may seem odd that in a city which now houses two famous ships, the Society's *Gourlays* is its only contribution to shipbuilding, and the once famous engineering industry of Tayside is represented only in studies of two of its personalities -James Carmichael and Adam Anderson. On the other hand Annette Smith's *Three United Trades* shows how traditional craft organisations fared in the changing social and legal context of the Industrial Revolution whilst J.V.

* No. 21: A.R.B. Haldane, *The Great Fishmonger of the Tay: John Richardson of Perth & Pit/our, (1760-1821)*. No. 22:C.A. Whatley, 'That Important and Necessary Article', *The Salt Industry and its*

Smith's *Watt Institution* (which survived only 25 years) illustrates again the reluctance to support technical training for industry which undermined the economic potential of modern Dundee.

From its inception, the Society received kindly treatment from the Dundee newspapers, but its first breakthrough at U.K. level came with David Walker's *Architects and Architecture in Dundee* which was approvingly noticed in *The Spectator* by John Betjeman, himself equally resolved to have a fresh look at Victorian buildings. Today, as the author points out in the 1977 re-issue, 'tastes have changed and Victorian architecture is now more widely appreciated and understood': when his Abertay booklet first came out (in 1955) popular opinion was still hostile, and it is greatly to the credit of the Society that it published a courageous but scholarly work by a very young man with his own sense of values. Whilst none has had quite the pioneering quality of David Walker's study, three subsequent publications have added significantly to the literature on specific buildings: Castle Huntly, Mains Castle and Droughty Castle. Each has embodied material on ownership and function which is as important to the enquiring tourist as to the local historian. And, finally in this group, C.H. Dingwall's *Ardler – A Village History* is a splendid example of how to avoid 'parish pump' local history: associations with George Kinloch, relationship to local railway development, pattern of population growth, village planning — they are all there.

But buildings are relatively easy material for the historian: they stand still and do not suddenly disappear. People are elusive, and the real test of any who call themselves historians is 'what can they tell us about the people?'. In round terms about one-fifth of the pages in the Abertay's publications are devoted primarily to people. Some have been in the nature of biographies, or maybe biographical fragments. Thus, hidden in *Scots Antiquaries and Historians*, is an interesting appreciation by Bruce Lenman of Alexander Warden as an historian; K.J. Cameron's *The Schoolmaster Engineer*, though ranging from gas supply to the internal politics of St Andrews University, is held together by the personality of Adam Anderson; *Three Dundonians* contains potted biographies and is unique in containing the Society's only literary excursion into modern Dundee politics. But it would have been incredible if the Society had ignored the earlier record of Dundee's municipal politics, and Enid Gauldie's study of Provost Riddoch looks at - and in a measure vindicates - the man whose name is associated in Dundee folklore with shady dealing. Though more generalised population problems come up here and there only two publications are specifically on man in the mass. In *Tayside Industrial Population* the Society is fortunate in having one of the few printed evidences of the scholarship of the late Andrew Carstairs whilst C.W.J. Withers' *Highland Communities in Dundee and Perth* similarly

constitutes a local study which will add to the understanding of demographic behaviour at the national level.

With few exceptions, the subject-matter of the publications so far grouped relates almost wholly to the past 250 years. The relative paucity of published work on archaeology is suprising:- only a *Miscellany* and David Taylor's recent *Circular Homesteads* which pushes the Society's territory into remote North West Perthshire. On the other hand for many years the Society has had a flourishing Archaeology Section with its own programme of events, a happy recruiting ground for directors of digs the, progress or outcome of which tended to be reported in *Discovery and Excavation* or the *Proceedings of the Society of Antiquaries of Scotland*. What might be called 'early modern' has done only marginally better. *Dundee and the Reformation* came from the pen of Scotland's senior ecclesiastical historian to celebrate a 400th anniversary; *Life and Labour* attempted to recapture something of the social life over the first 80 years of Protestant Dundee; *Montrose before 1700*, a commentary on a group of municipal documents, was a peace offering to the professional historians.

But it is astonishing, some might say deplorable, that in an area so prominent in the medieval life of Scotland, the Society has not hitherto sponsored one publication which could fairly be classed as 'medieval'. It is therefore a matter of great pleasure to conclude this sketch of the Society's work with a welcome to a contribution which will fill the gap. Written by Pat Torrie who is already known for her research and writings on early burgh history, this will at once satisfy the local appetite for domestic history and will rank in bibliographies at national level. It has been worth waiting for.

The Society's publications which are still in print are listed on the inside of the

CHAPTER 1

INTRODUCTION

In the middle ages Dundee was an east-coast port of major importance in the Scottish economy, and ranked as one of the four great burghs of the realm. A detailed knowledge of its medieval past has, however, proved somewhat elusive, primarily because much of the town's documentation for this period has been irretrievably lost. The records suffered from English attacks on three occasions: the Wars of Independence resulted in assaults on Dundee by the enemy's troops and the destruction or removal of archives; burgh muniments were pillaged again in the English raid of 1548; and to compound these losses Monck's offensive, in 1651 brought devastation not only to people and buildings, but also to records. In 1661 the provost and bailies appealed to parliament 'that upon the occasion of the intakeing of the burgh of Dundie be the English in the yeir 1651 the charter kist of the forsaid burgh wes broken up by the English souldiers and all the writs taken out of the samen and many of them brunt and destroyed and verie few of them gotten bak agane'.¹

In spite of such losses, a quantity of source material remains intact, some relatively unresearched. The Dundee District Archive and Record Centre houses the majority of the town muniments. They are well-indexed and provide an essential basis for any study of the town. The sixteenth-century Town Council Minute Books and Burgh Head Court Books, for example, have been frequently consulted for this present work. A. Maxwell in *The History of Old Dundee Narrated out of the Town Council Register* (Dundee, 1884) and *Old Dundee prior to the Reformation* (Dundee, 1891) used the same archival sources in a pioneering survey of many aspects of burgh life. Different questions might now, however, be asked of the source material and a new emphasis sought in answering. Several late sixteenth- and early seventeenth-century protocol books, guild merchant and craft records from the sixteenth century and presbytery and kirk session records, many in the keeping of Dundee District Archive and Record Centre (DDARC), throw light on the earlier, medieval burgh. The Wedderburn of Pearsie muniments are on loan from Scottish Record Office (SRO) to DDARC, and SRO holds the archival material of several Angus county families, most notably the Scrimgeour-Wedderburn writs. These, along with sources such as monastic cartularies, national records, Dundee's shipping lists and customs rolls, as well as trade and related records in foreign archives, would doubtless repay more detailed investigation.

Cartographic evidence is also invaluable. Recent work in town plan analysis² has inspired detailed studies of a number of Scottish towns;³ and the technique of 'stripping back' modern streets from eighteenth- and nineteenth-century maps to reveal the medieval nucleus has been used in this work for both the text and the conjectural sketchmaps of medieval Dundee.⁴ Early representations are also

important. Residual features of the medieval town are often portrayed. The engravings of J. Slezer in *Theatrum Scotiae*, for example, in spite of their occasional artistic licence, offer unique insights into the late medieval townscape. The eighteenth-century frieze depicting the King Crispin procession that decorated the walls of the cordwainers' room in the Trades Hall,⁵ and is now housed in the Dundee Museum and Art Gallery, is also of interest, affording not only an unusual view of the annual expression of solidarity of the cordwainers' craft but also in the background detailing the town. Early photographs, such as those in the Wilson Collection in Wellgate Library, Dundee, the Valentine Collection in St Andrews University Archives, the Washington Wilson Collection in the University of Aberdeen Library, and the gelatine glass lantern slides in Dundee Museum and Art Gallery, all reveal much of urban life in early nineteenth-century Dundee before the Victorian improvement schemes cleared away many older buildings and the major harbour extensions radically altered the townscape. The Scottish Film Archive also merits attention, even though the evidence is twentieth century. A 1911 film of workers leaving D.C. Thomson's factory, for example, gives a striking illustration of old Dundee prior to the sweeping redevelopments that were to take place later in the century. Upstanding buildings of pre-1800 are regrettably few in Dundee, and are as a result a limited architectural resource. Museum acquisitions prove more fruitful,⁶ and analysed with other source material provide valuable information.

All of these factors contribute to an overall impression of life in medieval Dundee. The majority deserve much fuller treatment than, has been possible for this publication; and too many questions remain to be answered.

Recent archaeological research in urban centres has permitted a closer understanding of lifestyles in medieval societies. Documentary sources are often of a legalistic nature and not intended to reveal the more intimate aspects of town life. It is now possible using both types of source material to draw nearer to the thinking and values of medieval townspeople. The burgh's transformation into a major industrial city in the nineteenth century, compounded by more modern improvement schemes, not only changed the visible face of the town but probably to some extent also irretrievably cast aside much else. Recent work by the Scottish Urban Archaeological Trust, however, has revealed undisturbed archaeological levels. Dundee's archaeological potential may not be as limited as was once feared; and it may not be unduly optimistic to hope that under the surface of the twentieth-century town there might still remain, undestroyed, a residue of this outstanding Scottish medieval burgh.

NOTES

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- ¹ APS, vii, 353. A charter chest in the Dundee Museum and Art Gallery may be a replacement to that destroyed. It contained burghal documents dating back to 1615.
- ² M.R.G. Conzen, 'The use of town plans in the study of urban history' in *The Study of Urban History*, ed. H.J. Dyos (London, 1968); M.R.G. Conzen, 'Alnwick, Northumberland. A study in town plan analysis' in *Transactions of the Institute of British Geographers* (1959-60); M.R.G. Conzen, 'The plan analysis of an English city centre' in *The Urban Landscape: Historical Development and Management*, ed. J.W.R. Whitehand (London, 1981).
- ³ For example, N.P. Brooks and G. Whittington, 'Planning and growth in the medieval Scottish burgh: the example of St Andrews' in *Transactions of the Institute of British Geographers*, New series ii, no. 3 (1977); W. Dodd, 'Ayr: a study in urban growth' in *Ayrshire Archaeological and Natural History Collections*, 2nd series, x (1972); R.C. Fox, 'Stirling 1550-1700: the morphology and function of a pre-industrial Scottish burgh' in *Scottish Urban History*, edd. G. Gordon and B. Dicks (Aberdeen, 1983); A. Gibb, *Glasgow - the Making of a City* (London, 1983); Scottish Medieval Burgh Survey reports.
- ⁴ The bibliography in S. Stevenson and E.P.D. Torrie, *Historic Dundee: the Archaeological Implications of Development* (Scottish Burgh Survey, 1988) contains a list of cartographic sources.
- ⁵ The Trades Hall, constructed in the eighteenth century to a design by Samuel Bell, stood at the east end of High Street approximately on the site of the present Clydesdale Bank.
- ⁶ Dundee Museum and Art Gallery list of acquisitions contains full information. Stevenson and Torrie, *Historic Dundee: the Archaeological Implications of Development*.

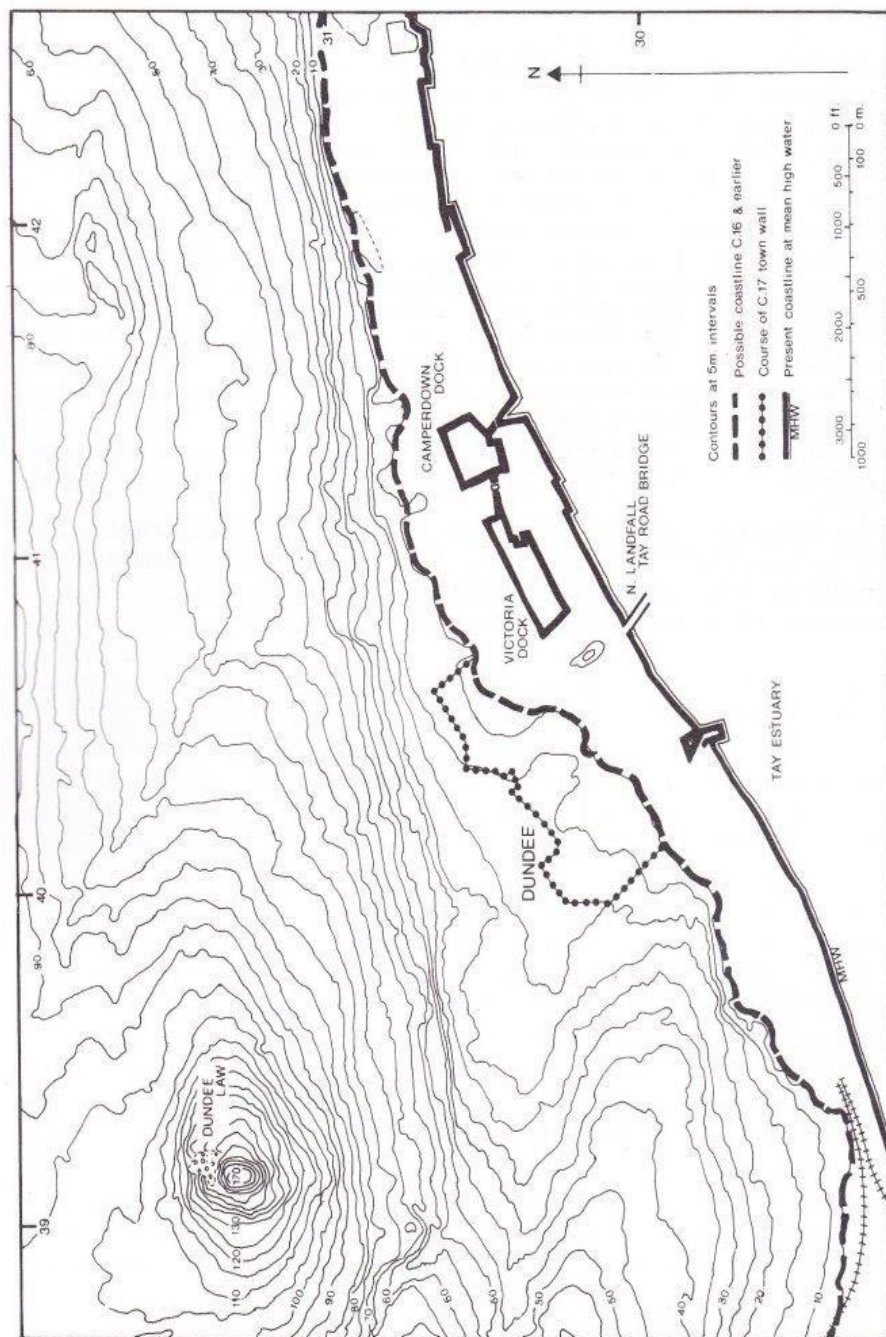


Fig. i Relief map of medieval Dundee.

CHAPTER II

PRE-URGHAL SETTLEMENT

The site on which Dundee was to develop was apparently conducive to settlement from pre-historic times. Both solid and drift geology played a part. Dolerite intrusions provided the last non-waterlogged area on the northern shore of the Tay until as far upstream as the Perth region.¹ Two outcrops of this quartz-hypersthene dolerite of Lower Devonian age, later called Castle Hill and Corbie Hill, were eventually to be fortified and serve as strongholds for the medieval town. The indented margin of the coastline now hidden under modern land-reclamation projects) between St Nicholas Craig and Castle Rock was to provide a natural harbour for the burgh; and the junction of impermeable igneous rock with the permeable Devonian sedimentary series, the Lower Old Red Sandstone, determined the sites of medieval wells.

Drift geology and the physical development of the Tay valley in the late-glacial and post-glacial periods enhanced the advantages of this site. Glacial till was deposited by eastward-moving glaciers, covering the earlier Lower Devonian sediments and the igneous rock in the area, with the exception of the upper slopes of Dundee Law. As the weight of the ice sheet diminished in the late-glacial period eustatic rise of sea level initially outstripped isostatic uplift of the depressed land surface. This created raised beach deposits, which largely occupied the section of the medieval town north of the Nethergate.² The post-glacial era was to see further fluctuations in the sea level as balance was restored between land and sea and, in consequence, further raised beach deposits of intertidal silt and clay in a 'creek' in the late-glacial deposits on the site of the Meadows (now Ward Road, Albert Square, Panmure Street and Wellgate).³ These sands, silts and gravels of the raised beaches were to become the foundation on which medieval Dundee was built.

Solid and drift geology also determined the gradual physical expansion of settlement. The juxtaposition of igneous and sedimentary rocks overlain by clays and sands, in conjunction with the steeply rising dolerite ridge which culminated in Corbie Hill, as well as the swamps in the region of the Meadows, meant that the area north of Overgate was not conducive to building in the middle ages. Since, according to the first firm historical evidence, the earliest settlement at Dundee occurred around the area of Seagate, between Scouringburn which flowed to the east of Castle Hill and Dens Burn a little further east still, geological factors ordained that if the small settlement was to enlarge, this expansion had of necessity to be linear.⁴

Geographical factors were also favourable for settlement. The two burns



Fig. ii The drift geology of medieval Dundee.

Scouringburn (sometimes in primary documentary sources referred to as Friars Burn, Castle Burn, or Mausie Burn at its southern end) and Dens Burn (Wallace Burn or Bitterburn) were to play an important role in the town's history until well into the nineteenth and early twentieth centuries. The Scouringburn flowed through the valley to the south of the Law through the Wards and Meadows, approximately along the line of Brook Street, Guthrie Street, South Ward Road and Ward Road to Meadowside. On the east side of the Meadows the burn turned south to run parallel to present-day Commercial Street, entering the Tay at Scouringburn Creek, which lay at the current intersection of Seagate and Gellatly Street. The Dens Burn was about a quarter of a mile further east and is now piped underground to the east of Dens Road, crossing under the junction of Victoria Road and Arbroath Road at Victoria Bridge, before travelling to the Tay. Originally it ran in a basically southerly direction meeting the river in a rocky gorge near the present St Roques Lane. The area first chosen for settlement was thus provided with a ready water supply for drinking, washing and the pursuit of trades.

The shelving beach at the junction of Scouringburn and the Tay would probably have been suitable for early fishermen to pull up boats on to dry land.⁵ The Castle Hill and St Nicholas Craig outcrops to the west offered a measure of protection from the strong scour of the Tay, and this stretch of the firth was to some extent sheltered from easterly winds and tides by Tentsmuir Point and Buddon Ness, and by sandbanks in the mouth of the river. Once townships became established in Scotland, the one that grew up on this site was, moreover, strategically placed not only on one of the shortest crossing points of the Tay on the east route through Scotland, but also on the coastal route from Perth to Arbroath, Montrose and the north.

When settlement first occurred on this nucleus is, however, more difficult to assess. Archaeological evidence which relates to pre-historic or early historic Dundee is, to date, largely non-existent; and as a result of later disturbance the site for this period may yet prove archaeologically sterile. Finds within the wider area of the modern city suggest that pre-historic man took advantage of the favourable physical conditions within the locality. In the nineteenth century shell midden deposits were discovered in the Stannergate. These were later to be identified as mesolithic with Larnian affinities, with, superimposed, human remains of an uncertain date and Bronze Age pottery.⁶ The midden, which measured 100 feet by 60 feet also suggested a fairly lengthy human occupation. Other chance finds of flint and stone artefacts of the Neolithic and Bronze Ages and ceramic evidence, dateable largely on stylistic grounds to the Bronze Age, all suggest an early and continuous occupation of the Dundee region;⁷ although none may on present evidence be presumed necessarily to relate to early settlement at Seagate. A further occupation site was Dundee Law. The earthworks at the summit have not been the subject of archaeological investigation, although some assume these to be of Iron Age origin.⁸

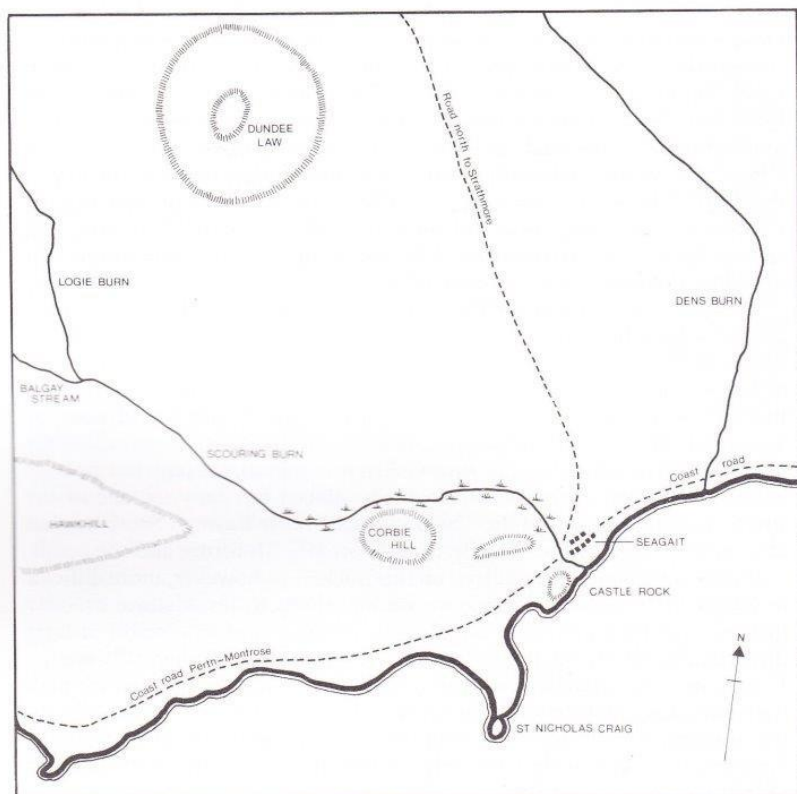


Fig. iii Conjectural sketch map of settlement in medieval Dundee in the early eleventh century.

Chance finds here have included an incised jet button of a type normally associated with the Bronze Age and a stone artefact, possibly a lamp.⁹ Movement from hill-tops to lowland sites is a known phenomenon, but whether such a relationship exists between Dundee Law and the Seagate can be, for the moment, only a matter for speculation.

The emergence of towns in Scotland may be seen as part of the broader pattern of urban renaissance in western Europe, a feature of the tenth to twelfth centuries, with earlier antecedents particularly in Germany. Theorisings of nineteenth- and twentieth-century historians and lawyers on the reasons for this are varied and familiar,¹⁰ but sit uneasily alongside the few known facts of early Scottish townships. In particular, the Romanist doctrine that medieval towns were in a line of direct continuation with Roman towns (at best only dubiously tenable for most of mainland Europe) is without foundation for Scotland where Roman townships did not exist in the form of either villas or towns. Even if the sole Scottish example, Velunia, a classed as a township, there was no continuation of this settlement into medieval times.¹¹ Nor are there signs of early trading *wiks* or of the seeds of urban or proto-urban growth such as are evidenced in England before the tenth century.¹² Archaeological data, where available, suggests that in Scotland the traditionally Celtic and Anglo-Saxon structure of society was one of small villis, agricultural and pastoral groupings of houses, based principally on a localised self-sufficient policy. Hill fortresses, however, which were sustained by mixed, but in particular pastoral, farming, were, according to archaeological evidence, to transform eventually the profits of their agrarian economy into clothes, personal adornments and weapons - perhaps an indication of a move beyond simple self-sufficiency to a pre-urban, trading state.¹³

By the early eleventh century in Scotland there is firm evidence, albeit slight, of this change. About 1027 an English coin hoard was buried at Lindores, an indication that trading activities around the Tay were stretching beyond the purely local.¹⁴ The tenth- and eleventh-century boards at Jedburgh would suggest an already established trade route between Northumbria and the Lothians; and it is not difficult to imagine that the Lindores hoard may represent a quickening of the North Sea commercial traffic, that had never totally died out in Dark Age Europe, and may well have included Scotland.

Lack of written evidence of urban growth in Scotland is not surprising since no documentary sources have survived for this period, but twelfth-century records reveal the emergence, or even existence, of a number of urban centres. Along with other nuclei, however, Dundee probably existed in the eleventh century as a pre-urban or proto-urban settlement, functioning as a local market. The *Chronicle of Melrose* records that in 1054 Siward, earl of the Northumbrians moved into Scotland at the command of Edward of England, and that Macbeth, king of Scots, was defeated and replaced by Malcolm.¹⁵ The 'Life of Waltheof in *Chroniques Anglo-*

Normandes adds the further information that Siward progressed into Scotland as far north as Dundee.¹⁶ By the twelfth century the settlement had become an established urban centre and market,¹⁷ capable of responding to the considerable demands for service and food supplies implicit in the presence of a peripatetic king and court; and places Dundee as one of the few known early royal centres in Scotland.

NOTES

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- ¹ S.J. Jones, 'Historical geography of Dundee' in *Dundee and District*, ed. S J. Jones (Dundee, 1968), 260.
 - ² Stevenson and Torrie, *Scottish Medieval Burgh Survey: Dundee*.
 - ³ S.J. Jones, 'Historical geography of Dundee', 262.
 - ⁴ See below, 53.
 - ⁵ W.H.K. Turner, 'The growth of Dundee' in *Scottish Geographical Magazine*, lxxxiv (1968), 76—78.
 - ⁶ A.D. Lacaille, *The Stone Age in Scotland* (Edinburgh, 1954), 175-176. Dundee Art Gallery and Museum (DAGM) Ace no. 1971-544 (1-2); 1878-9, xiii, 306-7. DAGM Ace no. 64-67; 1878-9, xiii, 306-7. DAGM Ace no. 1973-771. DAGM Ace no. 1964-46.
 - ⁷ For example, 'DAGM Ace no. 64-67; 1878-9, xiii, 306-7. DAGM Ace no. 70-334. DAGM Ace no. 54-283. DAGM Ace no. 64-64. DAGM Ace no. 1964-46. DAGM Ace no. 1964-47. DAGM Ace no. 1964-48. DAGM Ace no. 1969-253. DAGM Ace no. 1973-709.
 - ⁸ S.J. Jones, 'Historical geography of Dundee', 259.
 - ⁹ J. Sturrock, 'Notice of a jet necklace and urn of the food vessel type found in a cist at Balcalk Tealing and of the opening of Hatton Cairn, parish of Inverarity Forfarshire' in *PSAS*, xiv, 266. DAGM Ace no. 64-55. *Dundee Courier*, 19 December 1923.
 - ¹⁰ H. Pirenne in *Les Villes et les Institutions Urbaines* (2 torn.) (Paris, 1939) and C. Stephenson in *Borough and Town. A Study of Urban Origins in England* (Cambridge, Mass., 1933), *passim*, summarise the Romanist doctrine and later varying Germanist theories and the views of the French historians Thierry, Luchaire, Giry and Petit-Dutaillis. In Britain the works of Stubbs, Gross, Maitland, Ballard, Bateson, Round and Tait are well known. See also I.H. Adams, *The Making of Urban Scotland* (London, 1978), 20-22.
 - ¹¹ I.A. Richmond and K.A. Steer, 'Castellum Veluniate and civilians on a Roman frontier' in *PSAS*, xc, 1.
 - ¹² S. Reynolds, *An Introduction to the History of English Medieval Towns* (Oxford, 1977), 24-42.
 - ¹³ Cf. D. Murray, *Early Burgh Organisation in Scotland as Illustrated in the History of Glasgow and Some Neighbouring Burghs* (2 vols) (Glasgow, 1924-32), i, 5; cf. A.J. Warden, *Burgh Laws of Dundee, with the History, Statutes and Proceedings of the Guild of Merchants and Fraternities of Craftsmen* (Edinburgh, 1872), 2; L. Alcock and S.T. Driscoll, *Excavations at Dundum, St Fillans, Perthshire, 1976-1977*. Revised Interim Report (Glasgow University Archaeology Department, 1985).
 - ¹⁴ A.A.M. Duncan, *Scotland. The Making of the Kingdom* (Edinburgh, 1975), 463. (henceforth, Duncan, *Scotland*)
 - ¹⁵ A.O. Anderson, *Early Sources of Scottish History AD 500-1286* (Edinburgh, 1922), i, 593.
 - ¹⁶ *Ibid*, i, 594; F. Michel, *Chroniques Anglo-Normandes* (Rouen, 1836, 1836, 1840), ii, 109-110.
 - ¹⁷ W.F. Skene (ed.), *The Historians of Scotland*, vols. i and iii (Edinburgh, 1871, 1872), *Johannis de Fordun. Chronica Gentis Scotorum*, i, 227 and *Andrew of Wyntoun's Orignal Cronykil of Scotland*, v, 605, record that King Edgar resided in Dundee and died there in 1107. This is probably not correct, resulting from an early mistranscription of Dundee for Edinburgh. (I am indebted to Dr D. Brown for his views on this.) There is, however, ample evidence of Dundee's status as an established urban centre later in the century. (Duncan, *Scotland*, 176—177 and 366.)

CHAPTER III

BURGH LIBERTIES

Urban centres did not automatically develop into burghs. Neither did burghs evolve: they were made. The terms 'town' and 'burgh' are not synonymous, the concept of a burgh being essentially a legal one, implying specific rights or liberties. Burghs in Scotland are first documented during the first half of the twelfth century. These early burghs seem to have displayed a measure of municipal organisation, which was paralleled in the rest of western Europe. The first indications of self-organisation of towns came in Italy after the disturbances of the Investiture struggle. A communal court in Lucca in 1068 is probably not an isolated example and consuls may have existed in towns such as Milan in the eleventh century.¹ The areas to have greatest influence on Scotland, however, as these new notions spread were northern France, the Low Countries and England. In the latter half of the eleventh and early twelfth centuries a number of self-governing continental communes, albeit in some cases abortive, are documented. In France, St Quentin, Beauvais, Noyon, Laon and, further north, Cambrai, St Omer, Tournai and Bruges were merely a few of the towns that exhibited early bourgeois administration.² Whether the introduction of self-government into English town life should be accredited to the Norman Conquest is unsure; but certainly the peace that followed in the wake of the Conquest provided an environment conducive to the growth of organised, responsible communal life. Increased mercantile activity on the continent and the interaction of ideas, some of which had roots in Anglo-Saxon times, were also contributory factors.³ Beverley, Burford, Canterbury, Leicester and York,⁴ for example, were soon achieving a measure of self-determination, a phenomenon that was soon to show a parallel development in Scotland.

Berwick and Roxburgh, significantly both close to England, are documented as burghs before 1124, to be followed between 1124 and 1130 by Edinburgh, Dunfermline, Perth and Stirling.⁵ The crown policy of establishing burghs during the reign of David I (1124-1153) was reinforced by law-making. A charter of William I (1165-1214), the grandson of David I, refers to three statutes of David relating to burghs.⁶ Later twelfth-century documentary evidence also suggests the existence of a body of law, whether customary or legislative, which applied to all Scottish burghs from early in their history.⁷ No charter of foundation of a burgh that pre-dates 1160 survives, however. There are two possible explanations for this. Earlier burgh charters may have been lost. Alternatively, the king may have created burghs by a verbal granting of privileges, and perhaps only in time did it become the norm for the crown to record the granting of burghal privileges by charter.⁸ This was certainly the

situation by the reign of William I, and it has been argued that one of the major achievements of this king was his vision in foreseeing that written enactments would facilitate uniformity within burghs.⁹

What is particularly important whenever a significant body of burghal legislation is extant in Scotland is its close similarity with that of other parts of western Europe. Perhaps the best known compilation' of laws relating to Scottish burghs is the *Leges Burgorum*,¹⁰ which traditionally and probably incorrectly has been attributed to David I. Its laws reflect in several chapters the mid-twelfth-century 'customs' of Newcastle and, to a lesser degree, of Winchester, Northampton and Nottingham.¹¹ These *Leges Burgorum* or Burgh Laws, perhaps originally drawn up for Berwick, became the general basic foundation for the rulings of all early Scottish burghs although by the end of the middle ages they were interpreted by some burghs so broadly as to be virtually ignored). Just as Scottish burghs borrowed and copied ideas from each other, so they quite deliberately borrowed from England and elsewhere. The proliferation of ideas from the Customs of the little Norman town of Breteuil shows further how widespread were these new urban notions by the twelfth century. The resemblance of new boroughs and urban liberties throughout northwestern Europe was not chance, and Dundee was one small piece of this overall pattern.

Dundee's charter of burgh foundation, if it ever existed, was lost by the early fourteenth century. An appeal was therefore made by the burgh to Robert I in 1325, to substantiate its privileges by formal definition. The evidence of notable burgesses of Dundee and elsewhere established that Dundee possessed similar liberties to other burghs in the time of Alexander III (1249-1286) and, earlier, to the reign of William I (1165-1214). In consequence a royal charter was issued in 1327 confirming these privileges.¹² The copying of sections of this charter from the 1320 privileges confirmed to Berwick, which in turn was copied from Edward I's original charter to Berwick; the use of specific wording from Aberdeen's charter granting burgh status; possibly other sections, no longer traceable, borrowed from lost charters to early Scottish burghs; and the appeal to burgesses of other towns; all suggest a high level of inter-communication continuing between burghs into the fourteenth century.

This Dundee charter clarified that the township of Dundee was raised to the status of burgh in the reign of William I and was subsequently placed under the superiority of the king's brother, David, earl of Huntingdon. A charter of c. 1180 lists Dundee as one of the possessions of Huntingdon, although there is no evidence that it had yet achieved burghal status,¹³ but by 1190x1195, in a grant to Lindores abbey, the phrase *in burgo de Dunde* is used.¹⁴ Even before this time, though, the town must have been considered of some note since an act of William I in 1173x1178 refers to Hadgillin as being in 'Dundeeshire'.¹⁵

The granting of burgh status implied specific legal characteristics and assured fundamental rights for its privileged inhabitants — the burgesses. One of the most important of these rights was the relative freedom of the individual. To be a fully participating member of a burgh implied the recognition of the authority of that burgh and its superior, which for Dundee was David, earl of Huntingdon and, later, the crown.¹⁶ All other feudal ties were severed, and the harshest punishment to be inflicted in the burgh was banishment, for this meant loss of all rights and privileges, the basis of burgess existence.

Nothing is known of the first burgesses of Dundee, but all the indications are that the crown pursued a deliberate policy of encouraging settlement in burghs, not merely by locals but also by skilled outsiders. The names of some of the burgesses of St Andrews, such as Elfgar and Arnald or Ernald, for instance, suggest a southern origin.¹⁷ Foreign influence is also clear: Mainard 'the Fleming' in St Andrews; Baldwin, possibly Flemish, and Swain in Perth; Geoffrey Blount, a Norman, in Inverness.¹⁸ There is every reason to believe that Dundee experienced similar infiltration. Only a privileged few, native or foreign, however, held the position of burgess, enjoying to the full the burghal liberties and participating in burgh government. In Dundee, as elsewhere in western Europe, there would be a far greater proportion of indwellers with few rights than of free burgesses. All who made their homes within Dundee were, however, subject to its rules; and, in theory at least, on entering its gates an individual was subject to the rules or 'customs' of the burgh, the peace of the town, rather than to the laws of the kingdom.

How in practice in the early years of the burgh of Dundee these customs were enforced may be inferred only from the evidence of other burghs. It does seem, however, that from at least the thirteenth century some measure of self-government within burghs was evolving, probably with the assent of the overlord whose main interest was doubtless the efficient harvesting of burgh revenues, whether collected by his appointees or by burgess representatives.¹⁹ By the fourteenth century there is evidence that the latter were responsible in Dundee for most aspects of town government, the aim of which was the promotion of the weal of the community and the enforcement of obligations on all who benefited from the burgh liberties.

The scope of these privileges and the standing of the burgh increased throughout the fourteenth century. Dundee's position as a burgh of note was marked by the choice of the church of the Greyfriars in Dundee as the setting for a declaration in favour of Robert Bruce, probably in late 1314 or 1315,²⁰ and his measures as king to confirm Dundee's privileges in 1325 and 1327. Dundee was one of only four burghs called upon to guarantee the ransom for the return of David II in 1357.²¹ Two years later it was erected into a sherifffdom, independent of the sheriff of Forfar; and it participated in national parliaments from David II's reign,²² a role reserved only for those burghs whose opinions could be backed up with hard cash. In 1360 Dundee was

granted a feu-ferme charter. This bestowed, in return for a fixed annual sum, all the burgh revenues, apart from the great customs levied on exports, on the community of burgesses.²³ In fact, it may well have been merely formalising what was an already existing arrangement between burgh and superior; but it is significant since here is a clear indication that the burgesses of Dundee were competent to handle not only the routine municipal organisation of the town and all relevant judicial and legislative business, but also their own fiscal policy.

