

# THE FAIRS OF DUNDEE

IAN McCRAW



# **The Abertay Historical Society**

## **Honorary Presidents:**

Lord Provost T. McDonald, City of Dundee.  
Principal M.J. Hamlin, University of Dundee  
Principal S. Arnott, University of St Andrews.  
Convenor G.W. Buckman, Tayside Regional Council.

## **President:**

Mrs J. Auld.

## **Secretary:**

Mrs R.H. Myles, 38 Long Lane, Broughty Ferry, Dundee DD5 1EQ.

## **Treasurer:**

Mr I. McCraw, 27 Pitcairn Road, Downfield, Dundee DD3 9EE.

## **Editor:**

Mr C.J. Davey, Department of Modern History, University of Dundee.

## **Publications Secretary:**

Mr I.E.F. Flett, City Archives, Dundee.

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

*Cover design by Stevenson Graphics*

*Cover illustration: Old Steeple and Market, Dundee, 1763.*

*The viewpoint of this oil by an unknown artist of a Fair would have been the ground now occupied by the Courier Buildings. (Dundee Art Galleries and Museums.)*

**Printed by Stevenson (Printers) Limited, Dundee Tel: (0382) 25768**

# THE FAIRS OF DUNDEE

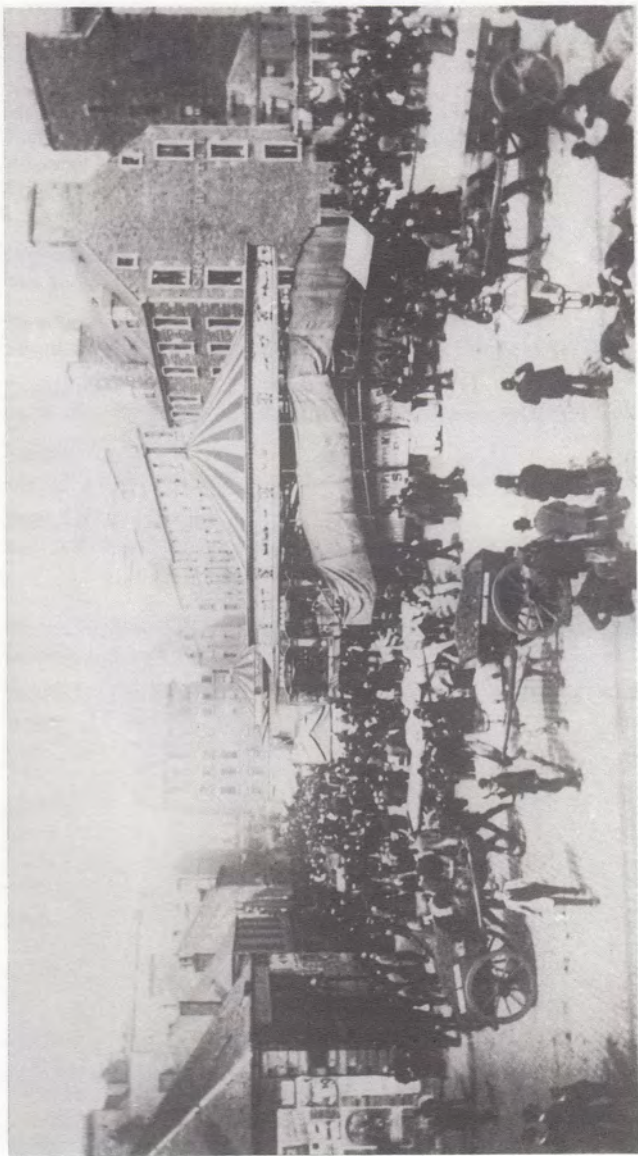
IAN McCRAW

*‘Yeerly fairs to be kept and holden  
Within the said burgh of Dundie’*

ABERTAY HISTORICAL SOCIETY

PUBLICATION No. 34

DUNDEE 1994



1. A FUN FAIR AT THE GREENMARKET AS SEEN FROM DOCK STREET, CIRCA 1902.

D.C. Thomson describe this picture as 'Lady Mary Fair in Greenmarket, 1920' but clearly this is an error. The Crown Hotel was taken down around 1905 and the date may be a transposition. (The *Courier*, Dundee)

## ACKNOWLEDGEMENTS

This project would not have advanced very far without the assistance of numerous people, some in their official capacity, others at a personal level. Indeed, the idea originally sprang from a conversation with a friend, Maureen McMaster, who asked me why Stobsmuir was so called and who or what was 'Stobs'. Four years later I am still uncertain, but my initial enquiries led me to the fair of that name and my research soon broadened into an investigation of all of Dundee's fairs, or at least as many as I could trace.