Dundee's autonomy throughout the middle ages was, however, restricted not only by the burgh superior but also by the office of constable of Dundee, in the persons of the Scrymgeour family. William Wallace appointed Alexander Scrymgeour constable of the castle of Dundee in 1298.²⁴ Robert I confirmed to Nicol Scrymgeour the hereditary title of Constable of Dundee in 1317, and from then the constable's barony court was held on Castle Hill.²⁵ There were inevitably to be clashes with the authority and jurisdiction of the magistrates of the burgh. Settlement of some of the more contentious issues was made in 1384: the constable's right to punish burgesses and stallholders was to be confined to the time of the annual fair; and on these occasions the bailies of the burgh were to participate with the constable or his deputy in the trial of the accused and any fine was to go to the bailies. In exchange for these concessions the constable received a cash settlement.²⁶ In practice, however, the potential for dispute between the offices of constable and burgh magistrates was to be a recurring, although not constant, aspect of Dundee's municipal history, even though the positions of *prepositus*, the principal burgh officer, and constable were sometimes held by the same man, such as James Scrymgeour in 1495—1501 and another James Scrymgeour in 1586.²⁷ The *prepositus* ('provost' in the vernacular from the sixteenth century) or alderman, the terms being synonymous, was supported by four bailies, on whom devolved much of the routine administration. It was their responsibility, for example, to supervise the burgh court and to maintain the peace of the burgh; to ensure the financial well-being of the community by the efficient raising of local taxes, setting the town fishings, mills and other common property to farm; overseeing alienations of burghal property and granting sasine to the incoming tenant; and, along with other burgh officials, ensuring a ready supply of food at a fair price for the town. They were assisted by lesser officers, such as a common clerk, dempster, treasurer, serjeands and liners whose role it was to measure out boundaries of property.²⁸ Also monitored was the quality of food. Each year a number of burgesses were appointed as tasters of ale, wine and meat in an attempt to enforce at least a minimum level of quality and price control on some of the basic essentials. All these officers were chosen by the burgesses at the head court held immediately after Michaelmas,²⁹ the other two head courts taking place traditionally after Christmas and Easter. In due course a common council was also appointed, which represented the community of burgesses; but in small and very early

burghs there was a close co-operation of most, if not all, burgesses in the activity of government. This involvement of all the 'good men of the burgh', as they were termed in the *Burgh Laws*, persisted until the end of the middle ages and beyond in the continuing requirement for all burgesses to attend head courts, although ultimately their participation may have been restricted to merely giving formal assent. The latter is the impression given in Dundee's sixteenth-century records. In larger burghs simple logistics precluded involvement by all burgesses. In Dundee, by the time the records are extant, the council of sixteen or seventeen men was the representative of the community, and the routine business of the town was dealt with by bailies' courts and assizes of thirteen to fifteen men or by 'famous personis of the best of the town' called to deal with specific issues, such as disputed inheritance or property claims.³⁰ Even this might prove an onerous commitment, and one not always honoured, for in 1523 it was laid down that anyone elected to council who did not present himself for duty to the provost each Friday would be fined two shillings.³¹ It is also apparent that eligibility for office or public duty was by then confined to a minority of the burgh population: the sixteenth-century *sederunts* in the Burgh and Head Court Books reveal the closeness of this ruling elite. Dundee was not unusual in this. Oligarchic tendencies in burgh governments were the norm throughout Scotland and England as burghs grew larger and the municipal organisation became more complex. The notion of oligarchy implied no element of selfishness in the middle ages: government was by the 'worthiest' and 'best' since they were considered the most able to govern.

To what extent the Dundee townsmen understood the political theories underlying their form of burgh government is impossible to assess. Their corporate life exhibited what would now be termed 'a sense of community',³² but how conscious this was must be doubtful. The taking of the burgh oath and payment of the burgh fee entered a townsman into a privileged but responsible state; and the burgh seal authenticating all significant burghal documents was a physical symbol of the unity of the whole community; but perhaps the tangible expression of organised municipal government that held most import for the majority of the townspeople was the tolbooth. It was here that the burgh court met, tolls or market dues were collected, and, most importantly, in an age of no newspapers or modern media, the place for public proclamations.³³ Congregating with neighbours outside the tolbooth to give formal assent to important council decisions, to witness the latest town promulgations, or merely to exchange gossip, was probably one of the true gestures of community feeling for the majority of townspeople. For centuries, along with the parish church where contracts were often made, this building remained the focal point of corporate burgh life, and epitomised the sense of community.

This embodiment of corporate life altered in style throughout the centuries. In 1325 Robert I granted to the burgesses a piece of land on which to erect a tolbooth. It was probably Dundee's first. According to the charter evidence,

it was situated 'between the water conduit on the west and the Cross well on the east'³⁴ in Seagait, probably a little to the east of the junction on of present day Peter Street and Seagate. There is no indication of the type of building, but archaeological and documentary evidence from other burghs suggests that it would have been of simple design, probably single storeyed, and made of wood. By c 1363/64, however, a tron or public weighing beam was erected west of Castle Hill in the street called Marketgait, and now High Street.³⁵ It was logical that the other *foci* of the town market should be sited nearby: a 'new' tolbooth was constructed, probably soon after, sited opposite the present Crichton Street, close to the Tron and, according to later evidence, the market cross.

The 'new' tolbooth was altered on numerous occasions, its maintenance being one of the constant drains on burgh finance. These modifications and adaptations resulted in certain changes to its appearance and it is known by 1562 to have been a timber-fronted building with wooden or stone pillars supporting an upper storey, so forming at ground level a type of open piazza housing booths or small shops.³⁶ The council's deliberations would probably have taken place in a room on the first floor.

Immediately to the west of the tolbooth stood a house called 'Lady Warkstairs'. This survived until 1879 and the extant nineteenth-century photographic evidence of this building perhaps reveals some residual features typical of Dundee's second tolbooth, although more modern finishings to the frontage conceal the medieval timber work and its open piazza has been infilled.³⁷

It has been argued in some secondary sources³⁸ that a turreted building at the corner of Marketgait and Overgait (which was the birthplace of the first Duchess of Buccleuch and the quarters of General Monck, leader of the English invasion forces in the mid-seventeenth century) also served as a tolbooth. This is not fully supported by the primary documentary evidence, although it is possible that the English attacks of 1548 so damaged the tolbooth that a temporary home for burgh business had to be sought elsewhere, and this impressive town house was chosen. A reference in 1551: to the 'old tolbooth' which had been 'destroyed' by the English and was proving expensive to repair by its burgess owner either suggests that two Buildings were referred to as 'tolbooth' by this time, and one had passed into private hands; or that the one tolbooth had been so damaged that it no longer functioned as a meeting place for public business.³⁹ The latter is perhaps the more likely, for in 1550 there is reference to Lady Walkstairs having been 'put to sack and uter rewyne as the remanent of the said bourgch is for the maist part be oure aid Innemeis of yngland', and thirty years later the town was still claiming remission from taxation on account of the 'cassin down' of burgh property, including the tolbooth.⁴⁰



Fig. iv Lady Walkstairs house.

A new tolbooth had, however been under construction since before 1548. It was to be completed in 1562 in the wave of new building and repair work after the English attacks of the late 1540s, and was situated on the south side of Marketgate to the north of the wall surrounding St Clement's churchyard. There is no evidence of demolition of secular property to make way for this tolbooth, although if buildings had previously stood there they may have been destroyed during the English invasion. What probably is more likely is that the tolbooth was the first building on this site, and that it was in consequence built on part of what had been an open, large market area. If this theory is correct, such market repletion would suggest considerable pressure for space in the central core of the town by the mid-sixteenth century. The area is now covered by City Square, which also houses underground car parking, and as a result, the site is probably archaeologically sterile. What is known, however, is that the new building when finished stood forty feet high, with a row of booths along its ground floor. It is very likely that the tolbooth was completed in stone cannibalised from the town's Greyfriars kirk, for after the latter's demolition in 1560 the council ordered that 'the stanes of the kirk and the steeple of the Greyfriars' were to be 'applyit to the common weill of the burgh'⁴¹ - English aggression may have swept away some of the superficial trappings of the old religious order, but the traditional values of burgh community spirit remained.

NOTES

¹ H. Pirenne, *Medieval Cities. Their Origin and the Revival of Trade* (Princeton, 1925), 182.

² *Ibid.*, 185; and E. Ennen, *Die Europäische Stadt des Mittelalters* (Göttingen, 1975), ii, 166.

³ It has been argued by such as H. van Werveke in '*Burgus*': *Vesterking of Nederzetting* (Brussels, 1965) that the evolution of the English borough into a community with special privileges had its antecedents before 1066. See also J. Tail, *The Medieval English Borough. Studies on its Origins and Constitutional History* (Manchester, 1936), 137 and *passim*.

⁴ C. Gross, *The Guild Merchant. A Contribution to British Municipal History* (2 vols) (Oxford, 1890), i, 10-16; M.W. Beresford and H.P.R. Finberg, *English Medieval Boroughs: a Hand-list* (Newton Abbot, 1973).

⁵ Duncan, *Scotland*, 465.

⁶ *RRS*, ii, no. 475; H.L. MacQueen and W.J. Windram, 'Laws and courts in the burghs' in *The Scottish Medieval Town*, edd. M. Lynch, M. Spearman and G. Stell (Edinburgh, 1988), 208.

⁷ *Ibid.*, 209.

⁸ G.W.S. Barrow, *Kingship and Unity* (Edinburgh, 1981), 91.

⁹ H.L. MacQueen and W.J. Windram, 'Laws and courts in the burghs', 211—212.

¹⁰ SRO, PA 5/1 fo.62r; APS, i, 178.

¹¹ The detailed assessment of borough customs in M. Bateson, *Borough Customs* (Selden Society, 1904) highlights these similarities.

¹² DDARC, CCL, no. 16.

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- ¹³ *RRS*, ii, 257.
- ¹⁴ *RRS*, ii, 358; K J. Stringer, *Earl David of Huntingdon, 1152-1219, A Study in Anglo-Scottish History* (Edinburgh, 1985) 59, 69-70 and 74 details Huntingdon's possessions in the Tay region.
- ¹⁵ *RRS*, ii, 220, 221.
- ¹⁶ Dundee may have reverted to the crown after January 1290, on the death of Lady Devorguilla, grand-daughter of David, earl of Huntingdon and mother of King John (Balliol). It appears in an indenture of 1292 amongst several burghs, all of which were royal.
- ¹⁷ *Liber Cartarum Prioratus Sancti Andree in Scotia* (Bannatyne Club, 1841), 124.
- ¹⁸ W.M. Mackenzie, *The Scottish Burgh* (Edinburgh, 1949), 36.
- ¹⁹ This is discussed in more detail in E. Ewan, 'The Community of the Burgh in the Fourteenth Century' in *The Scottish Medieval Town*, edd. M. Lynch, M. Spearman and G. Stell, 229-230.
- ²⁰ *APS*, i, 460. There are problems in accepting the date 24 February 1309/10, when a Provincial Council of the Scottish Church supposedly met in Dundee. The English were probably occupying Dundee at this time; and the seals attached to the declaration suggest a date of late 1314 or 1315. (I.E. Cowan and D.E. Easson, *Medieval Religious Houses*. Scotland (London, 1976), 126; and *Scottish Historical Review*, xxiii, 284.)
- ²¹ J. Maclaren, *The History of Dundee* (Dundee, 1874) (enlarged edition of work published by J. Thomson, 1847), 37.
- ²² DDARC, CC1, no. 17; G.S. Pryde, *The Burghs of Scotland* (Oxford, 1965), 15.
- ²³ DDARC, CC1, no. 17.
- ²⁴ A.C. Lamb, *Dundee. Its Quaint and Historic Buildings* (Dundee, 1895), 7.
- ²⁵ DDARC, CC1, no. 13.
- ²⁶ A. Maxwell, *The History of Old Dundee* (Dundee, 1884) (henceforth, Maxwell, *Old Dundee*), 21.
- ²⁷ *Ibid*, 565 and 350.
- ²⁸ DDARC Ms. 'Dundee Burgh and Head Court Books', passim.
- ²⁹ DDARC Ms. 'Dundee Burgh and Head Court Book', 28 September 1550.
- ³⁰ DDARC Ms. 'Dundee Burgh and Head Court Book', 13 December 1521 and 17 November 1550.
- ³¹ DDARC Ms. 'Dundee Burgh and Head Court Book', 5 October 1523. (henceforth, Ms.DBHC)
- ³² For a discussion of the sense of community in burghs, see E. Ewan, 'The community of the burgh in the fourteenth century'.
- ³³ Ms.DBHC, 1 March 1550/1551, for example.
- ³⁴ DDARC, CC1, no. 15.
- ³⁵ W. Kidd, *The Dundee Market Crosses and Tolbooths* (Dundee, 1901), 3.
- ³⁶ *Ibid*. Cf. Ms.DBHC, 3 November 1551. See also, Maxwell, *Old Dundee*, 146.
- ³⁷ Dundee Museum and Art Gallery, collection of photographs and glass lantern slides; St Andrews University Archives, Valentine collection of plates and negatives; Aberdeen University Library, George Washington/Wilson special collection of photographs; Dundee Wellgate Library, Wilson collection of photographs. A.C. Lamb, *Dundee*, p. xxii, gives clear details of the fifteenth-century construction of this building as revealed during demolition in 1879.
- ³⁸ J. Maclaren, *History of Dundee*, 179; C. Mackie, *Historical Description of the Town of Dundee* (Glasgow, 1836), 145; and W. Kidd, *The Dundee Market Crosses and Tolbooths*, 7.
- ³⁹ Ms.DBHC, 11 May 1551.
- ⁴⁰ Ms.DBHC, 10 November 1550. *RSS*, iii, 520.
- ⁴¹ A. Maxwell, *Old Dundee, Ecclesiastical, Burghal and Social, prior to the Reformation* (Dundee, 1891) (henceforth, Maxwell, *Dundee prior to the Reformation*), 179; Maxwell, *Old Dundee*, 149.

CHAPTER IV

MARKETS AND MERCHANTS

Burgh status implied the possession of constitutional liberties, but mercantile privileges also resulted. The crown reinforced the grant of burgh status with the bestowal of further, economic rights. Markets could, and did exist outside burghs, but 'a burgh without a market was a contradiction in terms'.¹ The burgh was a community organised for trade² and was recognised as such as early as the twelfth century. This is supported by the percentage of clauses in Scottish burghal charters dealing with mercantile privileges.³ One of the primary benefits bestowed at the founding of a burgh was exemption from tolls and some customs due to the crown; and, consequently, the right to trade freely. In some charters there are specific references to an even greater concession: the monopoly of trading over an extended zone, a grant relatively common in Scotland but not elsewhere.

Dundee can be seen emerging as a strong trading centre early in its history. In 1199 an agreement was entered into between King John of England and the burgesses of Earl David of Huntingdon: merchants were granted freedom from toll and custom in all English ports except London.⁴

A further charter of King John, dated 1207, giving permission for trading England without the payment of toll to the rich abbey of Arbroath, specified precisely that the merchants and ships of Dundee and Perth were to receive his protection since they were the principal carriers of the abbey's goods.⁵ By the early thirteenth century Dundee was used to export the produce of the monastery of Coupar Angus, one of the wealthiest Cistercian houses in Scotland, and in 1264 wine for consumption at Forfar castle came through Dundee.⁶

The agricultural potential of the fertile northern hinterland, with which Dundee had ready links through gaps in the Sidlaw Hills, was one of the important factors in the emergence of the town as a wealthy market, entrepôt and port. Concessions from the crown were, however, a vital contributory factor. While Robert I's charter of 1327 reveals that Dundee was already well-established as a trading port, further privileges were granted: it prohibited anyone within the sheriffdom of Forfar except burgesses of Dundee to buy wool or skins, two of the staple commodities of the Scottish economy; insisted that foreign merchants in the same sheriffdom might trade only with Dundee burgesses 'reserving the rights of 'the other burghs within the said sheriffdom' (a sting in the tail that was to cause difficulties throughout the middle ages); and, further, laid down that all goods brought by foreign merchants to the shire be offered first for sale at Dundee.⁷ David II's charter of 1359 in large measure confirmed these extensive privileges, by prohibiting the villages of Coupar Angus, Kettins, Kirriemuir and Alyth to hold markets since they were within the liberties of Dundee.⁸

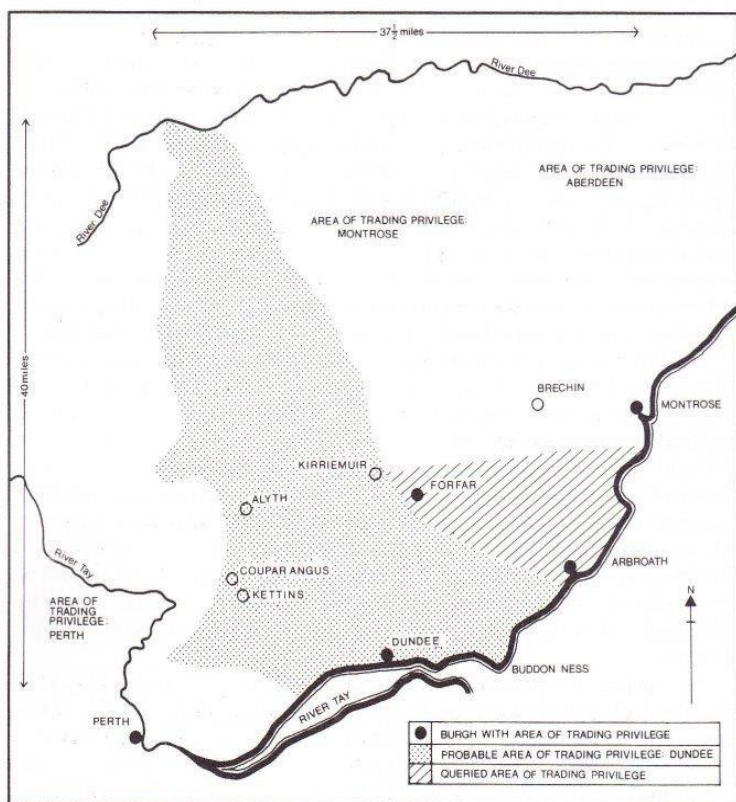


Fig. v Conjectural sketch map of Dundee's probable area of trading privilege in the middle ages.

This demarcation of a large hinterland including very rich monasteries and friaries in a fertile region held not only potential for the economic growth of the burgh, but also for trading conflicts with others - those towns whose rights might appear to be at variance with those of Dundee, namely Brechin, Forfar and especially Montrose.⁹ Clashes resulting from overlapping jurisdictions and trading rivalry were to be commonplace Throughout the middle ages, many issues never being permanently resolved. Dundee, however, emerged as the strongest contender.

Furthermore, to gain the full potential from its situation Dundee had to win, and hold, a commanding position on the Tay. This inevitably brought another protagonist - the burgh of Perth. The two burghs attempted to justify their right to oversee water traffic on the Tay by quoting their respective charters, both with some justification. A decision in favour of Dundee in 1402 did not, in the event, conclude the matter and the dispute was not truly resolved until the early seventeenth century.¹⁰ The right confirmed to Dundee in 1402, and again in 1602, to control the waters of the Tay to the shores of Fife held a further significance: the south channel of the estuary was naturally deep, and not so susceptible to silting as that on the northern side, a factor that was to be of increasing relevance as bigger vessels were constructed. Moreover, this control over the Tay to the shores of Fife prevented the growth of commercial rivals on the southern banks of the river, such as Ferry Port-on-Craig, or Tayport.

Dundee's emergence as one of Scotland's premier trading burghs was to some extent assisted by a body that had a significant role to play in the burgh economy: the guild merchant. Reference is made to the Scottish guild merchant in *Leges Burgorum*, and the reign of William I saw its official sanction in *Assise Regis Willelmi*, when it was decreed that the merchants of the realm were to have their merchant guild with the liberties to buy and sell in all places within the bounds of liberties of burghs, to the exclusion of all others.¹¹

Guilds, as friendly societies, had their origins several centuries previously.¹² In Scotland the *Statuta Gilde*, the rulings of the guild of Berwick, the earlier part of which is attributed to 1249 and the latter specifically dated 1281 and 1294, suggest an institution of some age. The close identification of purpose, as a society for mutual self-help and conviviality, between the guild of Berwick and those of the Low Countries is notable, but by the thirteenth century the guild in Scotland was displaying a further, mercantile nature. With the royal support for guilds merchant, the way was open for emerging burghs, including Dundee, to take full advantage of their newly gained economic privileges. However, the right to a guild, even if granted at the same time as a burghal charter, was merely a corollary: the guild, although of great influence, was not in origin the essential core of the burgh administration, just as trade, while being an integral facet, was not the sole *raison d'être* of the burgh.

Dundee's guild was amongst the first founded in Scotland. The Berwick guild appears to be of an earlier than thirteenth-century origin; Perth and Roxburgh are known to have had guilds pre 1189x1202 since they are referred to in a charter of Roger, bishop of St Andrews, when the guild of that burgh was established;¹³ Edinburgh probably possessed a guild by c.1209; and Dundee's guild, along with those of Inverness and Inverkeithing, was established 1165?x1214, to be followed soon after by Aberdeen, Ayr, Dumbarton and Stirling.¹⁴

The members of Dundee guild merchant were the burgesses who would control the burgh's internal and overseas trade throughout the middle ages; and in Dundee as in other burghs where guilds developed early, there was a close interweaving of burgh and guild. It is not surprising that gradually as the burgh organisation developed the merchants of the community began to adopt a dominant role in administrative affairs. They were often the most substantial members of the townspeople and, with their guild institution, the most vocal and, perhaps, able. In many burghs the merchants as the most fit burgesses, not as merchants *per se*, increasingly gained control of the municipal organisation. The little evidence there is suggests that this was true also of Dundee. This duality of role should not, however, be overstressed. In early days the terms 'burgess' and 'merchant' were used virtually synonymously. The twelfth century had not seen true specialisation and the divorce of crafts and commerce. Traders were craftsmen-traders and farmer-traders as much as merchant-traders. Gradually a more specific delineation would develop, but in Scotland a merchant was always someone who bought and sold. This classification embraced a small-scale producer who sold goods at his booth door, just as much as it included the entrepreneur who traded overseas. In time, by the sixteenth and seventeenth centuries, growing wealth, population size and the incorporation of Dundee's crafts led to a reappraisal of traditional economic standards and practice, and increasing social stratification engendered tension between merchants and craftsmen. But this was not a medieval phenomenon; and the guild merchant of Dundee played a role that was vital, and largely unchallenged until the sixteenth century; just as the crafts with their own organisations, rules and elected deacons had their own equally responsible, but different part to play in the emergence of this important trading burgh.

Dundee's main early medieval exports of wool, sheepskins and, to a lesser extent, hides reflected its significant interaction with the rural hinterland; and by the mid-fourteenth century Dundee was recognised, along with Edinburgh, Aberdeen and Perth, as one of the 'four great towns of Scotland' by the staple port of Bruges.¹⁵ This is reinforced by the customs returns for the 1370s: 58% was paid by the big four, 10% coming from Dundee, compared with Edinburgh's 24%, Aberdeen's 15% and Perth's 9%.¹⁶ The economic success of individual burghs was, however, increasingly determined by the growing domination by Edinburgh of overseas trade. By the fifteenth century the wool trade, already in decline since

1400, was in effect monopolised by Edinburgh, and the struggle to gain ascendancy shifted to the trade in hides and skins. These commodities also gradually, and particularly after the 1520s, became the virtual prerogative of the Edinburgh export trade, until by c. 1590 Edinburgh controlled 83% of the trade in hides and 80% of that in fells.¹⁷ Dundee's role in a Scottish economy gripped by such straight-jacketed conditions was, however, of considerable significance. It shared with Aberdeen most of the trade in fells not monopolised by Edinburgh, and was the only burgh to play any real part in the export of the remaining 17% of hides.¹⁸ By the sixteenth century Dundee had thus emerged from its notable position as one of the four or five major burghs in Scotland to rank second in importance only to Edinburgh. This status was reflected in tax returns and national levies. Dundee, Perth and Aberdeen, for example, all participated in the 1483 stent imposed by the Convention of Royal Burghs. Aberdeen was taxed equally with Dundee, but by 1495 Dundee's assessment for royal taxation was greater than that for Aberdeen. This position was maintained in the 1550 and 1597 stents:

Contributions to National Levies

	1483	1495	1550	1597
Edinburgh	-		600 crowns	£28.15.00
Dundee	£26.13.04	£250	304 crowns	£10.15.00
Aberdeen	£26.13.04	£200	226 crowns	£ 8.00.00
Perth	£22.04.06	£150	180 crowns	£ 6.03.04 ¹⁹

A similar overall pattern is visible in other returns, albeit that Dundee's taxation payments fell somewhat in the 1570s in reaction to the changing emphasis of sixteenth-century overseas trade. What is particularly relevant, however, is that Dundee was the only leading export burgh, along with Edinburgh, that retained its share of exports during the surge of overseas trade which marked the second half of the sixteenth century.²⁰

An analysis of tax assessments and customs revenue derived from exports in the period 1460 to 1599 not only confirms Dundee's position as second in the realm, but, perhaps more tellingly, highlights a further significant factor. In the period 1535 to 1594 Dundee's average tax assessment was 11.54% of the national total, whereas its average customs revenue from 1460 to 1599 was only 6.45% of the same.²¹ It is immediately apparent that the burgh's economic health was not solely dependent on traditional overseas trade, in spite of the often quoted boast that it was a 'merchant burgh' and 'more civille governed' than its rival neighbour and 'craft town' Perth.²² Part of the explanation for this anomaly may be that the customs returns accounted for only good quality cloth, and by the sixteenth century Dundee had diversified into successful manufacture, finishing and export of coarse cloth. The *Compt Bulk* of David Wedderburne (1587-1630), the noted Dundee merchant and factor to the Scrymgeours,

contains throughout references to the export of 'narrow blew clayth', 'hemp clayth' and 'lyning', the vast majority of which was destined for the Baltic.²³ This documentary source along with the shipping lists of 1580 to 1618 suggests that traditional imports continued. These were iron, flax, hemp, potash, tar and timber from the Baltic, salt, wine, vinegar, wood and fruit from the coastal regions of the Bay of Biscay, and wine and luxury goods from France. But also noticeable is that there was an increasing demand for hemp and lint, or flax, from the Baltic, a comment on the importance of the textile industry in the burgh economy.²⁴

This diversification brought with it a transformation in the structure of burgh society. By the middle of the sixteenth century Dundee had nine incorporated crafts - the Nine Trades (which in practice encompassed several trades) - the bakers, shoemakers, glovers, tailors, bonnetmakers, fleshers, hammermen, weavers and dyers. In the next century the three United Trades - the masons, wrights and slaters - were also to gain incorporation.²⁵ As the focal point and market for an extensive rural hinterland Dundee had a firm economic base in the demand for consumer goods and in particular the products of the food and drink and clothing trades. This dominance was to be increasingly challenged; and by the latter part of the century the town's dyers were assessed for almost 7% of the burgh taxation - a proportion unmatched by a textile-related trade anywhere else in Scotland.²⁶ The tension that was to emerge from this reordering of traditional economic practice exemplified itself not solely between merchant and craftsman, but also in a jockeying for position within the craft incorporation hierarchy, and against those either within or without the town who sought to encroach on economic privileges, such as the small settlement, Bonnethill, to the north of Dundee, which was to be erected into the Scrymgeour burgh of barony, Hilltown, in 1643.²⁷ Dundee was to enter the seventeenth century not only as the second burgh of the realm, but with an urban aristocracy that embraced both merchants and craftsmen.

Equally outstanding was the physical transformation of the town as a port and a market place. There is no evidence to date, other than circumstantial, that the first harbour, or at least beaching site, was at the mouth of the Scouringburn. Its ready accessibility to the original commercial centre of the town at Seagait would, however, make this the most likely site. This small creek with shelving beach probably ceased to function as the principal harbour as trade developed after the granting of burgh status and once the town market had been transferred westwards to Marketgait. A more favoured site would be the natural harbour lying between the two protective outcrops, St Nicholas Craig and Castle Rock. It was doubtless this harbour that was in existence in the time of Alexander III (1249-1286), referred to in the 1327 charter of Robert I.²⁸

Although this small bay was an obvious choice there were problems to be overcome. The easterly sweep of the Tay produced a forceful scouring effect, necessitating further protection than that offered naturally. The bay was, therefore, rendered more secure as a haven by walling. Documentary sources do not reveal when this was first achieved, but some form of sea walling may have been in

existence by the fourteenth century when Dundee was already established as a notable port for both exports and imports. Moreover the current of the Tay left in its wake large deposits of sediment. It is clear, once records are extant, that this adverse factor was not readily overcome and throughout the middle-ages the Dundee authorities waged an on-going war against the twin contenders — storm and silting. In 1447 Droposals were set forward to repair the harbour, and by letters patent James II granted permission for dues to be levied on all ships entering the harbour, to assist on-going maintenance of this important east-coast port. Despite the continuous levying of 'havin silver', by 1560 it was 'considerit that the principal points of the common weill of the burgh, the shore, Bulwarks and haven, hes been so little regairdit this lang time by gane, that "_he same is able within short process to decay and come to ruin'.²⁹ A pier master was therefore appointed by the town council to supervise a remedy, and the harbour was artificially improved by quays, sea walls and a pier, all constructed of stone.³⁰ How much of this work was in the nature of repairs and how much innovatory, the records do not make clear, but distinctly suggested is that there were considerable and formal harbour works, albeit decayed, by the middle of the sixteenth century. Continued difficulties in Achieving or maintaining repairs are reflected in renewed references in 1567 to the fact that 'the principal pairts of the policie and common weill are eritely decayit, ruinous and able to perish in short time; throw the quhilk the traffic and exchange of the burgh be sea is able to be utterly losit'.³¹ Offshore the two bulwarks or breakwaters of timber had become so unsafe that vessels were forbidden to tie up to them on the landward side for fear of toppling them over.³² Extensive improvements were, however, to be successfully executed in the latter part of the century under the supervision of the king's master-mason John Mylne; and the town council adopted a stricter enforcement of the regulations for use of the harbour. The battle Against the natural elements entered by the medieval burgh was, however, to remain a permanent war as long as the harbour remained essentially a tidal basin liable to silting, and until modern engineering techniques could overcome the scouring effects of the Tay. As late as the eighteenth century, on his tours around Great Britain, an account of which was published in 1724-1727, Daniel Defoe could comment of Dundee that, while being one of the 'best trading towns in Scotland', it had 'but an indifferent harbour'.³³ Documentary sources give no clear impression of the early harbour. The first visual evidence occurs in Johan Blaeu's map of the shire of Fife published in *Atlas Novus* in 1654; and this indicates, probably incorrectly, no bulwarks in the harbour. Robert Edward's map of the Shire of Angus published in 1678 shows the bulwarks and pier clearly, as on Slezer's engraving recorded at about this time.



Fig. vi R.A. Edward's 1678 'Map of the Shire of Angus'.



Fig. vii J. Slezer, 'The Prospect of the Town of Dundee from the East' included in *Theatrum Scotiae*.

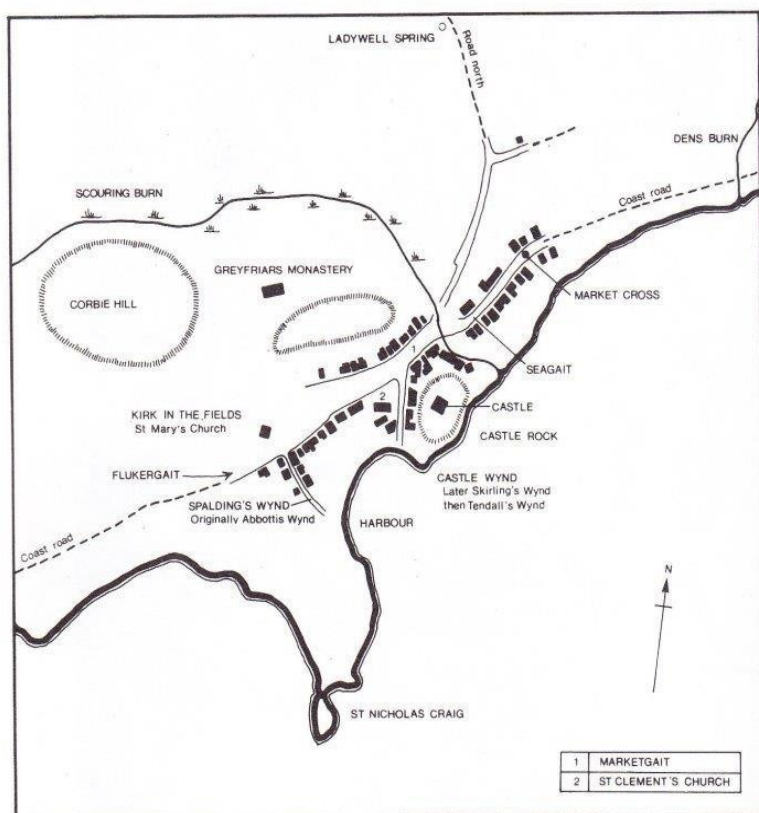


Fig. viii Conjectural sketch map of Dundee in the late thirteenth century.

These may be residual sixteenth-century features, although land reclamation for sea walls and wharfage had taken place in the late sixteenth and early seventeenth century and the bulwarks appear on Slezer's engraving to be constructed of stone rather than wood. In 1883 on the Demolition of the Old Custom House which stood on the Greenmarket NO4033 3014) information emerged regarding the possible site of the early harbour. Running through the centre of the foundations of the south-west stair tower of this building was a wall puddled with clay and apparently older than the house. The wall was considered to have no structural connection with the tower, and was tentatively identified as the remains of an earlier building. But the Old Custom House was the first building on the site, on land which had been reclaimed from the river. In 1890-91 drain Laying operations in the east end of Whitehall Street revealed a structurally similar wall about thirty feet south-west of the west gable of the Old Custom House. It was described as 'protected with clay on the outside, with the north face built with square dressed stone'. Both sections of walls were deemed to form part of the 'narrow harbour', frequently referred to in charters and sasines c. 1560.³⁴ This conjectural siting of the narrow harbour was probably accurate, for as late as the 1890s the southern boundary of the houses on the north side of Fish Street was commonly called the 'narrow harbour'.

By the end of the middle ages there must have been uncomfortable congestion in as small an area as that afforded between St Nicholas Craig and Castle Rock, particularly during the summer months when sea voyages were less dangerous, and therefore more numerous. Local sea-borne traffic, however, never totally died out, in spite of the hazards of winter and piracy, and by the sixteenth century Dundee skippers were probably achieving three trips to the Baltic each year before the winter there made navigation impossible.³⁵ Spring to late autumn was, however, the busy season, and in 1560 the town council was obliged to insist that during this time of 'thrang', 'na ship lay hir braid syde to load or liver but hir forship or hir starne'.³⁶

Equally cramped was storage space onshore at off-loading; and in the lanes leading to and from the town market. Nineteenth-century photographs illustrate vividly how confined were the Dundee thoroughfares, even after widening and improvements had been effected.³⁷ Throughout the middle ages the harbour-market route was served by only two main lanes, Skirling's Wynd at the base of Castle Rock and Spalding's Wynd further west. Other smaller vennels gave limited access to the shore, but it is perhaps noteworthy that even after one of the two principal routes to the harbour, Spalding's Wynd, was widened in 1769 it could boast of a breadth of a mere ten feet — a telling comment on the narrowness of Dundee's thoroughfares.

The market place was the hub of town life. There is reference in 1442 to a cross 'commonly called the heading cross', and it has been presumed, probably correctly, that this was the market cross (now removed from Seagait), since the place in

which it stood was designated 'Marketgait'.³⁸ It stood at the west end of the street, almost opposite the entrance to present-day Crichton Street. No details survive of the cross, but it was probably of simple design of either stone or wood. Once the new tolbooth was completed in 1562 a much grander town cross, in keeping with Dundee's prestigious position, was erected in the middle of the street opposite the present City Square. Constructed by 1586 by the master-mason John Mylne, it had a large octagonal understructure rising on a base of five steps. An entrance door in this base gave access to a staircase which led to a platform from which proclamations were made. On the platform stood a pillar or shaft which supported a unicorn charged with a rampant lion.³⁹ This sixteenth-century cross remained *in situ* till 1777. The shaft alone now remains intact and rests on a new base with a reproduction capital and unicorn to the south of the town churches in High Street. The original decoration on the shaft — Dundee's pot of lilies, the motto *Dei Donum* and the date 1586 — are still clearly visible.

The tron was also one of the important landmarks in town life, for it was at this official weighing beam that the goods of those attending Dundee market were weighed. It was carefully maintained and by as early as 1420 the tron, erected in 1363/64, had been twice repaired and twice replaced.⁴⁰ From the details of the repair work it seems that the balance of the tron was made of iron. This was supported by a wooden log, the scales were timber boards suspended by ropes and the town weights were lead. The medieval tron was to be replaced before the end of the sixteenth century when the partially destroyed St Clement's church was converted into a weigh-house, although the town council records reveal that some form of weigh-house existed before this conversion, but where is not clear. It would certainly have been centrally situated. To ensure fair dealing the town weights were regularly checked, as were those privately owned by indwellers. These latter weights had to bear the town seal as evidence of their authenticity, and were not to be loaned to outsiders.⁴¹ Punishment for using false weights was severe: usually banishment from the town.⁴² One John Wilson was perhaps fortunate in 1521. He was given the option of exile or a fine and public humiliation: forty shillings, which would go towards the church renovations, and a personal appearance at the town cross, where he was to break the false measure with his own hands.⁴³

The tron, cross and tolbooth, where market dues were paid, were the secular focal points of burghal life. But the Dundee market supplied not only its own necessities but also those of the surrounding villages and rural settlements. Those living in the hinterland looked to Dundee as a commercial centre which supplied the amenities of markets, fairs, weights and measures and a port. Dundee, in return, was dependent on the hinterland as a source of agricultural produce and raw materials; and also on traders from home and abroad to visit its commercial centre and harbour. The town thus functioned not merely as a local market but also as an important east-coast entrepot.

The responsibility for the efficient running of the market fell partly upon the guild court and officials chosen by the fraternity. The guild by August 1580 may have accounted for only about ninety-one burgesses in a population that has been estimated at approaching 10,000: a small elite retaining a firm, but challenged, grip on trading policy, while promoting the good of the community along with the burgh officers.⁴⁴ Both authorities imposed rulings on those permitted to trade within their precincts; and strict penalties were meted out for deviation from the regulations. The guild court concerned itself with infringement of its monopoly: the dealing in wool, hides, furs and skins and their related skills such as tanning; and the sale in the town of imports, mainly foreign, such as spices, fine cloths, wine and other specialised commodities. It was not for a 'symple burges [to] use the privilege of the gild'.⁴⁵ John Anderson, for example, a dyer, was not permitted to sell madder until after he had been accepted into the guild on the payment of forty shillings in November 1552.⁴⁶

Foodstuffs and other essentials could be sold by anyone at the official market as long as toll was paid. Fines or, on occasion, loss of guild or burgess freedom resulted from trading without permission or for dealing but of the town to the detriment of the burgh. The two forms of malpractice most firmly stamped upon were forestalling and regrating. The former, the purchase of goods before they reached the open market so avoiding the payment of toll, warranted a heavy penalty; as did regrate, buying in bulk and possible hoarding in order to sell at an advantageous time when prices were high. Jonet Howck, for example, was found by the assise to be 'a commone forstaller and regrater in bying of beir [barley] in gret quantite and having in hir hous and nocht lettyng cum to the mercat and bying of eggis butter fowlis and ches'. If the offence was repeated she would be banished from the town.⁴⁷ Forestalling and regrate were, however, common to most burghs: the chamberlains accounts for 1436 indicate a profit to the crown of £342.9.0 from punishment of these offences in king's burghs.⁴⁸

The primary aim of such measures and penalties was the adequate supply of essential commodities for the consumer, the townspeople. To this end, for example, the town council laid down in 1554 that only as much coal as would supply one house should be purchased by one person.⁴⁹ An inconvenient darthe of sclatis [slates] because of forestalling and "transporting the samyn till Leith Eddinbourche and all other placis to the gryt hurt of the commone weill of this towne' in 1556 resulted in a head court decision that unfreemen should be permitted to buy only enough slates for their own building.⁵⁰ The second purpose of the town authorities was to procure essentials at a reasonable market price and of a specified quality. Food and drink were top priorities. Although some bread was made at home, the baxters or bakers had a ready market. They were in consequence the subject of frequent legislation controlling the price, weight and quality of a loaf. On 8 August 1521 the council decided that the twopenny loaf

should weigh twenty-two ounces and the penny loaf eleven; by the following April concern over the availability of wheat encouraged an agreement with the deacon and craft of baxters that a twopenny loaf should weigh only sixteen ounces with the penny loaf half that weight. Although the price seems to have stabilised at twopence for an eighteen ounce loaf and a penny for nine ounces, shortage again demanded a return to sixteen and eight ounces for an eight day period in August 1523, although two months later, presumably after a successful harvest, a twopenny loaf was twenty ounces and the penny loaf half that weight. Inflation was making its mark by 1550: a fourpenny loaf weighed a mere twenty ounces, and in the October of the following year there was such a dearth of bread that all the deacons of crafts voted that the baxters should 'lose thare lettre for wanting of breid'. The baxters countered that the blame should be placed not on them but on 'the ewill weddir'.⁵¹ Ale was an almost equally important commodity and its price was regulated by the council, quality being closely monitored by the *appressiatores cervicie*, or 'cunnaris' or tasters of ale. In 1550 it sold at fourpence a pint, but if the tasters deemed its quality not up to scratch, it was to be sold for threepence.⁵² Fleshers, or butchers, were likewise under the surveillance of the *appressiatores carnum*. In 1521, for example, it was laid down that any flesher who 'bryngis ony demembret flesch blawyn or infectit with pokk or lung evyll to be convict thairfor' and his goods escheat.⁵³

That all transactions should be seen to be open and fair, selling took place at the market cross or in the booths lining the Marketgait. There was to be no dealing with 'straglaris or vagabondis'⁵⁴ or buying in 'myrk howsis and quiet loftis'.⁵⁵ Care had also to be taken that wool and lint were sold to those genuinely in the textile trade, and not to 'idill and insolent personis' who obtained their materials 'fraudulently from the neighbours'.⁵⁶ Booths were often temporary wooden structures abutting onto the fronts of houses. They served as both workshops and retail premises for craftsmen and merchants. Gradually, however, these encroaching extensions became incorporated into the permanent building, so reducing even further the width of the public thoroughfare. The east end of Overgait and corner of Marketgait, for example, were lined with locked booths or luckenbooths.

By the sixteenth century the burgh authorities were forced to recognise the impossible congestion in the market place. Hucksters, who dealt in petty goods in a small way, were the first to be banished from the market cross and Marketgait. They were permitted to sell only from their own doors or windows, or at the top of the closes where they lived.⁵⁷ Ten months later on 11 August 1551, the problem was even more acute: the council decided that in 'consideratioun of the calamite and truble cumand zeirlie upoun this bourgche be discensioun amang nychtbouris and oppressioun of strangieris in biggine of standis and tacking of rowmes upoun the hey merkat gait betuix the eist nuke of the old tolbuthe and kirk wynd' it was impossible to use the market without blocking the passage to the church of St

Mary. All crammers, chapmen and merchants dealing in 'small cremarie ware', that is petty merchandise, were to leave the market place and set up their stands to the south of the church, for which a charge would be made and given to the church repair funds.⁵⁸

This comment on an annual problem is probably a reference to another important event in the economic life of Dundee: the summer fair. This, the most important of the fairs, was held at the time of the festival of the Nativity of Our Lady in August and, according to the town council records, was called the 'letter' (later, latter) fair.⁵⁹ Dundee became packed not only with its own indwellers, neighbours from the rural hinterland and regular visitors from overseas, but also attracted traders from all parts of Scotland, England and abroad.

The town's importance as a distribution centre was, however, in evidence on a weekly basis. By the end of the middle ages market specialisation is clear. A meal market stood at the west end of Marketgait near to a salt tron.⁶⁰ This was one of the most important since it ensured a regular supply of grain and meal for the town, and was consequently subject to strict regulation to prevent fraud. Most detested was the export of foodstuffs in a time of want in the town. In April 1522 a fine was imposed for the ferrying of wheat in bulk to Leith.⁶¹ The following year three men were punished for buying foodstuffs in bulk and shipping them away 'to sell to uther burrowis in derth tym rasing and fostering of grete derth amangis the kingis liegis contrar the lawis and actis of parliament'.⁶² In January 1569, after a bad harvest in 1568, this market was to be transferred to the north side of Overgait at the end of a small close called St Salvator's, since its original proximity to the harbour too readily facilitated illegal transportation of grain out of the town by sea.⁶³ It was, however, returned to its original site twenty-one years later, where it remained until 1783.

A flesh or meat market was held every Friday and after the demolition of the Franciscan friary in 1560 a stone-built shambles or slaughter house was constructed at the east end of Marketgait, on a site a little in front of the present Clydesdale Bank.⁶⁴ Earlier shambles had existed outside the west port, but medieval men were not averse to slaughtering animals in their own booths or on the thoroughfare, which must have significantly raised not only the noise level in the bustling centre, but also the nuisance value to neighbours with bones and offal thrown out into the streets. By 1521, however, the authorities were beginning to come to grips with this problem, and any flesher that 'stand bledand on the gait' would be fined an eight shilling unlaw.⁶⁵ A fish market was also held. Originally at the market cross, it was transferred to the riverside, near Spalding's Wynd, on what became known in the seventeenth century as Fish Street. Gutting also took place *in situ*, and in spite of increasing interest in public cleanliness the fish traders must have left their malodorous mark.

Patterns of trade fluctuated throughout the middle ages as Dundee emerged from

a small settlement clustered to the east of Castle Rock into the second burgh of Scotland, but trade was the key to this transformation. The market place was perhaps the single most dominant lay influence on urban life, whether reflected in burgh government, the voyages of merchants or town morphology.

NOTES

¹ G.W.S. Barrow, *Kingship and Unity*, 85.

² W.C. Dickinson, 'Burgh life from burgh records', *Aberdeen University Review*, 1945-46, 224; F.W. Maitland, *Domesday Book and Beyond* (Cambridge, 1897), 193.

³ A. Ballard, 'The theory of the Scottish burgh', *SHR*, xiii (1916), 16.

⁴ PRO, c53/1 Mem 2. 26 October 1199, Chancery charter roll.

⁵ A.A.M. Duncan, *Scotland*, 505.

⁶ S.G.E. Lythe, 'The origin and development of Dundee: a study in historical geography' in *Scottish Geographical Magazine*, liv (1938), 349.

⁷ DDARC, CC1, no. 16.

⁸ DDARC, CC1, no. 17.

⁹ Disputes between these burghs, including Brechin which had a right to a market although not a burgh, were commonplace throughout the middle ages. Montrose Burgh Archives, M/W1/1/1. 1 September 1372. *Second report of the Royal Commission on Historical Monuments* (1871), 206.

¹⁰ DDARC, CC1, nos. 22 and 79. ¹¹ *Leges Burgorum*, c. xciv;

¹¹ *Assise Regis Willelmi*, c. xxxix.

¹² F. Pollock and F.W. Maitland, *The History of English Law Before the Time of Edward I* (Cambridge, 1895), 639.

¹³ St Andrews University Library, B65/1/1. fo.35r.

¹⁴ Anon., 'Review of C. Gross. The Gild Merchant', *The Scottish Review*, xxxii, 61—81 includes a date list of commencement of guilds, amended from that of Gross, *Gild Merchant*, i, 203-207. This, however, still contains some inaccuracies. See E.P.D. Torrie, 'Gilds Merchant pre-1550' in *Historical Atlas of Scotland*, ed., P. McNeil (forthcoming) for corrected list.

¹⁵ K. Hohlbaum (ed.), *Hansisches Urkundenbuch* (Halle, 1882-86), iii, no. 131).

¹⁶ M. Lynch, 'Towns and Townspeople in Fifteenth-Century Scotland' in *Towns and Townspeople in the Fifteenth Century*, ed. J.A.F. Thomson (Gloucester, 1988), 175.

¹⁷ M. Lynch, 'The Social and Economic Structure of the Larger Towns, 1450-1600' in *The Scottish Medieval Town*, edd. Lynch *et al.*, 269.

¹⁸ *Ibid.*

¹⁹ *Records of the Convention of the Royal Burghs of Scotland*, ed. J.D. Marwick (Edinburgh, 1866-90), i, 543; i, 519; ii, 10. The 1495 taxation figures come from H. Booton, 'Sir John Rutherford', *Scottish Economic and Social History*, x (1990), 21.

²⁰ Taken from Table 3, M. Lynch, 'Continuity and Change in Urban Society, 1500-1700' in R.A. Houston and I.D. Whyte (edd.), *Scottish Society, 1500-1800* (Cambridge, 1989), 98.

²¹ M. Lynch, 'The Social and Economic Structure of the Larger Towns, 1450-1600', 269.

²² Maxwell, *Old Dundee*, 117, 121.

²³ *The Compt Bulk of David Wedderburne Merchant of Dundee, 1587-1630, together with the Skipping Lists of Dundee 1580-1618*, ed. A.H. Millar (Edinburgh, 1898).

²⁴ S.G.E. Lythe, 'The Origin and Development of Dundee' in *Scottish Geographical Magazine*, 350; I. Guy, 'The Scottish Export Trade, 1460-1599' (St Andrews University, M.Phil., 1982) includes statistics on Dundee.

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- ²⁵ A.M. Smith, *The Three United Trades of Dundee* (Abertay Historical Society, 1987).
- ²⁶ M. Lynch, 'The Social and Economic Structure of the Larger Towns, 1450-1600', 272.
- ²⁷ Maxwell, *Old Dundee*, 357, 461; J. Maclaren, *The History of Dundee*, 88.
- ²⁸ DDARC, CCl.no. 16.
- ²⁹ DDARC, CC1, no. 30; MsDBHC, 11 March 1560/61.
- ³⁰ These were partially constructed from stone from the demolished Greyfriars' church.
- ³¹ Maxwell, *Old Dundee*, 106.
- ³² *Ibid*
- ³³ D. Defoe, *A Tour through the Whole Islands of Great Britain* (London, 1727), iii, 176.
- ³⁴ A.C. Lamb, *Dundee*, p. xlviii.
- ³⁵ In 'Scottish trade with the Baltic, 1550-1650' in *Economic Essays in commemoration of the Dundee School of Economics 1931-55* (Coupar Angus, 1955), ed. J.K. Eastham, S.G.E. Lythe argues for only two trips per year from Scotland to the Baltic. Research by Professor T. Riis, however, suggests that this may be unduly conservative: three such trips were a possibility even in the early sixteenth century.
- ³⁶ S.G.E. Lythe, *Life and Labour in Dundee from the Reformation to the Civil War* (Abertay Historical Society Publication, 1958), 22.
- ³⁷ Photographic evidence in Dundee Museum and Art Gallery (mainly gelatine glass lantern slides); Wellgate Library, Dundee (Wilson Collection of photographs); St Andrews University Archives (Valentine Collection of plates and negatives); Aberdeen University Library (Washington Wilson Collection of photographs).
- ³⁸ Lamb, *Dundee*, p. xia.
- ³⁹ Anon., *Guide Book to the Old Steeple of Dundee* (Dundee, 1904), 23.
- ⁴⁰ Lamb, *Dundee*, p. xiiia.
- ⁴¹ MsDBHC, 9 October 1553.
- ⁴² MsDBHC, 9 October 1523.
- ⁴³ MsDBHC, 7 June 1521.
- ⁴⁴ University of Dundee Archives, Ms 67/4/3 - Notebook of R.C. Buist; S.G.E. Lythe, *Life and Labour in Dundee*, 5.
- ⁴⁵ MsDBHC, 7 October 1550.
- ⁴⁶ MsDBHC, 22 November 1552.
- ⁴⁷ MsDBHC, 19 September 1521.
- ⁴⁸ I.F. Grant, *The Social and Economic Development of Scotland Before 1603* (London, 1930), 400.
- ⁴⁹ MsDBHC, 1 October 1554.
- ⁵⁰ MsDBHC, January 1555/1556 Head Court.
- ⁵¹ MsDBHC, 8 August 1521; 9 April 1522; 31 August 1523; 6 October 1523; 7 October 1550; 15 October 1551.
- ⁵² MsDBHC, 7 October 1550.
- ⁵³ MsDBHC, 4 October 1521.
- ⁵⁴ MsDBHC, 20 June 1552.
- ⁵⁵ MsDBHC, 5 October 1556.
- ⁵⁶ *Ibid*
- ⁵⁷ MsDBHC, 7 October 1550.
- ⁵⁸ MsDBHC, 11 August 1551.
- ⁵⁹ MsDBHC, 12 July 1553.
- ⁶⁰ MsDBHC, 4 August 1551.

⁶¹ MsDBHC, 9 April 1522.

⁶² MsDBHC, 9 April 1522.

⁶³ Maxwell, *Old Dundee*, 137.

⁶⁴ Lamb, *Dundee*, p. xiib.

⁶⁵ MsDBHC, 4 October 1521. Archaeological and documentary evidence for Aberdeen, Perth and Dunfermline suggests that animal slaughter in public places was common practice.

CHAPTER V

THE GROWING TOWNSCAPE

Profound changes in the urban setting were inevitable, and modern Dundee retains little architecturally of its historic past: the basic street pattern in the central core of the town is one of the few reminders of the middle ages. But documentary evidence is not so minimal as to preclude an assessment, albeit partially conjectural, of the developing townscape. Nineteenth-century cartographic evidence also provides an insight into the burgh morphology when the early-modern thoroughfares are stripped away to reveal the medieval street pattern.¹ In recent years work by the Scottish Urban Archaeological Trust has shown that not all archaeological data has been destroyed by modern redevelopment: it seems possible, though unproven, that quite substantial evidence relating to the early orientation and frontage development of the medieval burgh streets may be obtained in specific parts of the town, particularly where street levels have risen, and where there have not been detrimental effects from eighteenth and nineteenth-century levelling and regrading.²

Historical evidence is slight, but it is clear that some settlement in Dundee had spread westwards out of the Seagait by the end of the twelfth century. A shore track led westwards towards Perth from the town and gradually dwellings were developed along it. Earl David of Huntingdon, for example, possessed property on the section of the track that became named Flukergait, later Nethergait, close to a small path leading to the shore. This house remained at least partially in existence until 1496 when a charter refers to the gable of 'Erie David Huntlentoun's Haw' as a property boundary.³ Another piece of land belonging to one Thomas Colville, who witnessed a charter of William the Lion c. 1189, passed after his death to the monks of Coupar Angus. To the east was the land of John le Scot which he granted to the abbey of Balmerino. Thirteenth-century subdivisions make it clear that these sites were not only becoming developed but also that they were to the west of the path to the shore, across from the Earl of Huntingdon's residence.⁴ The first documented name for this passage running to the shore was Abbotis Wynd, probably because of the ownership of abutting property. By the mid-fifteenth century it was called Spalding's Wynd after David Spalding, a prominent burgess who represented the town in parliament between 1456 and 1458, and owned property there. This was changed to Couttie's Wynd: William Couttie acquired a tenement in 1521 and his family subsequently became large property owners on the west frontage.⁵

The existence further east of another lane leading to the shore from the Perth track is indication of building or 'bigging' in this area also, although there is no

documentary evidence of twelfth-century development of plots. This section of the track between Flukergait and Seagait became called *vicus major*, later Marketgait and eventually High Street. The vennel leading to the shore from the *vicus major* is described in thirteenth-century charters as 'the road that leadeth to the castle' or Castle Wynd. A property built on the east side was given by one Norman to the Abbey of Balmerino as early as before 1268,⁶ and it is possible that further ground between this passage and the castle had formed part of the endowments of the abbey of Balmerino.⁷ The name of this wynd, too, was changed: about 1314 it became 'Skirting's Wynd' after Bailie Alexander Skirling or Scralange; and later, in 1563, Tindal's Wynd when David Tindal, Tendall or Tendell, a prominent burgess and baker, purchased a house on the north-east side of the lane.⁸

The designation 'Castle Wynd' for this vennel running down the west side of the rocky outcrop, later named Castle Hill, implies the existence of some form of fortification in the region, although the first specific reference to a castle is not until 1290. In this year Brian de Fitz-Alan was made custodian of the castles of Forfar and Dundee by Edward I of England.⁹ There are no details of the construction, other than some questionable structural evidence from eighteenth- and nineteenth-century accounts. From the eighteenth century there is record of the discovery of vaults while foundations of buildings peripheral to the Castle Rock summit were being laid. Masons engaged on this work broke into the 'vaults' but immediately back-filled the revealed cavities.¹⁰ These may have been associated with the early castle. It has also been claimed¹¹ that in the late eighteenth century the timber-fronted Bluebell Inn which stood south of the Murraygate—Seagate junction incorporated in part the magazine of the castle. There is now no means of verifying this claim, but it is not impossible that part of the castle structure survived on the flank of the rock. It has been argued that the fortification was extensive, and maintained at least 130 knights and horsemen within its walls. This may be supported by the details of the provisioning of the castle in various records. Between January 1310 and February 1311 Sir Piers de Gavestone, earl of Cornwall, resided in the castle as governor of Dundee and warden and lieutenant of King Edward in Scotland north of the Forth. He was succeeded in the custody of the castle by Sir Alexander de Abernethy and then in 1312 by William de Montfichet. The size of the garrison during these three years can be illustrated by the *Exchequer Rolls*. The accounts during de Gavestone's term of office, for instance, included twelve casks of flour, thirty casks of wine, twelve lasts of red herring, 12,000 stock-fish, 100 cod, bobbe and ling, malt beans and oats, although all provisions would not necessarily be destined solely for the occupants of the castle but also possibly for retainers nearby.¹² The Wars of Independence at the turn of the thirteenth and fourteenth centuries meant a chequered existence for Dundee and its castle. Taken by the English, the castle was then successfully seized by Alexander Scrymgeour, who was, in reward, made hereditary constable of the castle by William Wallace.¹³

It has been claimed that the castle was destroyed on the instruction of Wallace. There is, however, more than adequate documentation to show that it survived into the fourteenth century, falling into the hands of both the English and the Scots.¹⁴ From the time of Bannockburn (1314) all recorded evidence of the castle disappears. Whether it was dismantled by Edward Bruce, brother of the king, or abandoned and destroyed by retreating English under William de Montfichet is not certain. Robert I in February 1318, granting by charter to Nicol Scrymgeour a continuation of the office of constable, makes no mention of a castle.¹⁵ The king's important charter of 1327 confirming to the burgh all its ancient rights and liberties, moreover, does not refer to a castle, although burgh charters did not necessarily mention existing castles; but it is reasonable to infer that to all intents and purposes it had ceased to exist.

The area remained vacant and annual rents of the late fifteenth century suggest that the land was still undeveloped.¹⁶ The name, however, survived in Castle Wynd, Castle Mill, Castle Burn and Castle Hill. The constables continued to hold their barony court on the hill; and it is said that the ruins of the fortification were still visible in the sixteenth century.¹⁷ In the seventeenth century a colossus statue of Apollo was built on top of the hill as a landmark for shipping, and even into the late eighteenth century sasines indicate that the statue stood in a garden surrounded by very few houses. The c. 1780 view of the harbour by Methven gives a clear illustration of the site of the castle prior to blasting away for road improvement.¹⁸ St Paul's Episcopal Church, High Street, however, still clings to a small remaining portion of this dolerite exposure.

Settlement in the thirteenth century appears to have clustered around the castle, even though there was some development near Spalding's Wynd. This is confirmed by the references to the church of St Mary, founded by David, Earl of Huntingdon, as being sited in a 'field' or 'fields'. The church was, thus, outwith the urban centre at the western edge of settlement, but only approximately a quarter of a mile from the castle. Indeed, Seagait remained the commercial nucleus of the town until the fourteenth century, which is confirmed by the grant of land by Robert I in 1325 for the erection of a tolbooth there.

The concentration of settlement around the castle was to be expected. Not only would the fortification afford protection to the townspeople, but also the supplies and services required by the occupants of the castle provided an outlet for the skills and produce of the burgesses and indwellers of Dundee. There is no indication that there was a royal residence in the burgh¹⁹ and the king and his entourage probably favoured the castle as secure headquarters, rather than a town house, even though that of the Earl of Huntingdon would have been prestigious for its time. The castle must have had a profound effect, both socially and economically, on the lives of the inhabitants of the town; but this, as with so much else in early Dundee, remains in obscurity. What is, however, clear is that the

laying out of streets and burgage plots in this nucleus around the castle was not haphazard. Many Scottish burghs were, in effect, plantations, with colonizing of the burgh specifically encouraged by a policy of 'kirseth'. This was a period of time varying usually from one to seven years, although ten years was occasionally granted, during which the incomer was free from burgh taxes to enable him to 'big' his burgage plot.²⁰ The most common street pattern in Scottish burghs was based on a single street, sometimes bounded partly or entirely by a back lane.²¹ Dundee's early plan may be seen as a variant of this model with the main street along which the most intensive development was concentrated being the Marketgait-Seagait alignment. Flanking the sides of the thoroughfare were the burgage plots or rigs or tofts - narrow strips of land forming a herringbone pattern.²² In the thirteenth and fourteenth centuries the majority of these plots would have housed a single tenement with a long garden at the rear. Some of the plots on the periphery remained gap sites well into the medieval periods, but this was not the case in the market centre where pressure for space encouraged further building at the rear of plots — repletion. The town council records show that those who lived to the rear in the backlands of plots should have free 'ische and entrie' through the foreland.²³ This necessary insistence on access resulted ultimately in the central core of the town becoming a jumble of closes and tiny vennels, some leading to backland properties and others to and from the shore.

When initially laid out, frontages would have been of equal width; and concern for the exact measurement of land may have been rooted in the use of a burgage rood as one of the qualifications for burgeship. The *Laws of the Four Burghs* specified that the standard was to be one 'burgh perch', which was said to be three metres (almost ten feet),²⁴ but it has been suggested that there was a common standard throughout Europe of between twenty-eight and thirty-two feet.²⁵ There were, however, variants. Excavations at Perth in the middle of South Street, for example, suggest a burgage frontage of twenty feet;²⁶ and in Dunfermline cartographic and sasine evidence indicate frontages of twenty-two and a half feet,²⁷ with at times a variant of between twenty feet and nine inches and twenty-five feet. There is no archaeological information available for Dundee's plot size. Cartographic evidence may, however, be used, taking into account amalgamations and subdivisions. John Wood's survey map made in 1821, with ordnance survey maps of 1851 onwards give more precise details than eighteenth-century works. Modern plot boundaries are shown clearly, and bearing in mind that street lay-out and plot boundaries are considerably less mutable than other urban features, the assumption is made that there is at least a correlation between these and medieval burgage plots. This would appear to be confirmed by recent excavations in Perth, which suggest a marked continuity into the nineteenth century of medieval property boundary lines.²⁸ Following this system of cartographic analysis, there appears a fairly consistent pattern along the south side of Nethergait which indicates a frontage of approximately 20.8 feet. This is to a large extent confirmed

by measurements on the north side of Overgait, although in this street the occasional burgage plot might have stretched to almost 25 feet, suggesting a pattern similar to that in Dunfermline. Further research into the burgh sasines of Dundee might reinforce these calculations and offer some evidence on the depth of burgage plots.

The task of ensuring that these plot boundaries were respected fell to the liners. The burgh court records show that they faced a difficult task in an age when burgages were delineated by markers as insignificant and transient as small gullies, primitive fences, washing line posts, midden piles or little crosses of wood pushed into the ground.²⁹ The preoccupation with lining disputes by burgh courts throughout Scotland is a clear indication that good neighbourliness did not embrace toleration of encroachment into burghers's rightful property by even a matter of inches.

Equally clear is that congestion in the central area became acute as the middle ages progressed. In many towns there is evidence of 'market repletion' in an attempt to solve this problem - parts of the open market area were swallowed up by building encroachment. Inverkeithing and Alnwick are only two such examples. In Dundee also, as suggested earlier,³⁰ there may have been a similar change of function of market space when the new tolbooth was built in the mid-sixteenth century. Overcrowding in the central core was common to many towns throughout Scotland and England and the practice arose on some sites of placing gable ends to the street frontage - a more economical use of space.³¹

Lack of space determined that settlement crept out from the urban nucleus. But factors other than population increase affected the townscape. Growth in medieval Dundee had of necessity to be linear: to the north of Marketgait rocky ridges and marshy swamps in the region of the Scouringburn were not conducive to building. The siting of the Greyfriars' friary to the north of Overgait, but outwith the town precincts as was the custom, gives clear indication of how little the built-up area had stretched northwards.³² By the fifteenth century at latest, according to documentary evidence, the medieval street plan, the nucleus of the present road system, had been formed. Tenements were established to the west of St Mary's church along the Flukergait, one section between Marketgait and Tally Street sometimes taking the name 'Our Lady Gait' after St Mary's Church.³³ The twentieth-century Flukergait or Nethergate follows approximately the line of the medieval street, although as early as 1776 Crawford's map of the town shows alterations to the original alignment between High Street and South Lindsay Street, the most dramatic change being that to the frontage on the north side at St Mary's church where the kirkyard was partially built over. Some clearing of sections on the southern frontages was made to lay out South Tay Street and Crichton Street by 1783, Union Street in 1828 and Whitehall Street in 1883. Otherwise frontages were maintained until the 1960s when Tally Street to Reform Street junction was redeveloped and, later, the building of the Nethergate Centre was commenced to the rear of 66-80 Nethergate.³⁴



Fig. ix Conjectural sketch map of Dundee in the late fifteenth century.

Another early medieval thoroughfare leading out of Marketgait was Argyllisgait or, as it became called, Overgait, that is the upper route, as opposed to the nether gait, the lower route. The street was to become artificially narrowed at its eastern end by the projecting wooden locked booths or luckenbooths, close by the market centre. Otherwise Overgait functioned largely as a residential street with better quality housing, probably with the home of the family of Hector Boece at its west end in the fifteenth century. From the mid-sixteenth century, however, it was gradually colonised by spinners and weavers who subdivided the properties and set up workshops in the backlands, supplied with water from the Scouringburn. Crawford's map of 1776 shows little alteration to this medieval street other than some backland repletion and development over St Mary's kirkyard. By 1831 North Lindsay Street was inserted through Overgait and over the quarried and levelled Corbie Hill which stood to the north-west, the luckenbooths were cleared by 1858 and their site rebuilt, and in the 1960s the entire street and its associated closes and vennels were cleared to make way for the Overgate redevelopment. There is now no trace of the medieval thoroughfare.³⁵

Seagait and Murraygait forked eastwards out of Marketgait. The records of medieval property transactions, if available, would give a clearer picture of the status of Seagait after the removal of the market centre westwards. Cartographic evidence suggests that there had been sparse development in this thoroughfare by as late as 1776, and that the town expanded further east only with eighteenth-century industrial development. Murraygait, although not as old as Seagait, was one of the earliest roads in the burgh, being the principal exit north. Along with Overgait it was to become known as a desirable residential street for wealthier members of society and later, along with Dyers' Close, a centre of the listers craft. By the end of the middle ages it had experienced intensive development up to Wellgait, a thoroughfare showing ribbon development but not heavily built up because of marshiness, although it did have dye works, a malt house and some merchant housing. Beyond lay Hilltown or Bonnethill, so named because from at least 1529 the inhabitants made their living from the production of knitted bonnets from woollen yarn manufactured in Dundee. The alignment of modern Murraygate is basically that of the medieval street, though considerable upgrading has taken place, most particularly at the small southern neck of Murraygait, once called 'the narrows', being of a maximum breadth of eighteen feet.³⁶ All of the properties on the upper side of the Narrows were purchased and demolished before August 1876. After widening, the hollow, which had risen sharply as it approached the entrance to Marketgait, was partially infilled and some shops and tenements were provided with steps down from the street to reach the old floor levels. As a result it is possible that deposits of archaeological interest are sealed in this area, and may provide valuable information on one of Dundee's six main medieval streets.³⁷

Dundee's sixth and most enigmatic thoroughfare was Cowgait. It was one of the early streets in the medieval town, but how much settlement there was, and whether it may be viewed as merely a back lane to Seagait is not clear: at least one toft on Seagait extended right back to Cowgait, with no development on the latter thoroughfare.³⁸ It probably declined in the fifteenth century with the shift in emphasis to the new market centre; and it was to suffer considerably from sixteenth- and seventeenth-century attacks on the town. Some of the upstanding buildings were deliberately removed on town council orders when the seventeenth-century town fortifications were under construction: they were deemed to be too close for safety to the burgh's encircling wall. It seems that Cowgait remained sparsely inhabited until into the eighteenth century: in 1756 it was claimed that the street consisted merely of yards and old walls and only two houses were occupied.³⁹ Unlike the old Wellgait road, lost beneath the Wellgate Centre, Cowgait remains, but is best noted for the extant port, or gate, of the burgh in the street.

The burgh ports were significant landmarks on the townscape: they defined the town limits. Their function initially was more as psychological than physical barricading and symbolically the ports stressed the individuality and independence of the burgh. They served basically a dual purpose. Firstly they functioned as collection posts for tolls from outsiders who came to use the town market. Equally important was the control of undesirable persons likely to be a burden or source of annoyance to the townspeople, particularly during the times of rapid spread of epidemic diseases such as plague. Burgesses also had ready access to and exit from the town through their own backlands where the rigs abutted onto the burgh boundary, and many burgage plots had their own small back gates out of the town. This was possible because most Scottish burghs were not walled in the manner of York, Southampton, Carcassonne or Siena, for example. The traditional Scottish fortification was more like that of Linlithgow — a dyke and wooden palisade that was not always secure enough to withstand a strong wind.⁴⁰ Although Stirling, Peebles and Edinburgh had substantial stone defences by the middle of the fifteenth century,⁴¹ stone walls did not become common in Scotland until the sixteenth century, and albeit that Dundee's records are scant, there is nothing to suggest that the town was protected by more than a glorified 'heid dyke' for most of the medieval period. It has been suggested that the burgh was given more formal, stronger fortifications in the late 1540s by the English and then French mercenaries.⁴² If achieved, which in itself is doubtful, little of the improvement seems to have survived, for in 1582 the town council enacted that 'all back dykes be biggit up and repairit sufficiently quhair the same are decayit or broken down' and that 'the back yetts of every tenement be made sufficient with locks, bands and uther necessities and closit every nicht'.⁴³

No information on the precise siting of the town ports for the majority of the

medieval period has to date come to light. Sixteenth-century documentary sources, however, offer clues, although there is no reason to necessarily accept that sixteenth-century sitings of town ports were identical with earlier positions. For burghs with fuller documentary evidence than that available for Dundee, it is clear that ports were often moved outwards from the urban nucleus to enclose the settlement that had expanded beyond the port.⁴⁴ The East Port stood in Seagait. It has been suggested, with no supportive evidence, that its site was at the later junction of Seagate and Sugarhouse Wynd (originally called Our Lady Wynd) (NO 4060 3058), and that it may have been superseded in 1591 when the town defences were improved.⁴⁵ These latter innovations were a direct result of royal permission, sought by the council, to fortify the town with a wall, although the town records suggest that advantage was taken of existing or planned walls: one David Fleming, for example, was 'bound and obliged to big the back dyke of his tenement [on the west side of the Wellgait] to serve for the town's wall... of sic heicht, thickness and breid as the council sail appoint'.⁴⁶ Slezer's engraving of Dundee from the east, c. 1668-1670, indicates, however, that the port was not demolished, or, if it had been, it was reinstated, and references in the council minutes in 1605 and 1644 to the Seagait Port as one of the defences of the town⁴⁷ show that it still had at least some role to play in the security of the burgh. Documentary evidence also suggests that by the early seventeenth century Seagait Port stood to the east of Sugarhouse Wynd.⁴⁸ Whether this was its medieval position is unclear, but it must originally have functioned as one of the principal town ports, controlling as it did the entrance to the town from the east and the shore.

A port had stood in Friars' Wynd, near to the Greyfriars' house, prior to the Reformation⁴⁹ and the friary walls apparently formed an integral part of the town defences. After the destruction of the Franciscan establishment in 1560 the port was left somewhat exposed, and a ruling in autumn 1566 that it was forbidden 'to clyme the dykes of the burial place [part of the friary site] in time coming'⁵⁰ may be an indication of lack of security in the area. Unusually, and because of these special circumstances, the port was resited closer to the town centre in 1588. On 5 October the burgh council ordered that the Friars' Wynd Port should 'be instantlie removit fra the place quhair it stands and placit mair inwardlie aequallie with the middle dykes upon the south side of the convent yairds'⁵¹ where the friary wall remained substantially intact.

At least some form of barricading barred the entrance to the town through Murraygait prior to 1553; and in 1569 the town council required the port to be 'repairitt and biggit'.⁵² This was not, in the event, effected for nearly twenty years, even though a house at the junction with the Cowgait had been demolished in preparation.⁵³ Whether or not this was the site of the first Murraygait Port is unclear. It would certainly be likely if Cowgait formed an integral part of the medieval town plan that Murraygait Port should stand beyond the junction of the two streets.

There were two gates or barrasses (wooden barricading) to the west of the town, the more important being the West Port, or Argyle's Port, or Overgait Port, since Overgait was the main thoroughfare leading west. This was in existence by at least 1550, but in spite of its importance little is known of its structure or site.⁵⁴ References to masons working on it in 1586 and again in 1591 when it was rebuilt⁵⁵ indicate a stone structure; but an earlier port may have been merely of wood. It has been thought that the Nethergait Port to the south of West Port was a wooden structure since it is referred to as the 'Nethergait barrass'; however it is referred to as early as 1520/21 as 'the flucargait port', but this in itself does not disprove that it was fashioned in wood.⁵⁶

The only extant port, that at Cowgait, probably owes its survival to its association with George Wishart: it was reputedly from here that Wishart preached in 1544. Whether or not this is a fallacy is unsure, but if apocryphal, it was a myth that had arisen as early as the eighteenth century. Arguments against its authenticity as a late medieval port range from the claim that it was transported from elsewhere, and was therefore not a genuine Cowgait Port, to the theory that it was constructed only in 1650 when the town was heavily fortified with stone walling. In 1603, however, the town council decided that due to the threat of plague 'the Nethergait and Cowgait ports be closit and na way openit'.⁵⁷ This not only confirms the existence of a port on the Cowgait, but also suggests that since these two ports could be permanently shut they were of relatively less significance and less used than Seagait Port in the east and Overgait Port in the west. However, the extant port on Cowgait is a not unimpressive structure, and is, perhaps, too imposing for a town gate that played merely a secondary role. It is possible that the port that existed in 1603 was a simple barrass, and that the present port was an integral part of the 1650 fortifications. This port deserves further study through primary documentary sources to more precisely determine its origin and function. A trial excavation, however, was undertaken in Dundee beside the Cowgait Port or Wishart Arch in the summer of 1989 by the Scottish Urban Archaeological Trust. This produced further information on the port. Unfortunately, because it was not possible to fully excavate a trench beside the arch there is no evidence to date it. Another trench was, however, dug in the car park about four metres south of the port. From the lower levels, it appeared that there had probably been on this site a building of seventeenth-century occupation, although its origins may have been earlier. Beneath this structure was a stone drain, and, running more or less in line with the arch, a wall, probably a boundary. This boundary was thought to be either a timber fence or a stone dyke, but it was not deemed substantial enough for a defensive town wall. Since both the drain and the boundary were thought to be medieval, on account of the sherds of pottery discovered at the same level, the conclusion, drawn from documentary sources, that Dundee was not surrounded by a highly defensible wall in the middle ages would appear to be confirmed.

This presupposes that the extant town gate stands in its medieval position, and that the excavated wall was sited at the burgh boundary. The evidence is not definitive, but the findings of the Scottish Urban Archaeological Trust would appear to support this also. It was concluded that 'the presence of a drain beneath [the building occupied in the seventeenth century] suggests that the ground had been an external area - backlands or garden' and that 'the property boundary [marked] the limit of the burgh'. Moreover 'the wall line respected the drain which would have emptied eastwards, through a gap in the wall, into what was waste ground until the second half of the eighteenth century'.⁵⁸ This would seem to suggest that the extant Wishart Arch, whether or not correctly named, at least stood on the same site as the late-medieval port or barrass.

The lack of information for the medieval period concerning the town's ports is particularly unsatisfactory. More precise details of date of erection, siting and mode of structure would provide not only an insight into the extent of the townscape, but also into the degree of sophistication of building prevalent at the time. What is clear is that by the end of the middle ages Dundee remained a closely confined unit, stretching less than three quarters of a mile from east to west and a mere three hundred yards from shore to Friars' Wynd Port.

The number of people who lived within this limited area is difficult to calculate. It has been argued that in 1645 the population was in the region of 11,200;⁵⁹ which is to some extent supported by an independent assessment of between 8,000 and 10,000 in 1651, after the heavy mortality inflicted by Monck's troops the previous year.⁶⁰ An interesting figure, unknown to both commentators, is that given by John Barre, vicar of the parish church. On 10 March 1487, he referred to his large charge which had 'more than four thousand communicants'.⁶¹ In the fifteenth century youngsters did not become communicants until mid-teens. If, then, this figure is multiplied by 1.7, to include the population of age group 0 to 14,⁶² there is suggested an overall population of 6,800. Such figures can only be very rough guidelines, but perhaps serve for comparative purposes with other towns. A century later, in 1592, the kirk session of St Giles estimated that Edinburgh had 8,000 communicants, which is an interesting comparative figure for that of Dundee, given the rise in town populations during the sixteenth century. Edinburgh, it is thought, had a population of about 15,000 in the late sixteenth century; and for the same time estimates of the number of inhabitants in Aberdeen vary from 4,000 to over 7,000.⁶³ Assessments of lesser towns show Glasgow with a population of about 1,500 in 1450,⁶⁴ and Dunfermline perhaps around 1,100 in 1500.⁶⁵ Numerically, Dundee, with the possible exception of Aberdeen, probably stood second only to Edinburgh in the late middle ages.

Within the urban space the secular landmarks were the market place, tolbooth and harbour; and, in particular, until the early fourteenth century, the castle which dominated the townscape. But a further significant influence on the urban scene,

both architecturally and emotionally, was the church. There is considerable obscurity over the early history of both of Dundee's medieval churches; and the destruction and removal of burghal records necessitate a heavy reliance on early historians and on the charters of Lindores Abbey. Boece in the *Scotorum Historiae* relates a circumstantial tale of David, earl of Huntingdon on return from crusade in the Holy Lands, being driven by storm from Norway and arriving ultimately to safety in *Alectum* — or as it was subsequently called, *Deidonum*, the 'gift of God' — Dundee. In thanks for his safety Huntingdon established a church 'in the field which was called the wheat field', dedicated to the Virgin Mary, to serve as the parish church. From then Dundee was considered to be under the Virgin's protection 'except that the greater part of the townspeople resorted much to the very old church of St Clement'.⁶⁶ William Stewart produced between 1531 and 1535 a metrical version of Boece's *History*. He also relates the founding of St Mary's church, although there is no mention of St Clement's.

This erle David thair with his own hand foundit ane kirk in ane field at that
cost quhilk in that tyme wes callit the Quhit Cross, in to the honour of the
Virgin puir, eternallie in that place till induir.⁶⁷

Bellenden's translation of Boece's *Chronicles*, published in 1536, however, omits all reference to St Mary's and St Clement's.⁶⁸

There is no contemporary documentary evidence to prove that David, earl of Huntingdon established a church in Dundee, nor that St Clement's was already in existence. Boece's account of St Mary's foundation, dedication and function as parish church is, however, very precise, as is his reference to the 'very old church of St Clement'. There is no doubt that a church and a toft in the burgh were presented by Huntingdon to the monastery of Lindores, which he had founded and was dedicated to St Mary, between 15 February 1198 and 10 July 1199.⁶⁹ But there is no thirteenth-century indication as to whether this church was that 'in the field' or St Clement's. St Clement's is specifically named in a charter of Earl John, son of David of Huntingdon, between 1232 and 1237: a toft in Dundee was stated as being *proximum tofto Sancti dementis versus occidentem*.⁷⁰ More precisely, between 1244 and 1273 a land of the vicar of Dundee is specified as *iuxta ecclesiam Sancti dementis martiris*.⁷¹ Certainly by the thirteenth century two churches were already established in or beside Dundee, St Clement's to the west of the castle and a church 'in the field', which by 1256 was quite specifically named the church of St Mary.⁷² Although St Mary's is not called the parish church in documentary sources until the fourteenth century,⁷³ the appointment of a vicar from before 1226 would presuppose this status.⁷⁴ That both churches held an importance in burgh life is indicated by the medieval seal of the burgh, which shows on one side St Clement and on the other, the Virgin and Child.⁷⁵

It has been mooted that the dedication to St Clement suggests an earlier origin

than that of St Mary, but such latter dedications are not unknown in Scotland in the earlier middle ages. It is perhaps significant, however, that a favoured dedication for early churches in Scandinavia, particularly Denmark, was that to St Clement; and the distribution of St Clement dedications along the east-coast ports and estuaries of Britain may be a reflection of Scandinavian trading influence. Equally telling is the argument that St Clement's was 'almost certainly the earliest church erected in Dundee' because it was 'at the very centre of settlement'.⁷⁶ It is possible that the siting of St Clement's so close to the castle, at the foot of Castle Rock, is an indication that it served the castle and its associated community. This would not be inconsistent with its use by the townspeople, perhaps as the earliest church of the *parochia*, nor with its lands being the burgh's common burial ground until the Reformation. As the burgh grew and settlement moved westwards the newer church, dedicated to St Mary, may have been more generally accepted as the church of the parish, as happened in other burghs, for example, in St Andrews with the church of die Holy Trinity. Indeed, it is uncertain how significant a role St Clement's played in the worship of the townspeople by 1540. In this year the last 3fficiating chaplain granted the feu-ferme of the manse to one of his relations;⁷⁷ and in the next ten years there was considerable encroachment an the church lands by private dwellings, a trend that accelerated rapidly at The Reformation.⁷⁸

St Clement's churchyard stretched from the Marketgait to the harbour and from present day Crichton Street eastwards to Tindal's Wynd. It has been calculated that immediately prior to the Reformation the church itself was 42 feet long, east to west, and 18.5 feet wide; the arched roof was supported by pillars; and there was a hanging staircase above the west door, and perhaps another further east, giving access to a gallery.⁷⁹ Its manse which stood south-east of the church was a 'massive building of three irregular floors, with overarched windows. There were several curious sculptured chimney-pieces in it, and its principal external feature was a projecting turnpike stair surmounted by a high pitched chamber'.⁸⁰ There are no details of the architecture of St Clement's before the sixteenth century. More is known of the church dedicated to St Mary, although there is no evidence of its style of construction in the thirteenth century. The opinion that the eastern portion or 'lady chapel' was sufficiently complete by 1206-1208 to house the marriage ceremony of Margaret, the daughter of David, earl of Huntingdon, to Alan, earl of Galloway is unsubstantiated.⁸¹ It is known that the church was burned by Edward I in 1296, and again in 1385 there is evidence of further destruction by the English. Froissart relates that 'thay brent the towne of Donde; the Englysshmen spared nother ibbeys nor minsters, but set all on fyre'.⁸² It is probable that extensive reconstruction work followed soon afterwards.

As with the early church of St Mary, there are no records of the Architectural details of this new, or further, building. The extant great western tower in the late decorated style of the fifteenth century gives some indication of its structural

splendour, in spite of the loss of much of the richness and detail of the carving, and possibly, although not proven, also of a roof structure in the shape of a crown similar to that of St Giles', Edinburgh. If the traditional practice of commencing at the east end of the church was followed, the eastern portions may have been built in the early decorated style, perhaps at the end of the fourteenth century, while the nave would have displayed more of the character of the great western tower. By 1442/43 the burgh had entered into an agreement with the abbot and convent of Lindores, and, in return for certain rentals within the burgh, the town took over the traditional responsibility of the rector, in this instance Lindores, for the choir: 'the sole burden of constructing, sustaining, reforming and repairing the choir in its walls, windows, pillars, window-glass, wood-work, roof and covering as well above as below; as also of the vestments, books, chalices, palls and cloths of the great altar, and other ornaments whatsoever in any manner belonging to the choir'.⁸³ It has been suggested that this transference of responsibility was prompted by the dilapidation of the choir; that its condition was such that it could not have been a new structure; and that it had, in consequence, at least partially survived the 1385 ravages.⁸⁴ It is possible, however, that the poor condition was exaggerated by the townspeople, and that the choir was suffering from mere neglect rather than extreme decay. Improvements were effected by the burgh, most notably the roofing of the choir with lead in the 1460s, and in January 1490/91 there is specific reference to the 'new aisle'.⁸⁵ Before the end of the century the northern transept was constructed, and the new church of St Mary complete in its exterior structure.

In size alone this was one of the outstanding parish churches of Scotland. With a length of approximately 286 feet it rivalled Arbroath abbey and Glasgow cathedral, while its width, over transepts of 174 feet, is the largest recorded for a Scottish church. The tower remains as the highest surviving medieval ecclesiastical tower in Scotland.

There was a nineteenth-century tradition that the first church in Dundee was neither St Clement's nor St Mary's, but, rather, that dedicated to St Paul, which, it was claimed, was sited between Murraygait and Seagait.⁸⁶ The belief in its existence is based on 'niches, sculptured stones and pieces of mouldings, relics of the demolished and desecrated pile' set into nineteenth-century buildings and a 'burial ground attached to the church'.⁸⁷ There is nothing to prove, however, that the architectural fragments, perhaps with religious associations, actually came from ecclesiastical buildings on this site; they may have been transported from elsewhere and incorporated into later buildings in much the same manner as stone from the Blackfriars' and Greyfriars' houses was utilised on the harbour and other works. Nor is it proven that the bone remains discovered were human; they may have been animal bones in a midden. There is no apparent documentary evidence to support the existence of this church.

Confusion may have resulted from a tenement in this region named St Paul's Land. Referred to as such between 1556 and 1565;⁸⁸ it is possible that its rentals supported the altar of St Paul in the parish church of St Mary.

This confusion of tenements and rentals from tenements to support chaplainries or altars with the object of the charity has resulted in the assumption that there were many chapels in Dundee. There is, however, documentary evidence for only a few, although several more may have existed. At the west of the town harbour on St Nicholas Craig stood a chapel dedicated to the same saint. There is no record of its foundation, but it is known that in 1490 it was conveyed to Alexander, master of Crawford, son of the fourth earl.⁸⁹ It remained in the hands of this family until its forfeiture in the mid-sixteenth century when it passed to Lord Lindsay of Byres. In 1597, however, it reverted to the Crawford family when Earl David received from James VI 'the craig called St Nicholas Craig within the sea mark of Dundee, with the fortalice, and place of the said craig and the advocation, donation, and right of patronage of the said chaplainry of St Nicholas founded within the same.'⁹⁰ It was still standing in 1599, when it was referred to in a notarial instrument of William Balfour.⁹¹

There were two chapels situated to the east of the town. St Roque's chapel was probably on the east side of the Dens Burn on the lands of Wallace Craigie near to the locality of 'Semirookie' or St Roque's Lane. Since Wallace Craigie belonged to the Scrymgeours, it is possible that they founded or endowed the chapel.⁹² It may well be that the chapel yard was used to bury plague victims: it was sited near to the temporary lodgings erected to house those afflicted by the plague, and St Roque or Roche was believed to protect plague sufferers. Further east, about a mile from the burgh boundary, stood the Holy Rood chapel. It was also designated the Chapel of St John 'of the sklait heuchs', to distinguish it from the chaplainry of St John in the parish church, and after the grey slate eminence on which it stood. There is no documentary evidence concerning its foundation, but it is known that in 1442/3 it was associated with a hospital.⁹³ By the sixteenth century plague victims were interred here also, although it is thought that the chapel may have been derelict by 1561/2 when the council let out 'all and hail Sanct John's kirkyaird lying beside the Ruid Chapel'.⁹⁴

A chapel dedicated to St Anthony may have been situated on Seagait: there is reference to a rental owed on lands 'betwix Sanct Anton's kirk and the East Port' in October 1560.⁹⁵ According to the Burgh and Head Court book in 1556/7 there was a chapel dedicated to Our Lady to the north, on Cowgait.⁹⁶ Whether this was identical with a chapel dedicated to the Virgin Mary cited in documents in the keeping of Scottish Record Office is unclear, but such a chapel was in existence by 1491,⁹⁷ lying 'waste' by January 1565⁹⁸ and may have remained standing in a state of disrepair until after 1600.⁹⁹

There is charter evidence to support the existence of a chapel dedicated to St Mary Magdalene. On 16 June 1491 lands were granted in feu-ferme by Sir John Knox, perpetual chaplain 'of the chapel of St Mary Magdalene near Dundee', with

consent of William, bishop of Brechin and of the constable of Dundee, James Scrymgeour, patron of the said chapel. This suggests the existence of such a chapel outwith the town centre, perhaps near to the present Magdalene Green.¹⁰⁰

Other chapels may have dotted the Dundee townscape. There are traditions of chapels dedicated to St Blaise, St Margaret and St Salvator, but no adequate supporting evidence. The two churches and six known chapels alone must, however, have made an impressive visual impact. But these were not the only ecclesiastical buildings in medieval Dundee. Associated houses, such as hospitals, and regular religious establishments also occupied the confined urban space.

Dundee possessed probably four medieval hospitals, of which two appear to have been sited outside the town. They were those dedicated to St John, attached to the Holy Rood chapel; and the hospital of St Anthony. There is reference to the latter in 1443 when Andrew Gray, lord of Foulis and John Scrymgeour, constable of Dundee confirmed to the canons regular of St Augustine in the church of St Anthony near Dundee certain lands near Dundee for a hospital.¹⁰¹ It has been argued that this was perhaps associated with 'Sanct Anton's Kirk' on the north side of the Seagait in the sixteenth century; and indeed that this was also the site of the hospital.¹⁰² The contemporary documentation, however, specifically states that the hospital stood 'near Dundee' not in the town itself.

Within the burgh boundary stood an almshouse and a leper hospital. Leprosy was one of the most feared medieval diseases, and most burghs maintained a leper house at a discreet distance to protect the healthy indwellers. The running of such establishments normally fell within the remit of the town rather than the church. The first record of Dundee's leper house appears to occur on 20 June 1498,¹⁰³ although its foundation may have been considerably older. It was sited on the banks of the Dens Burn. There is charter evidence of its continuing existence in 1540, when it is referred to as the 'houses of the lepers'.¹⁰⁴ By 1552 the annuals of the leper house were in the custody of the master of the town almshouse. This did not mean that leprosy, or what was deemed to be leprosy, was controlled, for the annuals were to continue to support the almshouse 'as long as leper folk resort [there]'. In 1554 the leper house was stated to be in bad repair, and its annuals were still diverted to the almshouse until 'the lyperhous cum to perfeccion'.¹⁰⁵ The annuals had in fact been leased out from 1550 when James Blak had the 'sickmen's yairds' set to him. He was permitted 6/8 of the annuals, the rest being delivered to the town treasurer.¹⁰⁶ By 1556 the house was 'dekayit'.¹⁰⁷ Whether renovation was effected is doubtful, for in 1564, the leper men's yaird' or 'sick men's yairds' were leased for agricultural purposes.¹⁰⁸

Considerable obscurity surrounds the possible existence of a *maison dieu* or almshouse maintained by the Trinitarians. Robert III in an undated charter (1390x1398) confirmed a grant made by Sir James Lindsay, a kinsman of the earls

of Crawford, to the Trinitarians or 'Red Friars' of a tenement in Dundee for the upholding of a hospital or *maison dieu* for the 'support of the brethren, and of infirm and sick old men therein'. The crown augmented this support of the *maison dieu* by the gift of the revenues of the church of Kettins (previously appropriated to Berwick) when Berwick was in the hands of the English.¹⁰⁹ Whether this Trinitarian hospital was in fact ever established is uncertain. Support of its existence has been offered in the case of Margaret Fotheringham who sought in 1557 to be relieved of the payment of an annual 'acclimit to be uptaken out of her land be the brethren of Sanct Mathurine's friary'.¹¹⁰ It is not stated, however, that this friary was in Dundee, although it may have been so.

It is unclear whether there was a connection between this putative Trinitarian *maison dieu* and an almshouse or hospital which existed under the supervision of the town council, which appointed both the master and the chaplain.¹¹¹ It sustained attack by the English in 1548, but its possessions were hidden and restored in 1551.¹¹² The almshouse was once more functioning and housing 'puir and sick men' in 1553,¹¹³ and continued after the Reformation, largely under the protection of the town. Its remaining income proving insufficient, it was supported by various rentals and endowments which had originally been destined for the Greyfriars' and Blackfriars' friaries, and by the end of the sixteenth century its funds were sufficient to replace the somewhat delapidated building with another. It is this new building that may be seen on Slezer's views of the town: the almshouse stands at the west end with a long frontage to the river; in the view from the north the almshouse spire is shown to the west of St Mary's steeple. St Andrew's Roman Catholic cathedral now occupies the western-more part of the site.

The doubt over the existence of a Trinitarian *maison dieu* poses a further problem. Several eminent historians have assumed that there was a Trinitarian friary in Dundee. There is, however, no evidence of its existence as a separate building from a *maison dieu*, which may have housed the friars. Proof of its existence therefore depends on the somewhat flawed arguments in support of the *maison dieu*; and it is perhaps significant that when, in 1567, the revenues from all churches, chapels and friaries within Dundee were diverted to the burgh, there was no mention of a Trinitarian establishment even though the Dominicans, Franciscans and Grey Sisters were specifically named.¹¹⁴

There is, also, other firmer evidence for Franciscan and Dominican friaries and a Franciscan nunnery. According to the 'Melrose Chronicle' the Franciscans (Grey friars or Friars Minor) arrived in Scotland in 1231, and a house was established in Dundee before 1296. The establishment was sited outwith the burgh boundary to the south-west of the present Howff, which formed the original orchards and gardens of the fraternity. Tradition holds that it was founded by Lady Devorguilla (grand-daughter of David, Earl of Huntingdon and mother of King John Balliol), which would date it to pre-1290, the year of her death; but there is no documentary

evidence to confirm this. By 1310 the conventual buildings included a church and it was here that a declaration was made in favour of Robert Bruce.¹¹⁵ According to the 'Lanercost Chronicle' the friary was partially burned by 'ships from Newcastle' in 1335; and Froissart argues that the friary was destroyed along with other parts of the town by the English in 1385.¹¹⁶ By 1481/2 there were fourteen friars, as well as the Vicar General of the Scottish Greyfriars resident in Dundee. Although by the sixteenth century considered to be by far the wealthiest Franciscan community in Scotland,¹¹⁷ it would appear that in 1481/2 the friars were so impoverished that they were forced to sell some of their possessions including books. To assist in the repair of the church, moreover, Beatrice Douglas, dowager countess of Errol, gifted £100 in exchange for a daily mass at the high altar. (There was a further agreement that an altar dedicated to the Three Kings of Cologne would be built in the Greyfriars' church, but this may not have been effected, since such endowments were not welcomed in friary churches, and it is possible that it was erected in St Mary's where there was an altar of that dedication.)¹¹⁸ The friary church has been described as 'of some size and much magnificence' with 'gret aftir windows' in the east gable and a steeple with more than one bell.¹¹⁹ It also housed the tombs of the Earls of Crawford, which implies an establishment of some standing.¹²⁰ In 1543 the friary was attacked by reformers. Ill-feeling had already been shown to the Greyfriars seven years previously when a wooden statue of St Francis, which probably stood outside the friary, was hanged.¹²¹ On the later occasion a number of inhabitants were accused of breaking and destroying ornaments, vestments and images and of stealing friary possessions. There was, however, no wholesale destruction, and perhaps merely iconoclasm with the tacit approval of the regent, Arran.¹²² It was probably the English attacks five years later, in 1548, that resulted in the burning of the friary with other ecclesiastical buildings in the town,¹²³ although the friars did not leave until 1559 and the council assumed possession of the lands and building. It was in the following year that the council gave instruction 'to tak doun all the stanes of the kirk and steeple of the Grayfriars, to be applyit to the common weill of the burgh'.¹²⁴ Its destruction may have been swift. On 15 February 1562 Queen Mary ruled that 'the places of the freris as yit standand undemolissit' were to house hospitals and schools and put to other 'godlie usis'.¹²⁵ Dundee was not specifically named. One portion of the Greyfriars' friary and lands was, however, to survive. In 1564 Queen Mary granted to the burgesses the right 'to bury thair deid in that place and yardis qlk sumtyme was occupyit be the Gray Cordelier freris'.¹²⁶ Now named the Howff, because it was later to become the meeting place of the Dundee craftsmen, this is one of the few old sites that have survived intact in the city centre. Although Blackfriars were established in several towns by the thirteenth century, there was no house in Dundee until the early sixteenth century.

This was founded and endowed by Andrew Abercromby, a merchant who was

also provost in 1513, sometime before 1521 when the 'freris praedicatoris' are referred to in a legal process,¹²⁷ but after 1517 when the Provincial of the Scottish Dominicans had petitioned the pope for the erection of a house in Dundee, since there was none in the burgh.¹²⁸ What is not so clear is exactly where it stood. There is little to support the theory held by many nineteenth-century historians that the Blackfriars establishment lay to the west of Friars' Wynd, across from the Greyfriars, although there has been some claim that this is based on 'old sasines', unspecified,¹²⁹ and reputable cartographers, such as Crawford in 1776, do place the Blackfriars on this site. It has also been argued in support of this theory that 'Friars VenneP takes its name from both the Greyfriars' and Blackfriars' friaries. An instrument of sasine of February 1482/3, however, refers to the 'vennel of the Friars Minor' approximately forty years before the Blackfriars house was established in Dundee.¹³⁰ What seems to be a more probable site is outwith and to the west of the burgh boundary, between Overgait Port and Nethergait Port. In 1520/21 a 'land lyand utoth the flucargait port' had 'the land of the friris predicatouris at the west'; a tenement 'lyand without the vest port of dunde' bounded with 'the blakfreris on the southe syd'; and a property description of 1560 specifies that the friary lay 'betwix the Nethergait Port and the West Port'. A section of the eastern wall of the friary was in line with Seres Wynd (and ultimately formed part of the town wall when constructed). A further portion of land lay on the town side of Seres Wynd and was described as 'three ruid of vairds be-east the wall of the town'.¹³¹ The Nethergait port was, moreover, at times termed the Blackfriars' Port.¹³² The Blackfriars' establishment was to suffer the same fate as the Greyfriars', and not to survive beyond the mid-sixteenth century: a letter from a Dominican friar, John Grierson, to the Prior of Paris, dated probably 1559, speaks of it being 'sacked, cast down to the ground, and destroyed'.¹³³ Thereafter, the stone walling of the kirk was to be used for repairing the bulwarks of the harbour.¹³⁴ Demolition of the building, however, proceeded slowly, some of the stones being used to repair the Castle Burn. But in all probability the majority of the stonework was used for construction at the harbour.¹³⁵

The Franciscan nunnery was a considerably smaller establishment. The house was established in March 1501/2 by James Fotheringham who granted the chapel of St James, which he had founded, to two sisters, in the name of the religious sisters of the Order of St Francis.¹³⁶ Little is known of its brief history: the house had already been sold by 1560 when the town council leased the land,¹³⁷ and within six years the prioress, Isobel Wishart, was granted a nun's portion in the priory of North Berwick.¹³⁸ The belief that the nunnery was situated near what became called Bank Street with access from Nethergait by Methodist Close cannot be substantiated. The 'Grey Sisters Acre' lay between Hawkhill, Brook Street and Hunter Street, and it is possible that the house and associated chapel were situated here near the playfield. This is perhaps supported by the fact that in 1581 the 'Gray

Sisters Dykes' were named as the boundary of the playfield at the West Port,¹³⁹ and in 1566 the *Register of the Privy Seal of Scotland* defined the Greyfriars nunnery as 'sumtyme situat besyde the burgh of Dundee'.¹⁴⁰

These ecclesiastical buildings dominated the urban scene by the end of the middle ages, not only because they were so numerous, but also because their architectural splendour, in particular that of the parish church of St Mary, contrasted so vividly with the quality of domestic housing in the burgh.

The lack of evidence, both documentary and archaeological, on Dundee homes necessitates a heavy dependence on information gained from other Scottish burghs; and what is true in detail for one burgh may not be so for another, although it would seem valid to assume a relative degree of common practice and thinking amongst contemporary Scottish urban dwellers in towns of similar size and status.

Building techniques in Dundee were probably very similar to those of two other important east-coast burghs, Perth and Aberdeen. Both of these towns have been fortunate in the extent of excavation of medieval dwellings, and suggestions as to the construction of houses in Dundee is based largely, but not exclusively, upon the findings of the archaeological teams in Aberdeen and Perth.¹⁴¹ The majority of medieval buildings were constructed of wood, and the earliest dwellings in Dundee would have been of very simple design. The twelfth- and thirteenth-century houses along Seagait were probably little more than basic hut-type dwellings made of stakes and interwoven wattle with free-standing posts to support the walling. Floors were sand, clay or silt, probably scattered with litter such as heather, bracken or cereal straw. Doors were possibly straw mat or wattle, and there is no evidence of windows. Many of the homes would, however, have had a hearth for warmth and cooking. These were set directly onto the floor as a clay-lined hollow or a stone slab, and smoke would percolate out of the dwelling by a small hole in the roof. Roofs were thatched with cut heather or possibly curves of growing plants which offered water resistance. This simple structure functioned without any subdivisions for living and sleeping accommodation, not only for the nuclear, or even extended family, but also for livestock.

From the late thirteenth century, however, and as the town authorities took an increasing interest in plot lay-out and related 'lining' matters, a growing sophistication in house building is evidenced. Walls supported by free standing posts were replaced by stake and wattle set in ground sills of wood, which was, in turn, to soon be superseded to some extent by the use of stone foundations for ground sills. This extra strength was reinforced by heavy clay, dung, mud or peat cladding on the walls. Partition walls within some dwellings indicate different functional areas, the larger being for living or working quarters and the smaller for storage or animal housing. Whether by this time the townsmen still built their own homes or whether there was developing a trade specialising in house construction is not clear. To date there is no firm evidence, whether archaeological or historical,

for any Scottish town.

Wood was readily available in the Dundee region. The Perth evidence suggests that the preparation of oak as timbers was of considerably better quality than that of other wood, which would imply specialist treatment. Its importance is reflected in the fact that oak timbers were used in larger, more impressive buildings, and later, on occasion, re-used on less prestigious sites. Archaeological evidence also suggests that such timbers originated from sizeable, forest-grown trees. Dundee's source was probably one of the natural woods in the county of Angus, such as the forest of Platane or Platir.¹⁴² One example of such buildings would have been the Earl of Huntingdon's lodging, being one of the more substantial dwellings in the town, doubtless featuring amenities not usual in the average home and, in all probability, at least partially an oak structure. Many of the lesser buildings were of soft wood which received minimal preparation prior to construction. The most common non-oak species was alder, a wetland tree which was probably plentiful along the Tay valley, as were willow and beech. Ash and elm, too, may have been used to some extent.

Stone buildings did exist. Local and itinerant masons were employed, for example, on the town churches, friaries and castle; but there is no evidence of stone-built domestic buildings in the early centuries of the burgh. Indeed stone houses remained scarce throughout the medieval period in all towns, although many houses may have been constructed of stone at ground floor level, with upper storeys of timber by the sixteenth century. Larger wooden buildings were in due course roofed with tiles. Each flat tile overlapped the other and was fixed to the wooden sarking by nails at its top corners. The tiles surmounting the ridge were often decorated and finished in yellow, brown or green glaze.¹⁴³ Slates by the end of the medieval period were also in use, fixed in the same manner as the pottery tiles, but in most towns these were not the norm and the majority of houses remained thatched. Dundee, however, may have been better supplied with slated roofs than its contemporaries due to the neighbouring quarries that provided ample coarse, grey slates; and the council's attempts to ensure that none were exported until the home market was satisfied,¹⁴⁴ although a reference to a 'slate house' in 1522/23 suggests that dwellings so roofed were still not the norm.¹⁴⁵

The areas where least progress is evidenced are backland sites. Congestion, particularly along Marketgait and the harbour region, resulted, as has been indicated, in 'infilling' or 'repletion', and the development of building in the backlands. These inferior sites tended to house the poorer members of society. The subdivision of plots by gullies and wattle fencing probably indicates a multi-purpose function on many backland sites: kitchen garden, housing for animals, human dwellings and workshops. Many of these buildings came into the category of hovels and had little in common with the better housing that developed along the street frontages.

Frontage dwellings were to show significant advancement by the end of the medieval period. Pedro de Ayala after a visit to Scotland in 1496 reported that 'the houses are good, all built of hewn stone and provided with excellent doors, glass windows and a great number of chimneys'.¹⁴⁶ This was undoubtedly an exaggeration, but it was at least indicative of improvements in Scottish urban centres, and it is fair to say that throughout Scotland in the later medieval period there was a certain transition from timber to stone building, although domestic residences of timber were still the norm.¹⁴⁷ A substantial wooden dwelling that survived in Dundee more or less intact until 1876 was a timber-framed and gabled building at the west end of Overgait. Named the 'Woodenland' it was probably constructed as late as the early sixteenth century, since its first recorded proprietor was Andrew Wichland, a cordwainer who was a burghess before 1513.¹⁴⁸

Contemporary documentary evidence offers only an insight into the structural lay-out of Dundee's houses. References to lofts, cellars, vaults, forestairs and forehouses in the burgh records¹⁴⁹ and the attention of liners to such matters as the precise siting of gables, stairs, windows, chimneys and free 'ische and entrie' are symptomatic of the awareness of the importance of sound construction and improved urban housing. Also clearly emerging from the source material is that multiple occupation was an increasingly common feature of frontland development. What this meant in real terms, and how much space was allocated to a family unit in this horizontal flatting process is not immediately apparent. An assessment of contemporary material such as the burgh sasines and guild court records provides a partial answer; but a full picture will doubtless depend on correlation with information from other burghs.¹⁵⁰ What will never be fully ascertained by historical evidence is an analysis of living conditions in backland properties. The mere, unprivileged indweller and his home are undocumented.

By the sixteenth and early seventeenth centuries Dundee's prosperity was mirrored in the substantial dwelling-houses built for the wealthy merchants of the community. Many of these were of stone with crow-stepped gables and turreted stair-wells, but also manifested the influence of the building techniques from the continent, in particular Germany and the Low Countries. Wood was still used in the construction of these better quality houses. Lady Walkstair's house, already discussed, was a fine timber-framed dwelling with an interior richly decorated on wainscotting, fireplaces, doorways and ceiling beams.¹⁵¹ Even in those houses predominantly of stone, wood was needed, notably for panelling walls in the interiors, for hanging stairs and for booths at the front of those dwellings facing onto the main thoroughfares. It is unlikely that at this period native wood was used for such buildings. The constant references to the import of timber from the Baltic in the Burgh and Head Court Books and in Wedderburne's *Compt Buik* indicate that Dundee, along with other burghs of Scotland, was dependent on foreign

timber. Robert Edward in '1678 in 'A New Description of Angus' states specifically that in Angus there was 'abundance of timber for labouring utensils, and for the houses of the common people: but for the houses in towns, and those of gentlemen in the country, timber is brought from Norway; not because Scotland does not afford wood sufficient to supply the whole kingdom, but because rugged and impassable rocks prevent it being transported from those places where it grows'.¹⁵²

Several of the greater town houses survived partially or intact until the nineteenth century or later. One of the most notable was Strathmartine's lodging (so called as it was the town residence of the Earls of Strathmartine), in the Vault at the rear of St Clement's churchyard on a site which now forms part of the City Square. (The approximate position is marked by a plaque on the west wall of the Square.) A three-storeyed stone building, it had a semi-octagonal entrance tower, access stair with an unusual hollow newel and wainscotted rooms, although some of these features may have been added during reconstruction work in 1705-10. Built sometime between c.1608 and 1616 it was more correctly an early modern structure, but exemplified much of the grandeur of Dundee's town houses at the end of the middle ages. It was demolished as recently as the 1930s.¹⁵³ Provost Pierson's mansion constructed between 1562 and 1640 in Greenmarket on land reclaimed from the river was an impressive square (approximately 52 feet) building with round towers on three corners. An unusually sophisticated example of an arcaded building in Scotland,¹⁵⁴ this too was demolished, in 1883, and has been assessed as 'one of the most remarkable specimens of a town house which with care might have lasted for centuries to come'.¹⁵⁵ Another once imposing dwelling to be removed was the Whitehall Mansion (or 'palace', probably so named from the carved arms of Charles II and the date 1660 at the entrance). Of the original c. 1589 building little remained at demolition apart from four inter-connecting massive vaulted cellars, which carried a more modern superstructure, and elaborately carved stonework, all of which were indicative of its grandeur.¹⁵⁶

These three dwellings were amongst the most impressive of the greater town houses of which evidence remains; and their survival until at least the end of the nineteenth century has permitted an appreciation of their architectural merit. But they were not isolated examples,¹⁵⁷ and the substantial town lodgings of the nobility and wealthier merchants and craftsmen were a reflection of the burgh's prosperity. Increased wealth and the relative peace of the later sixteenth century also encouraged the extension or establishment of country seats outwith the town boundaries, but nearby, and with strong associations with the burgh. Their construction mirrored the continuing fashion, if not necessity, in architecture for a style that suggested some degree of protection and fortification. The seat of the

Scrymgeours at Dudhope had been established by 1298 and was altered about 1460. After 1580, however, it was totally renovated and became an impressive mansion fortress overlooking the burgh. It is shown clearly on Slezer's portrayal of Dundee from the north-west. Claypotts Castle, erected in 1560-1588 to the east of Dundee and Mains, or Fintry, Castle, the home of the Grahams of Fintry in the present Caird Park, built largely between 1562 and 1580, are both outstanding examples of fortified houses'.¹⁵⁸

The only surviving example of a medieval stone house in Dundee itself is Gardyne's house, situated between 70 and 73 High Street, in a close once named Gray's Close. This five-storeyed tower-block dates from c.1560-1600. The western facade is a fine example of quality building retaining much of its external character and detailing, although the street frontage to the south was redeveloped in the eighteenth century and later. The interior bears little resemblance to its original state, having been subdivided, perhaps on many occasions, both vertically and horizontally; and nothing remains of the ceilings once decorated with tempera and carved with poems and mottoes.¹⁵⁹ The height of the structure and the closeness of the buildings up this small vennel give, however, a vivid impression of the atmosphere in a confined market-centre site, which must have created major practical problems for the adequate provision of such necessities as water, sanitation, functioning chimney flues and daylight.

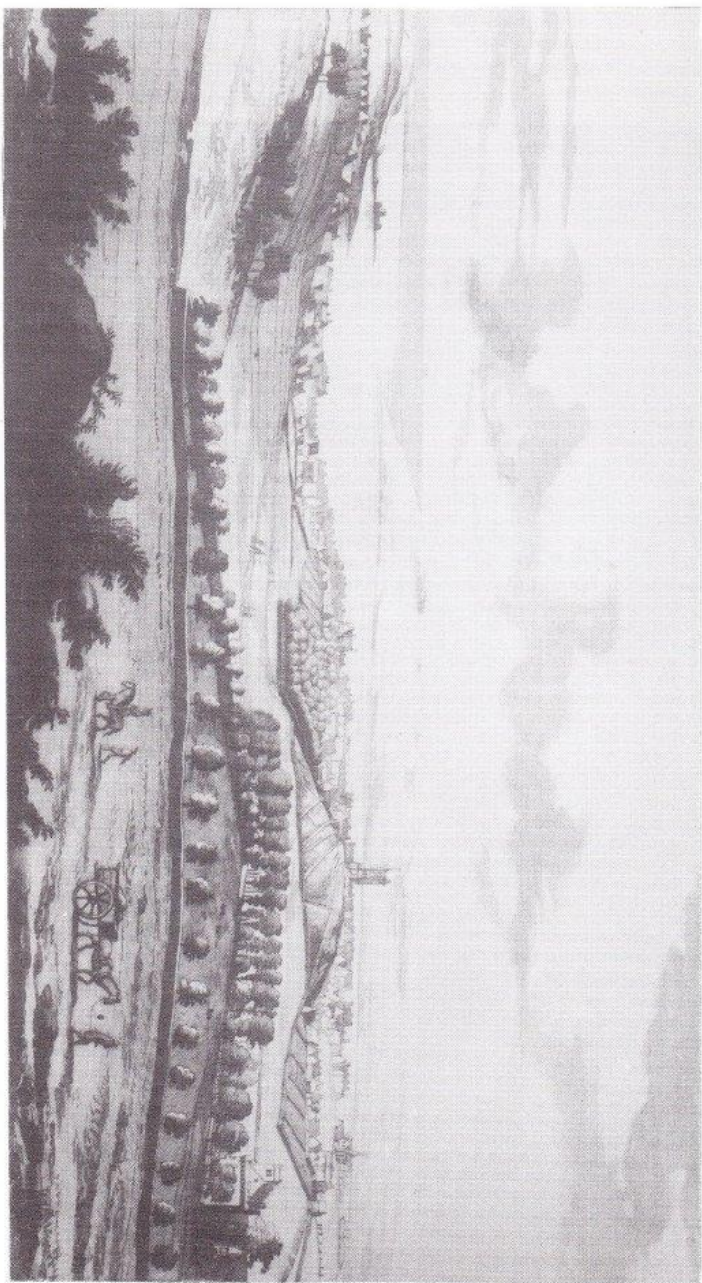


Fig. x J. Slezer, 'Dundee from the North', included in *Theatrum Scotiae*.

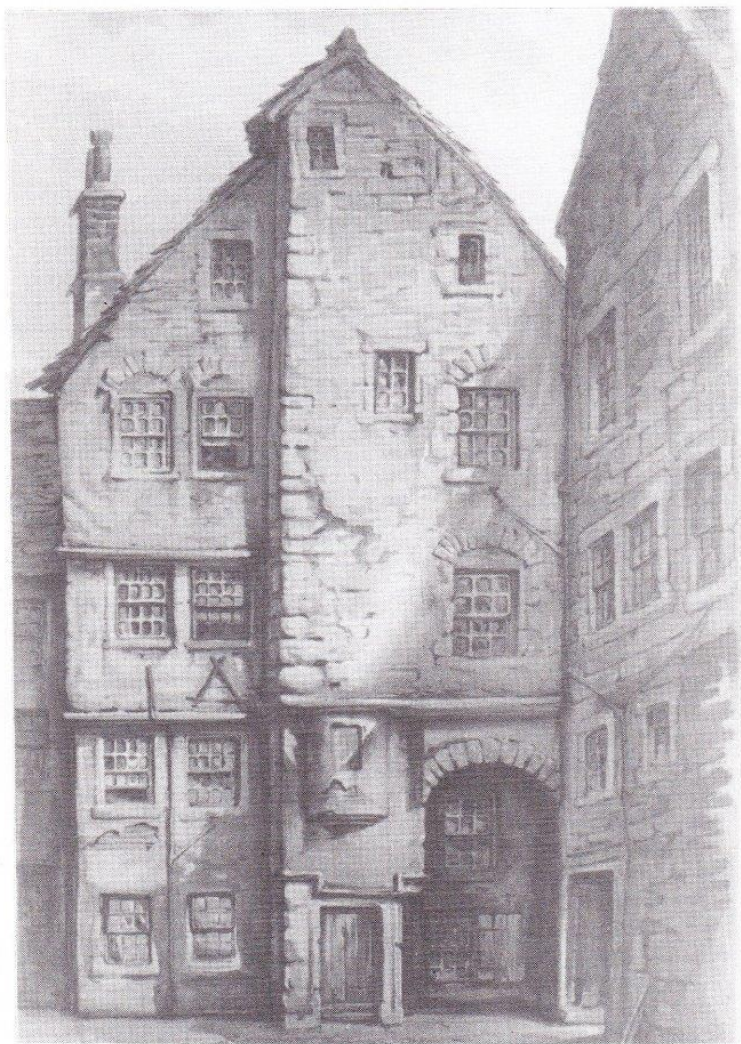


Fig. xi Gardyne's house.

NOTES

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- ¹ Eighteenth- and nineteenth-century maps used are listed in the bibliography, Stevenson and Torrie, *Historic Dundee. The Archaeological Implications of Development*.
- ² I am indebted to SUAT for providing unpublished information on excavation work under taken in the last two years.
- ³ Lamb, *Dundee*, 4.
- ⁴ *Ibid*.
- ⁵ A.H. Millar, *Glimpses of Old and New Dundee* (Dundee, 1925), 21-22.
- ⁶ Lamb, *Dundee*, 6.
- ⁷ A.H. Millar, *Glimpses of Old and New Dundee*, 16-17.
- ⁸ *Ibid*.
- ⁹ Lamb, *Dundee*, 7.
- ¹⁰ A.H. Millar (ed.), *The First History of Dundee* (Dundee, 1925), 145.
- ¹¹ W. Kidd, *Dundee Past and Present* (Dundee, 1909), 61.
- ¹² Lamb, *Dundee*, 9.
- ¹³ APS, i, 97*.
- ¹⁴ DDARC, ccl, no. 2, for example. (An order of Edward II of England to the sheriff of Lincolnshire to provide food and wine for the castle of Dundee, 12 May 1309.)
- ¹⁵ DDARC, ccl, no. 13; SRO, Scrimgeour Wedderburn Writs, GD137/3681.
- ¹⁶ DDARC, ccl, no. 16; SRO, Scrimgeour Wedderburn Writs, GD137/3744.
- ¹⁷ Maxwell, Dundee prior to the Reformation, 110.
- ¹⁸ A reproduction of this painting is in Lamb, Dundee.
- ¹⁹ The Whitehall Mansion was sometimes referred to as a palace. See below, 80.
- ²⁰ W.M. Mackenzie, *The Scottish Burgh*, 35.
- ²¹ I.H. Adams, *The Making of Urban Scotland*, 33.
- ²² M.R.S. Conzen, 'Alnwick, Northumberland. A Study in Town Plan Analysis', discusses this further.
- ²³ MsDBHC, 16 March 1556/7.
- ²⁴ M. Bateson, 'The Laws of Breteuil' in *English Historical Review*, xvi (1901), 110.
- ²⁵ N.P. Brooks and G. Whittington, 'Planning and Growth in the Mediaeval Scottish Burgh: the. Example of St Andrews', 288.
- ²⁶ M. Spearman, 'The Medieval Townscape of Perth' in *The Scottish Medieval Town*, edd. Lynch et al, 55-56, discusses the variations in plot sizes.
- ²⁷ R.J.D. Torrie, 'Central Dunfermline: an Analysis of the 1988 Road Network and the Geographical Factors that Determined its Layout' (Unpublished typescript, 1988), 40—41.
- ²⁸ L.M. Blanchard, 'Conclusion' in P. Holdsworth (ed.), *Excavations in the Medieval Burgh of Perth, 1979-1981* (Society of Antiquaries of Scotland, Monograph Series, 1988), 211.
- ²⁹ SRO, B20/10/1, Ms. 'Burgh Court Book of Dunfermline', 101,112,307 and 363; MsDBHC, 30 March 1523 gives evidence of liners staking land, and markers being moved.
- ³⁰ See above.
- ³¹ A. Ballard, *British Borough Charters, 1042-1216* (London, 1913), 47.
- ³² Whether friaries were sited outside settlement areas to give an element of seclusion or because lack of space in the urban core necessitated 'extra-mural' sites is debated. Neither

motive vitiates the point made in the text.

³³ A.H. Millar, *Glimpses of Old and New Dundee*, 17.

³⁴ Stevenson and Torrie, *Historic Dundee, the Archaeological Implications of Development*.

³⁵ *Ibid.*

³⁶ C. McKean and D. Walker, *Dundee, an Illustrated Introduction* (Edinburgh, 1984), 38.

³⁷ Stevenson and Torrie, *Historic Dundee: the Archaeological Implications of Development*.

³⁸ See Roll of Rentals due to the hospital, included in J. Maclaren, *The History of Dundee*, pp. xxiv-xxv, nos. 132-143 and 144. I am indebted to D. Perry, Scottish Urban Archaeological Trust, for this reference.

³⁹ Anon, *Dundee Delineated* (Dundee, 1822), 137.

⁴⁰ *Calendar of Documents Relating to Scotland*, ed. J. Bain (Edinburgh, 1881-8), iv, 459. For a comparison with the often more substantial English and Welsh defences, see H.L. Turner, *Town Defences in England and Wales* (London, 1970).

⁴¹ I. Adams, *The Making of Urban Scotland*, 37.

⁴² J.M. Beatts, *The Municipal History of the Royal Burgh of Dundee* (Dundee, 1878), 210.

⁴³ Maxwell, *Old Dundee*, 215.

⁴⁴ E.P.D. Torrie, historical evidence in *Historic Glasgow, the Archaeological Implications of Development* (Scottish Medieval Burgh Survey, forthcoming); *Historic Aberdeen, The Archaeological Implications of Development* (Scottish Medieval Burgh Survey, forthcoming).

⁴⁵ Lamb, *Dundee*, p. lviii.

⁴⁶ Maxwell, *Old Dundee*, 222.

⁴⁷ Lamb, *Dundee*, p. lviii.

⁴⁸ The 'Lockit Book', pp. xxv, xxvi and x. A reference to property on the north side of Seagait indicates that it was bounded by the port on the left and the town's common land on the right, which sites the port well to the east of Seagait, since the common land stretched, undeveloped, to the Dens Burn. Other property detailed, moreover, stood at the junction with Sugarhouse Wynd (Our Lady Wynd) and it is not identical to that referred to above. (The 'Lockit Book' — a list of burgesses, rentals paid to the kirkmaster, treasurer and hospital master, and related documents - is partially published as an appendix in J. Maclaren, *The History of Dundee*.)

⁴⁹ MsDBHC, 14 January 1521/22.

⁵⁰ Maxwell, *Old Dundee*, 220.

⁵¹ MsDBHC, 6 October 1553; Maxwell, *Old Dundee*, 217.

⁵² MsDBHC, 21 January 1568/9.

⁵³ Maxwell, *Old Dundee*, 216.

⁵⁴ MsDBHC, 27 October 1550. Stevenson and Torrie, *Medieval Dundee, the Archaeological Implications* contains a discussion of the possible site of the West Port.

⁵⁵ C. Innes, 'A few notes of manners from the older council books of Dundee' in PSAS, ii, 349; Maxwell, *Old Dundee*, 218.

⁵⁶ MsDBHC, 6 January 1520/21; Maxwell, *Old Dundee*, 219.

⁵⁷ Maxwell, *Old Dundee*, 220.

⁵⁸ D. Perry, 'Wishart Arch, Cowgate, Dundee' (Scottish Urban Archaeological Trust Ltd). (Unpublished typescript, 1989.)

⁵⁹ R. Chambers, *Domestic Annals of Scotland*, ii, 163; cited in S.G.E. Lythe, *Life and Labour in Dundee*, 5.

⁶⁰ *Statistical Account of Scotland*, ed. Sir John Sinclair (Wakefield, 1976), xiii, 157-8.

⁶¹ 'Register of Papal Supplications (Vatican Archives)', vol. 867, f.54v. I am indebted to Dr

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- E. Ewan for drawing my attention to this evidence.
- ⁶² Percentage assessed by Webster in census, 1755. See 'Population Structure' pp. 250-270 of M. Flinn et al. (edd.), *Scottish Population History* (Cambridge, 1977).
- ⁶³ M. Lynch, 'Whatever Happened to the Medieval Burgh? Some Guidelines for Sixteenth- and Seventeenth-Century Historians' in *Scottish Economic and Social History*, iv (1984), 7;
M. Lynch, *Edinburgh and the Reformation* (Edinburgh, 1981), 11.
- ⁶⁴ D. Murray, *Early Burgh Organisation in Scotland as Illustrated in the History of Glasgow and of Some Neighbouring Burghs*, i, 51.
- ⁶⁵ E.P.D. Torrie, 'The Gild of Dunfermline in the Fifteenth Century' (Unpublished Ph.D. thesis, Edinburgh, 1984), 120.
- ⁶⁶ H. Boece, *Scotorum Historiae a prima gentis origine, cum aliarum et rerum et gentium illustratione non vulgari* [Paris, 1527], fo.cclxxxvi.
- ⁶⁷ W. Stewart, *The Buik of the Croniclis of Scotland*; or a metrical version of the History of Hector Boece (Edinburgh, 1531-35), ed. W.B. Turnbull (London, 1858), (3 vols.), iii, 53.
- ⁶⁸ J. Bellenden, *The Chronicles of Scotland compiled by Hector Boece* (Edinburgh [1536]), Bk 13, fo.Llcccciii.
- ⁶⁹ *The Chartulary of the Abbey of Lindores, 1159-1479*, ed., J. Dowden (SHS, 1903), 3. (Lind. Cart.)
- ⁷⁰ Lind. Cart., 22.
- ⁷¹ Lind. Cart., 95.
- ⁷² *Liber Sancte Marie de Lundoris* (Abbotsford Club, 1841), 13. (Lind. Liber)
- ⁷³ W. Hay, *Charters, Writs and Public Documents of the Royal Burgh of Dundee, 1292-1880* (SBRs, 1880), 13.
- ⁷⁴ Lind. Liber, 17. An instrument of Bishop Gregory of Brechin, which must predate 1226, possibly 1224.
- ⁷⁵ Laing, Stevenson and Wood all support the theory that the first seal of the burgh (fourteenth century) had an impression of the Virgin and Child on one side; with on the reverse St Clement with mitre and nimbus holding an anchor. (H. Laing, *Descriptive Catalogue of Impressions from Ancient Scottish Seals* (Edinburgh, 1850), 215; and J.H. Stevenson and M. Wood, *Scottish Heraldic Seals* (Glasgow, 1940) (3 vols.), i. 59.) It has been anonymously claimed that this seal was in fact that of the rector of St Clement's, and that the first seal displayed the 'pot of lilies' — the emblem of the Virgin Mary. This does not negate the argument that St Clement's and St Mary's were both important churches in the life of the town, as the seal with the pot of lilies - be it the first or second seal of the burgh - portrays St Clement on the reverse. (R.M. Urquhart, *Scottish Burgh and County Heraldry* (London, 1973), 46.)
- ⁷⁶ J.H. Baxter, *Dundee and the Reformation*, (Abertay Historical Society publications (1960), no. 7), 9 and 8; E. Cinthio, 'The Churches of St Clemens in Scandinavia' in *Archaeologica Lundensia*, iii *Res Mediaevales*, ed. R. Blomquist (Lund, 1986). I am indebted to Dr B. Crawford for her views on St Clement dedications in Britain. See B. Crawford, 'St Clement of the Danes' (forthcoming).
- ⁷⁷ The last officiating clergyman was Master Richard Jackson, the chaplain of the chaplainry of the Blessed Virgin Mary. On 31 August 1540 he granted the feu-farm of St Clement's manse together with a portion of the lands of Milton of Craigie, to a relative, John Jackson. On 18 July 1588 Richard Jackson resigned the right to the chaplainry to George Rolok, who had already acquired the lands of Milton. (Lamb, Dundee, p. xvii.)
- ⁷⁸ MsDBHC, 4 June 1551; 22 June 1551; 21 May 1554; for example.
- ⁷⁹ Maxwell, Dundee prior to the Reformation, 48.

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- ⁸⁰ Maxwell, *Old Dundee*, 90-91.
- ⁸¹ Lamb, *Dundee*, p. xxxiii.
- ⁸² *The Chronicle of Froissart, 1523-25*, translated by Sir John Bourchier (6 vols.) (London, 1901), iv, 59.
- ⁸³ W. Hay, *Charters, Writs and Public Documents*, 19.
- ⁸⁴ Maxwell, *Dundee prior to the Reformation*, 9.
- ⁸⁵ MsDBHC, 14 January 1490/91.
- ⁸⁶ C. Mackie, *Historical Description of the Town of Dundee* (Glasgow, 1836), 101-104; J. Maclaren, *The History of Dundee*, 226.
- ⁸⁷ C. Mackie, *Historical Description of the Town of Dundee*, 101.
- ⁸⁸ Maxwell, *Dundee prior to the Reformation*, 51.
- ⁸⁹ J. Maclaren, *The History of Dundee*, 232.
- ⁹⁰ *Registrum Episcopatus Brechinensis* (Bannatyne Club, 1856) (2 vols.), ii, 372-3.
- ⁹¹ SRO, *Airlie Muniments*, GD16/24/83.
- ⁹² Maxwell, *Dundee prior to the Reformation*, 53.
- ⁹³ *Registrum Episcopatus Brechinensis*, i, no. 53.
- ⁹⁴ Maxwell, *Dundee prior to the Reformation*, 177.
- ⁹⁵ *Ibid.*, 51.
- ⁹⁶ MsDBHC, 10 February 1556/7.
- ⁹⁷ SRO, *Scrimgeour Wedderburn Writs*, GD137/3811; GD137/3840; GD137/3878.
- ⁹⁸ SRO, *Scrimgeour Wedderburn Writs*, GD137/3890.
- ⁹⁹ SRO, *Scrimgeour Wedderburn Writs*, GD137/3953.
- ¹⁰⁰ SRO, *Scrimgeour Wedderburn Writs*, GD137/3809.
- ¹⁰¹ SRO, *Scrimgeour Wedderburn Writs*, GD137/3716.
- ¹⁰² D.G. Adams, *Celtic and Medieval Religious Houses in Angus* (Brechin, 1984), 27.
- ¹⁰³ RMS, ii, no. 2446.
- ¹⁰⁴ W. Hay, *Charters, Writs and Public Documents*, 30.
- ¹⁰⁵ MsDBHC, 26 April 1552; 26 November 1554.
- ¹⁰⁶ MsDBHC, 14 October 1550.
- ¹⁰⁷ MsDBHC, 5 October 1556.
- ¹⁰⁸ Maxwell, *Dundee prior to the Reformation*, 68.
- ¹⁰⁹ RMS, i, no. 838.
- ¹¹⁰ Maxwell, *Dundee prior to the Reformation*, 66.
- ¹¹¹ *Ibid.*
- ¹¹² *Ibid.* 113 and 66.
- ¹¹³ MsDBHC, 2 May 1553.
- ¹¹⁴ RSS, no. 3417.
- ¹¹⁵ I.B. Cowan and D.E. Easson, *Medieval Religious Houses. Scotland*, 124; APS, i, 400.
- ¹¹⁶ *The Chronicles of Froissart*, iv, 59.
- ¹¹⁷ Maxwell, *Dundee prior to the Reformation*, 59. I am indebted to Professor I.B. Cowan for his views on dedications in friary churches.
- ¹¹⁸ Maxwell, *Dundee prior to the Reformation*, 59. I am indebted to Professor I.B. Cowan for his views on dedications in friary churches.
- ¹¹⁹ *Ibid.*, 57.
- ¹²⁰ Lord Lindsay, *Lives of the Lindsays* (3 vols.) (London, 1849), i, 111.
- ¹²¹ R. Pitcairn, *Criminal Trials in Scotland* (3 vols.) (Edinburgh, 1833), i, 286.

- ¹²² J. Bain (ed.), *Hamilton Papers* (2 vols.) (Edinburgh, 1890-92), ii, 38.
- ¹²³ DDARC, ccl, no. 54. Decree of Justiciary Depute accusing inhabitants of assisting English and destroying monasteries, etc. 8 March 1552/3.
- ¹²⁴ Maxwell, Dundee prior to the Reformation, 179.
- ¹²⁵ The Register of the Privy Council of Scotland, edd. J. Burton et al. (Edinburgh, 1877) i, 202.
- ¹²⁶ W. Hay, *Charters, Writs and Public Documents*, 40.
- ¹²⁷ Maxwell, Dundee prior to the Reformation, 62.
- ¹²⁸ I.E. Cowan and D.E. Easson, *Medieval Religious Houses. Scotland*, 117.
- ¹²⁹ C. Mackie, *Historical Description of the Town of Dundee*, 120; J. Maclaren, *The History of Dundee*, 237; C. Innes, *Joint Appendix of Documents*, 1860, to Dundee Town Council v, Dundee Presbytery.
- ¹³⁰ SRO, GD137/3789.
- ¹³¹ MsDBHC, 6 January 1520/21; 30 June 1551; Maxwell, Dundee prior to the Reformation, 63.
- ¹³² *Ibid*, 62.
- ¹³³ J. Durkan, 'The Dominicans at the Reformation' in *Innes Review*, ix (1958), 217.
- ¹³⁴ MsDBHC, 11 March 1560/61.
- ¹³⁵ Maxwell, Dundee prior to the Reformation, 181-2.
- ¹³⁶ I.B. Cowan and D.E. Easson, *Medieval Religious Houses. Scotland*, 154.
- ¹³⁷ Maxwell, Dundee prior to the Reformation, 183.
- ¹³⁸ RRS, v, no. 2830.
- ¹³⁹ Maxwell, Dundee prior to the Reformation, 69.
- ¹⁴⁰ RRS, v, no. 2830.
- ¹⁴¹ H.K. Murray, 'The buildings from High Street, Perth' (Scottish Development Department unpublished report); P. Holdsworth (ed.), *Excavations in the Medieval Burgh of Perth, 1979-81*; J.C. Murray (ed.), *Excavations in the Medieval Burgh of Aberdeen, 1973-81* (Society of Antiquaries of Scotland Monograph Series 2, 1982). See also J. Wordsworth, 'Excavations of the settlement at 13-21 Castle Street, Inverness, 1979' in *PSAS*, cxii, (1982), 322-91.
- ¹⁴² M.L. Anderson, *A History of Scottish Forestry* (2 vols.) (London and Edinburgh, 1967), i, 116, 187, and 289.
- ¹⁴³ J.A. Stones (ed.), *A Tale of Two Burghs* (Aberdeen, 1987), 12.
- ¹⁴⁴ MsDBHC, 14 June 1521; 7 October 1521; 17 June 1522; 11 August 1552; 3 July 1553; 21 July 1553; January 1555/6; 5 October 1556, for example.
- ¹⁴⁵ MsDBHC, 22 January 1522/3.
- ¹⁴⁶ W.C. Dickinson, G. Donaldson and I. Milne, *A Source Book of Scottish History* (3 vols.) (London, 1958-61), ii, 5.
- ¹⁴⁷ G. Stell, 'Scottish Burgh Houses, 1560-1707' in A.T. Simpson and S. Stevenson, *Town Houses and Structures in Medieval Scotland* (Scottish Burgh Survey, 1980), 4.
- ¹⁴⁸ Lamb, Dundee, p. xli.
- ¹⁴⁹ MsDBHC, 17 June 1521; 5 November 1551; 12 December 1551; 5 October 1556, for example.
- ¹⁵⁰ There are a number of significant local sources still relatively unresearched. For example, the Glasgow Dean of Guild Court Books, commencing in 1605 (Strathclyde Regional Archives, B4.1.1.), contain some detailed information on house interiors and construction.

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- ¹⁵¹ Lamb, Dundee, xxii.
- ¹⁵² R. Edward, *A New Description of Angus, 1678*, translated from original Latin and printed by T. Colvill, Dundee, 1793.
- ¹⁵³ Lamb, Dundee, xx; D. MacGibbon and T. Ross, *The Castellated and Domestic Architecture of Scotland from the Twelfth to the Eighteenth Century* (5 vols.) (Edinburgh, 1892), v, 73; D.M. Walker, *Architects and Architecture in Dundee, 1770-1914* (Abertay Historical Society Publication, 1955), 4.
- ¹⁵⁴ C. McKean and D. Walker, Dundee. *An Illustrated Introduction* (Dundee, 1984), 11.
- ¹⁵⁵ D. MacGibbon and T. Ross, *The Castellated and Domestic Architecture of Scotland*, v, 70.
- ¹⁵⁶ Lamb, Dundee, p. xxviii.
- ¹⁵⁷ See list of 'Domestic Buildings' in *Historic Dundee: the Archaeological Implications of development*.
- ¹⁵⁸ C. McKean and D. Walker, Dundee. *An Illustrated Introduction*, give details not only of these fortified houses, but also of other tower houses and castles within a ten-mile radius of the burgh. Fuller details are to be found in D. MacGibbon and T. Ross, *The Castellated and Domestic Architecture of Scotland*. See also Wilson Collection of photographs, Wellgate Library, Dundee, 1207-1213; 1141-1148; 1244; 1259.
- ¹⁵⁹ There was a theory that parts of this decorated ceiling were placed in the keeping of Dundee Museum and Art Gallery, but this appears not to be the case. Lamb, Dundee, p. xiv, gives full details of the origin and history of this house. Photograph 1887 in Wilson Collection of photographs, Wellgate Library Dundee. See also D.M. Walker, 'Architecture of Dundee' in S.J. Jones (ed.), *Dundee and District*, 284—5, where there is reference to another old house at 86 Nethergait.

CHAPTER VI

PRIVATE AND PUBLIC LIVES

A burgh may be considered as a self-regulating municipal unit, as an entrepot and market, or as a growing townscape. The medieval burgess would doubtless, however, have viewed it differently: the town was his home; the source of his earning power; of his freedom and obligations; and of his sense of oneness and community both with his God and his neighbour. An understanding of these facets of burgh life brings the closest insight into a medieval town and its people, but to approach these intimate aspects of daily living is to step on to the shifting sands of elusive facts and received myths.

An assessment of material comforts in the home is perhaps most readily achieved. However, the information available is, in the main, from the later middle ages and perhaps relates more specifically to the wealthier townsman than to the poorer indweller, who was not only largely unprivileged but also largely undocumented.

The Dundee lifestyle was simple; and it is certain that the early, primitive dwellings clustered around the Seagait region would have been absolutely basic. Even in later centuries the interiors of typical homes were functional, with furniture amounting only to the bare essentials. By the fifteenth century most houses would have had an 'army', or cupboard, for storage of domestic utensils and display of plate.¹ There are occasional references to silver spoons, but the fact that these were frequently pawned implies they were relatively luxurious, and perhaps uncommon, items.² Plates and dishes were usually of wood or pewter, and cooking utensils of iron. These latter ranged from 'goose pans, fish pans, kale pans and 'best beef pots' to girdles, spits, 'baikbreids', racks, spits, vats and ladles.³ In some houses a meat 'army' and bread 'army' kept food clean, and barrels stored salted meat, fish and dry goods.⁴ A wooden kist was commonplace for general storage, and better quality homes might have a 'towel burd' for bedlinen, table cloths, towels and serviettes.⁵

An important domestic item was the table. This was generally one of two types. The comptier was a reckoning table, with squares delineated on the surface, although medieval paintings suggest that the counting squares might sometimes be on a cloth placed on the table. Such tables were probably more frequently found in the homes of merchants. More common was the trestle table - a board with trestles to support it.⁶ In a cramped room this was the ideal solution. Once the meal was over the table could be placed back against the wall. Simple forms for seating were the norm, chairs being used in only the wealthier houses.⁷

Beds were usually of the box variety, and only in the homes of the more

prestigious members of society were there such luxuries as feather bolsters and feather beds, sometimes draped with curtains, and separate sleeping chambers.⁸ In many poor houses bedding was straw for both people and animals, although by the fifteenth and sixteenth centuries there is ample evidence of sheets, both single and double, blankets, bolsters and coverlets in the better quality urban dwellings.⁹ Rushes or straw was the traditional medieval floor covering, to be superseded by carpeting in only the most luxuriously appointed homes. The living area could be warmed, however, by the open fire on the hearth; and once chimneys formed a part of the design of wooden houses they were constructed of stone or plaster, or iron if transportable, to offset fire risk.¹⁰ Fuel was wood, peat or coal, the local supplies of the latter being supplemented by import by sea from other burghs, such as Dunfermline.¹¹ Homes were illuminated by the light of candles, which in some wealthier homes were supported by brass candelabra.¹² Lamps may also have burned oil,¹³ which had been processed from flax grown in the backlands of rigs or imported from the Baltic.

Luxuries and innovations such as clocks, mirrors and books feature infrequently in the Dundee records. Such non-essentials would be found in the homes of only the wealthiest. The monitoring of time in the town, an essential feature of daily life which began at 6 am and ended with the curfew at late dusk, was primarily dependent on the church bells, reinforced by a clock in St Mary's steeple. When it was first erected is unclear, but by 1540 it had become so worn that the council made a contract with William Purves, 'knockmaker' of Edinburgh, for the construction of another. This was in place by 1543.¹⁴ In January 1554, however, the town council decreed that £200 should be gathered from the townspeople to purchase and erect another clock and a bell.¹⁵ This had presumably been achieved by September when it was decided that the 'orloge' of the 'steple' should be painted in gold colours, and a 'keeper' of the 'knock' was appointed.¹⁶

It was also the more fortunate members of society who attired themselves in the imported velvets, silks and cloth of gold specified in Halyburton's 'Ledger' and Wedderburne's 'Compt Book',¹⁷ and the silver belts, silver crosses, gold rings adorned with rubies, garnets and sapphires, strings of pearls, furred gowns of English brown and French russet, taffetas and cloaks of Kendal [green] referred to in the Burgh and Head Court Books.¹⁸ The clothing of the majority of town dwellers was of less sumptuous material. Petticoats, sarks, hose, breeks, doublets, skirts, mantles and cloaks were all manufactured in coarse cloth of wool, canvas, fustian or rough linen. Shoes and jaks were leather. Silk discovered in a backland dwelling in Perth was in all probability a hand-down, and not typical clothing material of a backland resident in Perth or Dundee.¹⁹ There is documentary evidence for the extensive growing of flax in and beside the town, and its regular import from the Baltic; as well as the wheel and carding combs for spinning, and shuttles and ancillary equipment for weaving, common features in Dundee homes;

all are indicative of the importance of domestically produced cloth.²⁰

Food was also partially produced at home, in the backlands of rigs and on the burgh crofts outside the town boundary. The most common type of meat eaten, according to bone remains on urban sites, was beef, although other bone deposits suggest that pig, sheep, deer and goat were part of the diet.²¹ Chicken and geese were also reared for the table and wild birds were trapped. In Dundee fish, in particular salmon, formed an important part of the diet and the burgh authorities kept close watch against unfair monopoly and the sale of catch from boat-side before it reached the open market.²² Dairy produce and eggs came from the burgesses' own animals or were bought with other essential commodities at the victual market, which by the sixteenth century was held twice a week on Wednesdays and Saturdays.²³ Some such foodstuffs might come from far afield, however, and there is evidence of Dundee purchasing butter from Orkney.²⁴ Most vegetables and fruit were probably grown in the backlands of tofts, although some were imported, such as onions and apples.²⁵ There is evidence also of leeks, syboes, fat-hen and, in particular, kale. One Alexander Paterson's outrage at 'certane franschmen' who had 'clum ower [his] zaird dykis and tane away his cale' is as much a comment on the importance of the kale as on the dislike of French troops billeted in Dundee in 1551/52.²⁶ Vegetables and fryit were supplemented by the collection of wild foods, evidence of which has been found in the cesspits of towns. Raspberries, brambles, blaeberrries, wild cherries, elderberries and rowans were all gathered when in season.²⁷ Cereals, formed the staple of the diet, the main crops being oats, rye, wheat and barley,²⁸ all of which were grown in the town crofts, although in times of dearth grain might be imported from overseas, in particular the Baltic region.²⁹ These were processed in the town. Wheat that was to be used solely for bread to be consumed at home, as a supplement to oatcakes, might be ground on domestic handmills, otherwise all residents had to resort to the official town mills and pay regulated dues.³⁰ Likewise, bread for purely domestic use could be baked in private ovens, but was not to be sold, as this would encroach on the monopoly of the baxters. The price and processing of barley and malt into ale were equally controlled by the authorities.³¹ Although as the middle ages progressed there was an increasing dependence by the wealthier classes on imported wine, the price of which rose astronomically in real terms during the sixteenth century,³² ale was the mainstay of the majority of the Dundee populace.

Water was, however, readily accessible in the town. Early settlement probably relied solely on the supplies from the two streams, the Scouring-burn and the Dens Burn. Wells were soon sunk to supplement this source. Robert I's charter granting land for a tolbooth refers to a 'water conduit' and the 'Cross Well'. This remained in use throughout the middle ages, and beyond. Recent excavations by Scottish Urban Archaeological Trust between Seagate and Cowgate near the junction with Queen Street, firstly on its east side in a car park, and secondly on the west side on

the site of the Co-op waterhouse, both produced evidence of an old natural water-course. How old has not been ascertained, but it is possible that amongst the disturbed soil layers in this area remnants of the fourteenth-century 'water conduit' have survived. The more westerly site also produced a stone-built cistern of beehive shape. Its style might suggest a medieval origin; but to date it has not proved possible either to date it or to find documentary evidence relating to its construction.

In 1409 in a contract between James Scrymgeour, constable of Dundee, and the burgesses there is reference to a second well, although it may have been in existence earlier - 'the well of the Blessed Maria of Dundee' or the Ladywell. Situated at a junction of dolerite and Lower Devonian sandstone, this source of water was ducted and culverted in the early fifteenth century to flow into the Scouringburn, and was considered the parent source of water for the burgh until into the nineteenth century. St Francis' Well or Friars' Well stood in the Meadows to the north of the Greyfriars' friary, and probably served as a water supply for the Franciscans.³³ Near to the site of St Clement's Church, and perhaps formally attached to it, was a further medieval well - 'St Clement's', 'Saint's' or 'Bishop's Well'. Burgesses, however, had access to the well by a small vennel leading from Tendall's Wynd.³⁴ Another medieval well may have been sited in Marketgait — it was certainly in existence by the end of the sixteenth century, when it stood to the east of the market cross, and was also called the 'cross well'. Other public wells possibly existed, and although as yet there is no evidence for Dundee, it is very likely that private wells would also have been sunk in backlands and closes; and rainwater was collected in barrels, as was the practice in other towns.³⁵ By the early sixteenth century, however, this water supply was proving insufficient for the town.

Not only was water needed for drinking and laundering, but also the supply needed to cope with industrial requirements. The Scouringburn, or Castle Burn as it was termed at the section running east of Castle Rock, was used to turn the wheels of the burgh's grain mills at Burnhead at the foot of the rock. To supplement this a dam had been constructed in the Meadows on the site of the present day City Museum and Art Gallery in the first half of the fifteenth century,³⁶ and the Scouringburn was fed by a lade or aqueduct from the Dens Burn, called Tod's Burn.³⁷ To augment the town's mills Pitkerro Mill, about four miles east of Dundee, along with those at Baldovan and Fintry were bought.³⁸ By the sixteenth century, if not earlier, a windmill was also in use at the upper end of present South Union Street for grinding oats; and a mill was built at a fall in the Scouringburn northwest of the town. A dam was constructed and a lade led to it, following a ditch to the town wall, passing round the base of Corbie Hill. The burgh records in 1604, however, suggest that this dam was difficult to maintain, and considerable flooding resulted.³⁹

The townspeople found other uses for their water supply. The burns were

utilised for scouring and fulling wool, bleaching and dyeing cloth and tanning leather. They were, moreover, handy dumping grounds for noxious waste and any animal remains rejected by fleshers. In due course dyers disposed of their refuse in the Scouringburn and skinners placed their limepits along the water course, particularly in the region of present Lindsay Street. The owners of tenements in Argyllis-gait whose backlands reached to the Scouringburn ultimately, in 1597, complained to the council that such practices 'daily poison and intoxicate with scouring pellets and with lime the water' used by 'the maist pairt of the inhabitants to their brewing, washing and preparing of meals'.

The authorities appear to have attempted to minimise the misuse of the water supply, and lime pits were removed to the east end of Seagait, near to St Roque's chapel, where an adequate supply of water was found at the Dens Burn.⁴⁰ However, an earlier council instruction of 1560 was somewhat self-defeating. In an attempt to concentrate animal refuse in one place it was decided that the shambles that had been sited outside the West Port should be 'erectit in the causeway westside of Castle Burn, where the myddings are'. Proximity, however, encouraged the practice of using the Scouringburn as a refuse dump, instead of enforcing the official policy of waste disposal at sea.⁴¹

In spite of this evidence of the growth of manufacturing, Dundee was still essentially of the country; and apart from in the central market core there must have been a strong visual impression of greenness, with the open areas around the ecclesiastical buildings and the cultivated backlands. Most burgesses would, moreover, supplement the agricultural potential of their tofts by taking up their rights to hold some of the rigs of communal arable land outside the town boundary proper, the *terra campestris*.⁴² Grazing for animals was a further element of the burgh economy. The common grazing lands were also beyond the town ports, but livestock was free to wander the streets. Apart from the obvious concomitant fouling of thoroughfares animals at times trespassed and caused damage to property, anecdotal accounts of which occasionally feature in the Burgh and Head Court Books. Thom Galloway, for example, claimed that a mad cow had charged into his brewhouse. Amongst the mayhem that resulted was a ruined cauldron, of significance because it was borrowed from another, Sande Piggott, who also had to receive compensation.⁴³ On another occasion a fuller laid out black cloth to dry. Unfortunately, this was ripped up by Thomas Sinclair's pig, and he was faced with the choice of recompensing the fuller to the cost of his ruined cloth or giving him the pig.⁴⁴

The sixteenth-century records make it clear that the authorities were making serious, if not always successful, attempts to control not only this sort of nuisance but also the more insidious one of public filth. The supervision was, however, by current standards at a minimum level, and on occasion, may have been self-defeating. One Hector Michelson in 1521 laid a drain or sewer to remove effluence from his land. He had not, however, obtained a licence for a 'conduit throu the

kingis calsay [roadway]' and was ordered to fill it up again.⁴⁵ Marion Aire likewise broke into the public highway in several places when she had constructed a sewer to empty her closet in a house in Seres Wynd. If she did not return the road to its original state the town authorities intimated that they would do so and charge her the costs.⁴⁶ Instructions that extra stone gutters to convey water be constructed and that malt processing be removed from the kirkyard; complaints that Midkirkstile beside St Mary's kirk was a 'standing pule corruptit with filth' and improvements were to be effected; and the existence of 'common closets' are all further evidence of an increasing awareness of the necessity for cleanliness.⁴⁷ By the sixteenth century streets were occasionally cleared, sometimes by those responsible for the accumulated filth and perhaps also by town officials such as the rakers in London who were supplied with horses and carts.⁴⁸ This was an essential task. Human as well as animal waste still littered the streets and fish were gutted and cattle slaughtered on the thoroughfares. Little would, however, remain as refuse from a carcase. As much as possible would be utilised by the Dundee townsmen: intestines and stomach linings were useful for sausages, haggis-type food and tripe, while fats would be rendered down for candles and soap. Rejected bones and dung would be partially removed by scavenging dogs. Officially, however, refuse not dumped at sea should have been placed in middens sited in backlands. This in itself exacerbated the inevitable squalor that developed with overcrowding. Analyses of occupation debris on floor surfaces in Perth suggest that attempts were made by private individuals to counteract contamination within dwellings from filth outside. It appears that some interior floors were deliberately raised above the level of the adjacent midden or path to aid drainage and a slight measure of cleanliness. Wattle rafts were also placed in a latrine area, probably to compensate for sogginess, and in some homes closets were furnished with wooden seats and moss functioned as lavatory paper.⁴⁹ All was not mindless squalor.

The intermingling of industrial and agricultural premises with residential, the continued use of straw for flooring and even bedding in some houses, and the lack of adequate sanitation and effluence contaminating drinking water inevitably brought problems. Several diseases were rife, some endemic and chronic, such as leprosy. This disease was common throughout western Europe, and the necessity for isolation was recognised. Most major towns had their leper house outside the urban precincts at a distance from healthier, and luckier, inhabitants.⁵⁰ Permission was granted for only a small number of lepers to leave their house at the Dens Burn and enter the town on specific days to purchase necessities for the leprous group; and in this manner the disease was adequately controlled. Medical knowledge was such, however, that herded with the genuinely afflicted were many who merely suffered from disfiguring skin disorders.

Perhaps the most feared medieval illness was plague or 'pest'. A translation into the Scots dialect of Sir John de Mandeville's Latin account of the plague, and its inclusion as 'Ane Tretyse Agayne the Pestilens' in the cartulary of the monastery of

Kelso in the fourteenth century is indicative of the fear it held for all.⁵¹ Plague was technically not one but several diseases, bubonic being the most noted,⁵² and typhus may also have been documented as 'pest', often manifesting itself when resistance was low, for example after famine.⁵³ Bubonic plague is clearly identifiable in medieval town records, exhibiting itself in sudden epidemics, the disease being kept virulent by rats and other rodents whose survival was greatly enhanced by the proportionate largeness of the host urban area. Wooden housing which was readily gnawed, inadequate sanitation, soiled straw on floors and relatively poor levels of cleanliness in general encouraged large numbers of the black rat, *rattus rattus*, which preferred indoor to outdoor living. If these hordes carried infected fleas, such as *xenopsylla cheopis*, which bit and attached themselves to human beings, the disease was passed on.⁵⁴ Scotland may, however, have suffered from pneumonic plague more than other countries because of climatic conditions. Cold and rain favoured pneumonic plague, not only as a secondary infection of the bubonic variety, but also as a primary disease which could be transported two metres by Flugge droplets merely by speaking and three to four metres by coughing or sneezing.⁵⁵ It is clear that Dundee suffered from regular visitations of this terrifying affliction, whether pneumonic or bubonic. In 1544, for example, George Wishart arrived in the town to preach hope to the sick and the following year Dundee failed to provide its quota for a muster of the army, such was the effect of plague. Only three years later the town was hit again.⁵⁶ Other illnesses such as smallpox, tuberculosis, cholera, amoebic dysentery, *spina bifida*, arthritis and even caries all lessened the quality of life.⁵⁷ The frequency with which apothecaries prescribed purging powders in the seventeenth century indicates a high prevalence of fluke-worm and the like; but it is also known from the parasite remains in human faeces that many medieval townsmen suffered from the debilitating and nauseous effects of ring-worm; and of parasitic worms common to man and his domestic animals, such as *trichuris* and *ascaris*. By travelling from the small intestine through the blood system to the liver, heart, lungs and trachea not only were obvious immediate effects displayed, but in general parasitic infection reduced resistance to other illnesses.⁵⁸

Although populations could become resilient to infection increasing spatial mobility by the end of the medieval period brought contact with new types of bacteria. One such disease to hit Scotland in epidemic proportions in the last years of the fifteenth century was syphilis. On 21 April 1497 Aberdeen burgh records indicate that the 'gore' or 'grangore' had become a problem there. By September James IV ordered firm measures in an attempt to control the disease: all suffering from syphilis in Edinburgh were to be banished to the island of Inchkeith.⁵⁹ By the following year Linlithgow, Stirling and Glasgow had been hit.⁶⁰ It is very unlikely that Dundee, as an east-coast port with close contacts with other urban centres, did not also succumb; and perhaps evidence of such was contained in the lost town records.

Provision for the care of the sick was so minimal as to be in effect nonexistent. The town almshouse or hospitals, while they might house a handful of people, were not genuinely open to all, and an almshouse founded in Peebles in 1464 'for tyl harbry in it pur foulk for saull heile' indicates the medieval attitude that spiritual healing was as important, if not more so, than physical, medical attention.⁶¹ The fifteenth century was for Scotland a time of increasing interest in medicine, exemplified in the reigns of James III and IV by the transcription of continental and native medical works,⁶² and the establishment of the first university post in medicine in Scotland or England. Whether such knowledge percolated down to town indwellers must be doubted, but there was a 'serurgiane' in Dundee by 1554 at latest.⁶³ From the little evidence available it appears that leeching was practised with some regularity, although this could prove costly as a professional leecher was commonly called in.⁶⁴ Self-help was essential, probably in the form of traditional medication brewed from herbs. *Hyoscyamus niger* (henbane) which induced sleep and, if taken in larger quantities, hallucinations and narcosis and *Atropa belladonna* (deadly nightshade), a muscle relaxant, were probably cultivated; but other species of plants would have been collected from the wild for their medicinal purposes.⁶⁵

Death was never distant. Young children, women of child-bearing age and the old were the most vulnerable when disease struck, but Dundee received more than its fair share of external attack during the middle ages, and death by warlike assault was no respecter of age. The mortality of man was constantly underlined not only by the frequency with which death visited, but by the physical closeness of the living and the dead. It was the medieval urban practice to inter the dead of the community intramurally and the common burial ground for Dundee was in the very centre of settlement — St Clement's kirkyard. This site was used throughout the middle ages, but overcrowding was such by 1564 that Queen Mary gave permission for the use of the erstwhile Greyfriars' land as the town graveyard. It is perhaps noteworthy that one of the reasons for this choice of site was that '... within the realme of France and other foreign parts, thair is na deid bureit within borrowis and grit townis bot hes thair bureall places and sepulturis outwith the sam for evading of the contagius seikness...'.⁶⁶ There is evidence that during the middle ages some members of Dundee society buried their dead other than at St Clement's, and purchased lairs elsewhere on hallowed ground, but still within the town precincts, in particular in the parish church of St Mary's. Fees for burial there became higher, and interments fewer, during the sixteenth century as the floor became fully occupied. However, during the English attacks of the late 1540s it seems that many burials were made without fee, and after peace returned the kirkmaster was instructed by the council to collect the money from all those 'awing for lairs in the kirk of all times bygane'.⁶⁷

It is not possible to know the attitude of Dundee townspeople to death during

the middle ages, but it must have held less fear for those more privileged sections of society who could afford to pay for masses, or even establish chaplainries, to preserve souls from purgatory. Poverty magnified the prospect of purgatory. It was for this reason that an important element of guild and fraternity life was the foundation of co-operative chaplainries. People who as individuals could not afford to pay for masses to save souls combined together to form what were, in effect, funeral clubs. There must also have been a multitude of poor burgesses and indwellers in Dundee and elsewhere who could never have aspired even to this. What cannot be assessed is whether their abject poverty on earth was such that the after-life held no threat; or whether the prospect of purgatory was yet another burden in an already intolerable earthly existence.

Church influence pervaded all aspects of town life. The Dundee people supported their two churches, the chapels and the regular establishments in a practical way by gifts of rentals and artefacts, and by the founding of chaplainries and altars. How far material gifts can be correlated with faith is uncertain, but what is important is that for medieval man such donations were tangible expressions of devotion. Contemporary documentation and the sixteenth-century burgh records confirm that the interior of St Mary's church was maintained by the burgesses with lavishness. The Spalding family in particular was noted for its generosity. George Spalding, for example, made many donations in 1495 including a bell for the tower.⁶⁸ Several altars benefited from wealthy endowments to the ministering chaplains.⁶⁹ The high altar was dedicated to St Mary, and possibly a further thirty-five to forty-eight lined the walls of the church.⁷⁰ Some of these were supported by specific groups: the Holy Blood altar from 1515 by the guild merchant, as in several other east-coast towns, underlining their trading links with Bruges, where the cult of the Holy Blood was based;⁷¹ the altar of St Severus or St Serf by the weavers; St Duthac's altar by the skinners; St Cuthbert's altar by the baxters; and St Mark's altar by the fullers.⁷² By the mid-sixteenth century with such endowments, and also with those of wealthy families with burgh connections such as the earls of Crawford (altar of St John), the Spaldings (altars of St Margaret the Virgin and St Thomas the Apostle) and the Scrymgeours (altar of St James the Apostle);⁷³ along with the rich and even magnificent accoutrements, processions and ritualistic services that were entailed, Dundee's medieval parish church was one of the most splendid in Scotland.

Just as the richness of the church reflected the religiosity of the townspeople, so St Mary's, a single parish burgh church, epitomised the medieval burgh community. While still retaining the identity of individual groups with craft and guild altars and saints, it symbolised the oneness of society - the *corpus christianum*.

Much was to change in the second half of the sixteenth century with the new

wave of religious attitudes. The preaching of George Wishart and Paul Methven; the reforming ideas that infiltrated from continental Europe, for which Dundee may have acted as a funnel; and the works of James Wedderburn, brother of Robert Wedderburn, vicar of Dundee, in particular anti-papist plays such as 'The Beheading of John the Baptist' and the 'History of Dyonisius the Tyrane' enacted on the burgh's playfield; all must have had an effect on the townspeople.⁷⁴ Moreover, many of the material, once sacrosanct, symbols of the old faith fell during the devastation of the English attacks. But there was no inevitability about the success of the protestant Reformation. Along with the reforming tracts that flooded through the port of Dundee came catholic literature reinforcing traditional views, and there is little in the Dundee Burgh and Head Court Books in the earlier sixteenth century to suggest that the old order was to change: in December 1521 a decision was taken to erect a new altar dedicated to St Michael in the parish church;⁷⁵ in 1553 the town was insisting on the correct maintenance of altars and divine service;⁷⁶ later that year set standards were demanded from a chorister in exchange for his fee;⁷⁷ and until at least 1555/1556 the burgh records suggest that the customary relationship of town and church continued; with an attempt as late as 1556 to raise the status of St Mary's to that of a collegiate church.⁷⁸ Moreover, expressions of apparent ill feeling towards the established church, such as the attack on the Greyfriars' in 1543 may have been prompted more by iconoclasm than by a genuine dislike of the catholic faith, and the role of Regent Arran in such unrest may be questioned: at the very least he gave his tacit approval.⁷⁹ However, by January 1561 the vicar of Dundee, John Hamilton, had not received his dues for three years.⁸⁰ Dissent may also have been exhibiting itself in the donation of funds, traditionally destined for wax candles for the church, to the poor.⁸¹ Whether the doctrines favoured in the town were protestant or reformed catholic, political factors were ultimately to tip the balance in favour of protestantism and remove many of the superficial trappings of the catholic church; but some of the traditional values and beliefs, the foundation of ordered medieval society, experienced a more lingering death.

Before the Reformation the church's impact on the townspeople was witnessed in all spheres of everyday life. Education, for example, was within the remit of the church until into the sixteenth century. The first reference to schools in the town occurs soon after 1239, when Pope Gregory IX confirmed a grant by Bishop Gregory of Brechin to the abbey of Lindores of the right to found schools in Dundee.⁸² When this right was taken up is not clear, but there were two medieval schools attached to St Mary's church: a song school and a grammar school. Little is known of them, other than that they were maintained by clerics, whose main concern initially was to educate boys as potential choristers towards a full participation in church services. The emphasis was therefore on music and the rudiments of Latin.

The purpose also of the grammar school was largely to fulfil the church's need for educated clerics. This was reflected in a typical curriculum as laid down by Edinburgh town council in 1520: 'grace buke, prymer and plane donatt',⁸³ a book containing the graces for before and after meals, a primer to teach the alphabet and the rudiments of Latin, and the 'donat', a grammar based on the fourth-century Aelius Donatus, which appears to have been more popular in Scotland than other classical grammars. It has been claimed that there were more than 160 pupils in the grammar school by the end of the fifteenth century.⁸⁴ Some of these may, however, have been landward scholars, as was certainly the case with the grammar school in Perth, and it is impossible to calculate either the proportion of town children who received schooling or the level of education for the majority of townspeople.

By the sixteenth century a number of burgesses were able to read, which was an easier skill to acquire than the ability to write. Merchants, particularly those travelling overseas, had at least to be numerate and perhaps read, even if they were not literate. One such was Andrew Gibson who resided in Worms. He was described in 1552 as 'departit furthe of dunde fra the schole thirty-six years bygane'.⁸⁵ The ability to sign one's name is a crude index to a minimum of literacy. In 1588 sixty Dundee baxters were required to perform this relatively simple task. Twenty-eight were able to do so. The remaining thirty-two needed the assistance of the notary public to guide their hands.⁸⁶ By 1635 of twenty-five wrights, seventeen were able to sign,⁸⁷ although in 1695 in the same trade of fourteen men nine had their signatures placed by the notary.⁸⁸ Such figures serve merely as a general indication of the level of literacy, and Dundee does not compare unfavourably with other burghs. In Dunfermline, for example, in 1594 fifty percent of guild merchants could not sign their own names⁸⁹ and five years later in Stirling this was true often of nineteen guild brothers.⁹⁰ Members of the guild were, moreover, perhaps more likely than other burgesses to receive a minimum level of education. This appears to be confirmed in Perth. In 1561 all categories of burgesses were required to sign their names. Two members of the town council, three deacons of crafts and a further 215 could not do so. Only forty-nine signed with their own hands.⁹¹ In spite of the evidence of the numbers unable to sign their names, by the sixteenth century schooling was becoming more available in Dundee. There is ample evidence of a long line of Dundee boys, starting with Johannes de Dundee 'pauper' in 1452/53,⁹² being educated in the town and then sent to university at St Andrews. Once the burgh records are extant, the town authorities are seen increasingly to control the running of the schools, whether it was by the funding of a new school building as in 1551,⁹³ or by ensuring that townspeople sent their children only to the officially recognised establishments: in 1555 the grammar school of which Thomas MacGibbon was master and the song school under the control of John Barry.⁹⁴ Anyone found disobeying this council

ruling by supporting non-approved schools such as that run by Henry Levinton was fined.⁹⁵ In spite of this evidence it is abundantly clear that the great mass of people received no schooling whatsoever.

Youngsters were, moreover, an important part of the burgh and family economy as cheap labour, and many could not have been spared for schooling. Even a toddler could supervise a simple loom or care for a baby, so releasing a mother for a more demanding role within the family unit. Dundee's records give no indication of the attitude to children other than the community's protection of children's heirship rights.⁹⁶ Medieval literature throughout Europe reveals little on this, but babies are spoken of affectionately in the Coventry carol and early mystery plays,⁹⁷ and this may have been a typical medieval reaction; but children were regarded as little adults and dressed as such.⁹⁸ Doubtless life for most in medieval Dundee was sufficiently harsh that the preoccupation with the upbringing of young did not manifest itself in anything more than the basic need to have well-fed and adequately clothed children. Equally unclear is whether girls attended the town schools, as was the case in some enlightened burghs towards the end of the middle ages.⁹⁹ The female role in burgh society was a somewhat ambivalent one. Within a marriage the man was legally the dominant partner. As early as the *Leges Burgorum* it was laid down that a man might speak for his wife in court,¹⁰⁰ and once married a woman had no legal *persona*. Her movable property, including rentals of heritable property, annuities and interest on loans of money passed to her husband.¹⁰¹ She retained only her *paraphernalia* (dress, personal ornaments, jewellery and repository in which to keep them) and *peculium* (gown or gift to the wife if a husband sold lands in which she had an interest as a tancer). Marriage, however, brought a woman legal protection: even if a husband had children by a previous marriage, a wife's right to property was usually protected throughout her lifetime;¹⁰² in Aberdeen it was laid down that the daughter of a first marriage should inherit before the son of a second, and this may have been true also of Dundee;¹⁰³ and a husband inherited all his wife's premarital debts, was liable for the expenses of her first husband's funeral, and for the support of her illegitimate children.¹⁰⁴ In practice, however, a woman's position was probably stronger than her legal status would suggest, particularly within her own household if she had authority over a number of servants.¹⁰⁵ It became the custom in Dundee, as in some other burghs, that when land held in conjunct infeftment between husband and wife was to be sold or otherwise alienated, the wife was given the opportunity to swear in court in the absence of her husband that she was not 'compellit nor choact' by her husband into such action.¹⁰⁶ Such a procedure seems to have been applied whether or not the wife brought the property as her dowry or 'tocher'. However, the fact that it was sometimes necessary for a wife to declare in private in a court of law that she was not in 'aw na dredour' of her husband speaks for itself.¹⁰⁷ Although a wife might thus receive legal protection from her husband, the

tradition of the dominance of the husband in the marriage partnership was actively reinforced in the burgh courts. The case of John Tavernour's wife epitomises this. In January 1522 she had been banned from the town for what must have been a serious or recurrent misdemeanour. She ignored the conviction. The town authorities deemed that her husband's pressure would bear more weight than theirs; and if he did not have her out of Dundee within eight days the same ban would be imposed on him.¹⁰⁸

The records, however, suggest strongly that outwith the marriage relationship the role of women was not an entirely subservient one. In towns wives and widows regularly substituted for their husbands, but there is evidence in Dundee, as in other burghs, that women played a significant part within the burgh economy in their own right, particularly in brewing and selling ale and in the food retail trade.¹⁰⁹ Although cultural norms often excluded women from certain sectors of the economy and usually set a demarcation between typically female and male work, women in Dundee might function as factors and ship owners;¹¹⁰ and from 1326, for six years, a woman, Marjorie Schireham, held the position of customar, the collector of customs dues.¹¹¹ Within a family-run household economy the matriarch was doubtless indomitable. Women, such as Marioun Aire in Seres Wynd, also held property in their own right and were subject to the same burdens as men, other than 'watching and warding' the town.¹¹²

Predictably, there is no indication that women held political power in the town: the burghal administrative hierarchy was dominated by men. It would also be true to say that women with the support of men had a more secure place within society. Women alone might find sanctuary in a convent or domestic service, but openings for the destitute single woman were few. Many would have no option other than to become street vagabonds, camp followers or prostitutes.

The poor of both sexes suffered in medieval society. However, the Christian ethos of charity was recognised not only within the guild merchant and craft incorporations with moral and financial support of decayed members, but also officially by the town in assistance to the poor. This might take the form of gifts of money or in kind. In 1523, for example, a man found guilty of regate in fish was ordered to hand over all of the catch to the poor.¹¹³ In 1556 the town laid down set charges for grave-digging: twelve pence for an old man; less for a small grave for a child; and free for 'pure creaturis'.¹¹⁴ Conscious also of the hardship caused to the poor in purchasing full measures of essential foods, the council instructed that the treasurer should 'make half pekis for the service of pure folk in the meal market'.¹¹⁵ A cheap food policy, moreover, served instead of a genuine poor rate. There appears, however, to have been a limit to official tolerance. In 1521 it was minuted in the council records that the serjeands were to keep 'the pur fowk out of the kirk' on holy days.¹¹⁶ Two years later the serjeands were once more instructed to keep the poor out of the church and choir on Sundays and festival days.¹¹⁷ Presumably,

their numbers or behaviour were causing inconvenience to the more substantial members of the burgh on popular days for church attendance. Such rulings typified social control in medieval Dundee. Firstly, sanctions were, in effect, imposed by the disapproval of the public at large. Secondly, deviant behaviour within the community was not tolerated since this threatened the economic stability and the *status quo* of burgh life.¹¹⁸ In effect, conformity within a close-knit society, while it might prove stifling to particular individuals, was essential to the preservation of traditional values.

Offences that fell within the jurisdiction of the burgh court were basically temporal, antisocial activities such as regrate, forestalling and other abuses of market privileges, or threats to the peace and security of the town. Slander, verbal abuse and fighting were the most common disturbances of the peace.¹¹⁹ Complaints about burgh officials in particular were firmly stamped on because such accusations struck at the very core of stable burgh life. David Spanky, for example, an unwise man, particularly as he spoke in front of a bailie, paid dearly for his comment that 'thare wes na justice done in the tolboth'.¹²⁰ His fine, however, was diverted to the town's almshouse, so some good to society resulted from his lack of discretion. Punishment for damage to property and theft also features often in the town records.¹²¹ Alexander Clerke and Elesebeth Stevinsone were both banished from the town for various misdemeanours including theft and 'gryt sumptuos spending be nygcht continuandly'.¹²² This second offence probably conceals two problems common to medieval towns: drunkenness and 'nightwalking'. To counteract such threats to the peace and security of the inhabitants many burghs imposed not only curfews, when the town gates were to be closed to all outsiders, but also forbad movement around the town after dark other than by those carrying lanterns and on legitimate business.¹²³

Punishments highlight the essence of cases brought to the burgh court: they were offences against society, and due public penance was to be paid. The case of James Richardson, a tailor, accused of theft in 1553 encapsulates contemporary thinking: he was punished with twelve strokes of a double belt — only — because there was not sufficient proof against him, merely 'vehement suspicion'; otherwise he would have been banished for a year and a day. Women were often placed on the cuckstool and men in the stocks where all might come to witness and ridicule.¹²⁴ Miscreants were also at times displayed to the town at the tron — nailed to it by the ear.¹²⁵ Slanderers were forced to ask forgiveness of the aggrieved at the market cross in full view of the other townspeople.¹²⁶ More serious offences might merit even greater open humiliation: a woman was to pass through the town on her knees with a rosary round her heels;¹²⁷ a cheating tax gatherer was to appear before the provost and bailies to ask forgiveness 'in sark and gown barfut and barheid';¹²⁸ another who abused the provost was to appear at high mass in 'lynning claihts barfut and barleg'.¹²⁹ There was more than public humiliation involved in these

two cases: each offender was to offer candles to the church as penance. Many of the fines imposed in lesser cases also went to church work.¹³⁰ At times imprisonment in the tolbooth was imposed, but the harshest penalty authorised at the burgh court was banishment from the town for a period of time, or for ever.¹³¹ If this ruling was disobeyed the offender was branded on the cheek with a hot iron so that all, in Dundee or any other burgh, might recognise and eject the outlaw.¹³²

Communal life brought pleasures, however, as well as punishments, and many of them revolved around the church. Holy days were days of rest from work, and days for fun. Processions through the streets on saints days were not only occasions to venerate the saints and display the banners of guild merchant and crafts as they progressed in order of importance in burgh society; but also times to introduce some jollification into life. Strolling companies of players travelled around the country and added to the festivities with jesters, tumblers, minstrels, drummers and pipers. A list in the Dundee burgh records of the pertinents used by the townspeople in their procession to celebrate *Corpus Christi* gives only a flavour of what must have been a spectacular, joyous occasion: 'sixte of crownis, six pair of angel reynis [wings], three myteris, cristis cott [coat] of lethyr with the hoses and glufis, cristis hed, thirtie one suerdis, thre lang corsis of tre [wood], sane thomas sper, a cors til sane blasis, sane johnis coit, a credil and thre barnis maid of clath, twentie hedis of hayr, the four evangellistis, sane katernis wheil ... sane androwis cros, a saw, a ax, a rassour, a guly [large] knyff, a worm [serpent] of tre, the haly lam of tre, sane barbaras castel, abraamis hat and thre hedis of hayr'.¹³³ The medieval religious plays of western Europe are well recorded, such as the *Corpus Christi*, the Creed and the *Pater Noster* plays regularly performed at York.¹³⁴ In Scotland it was primarily at the royal court and in the burghs that there is evidence of such organised entertainments,¹³⁵ and there is every reason to believe that the townspeople of Dundee found such plays another welcome outlet from the daily grind, as they were regularly performed on the playfield to the west of the town.

The hardships of life were also alleviated by secular festivities and plays, the most noted being the May revels, at which traditionally the 'abbot of unreason' presided. On this occasion the conventional order and rule of burgh society was upturned and high spirits held reign. By the fifteenth century at the latest the cult of Robin Hood was well-known throughout Scotland, and traces of Robin Hood are found in the entertainments of several burghs such as Edinburgh, Haddington, Peebles and Dunfermline.¹³⁶ Both the Abbot of Unreason and Robin Hood were lords of the Maygames, and in some towns where there is no mention of the former, Robin Hood may have developed out of the Abbot. This is perhaps the case in Dundee: by the time the records are extant the burgesses were appointing a Robin Hood to lead their revels and in honour of this status he was given his burgess-ship free.¹³⁷

Labour was interspersed also to some extent with less organised pastimes. Drinking, story-telling and gossiping would be welcome diversions. The 'buttis' were used for shooting practice;¹³⁸ foot and hand ball were probably as popular in Dundee as elsewhere; and hunting was not necessarily confined to the gentry, even though it might have been clandestine for the average town dweller. Hawking, bowls, pennystanes and card-playing were all features of medieval life.¹³⁹ Archaeological evidence indicates two other leisure pursuits: bone gaming counters and dice; and thirteenth or fourteenth-century ice skates made from the metatarsal of a horse.¹⁴⁰ Both sports were great favourites throughout western Europe, the latter being particularly encouraged by the relatively cold weather of the later middle ages: temperatures could fall so low that the Tay would freeze from Dundee to Perth.

The mores of Dundee were, of course, not static. It is unrealistic to look at burgh institutions and life as if there was never change. Social attitudes developed and became more sophisticated, in spite of the natural instinct towards tradition. But there were characteristics that appear to encapsulate the thinking and values of Dundee throughout the middle ages. Firstly, there was a sense of order within the community: each man, woman and child had a specific role in a stratified society. All were not equal, whether socially, politically or culturally. This was an accepted tenet of medieval thinking - the most able and the 'best' controlled for the benefit of all. But, along with this went a second basic instinct—a strong sense of corporateness or oneness. Inevitably, this led to a certain introspection, dislike of foreigners and conservatism, in spite of Dundee's close contacts with Europe and its significant role as an important burgh within the Scottish realm. For the townspeople Dundee was quite literally the centre of their world. They would have found nothing parochial in a description of the location of Scotland's capital given by Lawrence Green when he was in Breslau in the late fifteenth century: Edinburgh was 'thirty miles off Dundee'.¹⁴¹

NOTES

¹ SRO, B20/10/1, Burgh Court Book of Dunfermline, 44, 110, for example.

² MsDBHC, 16 May 1521; 18 January 1522; for example.

³ MsDBHC, 13 July 1552.

⁴ SRO, 820/10/1,84; MsDBHC, 29 July 1552; MsDBHC, 19 December 1522.

⁵ MsDBHC, 22 April 1556 and 22 December 1556.

⁶ MsDBHC, 4 February 1557 and 20 November 1556.

⁷ MsDBHC, 26 November 1554 and 13 July 1552.

⁸ MsDBHC, 13 July 1552 and 4 February 1557.

- ⁹ MsDBHC, 4 June 1521; 12 June 1521; 13 July 1552; 19 October 1554 and 22 December 1556, for example.
- ¹⁰ MsDBHC, 27 October 1556 and 4 February 1557.
- ¹¹ MsDBHC, 13 April 1521 and 21 October 1521.
- ¹² MsDBHC, 28 February 1521 and 29 July 1523.
- ¹³ P. Holdsworth (ed.), *Excavations in the Medieval Burgh of Perth*, 206.
- ¹⁴ Maxwell, *Dundee Before the Reformation*, 11.
- ¹⁵ MsDBHC, 8 January 1554.
- ¹⁶ MsDBHC, 3 September 1554; 10 December 1554.
- ¹⁷ *The Compt Buik of David Wedderburne, Merchant of Dundee, 1587-1630*, ed., A.H. Millar; *The Ledger of Andrew Halybwrton, 1492-1503*, ed., C. Innes (Edinburgh, 1867), pp. Ixiii, cxiii, 328.
- ¹⁸ MsDBHC, 29 April 1521; 29 March 1522; 29 July 1523; 4 August 1523; 6 March 1550; 27 October 1556.
- ¹⁹ L. Blanchard in P. Holdsworth (ed.), *Excavations in the Medieval Burgh of Perth*, 45.
- ²⁰ MsDBHC, 13 July 1552, for example. L. Blanchard, in *Excavations in the Medieval Burgh of Perth*, 45.
- ²¹ J. Stones (ed.), *A Tale of Two Burghs*, 30.
- ²² MsDBHC, 7 February 1522.
- ²³ MsDBHC, 11 March 1523.
- ²⁴ MsDBHC, 10 February 1557.
- ²⁵ MsDBHC, 13 March 1521; 24 September 1552.
- ²⁶ MsDBHC, 4 February 1552.
- ²⁷ J. Stones (ed.), *A Tale of Two Burghs*, 30; P. Holdsworth (ed.), *Excavations in the Medieval Burgh of Perth*, 206.
- ²⁸ P. Holdsworth (ed.), *Excavations in the Medieval Burgh of Perth*, 205-206. In the sixteenth century there was a growing dependence on cereals and a decline in the consumption of meat and other animal-derived foodstuffs. (A. Gibson and T.C. Smout) 'Scottish Food and Scottish History, 1500-1800' in R.A. Houston and I.D. Whyte (edd.) *Scottish Society, 1500-1800*, 60-66.)
- ²⁹ Import of grain from the Baltic was common to many Scottish burghs when home supplies were inadequate.
- ³⁰ By the sixteenth century the revenues of the town mills were farmed out. See MsDBHC, 15 March 1552 and 27 June 1552.
- ³¹ See above, 'Markets and Merchants'.
- ³² MsDBHC, 11 June 1521; 26 July 1521; 10 November 1550; for example.
- ³³ DDARC, CC1, no. 15; J. Scrimgeour, 'History of the Water Supply of the City of Dundee' in *Dundee and District*, 278; MsDBHC, 12 October 1591.
- ³⁴ Lamb, *Dundee*, p. xxi.
- ³⁵ J. Stones (ed.), *A Tale of Two Burghs*, 14.
- ³⁶ SRO, GD137/3720.
- ³⁷ According to Lamb (Lamb, *Dundee*, 41) the 'Todd's Burn' was the section of Scouringburn running behind Argyllis-gait. Millar (A.H. Millar, *Glimpses of Old and New Dundee*, 24) more convincingly argues Todburn Lane, which runs east and west from William Street to Dens Brae, parallel with King's Street... preserves the name of Tod's Burn. In early times this was the rivulet that carried the waters of the Dens Burn down the course of the present Victoria Road, until it joined with the Scouringburn at the corner of Commercial Street and Albert Square'.
- ³⁸ Maxwell, *OldDundee*, 170, 177.
- ³⁹ MsDBHC, 10 January 1604.
- ⁴⁰ MsDBHC, 25 October 1597.

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- ⁴¹ Lamb, *Dundee*, p. xxi.
- ⁴² The common lands of the town might be used also for other purposes, such as the building of the common horse mill in 1521. (MsDBHC, 14January 1520/21)
- ⁴³ MsDBHC, 21 October 1551.
- ⁴⁴ Maxwell, *Old Dundee*, 199.
- ⁴⁵ MsDBHC, 11 July 1521.
- ⁴⁶ MsDBHC, 24 July 1551.
- ⁴⁷ MsDBHC, 15 March 1552; 8 April 1552; 23 October 1556; 21 November 1552.
- ⁴⁸ MsDBHC, 8 April 1552.
- ⁴⁹ L. Blanchard, 'The Excavated Buildings' in P. Holdsworth (ed.), *Excavations in the Medieval Burgh of Perth*, 87.
- ⁵⁰ The leper houses listed in I.B. Cowan and D.E. Easson, *Medieval Religious Houses*, 162, testify to the concern for the control of leprosy.
- ⁵¹ *Liber Sancte Marie de Calchou* (Bannatyne Club, 1826), ii, 448, no. 559.
- ⁵² J.M.W. Bean, 'Plague, population and economic decline in the later middle ages' in *Economic History Review*, xv, 424-127.
- ⁵³ D. Hamilton, *The Healers: a History of Medicine in Scotland* (Edinburgh, 1982), 9.
- ⁵⁴ H.H. Scott, *A History of Tropical Medicine* (2 vols.) (London, 1939) ii, 735; J.M.W. Bean, 'Plague, population and economic decline', 424; J.F.D. Shrewsbury, *A History of Bubonic Plague in the British Isles* (Cambridge, 1970), 1-6.
- ⁵⁵ Audrey-Beth Fitch, 'Assumptions about Plague in Late Medieval Scotland' in *Scotia*, xi (1987), 31-32.
- ⁵⁶ John Knox, *The History of the Reformation in Scotland* in *The Works of John Knox*, ed. D. Laing (6 vols.) (Bannatyne Club, 1846), i, 125; APS, ii, 464.
- ⁵⁷ C. Platt, *The English Medieval Town* (London, 1976), 101; J. Stones (ed.), *A Tale of Two Burghs*, 36-37.
- ⁵⁸ K.G. Jones, 'Parasite remains from Oslogate 7' in *De Arkologiske Letgravinger* (1979); J. Stones (ed.), *A Tale of Two Burghs*, 37.
- ⁵⁹ *Extracts from the Council Register of the Burgh of Aberdeen* (Spalding Club, 1844-8), 177; *Extracts from the Records of the Burgh of Edinburgh* (SBRs, 1869-92), i, 71-72.
- ⁶⁰ TA, i, 361, 378.
- ⁶¹ *Extracts from the Records of the Burgh of Peebles* (SBRs, 1910), i, 151.
- ⁶² J.D. Comrie, *A History of Scottish Medicine* (2 vols.) (Edinburgh, 1932) i, 146.
- ⁶³ MsDBHC, 18 July 1554.
- ⁶⁴ MsDBHC, 26 September 1552; 26 September 1553.
- ⁶⁵ P. Holdsworth (ed.), *Excavations in the Medieval Burgh of Perth*, 206-207.
- ⁶⁶ W.M. Bryce, *The Scottish Greyfriars* i, 227.
- ⁶⁷ Maxwell, *Dundee prior to the Reformation*, 81.
- ⁶⁸ *Registrant Episcopatus Brechinensis* ii, 316.
- ⁶⁹ DDARC, ccl/43 The Book of the Church.
- ⁷⁰ Maxwell, *Dundee prior to the Reformation*, 13 and 36. Lamb, *Dundee*, xxxiv argues for forty-eight altars and chaplainries. One altar might, however, serve for two chaplainries.
- ⁷¹ D. McRoberts, 'The Fetternear Banner' in *Innes Review*, vii (1956), 77.
- ⁷² Maxwell, *Old Dundee*, 20-30.
- ⁷³ *Ibid*, 22, 31, 33.
- ⁷⁴ A.J. Mill, *Medieval Plays in Scotland* (Edinburgh, 1927), 88.

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- ⁷⁵ MsDBHC, 11 December 1521.
- ⁷⁶ MsDBHC, 9 January 1552/3.
- ⁷⁷ MsDBHC, 18 September 1553.
- ⁷⁸ MsDBHC, 2 August 1553; 11 August 1553; 2 April 1554; 10 January 1554/5 January 1555/6, for example. I.E.F. Flett, 'The Conflict of the Reformation and Democracy in the Geneva of Scotland, 1433-1610' (Unpublished M. Phil. thesis, University of St Andrews, 1981) also notes the continuance of traditional practices in the 1550s.
- ⁷⁹ J. Bain (ed.), *Hamilton Papers*, ii, 38. See also, D. McRoberts, *Essays on the Scottish Reformation* (Glasgow, 1962), 419.
- ⁸⁰ SRO, Book of Assumption, E48.1.1.f.357v cited in F.D. Bardgett, *Scotland Reformed: The Reformation in Angus and the Meams* (Edinburgh, 1989), 69.
- ⁸¹ I.E.F. Flett, 'The Geneva of Scotland', 50-56, instances both traditional piety and dissenting practices.
- ⁸² *Liber Sancte Marie de Lundoris*, 17, no. 15.
- ⁸³ *Extracts from the Records of the Burgh of Edinburgh*, i, 194.
- ⁸⁴ Maxwell, *Dundee prior to the Reformation*, 377.
- ⁸⁵ MsDBHC, 6 October 1552.
- ⁸⁶ A.J. Warden, *Burgh Laws of Dundee*, 344.
- ⁸⁷ *Ibid*, 586.
- ⁸⁸ *Ibid*, 591. Dr A. Smith's researches into the Three United Trades confirms this picture of literacy in Dundee, (pers. comment)
- ⁸⁹ E.P.D. Torrie (ed.), *The Gild Court Book of Dunfermline, 1433-1597* (SRS, 1986), 148.
- ⁹⁰ Central Regional Archives, PD 6/1/1 fo. 11.
- ⁹¹ 'Bound Book of Original Papers of the Convenor Court from 1365 to 1717', Document 23a, Perth Archives.
- ⁹² A.I. Dunlop (ed.), *Acta Facultatis Artium Univenitatis Sancti Andree, 1413-1588* (SHS, 1964), 91.
- ⁹³ MsDBHC, 12 October 1551.
- ⁹⁴ MsDBHC, 15 November 1555.
- ⁹⁵ MsDBHC, 22 November 1555; 26 November 1555; 22 April 1556.
- ⁹⁶ MsDBHC, 8 January 1520, for example.
- ⁹⁷ C. Phythian-Adams, *Desolation of a City. Coventry and the Urban Crisis of the Late Middle Ages* (Cambridge, 1979), 82.
- ⁹⁸ *Ibid*.
- ⁹⁹ R.K. Marshall, *Virgins and Viragos, a History of Women in Scotland from 1080 to 1980* (London, 1983), 124-125.
- ¹⁰⁰ 'Leges Burgorum', *Ancient Laws and Customs of the Burghs of Scotland*, ed. C. Innes (SBRS, 1868), c.xxxi.
- ¹⁰¹ G.C.H. Paton 'Husband and Wife. Property rights and relationships', *Introduction to Scottish Legal History* (Stair Society, 1958), 99-100.
- ¹⁰² *The Burgh Records of Dunfermline*, ed. E. Beveridge (Edinburgh, 1917), 2.
- ¹⁰³ *Early Records of the Burgh of Aberdeen, 1317, 1398-1407*, ed., W.C. Dickinson (SHS, 1957) 26-27.
- ¹⁰⁴ G.C.H. Paton 'Husband and Wife', 101.
- ¹⁰⁵ W.K. Coutts, 'Social and Economic History of the Commissariat of Dumfries from 1600 to 1665 as disclosed by the Registers of Testaments' (Unpublished Edinburgh University M.Litt. thesis, 1982), 153.
- ¹⁰⁶ MsDBHC, 22 January 1523; and *The Burgh Records of Dunfermline*, 282; 49; for example.
- ¹⁰⁷ MsDBHC, 10 December 1520; 23 May 1552.
- ¹⁰⁸ MsDBHC, 29 January 1552.
- ¹⁰⁹ MsDBHC, 6 March 1521; 19 September 1521; for example.

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- ¹¹⁰ MsDBHC, 6 October (1486?) -insert in 1523 records. F.E. Dyer, 'A Woman Shipowner', *The Mariner's Mirror*, xxxvi (1950), cited in S.G.E. Lythe, *Life and Labour in Dundee*, 9.
- ¹¹¹ *ER*, p. xcv, 76, 95, 170-2, 275, 316-7, 368.
- ¹¹² Widows were fully exempt, unless they bought and sold, in which case male substitutes might take their place. (J.D. Marwick, 'The Municipal Institutions of Scotland', *SHR*, i, 132.)
- ¹¹³ MsDBHC, 6 May 1523.
- ¹¹⁴ MsDBHC, 5 October 1556.
- ¹¹⁵ MsDBHC, Head Court, January 1556.
- ¹¹⁶ MsDBHC, 30 September 1521.
- ¹¹⁷ MsDBHC, 30 March 1523.
- ¹¹⁸ P.S.M. Symms, 'Social Control in a Sixteenth-century Burgh: A Study of the Burgh Court Book of Selkirk, 1503-1545' (Unpublished Ph.D. thesis, University of Edinburgh, 1986) contains a detailed discussion of burghal attempts to deal with anti-social activities.
- ¹¹⁹ MsDBHC, 2(?) January 1521; 26 May 1521; 31 January 1522; and *passim*.
- ¹²⁰ MsDBHC, 29 July 1551.
- ¹²¹ MsDBHC, 16 May 1523, for example; and *passim*.
- ¹²² MsDBHC, 14 October 1550.
- ¹²³ *Extracts from the Records of the Burgh of Edinburgh*, i, 75 and i, 190.
- ¹²⁴ MsDBHC, 6 November 1553.
- ¹²⁵ MsDBHC, 14 October 1521.
- ¹²⁶ MsDBHC, 16 July 1521.
- ¹²⁷ MsDBHC, 26 August 1521.
- ¹²⁸ MsDBHC, 9 September 1521.
- ¹²⁹ MsDBHC, 15 September 1523.
- ¹³⁰ MsDBHC, 10 December 1520, for example.
- ¹³¹ MsDBHC, 11 February 1521, for example. MsDBHC, 4 April 1521.
- ¹³² MsDBHC, 20 April 1523.
- ¹³³ DDARC, 'The Book of the Kirk' in MsDBHC, vol. i.
- ¹³⁴ A.F. Johnson, 'The Plays of the Religious Guilds of York: the Creed Play and the Pater Noster play', *Speculum*, i, 18.
- ¹³⁵ D. Laing (ed.), *Book of the Universal! Kirk of Scotland* (Bannatyne Club, 1839) i, 375; and *Extracts from the Records of the Burgh of Edinburgh*, iv, 172; for example.
- ¹³⁶ A.J. Mill, *Medieval Plays in Scotland*, 24.
- ¹³⁷ MsDBHC, 4 April 1521.
- ¹³⁸ MsDBHC, 4 April 1521.
- ¹³⁹ Maxwell, *Dundee prior to the Reformation*, 387, 388.
- ¹⁴⁰ J. Stones (ed.), *A Tale of Two Burghs*, 32 and 34.
- ¹⁴¹ T.A. Fischer, *The Scots in Germany: Being a Contribution to the Scots Abroad* (London, 1902), 241.

CHAPTER VII

POSTSCRIPT

Much of the visible face of Dundee was damaged as a result of the English invasions of 1547-50. The burgh records as late as 1582 speak of property lying 'wastit and brunt' for decades, but give only a hint of the depth of human suffering that also resulted.¹ Dundee's plight was such that it petitioned the crown for exemption from taxation for five years to offset the ruin wrought by English attacks.²

War damage to ecclesiastical property was compounded by secularisation after the Reformation. St Clement's ceased to function as a church; St Mary's choir, nave and transepts were largely destroyed; small chapels lay waste; the church of the Blackfriars was not repaired, its stones being used to upgrade the harbour; and the Franciscan friary, left roofless after the English attacks, was demolished in 1560, only its gardens and orchards remaining as the town burial ground and meeting place or 'Howff of the crafts, an area which still survives intact in the twentieth century, a small oasis amongst more modern developments.

The later sixteenth century was to be a period of physical recovery. The new tolbooth, market cross, hospital, school, dam and pond to assist the running of the mills, land reclamation and new bulwarks for the harbour, restructured parish church, and prestigious homes of the burgh's wealthy, while reflecting medieval building skills, showed an increasing dependence on stone as a building material and possessed a grandeur that was previously unknown and attested to the prosperity of the town.

A further major transformation was effected: for the first time the medieval burgh was surrounded by strong stone walling. The English attacks had clearly demonstrated that the town defences were inadequate; and in 1553 the English themselves proposed measures to fortify Dundee, although in practice probably little more than the placement of some form of fort on the rock to the north of Marketgait and the commencement of ditching around the town was achieved. It has been argued that a substantial wall was erected by the French auxiliaries of Mary of Guise, but there appears to be little documentary evidence to support this.³ Certainly by the end of the century the burgh itself, with licence from the crown, had invested heavily in labour and funds to surround the town on its landward side with a stone wall. Wherever possible existing walling was used, for example, the east wall of the erstwhile Blackfriars' land leading north from the Nethergait port, and the south wall of the Howff. The documentary evidence suggests that the wall ran in a line from the river to the ports already in existence: by the Sea Wynd to the Nethergait, Long Wynd to Overgait, round Corbie Hill to Friars' Wynd Port, by

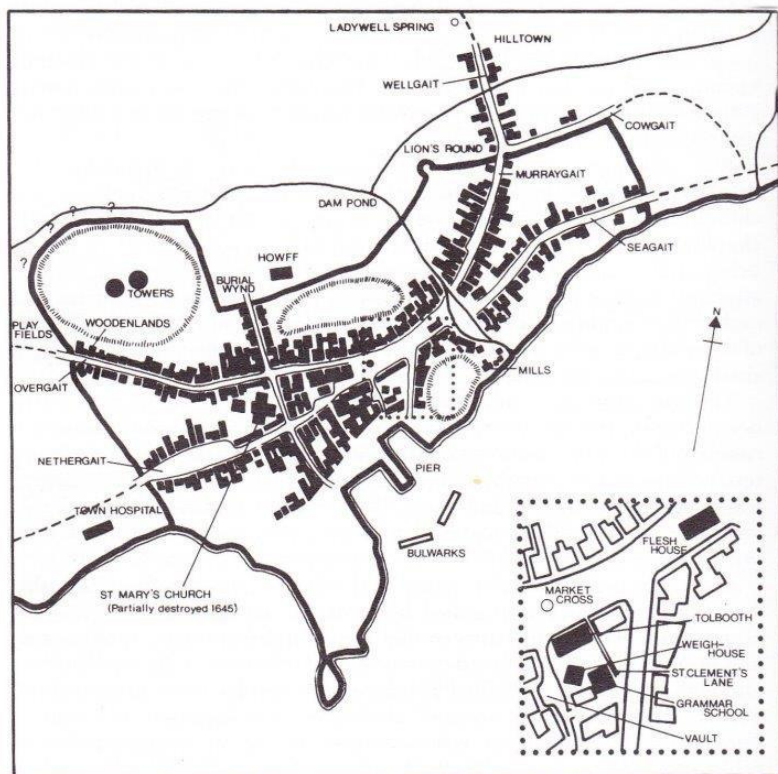


Fig. xii Conjectural sketch map of Dundee in the mid-seventeenth century.

the south side of the Howff to the present-day Panmure Street, where there may have been a fortified position later called Lions Round, to Murraygait port. From here the route of the wall is less clear - possibly via the south side of Cowgait, turning southwards somewhere near Our Lady Wynd to the East port in Seagait, and thence to the river. Improvements to these defences and reinforcing ditching were to be effected in the 1640s, the most important being a system of double walling with ditch between in certain sections and a realignment of the defences east of Murraygait port. As a result tenements were destroyed: it was felt 'that the toune can not be put in ane reasonabil securitie unles that the haill houses in the Walgait, Cowgait and without the Seagait port be presently spectit and demolishit'.⁴ Presumably they lay too close to the encircling wall.

While the precise siting and construction of these defences deserve further study, both archaeological and historical, it is clear that the town walls followed closely the traditional boundaries of the medieval burgh, but the structural impact on the townscape was totally new. So effective and innovatory were these defences thought to be, that Dundee became the repository of town muniments⁵ and treasured possessions of other burghs during the troubled 1640s and early 1650s since it was a 'toun of defence, fortifeit both be sea and land'.⁶

Other less tangible changes were manifesting themselves. The mores of any society are by their nature in constant flux, and it is unrealistic to ignore the change that went hand in hand with the continuity in social and political thinking throughout the middle ages. There is, however, in the sixteenth and seventeenth centuries evidence of fundamental shifts in urban attitudes: almost imperceptibly, but inevitably, medieval values, purposes and institutions were being reassessed.⁷

The overthrow of the Roman church undermined one of the basic foundations of medieval urban society: the *corpus christianum* and the identity of parish and burgh. Even physically St Mary's ceased to function as a single unit, and was to house four protestant congregations. The choir and chancel became variously known as St Mary's, the East and Old Church. By January 1588 the council found a further use for this section of the old St Mary's building - 'The baillies and Counsall, finding the place of imprisonment devysit for fornicatoris and adulteraris to be very incommodious, it is concludit that there sail be ane new prissoun biggit above the volt of S.Androis lyile, in the eist end of the kirk'. Behind the East Church the erstwhile chapter house became on its ground floor the meeting place for the kirk session, the upper floor serving as a place of correction for those convicted of immorality, as was the steeple. A small room at the west end of the south aisle of the East Church contained a library of rare, mainly pre-Reformation, volumes.⁸ The transept formed one church until 1582 — the Cross Church, although this also was soon divided in two to form the Cross Church and the South Church. The fourth church, named the Steeple Church, occupied the nave of the

old St Mary's. Although the spiritual well-being of the townspeople was nurtured by a team ministry, this division into four churches had more than physical implications, for within the old embracing oneness many sectors of society had gained individuality, not least Dundee's crafts each of which had for generations found a focus in the cult of their special patron saint. Officially this was swept aside, although many clung to the familiar and reassuring: ritual and procession did continue, as is witnessed in the decoration of the cordwainers' room in the Trades Hall at the end of the eighteenth century, but it was secularised ceremony that encouraged new stratifications within society. The old, pre-Reformation order of the *Corpus Christi* procession was to become defunct literally and metaphorically.

Threatening also the natural cohesion within society was a rapid increase in population in the late sixteenth and seventeenth centuries. As early as 1553 the town was divided into four quarters to assist burghal administration.⁹ Much of this was probably the result of immigration rather than natural population increase, which placed a strain not only on the notion of the community of the burgh, but also on the functioning of burgh government, particularly in time of crisis. Attempts to deal with the problems of the poor, for example, and to alleviate disease and its associated suffering are indicative of a new thinking. Plague continued to hit the town. It may be assumed that the outbreak in 1585 was particularly virulent as orders were given for the removal of the mint to Perth where money was circulating more freely.¹⁰ On 30 November the council minutes indicate that 'the bailies wt ane pairt of the counsall and dekyns of craftis ... convenit in the Magdalene geir'. The severity of the attack was such that the authorities preferred to meet in the open air at Magdalene Green.¹¹

Measures were taken to prevent the spread of further outbreaks: entrance by water or through the town ports was controlled: the number of ferry boats entering the harbour was limited to three in 1604; goods entering the town from infected areas were scrutinised; and all back yetts were to be shut. In spite of such precautions plague struck again in 1606. A night-watch of twenty-four soldiers and two commanders was set up, and a monthly levy of 500 merks for the support of the afflicted poor instituted, although the sum had to be raised by a further 250 merks the following month. The authorities insisted on the infected, and those suspected of such, being shut in their homes. The truly plague-stricken were removed from the town and put into make-shift lodgings beside the Roodyards. Cleaners were appointed to effect this separation and disinfecting process, under the protection of soldiers, but the increase of the force of attack was such that by the winter of 1606 the soldiers were unable to fulfil their task. It was not until the autumn of 1608 that there was any long-term lessening of the virulence of the disease. Notary Robert Wedderburne inserted at the beginning of a protocol book: 'Memorandum, the pest come from St Bartillis market in Franchland to Dundie at

the first fair thair of in anno 1605 and zit continueis to this present day, the first of November 1608. In the quhilk thair depairtit 4000 personis'.¹² During these two years burgh life was severely disrupted: in 1607 council elections were postponed, accentuating divisions that already existed,¹³ and by June 1608 an appeal was made to the Lords of Council who appointed three burgesses to act as magistrates since the burgh was inadequately governed.¹⁴ There were also financial hardships. Increasing levies were placed on healthy inhabitants for support of the poor, and for the cost of watching and warding the town, the payment of council cleaners and others involved in the attempts to contain the infection, and the building of washing boilers and kilns for sterilising clothes. The town was to suffer only one further visitation of the plague - in 1644—45.¹⁵ It was doubtless a medieval inheritance gladly cast aside.

The interest of central government in 1608 in Dundee's internal affairs was symptomatic of another shift in emphasis - the increasing involvement by the crown and its representatives and local magnates in burgh politics. Whether or not invited, for example in the appeal of baxters against the town council to the Court of Session in 1561,¹⁶ the 'oneness' and traditional independence of the town was being challenged. Allied to this, heavier taxation which hit at a time of escalating prices brought -about a regrouping of the taxable population and increased segregation of the rich and the poor. A new urban oligarchy was emerging, with a jockeying for position not only amongst the incorporated crafts, the bakers, shoemakers, glovers, tailors, bonnetmakers, fleshers, hammermen, weavers and dyers — the Nine Trades; but with the incorporation of the three United Trades, the masons, wrights and slaters; and for the first time, between 1600 and 1610, radical dispute broke out between merchants and craftsmen. Under such pressures medieval institutions and the old order of society could not survive for long. Natural conservatism and fear of change could at best secure a lingering death for some of the traditional values that had brought Dundee to the pinnacle of its success: the century up to 1651 might rightly be considered Dundee's 'heyday'.¹⁷ It was not to last.

A description of Dundee in the late seventeenth century is of a 'place suffering from prolonged depression, lacking resiliency and recuperative powers'.¹⁸ Perhaps there was an inevitability about the decline of Dundee in this period. Factors such as the contraction of trade with France; the collapse of Dutch trade; the growth of trans-Atlantic interest and rise of the west-coast ports; and the silting of Dundee's own harbour might all be blamed; and certainly all had some part to play. Their impact was catalysed by the Scottish Revolution.

Dundee suffered two raids, the first in 1645 when Montrose inflicted such damage that the town later received £54,477 in reparation for its losses.¹⁹ That of Monck in 1651 was effected with almost unparalleled ruthlessness. Monck permitted his successful New Model Army a reward of twenty-four hours to loot.

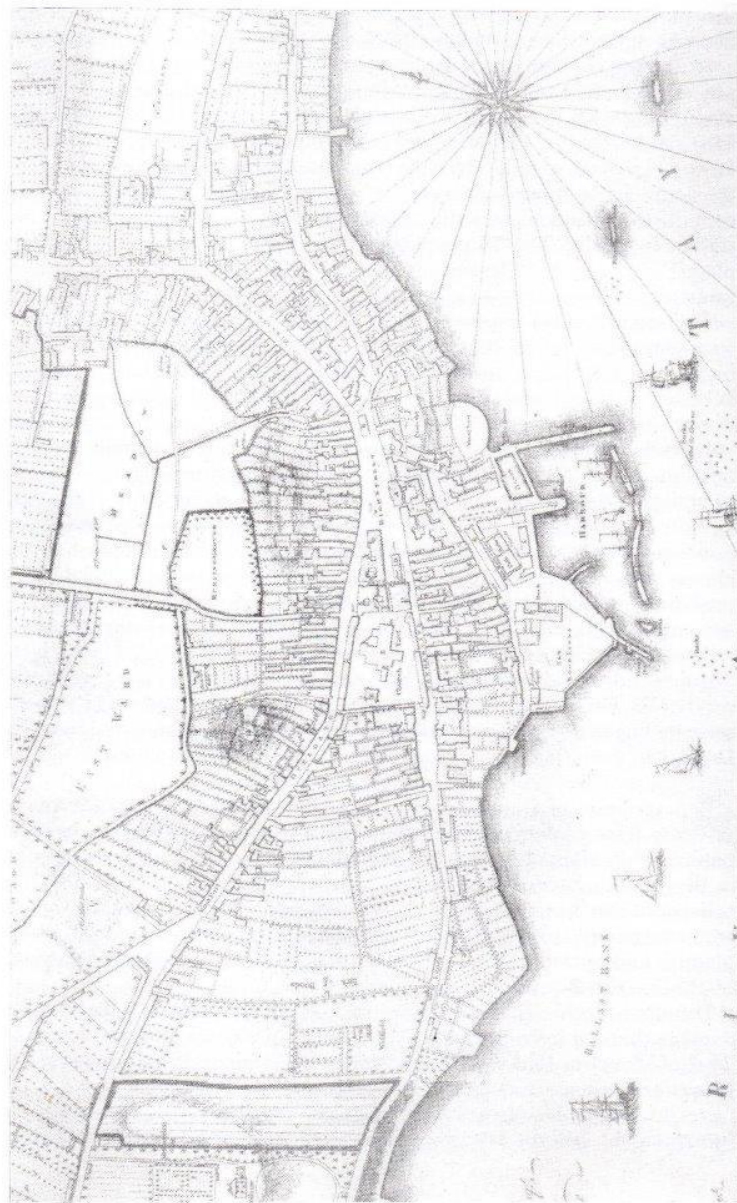


Fig. xiii Dundee as delineated by W. Crawford, 1776.

It was two weeks before the rampaging soldiers could be brought under control. It has been estimated that there was a population of approximately 8,000. Of these, one fifth were killed. In the following eight months 159 babies were born, twenty-five of them to posthumous fathers.²⁰ All contemporary accounts agree on two matters: the vast numbers that lost their lives; and the destruction wrought not only on buildings but by the removal of most of Dundee's wealth, along with the possessions of other towns sent for safekeeping to this apparently impregnable burgh. The people of Dundee, it was said, were 'robbit evin to the sark'.²¹

The devastation of 1651 was incalculable, for it hit the town of Dundee as well as its inhabitants. This one event can perhaps be counted as the final death-knell not only of the old order and ideals which had been under review for the better part of a century, but also for the medieval townscape. Burgh society was truncated and recovery brought with it drastic change: it is likely that by the 1660s half of the town's population was made up of immigrants. This would have a profound effect: the medieval sense of a familiar, close community, already faltering, could not survive. Although the skeleton of the medieval town would remain after Monck's army left, modern Dundee would emerge in the eighteenth century with new, impressive buildings, designed in the elegant classical style. Even then, however, the medieval inheritance was visible: in the continued importance of the Dens Burn and the Scouringburn for industry; in the port for commerce; and, although residential suburbs of mansions and villas would emerge in the late eighteenth and early nineteenth centuries, the old town centre remained home for many Dundee people, and some medieval houses survived.

Much was to be demolished in the nineteenth and the twentieth centuries. Gardyne's house, however, is still standing. So is the old steeple of St Mary's church and, perhaps unnoticed beside the modern, broad thoroughfares, most of the old street pattern. All are reminders of an outstanding medieval town and a proud past that belongs to the people of Dundee.

NOTES

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- ¹ MsDBHC, 8 May 1553 is typical of many such entries.
- ² *Register of the Privy Council*, iii, 520-521. Dundee may have been exaggerating its plight for financial reasons.
- ³ J.M. Beatts, *The Municipal History of Dundee*, 210.
- ⁴ Hay, *Charters*, 174.
- ⁵ In 1914 Linlithgow returned to Dundee (DDARC) four Dundee charters. These had been inadvertently sent to Linlithgow after the Civil War with a bundle of papers placed by Linlithgow with Dundee for safekeeping.
- ⁶ J. Nicoll, *A Diary of Transactions and Other Occurrences, January, 1660-June, 1667* (Bannatyne Club, 1836), 58.
- ⁷ See M. Lynch, 'Whatever Happened to the Medieval Burgh? Some Guidelines for Sixteenth and Seventeenth Century Historians', 1—17.
- ⁸ J. Maclaren, *History of Dundee*, 201-20?. These irreplaceable medieval books were destroyed by fire in 1841; and it is possible that with them were lost some of Dundee's burghal records.
- ⁹ MsDBHC, 2 July 1553.
- ¹⁰ *Register of the Privy Council*, iv, 26. The mint had been removed from Edinburgh to Dundee in June 1585, because of the severity of the plague in the former burgh. (R.W. Cochran-Patrick, *Records of the Coinage of Scotland* (Edinburgh, 1876), i, p. xliii and 165.)
- ¹¹ MsDBHC, 30 September 1585.
- ¹² R. Wedderburne, 'Protocol Book, 26 May 1559- 16July 1606' in keeping of DDARC. It has been mooted that a description by Peter Goldman, a Dundee man qualified in medicine, of the condition of his brother who died in 1607 suggests typhus, rather than bubonic plague. (R.C. Buist, 'Peter Goldman's Description of the Desolation of Dundee' in *British Medical Journal* (1927), i, 478.
- ¹³ M. Lynch, 'The Crown and the Burghs' in *The Early Modern Town in Scotland* (London, 1987), ed. M. Lynch, 64.
- ¹⁴ *Register of the Privy Council*, viii, 71.
- ¹⁵ This outbreak of pestilence is normally stated to have been bubonic plague. It is possible, however, that the epidemic was typhus. (T.C. Smout, *A History of the Scottish People, 1560-1830* (Glasgow, 1969), 152-3.)
- ¹⁶ Warden, *Burgh Laws*, 338.
- ¹⁷ See Lythe, *Lift and Labour in Dundee*.
- ¹⁸ S.G.E. Lythe, 'The Origin and Development of Dundee', 353.
- ¹⁹ E.J. Cowan, *Montrose* (London, 1977), 197.
- ²⁰ *The Statistical Account of Scotland*, ed. J. Sinclair (Edinburgh, 1793), viii, 209-210. Nicoll, *Diary*, 58, details the destruction wrought by Monck's troops on town and people. Of those killed 'the number, be estimatioun of wyse men, wes about ten or eleven hundreth, beside four or fyve hundreth prissoneris... Sevin scoir women and young chyldrene wer also killed'.
- ²¹ Nicoll, *Diary*, 58.

INDEX

- Aberdeen, 34, 35
 - guild merchant, 34
 - houses, 68
 - inheritance rules, 92
 - population, 59
- Abercromby, Andrew, merchant and provost of Dundee, 67
- administration of burgh, 22, 24, 25, 26, 29n11, 33, 34
 - disruption of, 105
 - division into four quarters, 104
 - involvement of crown and magnates in, 105
 - see also* assizes; burgh officers; burgh sa sines; charters of burgh; constable of Dundee; courts of burghs; council of burgh; feu-ferme charters; guild merchant; revenues of burghs; seal of burgh; superiors of burghs
- agriculture, 19, 42, 64, 82, 83, 85
 - animal husbandry, 68, 82, 83, 85
 - poor harvests, 44, 45
 - see also* foodstuffs, lack of
- Aire, Marion, 86, 93
- alderman *see* provost
- Alexander III, king of Scots, 23, 36
- almshouse *see* hospital
- Alnwick, market repletion, 53
- Alyth, 33
- Anderson, John, 43
- Arbroath, 17
 - abbey, 31, 62
- Ayr, guild merchant, 34
- assizes of burgh, 26, 43
- attacks on town, 11, 27, 29, 56, 59, 61, 62, 65, 66, 88, 90, 101, 105, 107, 108
- bailies, 11, 25, 26, 50, 94, 103, 104
- Balfour, William, notary public, 63
- Balmerino Abbey, 49, 50
- Balliol, John, king of Scots, 30n16, 66
- Baltic, 34, 36, 41, 47n35, 71, 82, 83, 97n38
- Bannockburn, battle of, 51
- Barre, John, vicar of St Mary's Church, 59
- Barry, John, master of Song School, 91
- Bay of Biscay, 36
- Bellenden, J., 60
- Berwick, 22, 23
 - guild, 33, 34
 - and revenues of church of Kettins, 65
- Beverley, 22
- Bitterburn *see* Dens Burn
- Blackfriars, 62, 65, 66-7
 - church of, 67
 - friary, 101
 - destruction of friary, 67
 - foundation and endowment, 67
 - revenues diverted, 65
 - site, 67
 - see also* Dominicans
- Blak, James, 64
- Bluebell Inn, 50
- Boece, Hector, 55, 60
- Scotorum Historiae*, 60
- Bonnethill, 36, 55
- booths, 27, 34, 44, 45
 - luckenbooths, 44, 55
- Brechin
 - disputes with Dundee, 33, 46n9
 - Gregory, bishop of, 90
 - William, bishop of, 64
- Breslau, 96 Breteuil, 23
- brewhouses *see* crafts, brewing
- Bruce, Edward, 51
- Bruges, 34
 - and cult of the Holy Blood, 89
- Buddon Ness, 17
- Burford, 22
- burgage plots, 52, 53, 56, 60, 63, 85
 - backlands, 52, 55, 56, 59, 69, 82, 83, 84, 85, 86
 - back gates, 56, 104
 - boundaries, 25, 53, 69
 - forelands, 52, 70
 - frontage sizes, 52, 53
 - gap sites, 52
 - lay-out, 68
 - repletion, 52, 55, 69
- burgesses, 23, 24, 25, 26, 31
 - of Dundee, 23, 24, 25, 26, 31, 34, 43, 50, 51, 56, 66, 70, 76n 48, 81, 84, 85, 89, 91, 105
 - community of, 25, 26, 30n32, 31, 43, 81, 89, 96, 104, 105
 - entrance fee, 26, 95
 - freedom and loss of, 24, 43, 81
 - burgess oath, 26
 - obligations, 81, *see also* watching and warding
 - in England, 29n3
 - of Perth, 24, 91

- burgesses (com.)
 of St Andrews, 24 burial grounds, 57, 61,
 62, 63, 66, 88, 89,
 93, 101
 see also Crawford, earls of, tombs Buccleuch,
 duchess of, 27 Burgh and Head Court Books,
 26, 42, 63,
 71,82,85,90 burgh records, 52, 84, 88,
 93, 94, 95,
 101
 burgh sasines, 52, 53, 55, 67, 70 Burgh
 Laws *see* *Leges Burgorum* burghs, early, 22,
 23, 26 of the king, 43 common good of,
 24, 66 liberties, 24-5
 officers of, 25, 26, 43, 93, 94, 105, *see also*
 bailies, common clerk, dempster,
 hospital master, kirkmaster, liners,
 provost, serjeands, tasters of ale, tasters
 of meat, tasters of wine, treasurer;
 see also peace of the burgh
 Burnhead, 84 buttis, 96 Byres,
 Lord Lindsay of, 63

 Caird Park, 72 Canterbury, 22 Carcassonne,
 walls of, 56 castle, of Dundee, 25, 50, 51, 59,
 61, 69, 75n14
 remains of, 51
 custodians of, 50
 see also constable of Dundee
 Castle Burn *see* Scouringburn Castle
 Hill, 15, 17,25,27,50 Castle Mill,
 50
 Castle Rock, 15, 36, 41, 46, 50, 61, 84
 Central Library, Wellgate, 12
 chamberlain, accounts of, 43 chapels, 89,
 101
 Holy Rood (Chapel of St John 'of the
 sklaitheuchs'),63
 Our Lady, 63
 St Anthony's, 63
 St Blaise's, 64
 St James', 67
 St Margaret's, 64
 St Mary Magdalene's, 63, 64
 St Nicholas', 63
 St Roque's, 63, 85
 St Salvator's, 64
 of Virgin Mary, 63
 see also Franciscan nunnery
 chaplains, 61,89
 Master Richard Jackson of the Blessed
 Virgin Mary, St Clement's, 61, 77n77
 sir John Knox of St Mary Magdalene, 64
 chaplainries, 63, 77n77, 89, *see also*
 Churches of St Clement and St Mary
 Charles II, king of Scots and England, 71
 charter chest of Dundee, 11, 13
 charters of burgh foundation, 22, 31, 33
 of Aberdeen, 23
 of Berwick, 23
 of Dundee (putative), 23
 charter confirming rights of burgh of
 Dundee, 23, 32
 children, upbringing, 92
 inheritance rights, 92
 Chroni ques Anglo-Normandes, 19-20
 Church of St Clement, 42, 60, 61, 77n75,
 84, 101
 origins, 60-61
 construction of, 61-2
 chaplain, 61, 77n77
 endowment to Blessed Virgin Mary,
 77n77
 kirkyard, 29, 61,71,88
 manse, 61-2, 77n77
 rector, 77n77
 ceases to function, 42, 101
 Church of St Mary, 44, 53, 65, 68, 77n75,
 86,88,89,90, 101
 altars and endowments, 89, 90, 98n70
 St Cuthbert's, 89
 St Duthac's, 89
 Holy Blood, 89
 St James the Apostle's, 89
 St John's, 63, 89
 St Margaret the Virgin's, 89
 St Mark's, 89
 St Michael's, 90
 St Paul's, 63
 St Serfs, 89
 St Thomas the Apostle's, 89
 Three Kings of Cologne, 66
 foundation, 51, 60
 parish church, 60, 88, 89, 90
 proposed collegiate church, 90
 rector, 62
 vicar, 59, 60, 90
 bells, 82, 89
 clock and keeper of, 82
 construction, 62
 kirkyard, 53, 55, 86
 lady chapel, 62
 repairs to, 61,62, 89
 responsibility of burgh, 62

- Church of St Mary (cont.)
 steeple, 82, 89, 103, 107
 division post-Reformation: Cross
 Church, East Church, South Church,
 Steeple Church, 103
- churches, others, 69, 89
 Blackfriars', 67, 101
 Greyfriars', 24, 29, 66
 Holy Trinity, St Andrews, 61
 Kettins, 65
 St Andrew's Roman Catholic cathedral
 (modern), 65
 St Anthony's, 63
 St Giles', Edinburgh, 62
 kirk session of, 59
 St Paul's, evidence for, 62
 St Paul's Episcopal (modern), 51
- Cistercians *see* Greyfriars
- Claypotts Castle, 72
- Clerke, Andrew, 94
- climatic conditions, 41, 44, 87, 96
- closets, 86
- cloth, 35, 36, 82, 85
 blue, 36
 canvas, 82
 fine, 43
 fustian, 82
 of gold, 82
 hemp, 36
 'lining', 36
 silk, 82
 taffeta, 82
 velvet, 82
 wool, 82
- clothing, 82
- Colville, Thomas, 49
- common clerk, 25
- common council *see* council, burgh
- common lands, 76n48, 85, 98n42
see also crofts of burgh
- communes
 Beauvais, 22
 Bruges, 22
 Cambrai, 22
 Laon, 22
 Noyon, 22
 St Omer, 22
 St Quentin, 22
 Tournai, 22
- conduits of water *see* water supply
- constable, 25, 50, 51, 64, 84
 barony court of, 25, 51
- Convention of Royal Burghs, 35
- convents, 93
see also Franciscan nunnery
- corpus christianum*, 89, 103
see also burgesses as a community
- Corpus Christi* procession, 95, 104
- Corbie Hill, 15, 55, 84, 101
- Coupar Angus, 31
 monastery and monks of, 31, 49
- council, burgh, 25, 26, 37, 41, 43, 44, 52,
 56, 57, 58, 63, 65, 66, 67, 69, 82, 85, 89, 93,
 104, 105,
 failure to attend, 26
- courts, of bailies, 26
 burgh, 25, 53, 93, 94, 103
 head, 25, 43 royal, 19, 95
 of Session, 105
see also constable, barony court crafts,
- craftsmen, 34, 36, 44, 66, 71, 101,
 104, 105
 craft records, 11
 deacons, 36, 44, 104
 incorporations, 34, 36, 95
 and support of poor, 93
 Nine Trades, 36, 105
 United Trades, 36, 105
- bakers (baxters), 36, 43, 44, 50, 83, 89,
 91, 105
 and deacons of, 44
 bonnet makers, 36, 55, 105
 brewers and brewhouses, 85, 93
 clothing manufacturers, 36
 cordwainers, 36, 70, 104, 105
 drink processers, 38
 dyers, 36, 43, 85, 105
 fleshers, 36, 44, 45, 85, 105
 food processers, 36
 fullers, 85, 89
 gloves, 36, 105
 hammermen, 36, 105
 house builders, 69
 malt houses, 55
 masons, 36, 50, 58, 69, 105
 skinnners, 85, 89
 and limepits, 85
 slaters, 36, 105
 spinners, 55
 and equipment, 82
 tailors, 36, 94, 105
 tanners, 43, 85
 textile manufacturers, 36, 44
 weavers, 36, 55, 89, 105
 and equipment, 82-3, 92
 wrights, 36, 91, 105
- Crawford, Alexander, master of, 63
- Crawford, Earl David, 63
- Crawford, earls of, 65, 89

- Crawford, earls of (cont.)
 tombs of, 66
- Crawford, John, cartographer, 53
- crimes
 abuse of burgh officers, 94
 damage to property, 94
 drunkenness, 94
 fighting, 94
 'nightwalking', 94
 slander, 94
 theft, 94
 verbal abuse, 94
see also trade regulations and
 infringement
- crofts of burgh, 83
see also common lands
- curfew, 82, 94 customs,
 customars, 93
 'great', 25
 exemptions from, 31
 returns, 34, 35
- David I, king of Scots, 22
- David II, king of Scots, 24, 31
- death, attitude to, 89, 92
- de Abernethy, Sir Alexander, 50
- de Ayala, Pedro, 70
- de Fitz-Alan, Brian, 50
- debt, 92
- Defoe, Daniel, 37
- de Gavestone, Sir Piers, earl of Cornwall,
 governor of Dundee, 50 de
- Mandeville, Sir John, 87 de
- Montfichet, William, 50, 51
- dempster, 25
- Denmark and St Clement dedications, 61
- Dens Burn (Bitterburn, Wallace Burn), 15,
 16, 64, 65, 6n48, 83, 84, 85, 86, 97n37,
 107
- Devorguilla, Lady, 30n16, 65
- diet *see* foodstuffs
- Dominicans, Provincial of
 the Scottish
 Dominicans, 67
 prior in Paris, 67
see also Blackfriars
- Donatus, Aelius, 91
- Douglas, Beatrice, dowager countess of
 Errol, 66
- drains, drainage, 58, 59, 86
see also hygiene
- Dudhope, 72
- Dumbarton, guild of, 34
- Dundee, *passim*
- Dundee District Archive and Record
 Centre, 11
- Dundee Law, 15, 17, 19
- Dundee Museum and Art Gallery, 12, 13,
 80n159, 84
- Dundeeshire, 23
- Dunfermline, 22
 guild merchants, 91
 import of coal from, 82
 literacy, 91
 population, 59
 and Robin Hood, 95
 size of burgage frontages, 52, 53
- dyes, madder, 43
 dye works, 55
- Edinburgh, 22, 34, 35, 43
 export trade, 35
 guild merchant, 34
 mint, 108
 plague, 108
 population, 59
 town council, 91
 town wall, 56
 and Robin Hood, 95
- Edward I, king of England, 23, 50, 61
- Edward II, king of England, 75n14
- Edward, Robert, *A New Description of Angus*,
 71
- entrepots, 31, 43, 81
see also ports, trading
- factors, 35, 93
- fairs, 25, 42, 45
- farmers, 34
see also agriculture
- ferry boats, 104
- Ferry Port-on-Craig, 33
- feu-ferme charter of Dundee, 25
- Fintry Castle *see* Mains Castle
- fishings, 25
- flax, 36, 44, 82
- Fleming, David, 57
- foodstuffs, 43
 ale, 44, 83
 barley (beir), 25, 83
 bread, 43, 44, 83
 cereals, 97n28
 dairy produce, 43, 83
 eggs, 43, 83
 fish, 50, 81, 83, 86, 93
 flour, 50
 fruit, 21, 83
 grain, 45, 97n29
 malt beans, 50
 meal, 45
 meat, 43, 44, 81, 83, 86, 97n28

- foodstuffs (cont.)
 oats, 50, 83, 84
 oatcakes, 83
 rye, 83
 vegetables, 83
 wheat, 83
 wine, 83
 lack of, 45, 83
see also agriculture, poor harvests
 preparation, 84
see also ovens, mills
 storage, 81
- forestalling *see* trade regulations and infringement of
- Forfar
 castle of, 31 and custodian of, 50
 disputes with Dundee, 33
 sheriffdom of, 31
- fortifications of Dundee, 15, 56, 57, 58, 84
 ditches, 101, 103
 fort on Corbie Hill, 101
 Lions Round, 103
 wall, 56, 57, 58, 59, 67, 84, 101
 double walling, 103
see also castle
 Fotheringham, James, 67
 Fotheringham, Margaret, 65
 Foulis, Andrew Gray, lord of, 64
 France, 36
 Franciscans *see* Greyfriars
 Franciscan nunnery, 67-8
 chapel of, 68
 revenues diverted, 65
 friaries *see* religious houses
 Friars Burn *see* Scouringburn
 Froissart, J., 61, 66
 fuel, coal, 43, 82
 peat, 82
 wood, 82
- Galloway, Alan, earl of, 61
 Galloway, Thorn, 85
 Gardyne's house, 72, 107
 Germany, and building techniques, 70
 Gibson, Andrew, 91
 Glasgow
 cathedral, 62
 Dean of Guild Court Books, 79
 population, 59
 syphilis, 87
 Goodman, Peter, 108
 Graham family, of Fintry, 72
 Green, Lawrence, 96
 Gregory IX, Pope, 90
 Greyfriars, 21, 34, 45, 53, 57, 62, 65, 67, 88,
 Greyfriars (cont.) 90
 church of, 66
 and altars, High, 66; putative dedicated
 to Three Kings of Cologne, 66
 conventual buildings, 66, 84
 destruction of friary, 57, 66, 101
 foundation of friary, 65
 revenues diverted, 65
 vicar general of, 66
see also Coupar Angus, monastery
 North Berwick, priory
 Grey Sisters *see* Franciscan nunnery
 Grey Sisters' Acre, 67
 Grey Sisters' Dykes, 68
 Grierson, John, Dominican friar, 67
 guilds, 89
 of Berwick, 33, 34
 of Low Countries, 33
 craft guilds *see* craft incorporations
 guilds merchant, 33, 34
 Dundee, 34, 45, 89, 95
 court, 42
 entry fee, 43
 freedom and loss of, 43
 records, 11
 support of poor, 93
 Aberdeen, 34
 Ayr, 34
 Dumbarton, 34
 Dunfermline, 91
 Edinburgh, 34
 Inverkeithing, 34
 Inverness, 34
 Perth, 34
 Roxburgh, 34
 St Andrews, 34
 Stirling, 34, 91
 gutters, 86;
see also drains, sewers
- Haddington, and Robin Hood, 95
 Hadgillin, 23
 Halyburton, Andrew, the ledger of, 82, 97
 Hamilton, James, 2nd earl of Arran, 66, 90
 Hamilton, John, vicar of Dundee, 90
 harbour, 12, 36, 37, 41, 45, 59, 61, 62, 67,
 69, 101
 bulwarks, 37, 41, 67, 101, 104
 'havin silver', 37
 'narrow harbour', 41
 piers, 37
 pier master, 37
 quays, 37
 sea wall, 37

- harbour (cont.)
 - silting, 37, 105
 - see also* ports, trading
- Hawkhill, 67
- hill fortresses, 19
- Hilltown *see* Bonnethill
- Holy Lands and David, earl of
 - Huntingdon, 60
- hospitals, 63, 64, 66, 88, 101
 - almshouse in care of town, 65, 94
 - master, 64, 65, 76n48
 - chaplain, 65
 - almshouse, putative, Trinitarian, 65
 - leper hospital, 64—5
 - maison dieu*, 65
 - St Anthony's, 64
 - St John's, 64
- house interiors
 - beds and bedding, 81-2, 86
 - cleanliness, 86, 87
 - cooking utensils, 81
 - eating utensils, 81
 - floor coverings, 82, 86
 - furniture, 81
 - lighting, 82
 - luxury items, 82
 - storage, 81
- house structure, 43, 68-72, 107
 - arcading, 71
 - building materials, 69, 70, 71, 72, 86, 101
 - ceiling beams, 70, 72, 80n159
 - cellars, 70
 - chimneys, 70, 82
 - doors, 68
 - fireplaces, 70
 - floors, 68
 - forehouses, 70
 - forestairs, 70
 - fortified, 72, 80n 158
 - foundations, 68
 - gables, 70
 - hearths, 68, 82
 - horizontal flatting, 70, 72
 - lofts, 70
 - roofs, 68, 69
 - slates, 43, 49
 - slatehouse, 69
 - stairs, 70, 71
 - stairwells, 70, 71
 - towers, 72
 - vaults, 70, 71
 - wainscotting, 70, 72
 - walls, 68, 70
 - windows, 68, 70
- Howck, jonet, 43
- Howff, 65, 66, 101, 103
- Huntingdon, David, earl of, 23, 30n14, 30n16, 31, 49, 51, 60, 61, 65-6
 - house of, 51, 69
- Huntingdon, John, earl of, 60
- hygiene, 45, 86—7
 - burgh rulings, 45, 85, 86
 - cleaners, time of plague, 104, 105
 - in houses, 86
 - rats, 87
 - street cleaning and cleaners, 85, 86
 - waste disposal and middens, 85, 86
 - see also* closets, drains, gutters, sewers
- ill-health, 64, 65, 86-8, 104
 - amoebic dysentery, 87
 - arthritis, 87
 - caries, 87
 - cholera, 87
 - medications, 88
 - parasitic worms, 87
 - smallpox, 87
 - spina bifida, 87
 - syphilis, 87-8
 - tuberculosis, 87
 - typhus, 87, 108
 - see also* hospitals, leeching, leprosy, plague, surgeon
- immigration *see* population sizes
- Inchkeith, 87
- indwellers, 21, 45, 51, 64, 70, 89
 - see also* unfreemen
- inheritance rights, 92
- Inverkeithing, guild merchant, 34
 - market repletion, 53
- Inverness, guild merchant, 19
- Jackson, John, 77n77
- Jackson, Master Richard, chaplain of the Blessed Virgin Mary, St Clement's church, 77n77
- James II, king of Scots, 37
- James III, king of Scots, 88
- James IV, king of Scots, 88
- James VI, king of Scots, 63
- Jedburgh, 19
- John, king of England, 31
- Kelso, cartulary of monastery, 87
- Kettins, 31
 - church of, 65
- King Crispin, procession of, 12
- kirkmaster, 76n48, 89
- kirk session, records of, 11
 - meeting place, 103

- kirseth, 52
- Kirriemuir, 33
- Lady Walkstair's House, 27, 70
- Lanercost Chronicle, 66
- law, *Assist Regis Willelmi*, 33
 - burgh, 22, 23, 24, *see also*
 - Leges Burgorum*
 - Statuta Glide*, 33
- leeching, leechers, 88
- Leges Burgorum*, 22, 23, 26, 33, 52, 92
- Leicester, 22
- Leith, 43, 45
- leprosy, 86, 98n50
 - leper houses, 64, 86, 98n50
 - annuals of leper house, 64
 - leper hospital *see* hospitals
- le Scot, John, 49
- Levin ton, Henry, master of non-approved school, 92
- limepits *see* crafts, skinnners
- Lindores, 19
 - abbey and monastery, 23, 60, 90
 - as rector of St Mary's church, 62
 - charters of, 60
- Lindsay, Sir James, 65
- liners, 35, 53, 75n29
 - lining, 68
 - lining disputes, 53, 75n29
- Linlithgow, 108
 - fortifications, 56
 - and syphilis, 87
- lint *see* flax
- literacy, and ability to sign name, 91
 - in Dundee, 99n88
 - in Dunfermline, 91
 - in Perth, 91
 - in Stirling, 91
- Lockit Book, 76n48
- Lords of Council, 105
- Lothians, 19
- Low Countries, 33
 - and building techniques, 70
- Lucca, 22
- Macbeth, king of Scots, 19
- MacGibbon, Thomas, master of grammar school, 91
- Magdalene Green, 64, 104
- Mains Castle, 72
- maison dieu see* hospitals
- Canmore, king of Scots, 19
- Margaret, daughter of David, earl of Huntingdon, 61
- markets, 27, 31, 33, 36, 41, 42, 43, 44, 45, markets (cont.)
 - 46n9, 56, 81
 - specialisation, 45
 - fish market, 45
 - flesh market, 45
 - meal market, 45, 93
 - victual market, 83
 - place, 41, 44, 46, 52, 53, 59, 85
 - building on, 29, 53
 - transference, 36, 41-2, 44, 45, 56
 - regulations, 45, 83
 - weights and measures, 42, 93
- market cross, 37, 41, 42, 44, 45, 84, 94, 101
- market dues *see* tolls
- Mary, queen of Scots, 66, 88
- Mary of Guise, regent, 101
- Mausie Burn *see* Scouringburn
- Meadows, the, 15, 17, 84
- Melrose abbey, chronicle of, 19, 65
- merchants, 31, 33, 34, 35, 36, 44, 45, 46, 67, 81, 91, 105
 - foreign, 31
 - of Perth, 31
 - housing, 55, 70, 71
- see also* guilds merchant
- Methven, painter, 51
- Methven, Paul, 90
- Michelson, Hector, 85
- middens *see* hygiene
- Milan, 22
- mills, 25, 83, 84, 101
 - handmills, 83
 - windmills, 84
 - Baldovan, 84
 - common horse, 98n42
 - Fintry, 84
 - Pitkerro, 84
 - dues for use, 83, 97n30
- Milton of Craigie, 77n77
- mint, 104, 108
- monasteries *see* religious houses
- Monck, General George, 11, 27, 59, 105, 107, 108
- Montrose, 17
 - disputes, 33
- Montrose, James Graham, marquis of, 105
- Myln, John, master mason, 37, 42
- Newcastle, 23
 - ships of, 66
- New Model Army, 105
- nobility, 71
- Northampton, 23
- North Berwick, Franciscan priory, 67
- Northumbria, 19

Norway and David, earl of Huntingdon, 60
import of timber from, 71
notaries public, 63, 91, 104
Nottingham, 23 numeracy, 91

Old Custom House, 41
Orkney, and import of butter from, 83
ovens, 83
overcrowding, 53, 87
see also population sizes, houses and
horizontal flatting

Paterson, Alexander, 83
parliament, 11, 24, 49
pastimes, 95, 96
abbot of unreason, 95
see also processions, plays, Robin Hood
pawning, 81 peace of the burgh, 24, 25
and its maintenance, 93, 94, 95
see also trade regulations and
infringement

Pearson, provost, house of, 71
Peebles, almshouse, 88
town wall, 56
Robin Hood, 95 Perth, 15, 17, 22, 31,
34, 35, 49, 96
burgesses, 24, 83
disputes, 33
excavations in, 52, 82, 86
guild merchant, 34
houses, 68, 69, 86
literacy, 91
merchants, 31
mint, 104
school, 91
ships, 31
size of burgage frontages, 52
Piggott, Sande, 85
plague, 'pest', 56, 58, 63, 86, 87, 104, 105
bubonic, 87, 108
pneumonic, 87
Platane (Platir), forest of, 69
playfield, 68, 90, 95
plays, 90, 95
Corpus Christi, 95
Creed, 95
mystery plays, 92
Pater Noster, 95
companies of players, 95
poor, 65, 81, 89, 90, 93, 105
church attendance, 93-94
support for, 93, 104, 105
Johannes de Dundee 'pauper', 91

poor (cont.)
see also vagabonds
population sizes, 34, 43, 59, 107
decrease, 105, 107, 108
increase, 104
immigration, 104, 107
ports, gates, 11, 31, 36, 37, 56-9, 85, 94,
101, 104
siting, 57-9
Cowgait Port, 56, 58-9
East Port (Seagait Port), 57, 58,
63n48, 103
Friars' Wynd Port, 57, 59, 101
Murraygait Port, 57, 103
Nethergait Port (Fluckergait Port),
58, 67, 101
West Port (Argyle's Port, Overgait
Port), 45, 56, 67, 68, 85
ports, trading, 42, 90, 105, 107
see also entrepôts
prepositus see provost
prices, inflation, 44, 83, 105
of ale, 44
of bread, 44
of food, 25
regulation, 25, 43-4, 83
prisons *see* punishments, imprisonment
privileges of burghs, 24, 25, 33, 51
economic, 36
processions, 95
see also King Crispin, *Corpus Christi*
protocol books, 11
provost (*prepositus*, alderman), 11, 25, 67,
94
presbytery of kirk, records of, 11
punishments, 42, 43, 45, 93, 94
banishment, 93, 94, 95
branding, 95
cukstool, 94
fines, 25, 45, 94, 95
imprisonment, 95, 103
lashing, 94
public humiliation, 94
stocks, 94
see also peace of the burgh,
trade regulations and infringements
Purves, William, clockmaker of
Edinburgh, 82
quality control, of food and drink, 25, 43-4, 83
Reformation, 57, 61, 65, 90, 101, 103
support for reforming ideas, 66, 90, 99n81,
101

- Reformation (cont.)
 retention of traditional practices, 90,
 99n78, 99n81
- regrate *see* trade regulations and
 infringement
- religious houses, abbeys, 31
 friaries, 33
 monasteries, 31, 33
 regular, 64, 89
see also Blackfriars, Greyfriars, Grey
 Sisters, Trinitarians
- rentals in burgh, 51, 62, 63, 64, 65
- revenues of burghs, 24, 25
 of Dundee, 24, 25, 26, 27
- Richardson, James, 94
- rigs *see* burgage plots
- Robert I, king of Scots, 23, 24, 25, 26, 31,
 36, 51, 83
- Robert III, king of Scots, 64
- Robin Hood and cult of, 95
- Rolok, George, 77n77
- Roodyards, 104 Roxburgh, 22
 guild merchant, 34
- St Andrews
 Roger, bishop of, 34
 burgesses, 24
 guild merchant, 34
 university, 91
- St Nicholas Craig, 15, 17, 36, 41, 63
 chapel on, 63"
 fortification on, 63
- Scandinavia, St Clement dedications, 61
- Schireham, Marjorie, custumar, 93
- schools, 66, 90, 91, 92, 101
 grammar school, 90, 91
 and master, 91
 song school, 90, 91
 and master, 91
 non-approved, 92
 in Perth, 91
 attendance, 91, 92
 by girls, 92
 and paupers, 91
 curriculum, 90, 91
- Scottish Film Archive, 12
- Scottish Urban Archaeological Trust, 2,
 30, 39, 59, 61
- Scouringburn (Castle Burn, Friars' Burn,
 Mausie Burn), 15, 17, 51, 53, 67, 83, 84,
 85, 97n37, 107
- Scouringburn Creek, 17
- Scrymgeour family, 35, 36, 63, 72, 89
 Alexander, constable of Dundee, 25, 50
- Scrymgeour family (cont.)
 James, constable, 25
 James, constable, 25, 64, 84
 John, constable, 64
 Nicol, constable, 25, 51
- seal of burgh, 26, 60, 77n75
- serjeands, 25, 93
- servants, 92, 93
- settlement, early, 15-20
- sewers, 86
see also drains
- shambles, 45, 85
- sheriff of Forfar, 24
 of Lincolnshire, 75n14
- sheriffdom of Dundee, 24
 of Forfar, 24, 31
- ships, 31, 33, 37, 41
 of Newcastle, 66
 of Perth, 31
 shipping lists, 36
 skippers, 41
- Sidlaw Hills, 31
- Siena, walls of, 56
- Sinclair, Thomas, 85
- Siward, earl of the Northumbrians, 19
- Skirling (Scralange),
 Alexander, 50
- slaughterhouse *see* shambles
- Slezer, Johann, 11, 57, 65, 72
- source material
 archaeological 12, 17, 19, 27, 48n65, 49, 52,
 55, 58, 59, 62, 68, 69, 75n2, 82, 83, 83-84,
 86, 96
 cartographic, 11-12, 37, 49, 52, 53, 55,
 67, 75n1
 documentary, 11, *passim* text and notes *see*
also Boece, Hector, *Scotorum Historiae*;
 Burgh and Head Court Books; charters of
 burgh foundation; *Ckroniques Anglo-*
Normandes; charter confirming burgh of
 Dundee's rights; Edward, Robert, *A New*
Description of Angus; Halyburton,
 Andrew, ledger; Kelso, cartulary of;
 Lanercost Chronicle; Lindores Abbey,
 charters of; 'Lockit Book'; Melrose
 Chronicle; Wedderburne, David, *Compt*
Buik
 geographical, 17, 36, 37, 53
 geological, 15, 51, 53
 visual, architectural currently
 upstanding, 12, 80n159
see also Church of St Mary, steeple;
 Claypotts Castle; Dudhope; Fintry Castle;
 Gardyne's House
 visual, early illustrations, 12, 41, 57, 65, 72

source material (cont.)

visual, photographic and film, 12, 27,41,
47n37, 80nl58

Southampton, walls of, 56

Spalding family, 89

David, 49

George, 89

Spanky, David, 94

Stevensone, Elesebeth, 94

Stewart, William, 60

Stirling, 22

guild merchant, 34, 91

literacy, 91

syphilis, 87

town wall, 56

streets, medieval and early modern

Cowgait, 56, 57, 58, 63, 103

Dyers' Close, 55

Flukergait (Nethergait), 49, 50, 52, 53, 67,
101

Friars' Wynd, 57, 67

Gray's Close, 72

Greenmarket, 71

Kirk Wynd, 44

Long Wynd, 101

Magdalene Green, 104

Marketgait (Vicus Major, High Street), 27,
29, 36,42, 44, 45, 50, 52, 53, 55, 61, 69, 84,
101

Midkirkstile, 86

Murraygait, 55, 57, 62 the

'narrows' of, 55

Our Lady Gait, 53

Our Lady Wynd, 57, 76n48, 103

Overgait (Argyllis-gait), 27, 44, 45, 53, 55,
58, 70, 85, 97n37, 101

St Roque's Lane (Semirookie), 63

St Salvator's Close, 45

Seagait, 27, 36, 42, 50, 52, 55, 56, 57, 62, 86,
93, 103

Sea Wynd, 101

Seres Wynd, 67, 86, 93

Skirling's Wynd (Castle Wynd,
Tendall's, Tendell's, Tindal's Wynd),
41,50,51,61,84

Spalding's Wynd (Abbotis Wynd,
Couttie's Wynd), 41, 45, 49, 51

Tally Street, 53

Wellgait, 56, 57, 103

streets, modern

Albert Square, 15, 97n37

Arbroath Road, 17

Bank Street, 67

Brook Street, 67

City Square, 29, 42, 71

streets, modern (cont.)

Commercial Street, 17, 97n37

Cowgate, 83

Crichton Street, 27, 42, 53, 61

Dens Brae, 97n37

Dens Road, 17

Fish Street, 41,45

Gellatly Street, 17

Greenmarket, 41

Guthrie Street, 17

High Street, 27, 42, 51,53, 72

Hunter Street, 67

King's Street, 97n37

Lindsay Street, 85

Magdalene Green, 64

Meadowside, 17

Methodist Close, 67

Murraygate, 50, 55

Nethergate, 15, 53

North Lindsay Street, 55, 85

Overgate, 15,55

Panmure Street, 15, 103

Peter Street, 27

Queen Street, 83

Reform Street, 53

Seagate, 15, 17, 18,27,50,57,83

St Roque's Lane, 17

South Lindsay Street, 84

South Tay Street, 53

South Union Street, 84

South Ward Street, 17

Stannergate, 17

Sugarhouse Wynd, 57, 76n48

Todburn Lane, 97n37

Union Street, 53

Victoria Road, 17,97n37

Ward Road, 15, 17

Wellgate, 15

Whitehall Street, 41,53

William Street, 97n37

street patterns, 51-2, 53, 55-6, 107

see also town plans, burgage plots

superiors of burghs, 23, 24, 25

Strathmartine, earls of, 71

Strathmartine's Lodging, 71 surgeon, 88

tasters of ale, *appressiatores cervide, cunnaris*,
25, 44

tasters of meat, *appressiatores camium*, 25, 44

tasters of wine, 25

Tavernour, John, wife of, 93

taxes, assessment of burghs, 35

assessment of Dundee, 35, 44, 105 and

appeal for exemption, 27, 101

- taxes (cont.)
 - burgh taxes, 52
 - tax gatherer, 94
 - taxable population, 105
- Tay, river, 15, 17, 19, 33, 36, 37, 65, 101
 - freezing, 96
 - silting, 33
- Tayport *see* Ferry Port-on-Craig
- Tentsmuir Point, 17
- terra campestris* *see* common lands
- timber, 36, 51, 69, 70, 71
- Tindal (Tendell, Tendall), David, 50
- Tod's Burn, 84, 97n37
- tofts *see* burgage plots
- tolbooths, 26, 27, 29, 42, 44, 51, 53, 59, 83, 94, 95, 101
 - construction, 27, 28
- tolls, 26, 31, 42, 43, 45, 56
- town plan, 52, 57, 107
 - see also* street patterns, burgage plots
- trade, 19, 31, 33, 34, 35, 46
 - and abbey of Arbroath, 31
 - with Baltic *see* Baltic
 - of Edinburgh, 35
 - with France, 105
 - with Low Countries, 105
 - overseas, 34, 35, 36, 42
 - patterns, 45
 - with Scandinavia, 61
 - see also* entrepôts, markets, ports
- trade disputes, 33
 - piracy, 41
- trade exports, 25, 34, 35, 36
 - cloth, 35, 36
 - felts, 35, 43
 - hides, 34, 35, 43
 - skins, 31, 34, 35, 43
 - wool, 31, 34, 35
- trade imports, 36, 43, 82, 83
 - butter, 83
 - fine cloth, 43
 - flax, 36, 82
 - fruit, 36
 - grain, 83
 - hemp, 36
 - iron, 36
 - luxury items, 36
 - potash, 36
 - salt, 36
 - spices, 43
 - tar, 36
 - timber, 36, 51
 - vinegar, 36
 - wine, 31, 36, 43
- trade regulations and infringement of, 42,
- trade regulations and infringement (cont.) 43,
 - 44, 45, 83, 94
 - forestalling, 43, 94
 - regrate, 43, 93, 94
- traders
 - chapmen, 45
 - Cramers, 45
 - English, 45
 - in fish, 45
 - foreign, 45
 - hucksters, 44
 - Scottish, 45
 - stallholders, 25
- trading hinterlands, 31, 33, 34, 36, 42
- Trades Hall, 12, 104
- treasurer of town, 25, 65, 76n48, 93
- Trinitarians, 64, 65
- tron, 27, 42, 94
 - salt tron, 45
 - weigh house, 42
 - weights *see* markets, weights and measures
- unfreemen, 43 *see also*
 - indwellers
- vagabonds, 44, 93
 - see also* poor
- Vault, the, 71
- Velunia, 19
- vills, 19
- wall of town *see* fortifications
- Wallace Burn *see* Dens Burn
- Wallace Craigie, lands of, 63
- Wallace, William, 25, 51
- Wards, the, 17
- waste disposal *see* hygiene
- watching and warding, 93, 105
 - see also* peace of the burgh
- water supply, 55, 84, 86
 - conduits, 27, 84
 - dams, 84, 101
 - see also* wells
- Wedderburne, David, 35
 - Compt Buik* of, 35, 82, 97
- Wedderburn, James, 90
- Wedderburn, Robert, vicar of Dundee, 90
- Wedderburne, Robert, notary, 104
- weights, weigh-house *see* markets, weights and measures; tron
- wells, 15, 83, 84
 - St Clement's (Saint's, Bishop's), 84
 - Cross, 83
 - Cross, 84

wells (cont.)

Friars' (St Francis'), 84

Ladywell, 84

see also water supply

Whitehall Mansion, 71, 75n19

Wichland, Andrew, cordwainer, 70

wiks, 19

William I, the Lion, 22, 23, 33, 49

Wilson, John, 42

Winchester, 23

Wishart Arch *see* ports, Cowgait port

Wishart, George, 58, 87, 90

Wishart, Isobel, prioress of Franciscan nunnery, 67

women

brewing and selling ale, 93

customars, 93

destitute, 93

women (cont.)

factors, 93

inheritance rights, 92

position within household, 92

prostitutes, 93

protection of, 92

in retail trade, 93

rights and loss of on marriage, 92

representation in court, 92

as servants, 92, 93

as ship owners, 93

as widows, 93

Wood, John, cartographer, 52

Woodenland, 70

Worms, 91

York, 22

walls of, 56

and plays, 95

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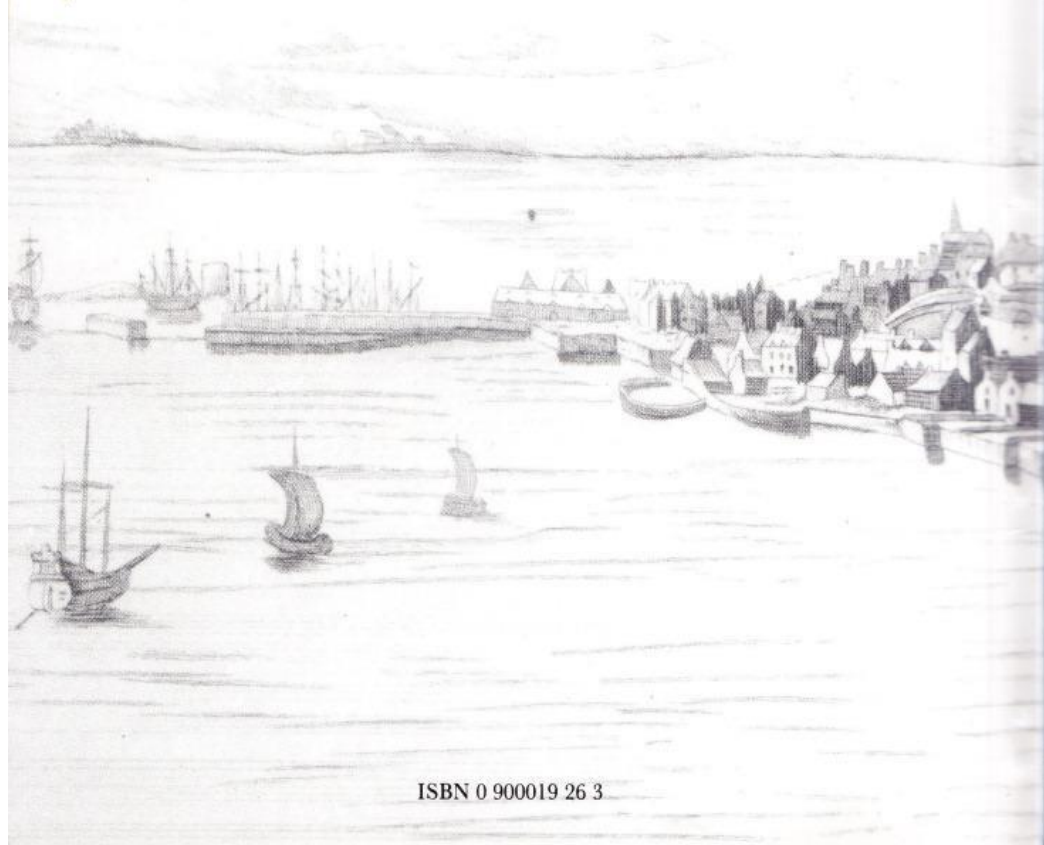
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