I am grateful for the assistance which I have received from the staffs of Dundee Public Library, Dundee Art Gallery, The Scottish Record Office, The National Library of Scotland, and Edinburgh Central Library. Mr Iain Flett, City Archivist, has been most supportive and I have valued his advice and that of his assistant, Mr Richard Cullen. They and their staff at Dundee Archive and Record Centre have been helpful in producing records, sometimes when I could give only a vague description of what I was seeking. I appreciate the help given to me by Mr Douglas Spence, Librarian of D.C. Thomson & Co. Ltd.

Mrs Alison Gough kindly loaned me her essay on fairs in fifteenth-century towns which, although principally concerned with England, pointed me in the direction of a few more avenues of enquiry. Not a few people have imparted their reminiscences of the Lady Mary Fair in its last years and I have been able to draw on some of that information.

I am indebted to Dr Chris Whatley, the former Honorary Editor of the Abertay Historical Society, for his criticism and many helpful suggestions without which this piece would never have reached the stage of publication. I am obliged to the Society's present Honorary Editor, Mr Chris Davey, for reading over the final draft and seeing my manuscript through the press.

Although the research work was virtually completed in 1991, designated the Octocentenary year of the Burgh of Dundee, when there was a general reawakening of interest in her antiquity, that was purely coincidental. My interest in the past of Dundee is of long standing and I would like to regard my work as a minor contribution to the interpretation of the history of the city of my birth, a burgh in which my family roots go back for well over 200 years.

Finally, I Acknowledge the support of my wife, Jean, and her forbearance during my many visits to libraries, as well as her patience listening to me hawing on about old Scots fairs.

Ian McCraw  
Dundee  
1993

## CONTENTS

	ACKNOWLEDGEMENTS	3
	ABBREVIATIONS	8
<b>CHAPTER 1</b>	INTRODUCTION	9
<b>CHAPTER 2</b>	DUNDEE AND ITS EARLY FAIRS	11
<b>CHAPTER 3</b>	THE CONSTABLE OF DUNDEE	16
<b>CHAPTER 4</b>	ALL THE FUN OF THE FAIR	30
<b>CHAPTER 5</b>	STOBB'S FAIR	37
<b>CHAPTER 6</b>	THE LADY MARY AND THE LATTER FAIRS IN THE NINETEENTH CENTURY	48
<b>CHAPTER 7</b>	THE END OF AN AULD SANG	63





## ABBREVIATIONS

DA	Dundee Advertiser
<i>DC &amp; A</i>	<i>Dundee Courier and Argus</i>
DDARC	Dundee and District Archive and Record Centre
<i>DP &amp; CA</i>	<i>Dundee, Perth and Cupar Advertiser</i>
DPL	Dundee Public Libraries
<i>RPCS</i>	<i>Register of the Privy Council of Scotland</i>
SRO	Scottish Record Office

## CHAPTER 1

### Introduction

As towns developed in twelfth-century Europe they assumed, or were granted, various functions and rights to assist their commercial operations including, in many cases, the authority to hold fairs for the purpose of trading, allowing merchants from different parts of a country, or indeed from other countries, to meet and transact business. The great fairs of Champagne were internationally important, and some of the practices developed there laid the foundations of our banking system. The tolls and imposts could generate substantial income for a local magnate; thus the great wool fair of Boston yielded between £200 and £300 to the owners of the Honour of Richmond, a very considerable income in the thirteenth century.<sup>1</sup> Several fairs in England belonged to religious houses, as in the case of Stourbridge, but this does not seem to have happened in Scotland where the fairs were not so ancient and, generally being under burghal control, were part of town life.<sup>2</sup> It is difficult to trace the early fairs in Scotland through lack of surviving records; Glasgow was granted a fair in 1190, Dumbarton in 1226, and in 1274 Aberdeen's earlier privilege of holding an annual fair was confirmed.<sup>3</sup> Sales of cloth, fine material from Flanders and the coarse product of native rural looms, were encouraged by some towns holding fairs lasting a week or more.<sup>4</sup> Scotland became more of a European country as a result of the changes in her society introduced under her Norman kings, and her east coast burghs actively traded with the Continent.

The exclusive privileges of trading which the early Scottish burghs possessed were held in abeyance during the times of fairs when merchants came from long distances, bringing goods and services which were not normally obtainable in the town. Peripatetic merchants required speedy resolution of their disputes and a court was held, similar to that known in England as the Court of the Dusty Feet, or Pie-Poudre Court, such a court normally being able to reach a swift judgment. Legal processes for debt due to burgesses by 'upland' or country men were suspended for the fair and the incomers were entitled, equally with the Burgesses, to the privileges

of 'lot, cut and cavel' of all kinds of merchandise. People were exempt from arrestment, unless they had broken the peace of the fair, or where accused of treason, or of a crime for which the church could not give sanctuary.<sup>5</sup> Goods brought to a fair could not be attached for previously incurred debts.<sup>6</sup>

## NOTES

---

<sup>1</sup> M.M. Postan, *The Medieval Economy and Society* (Harmsworth, 1975), 186

<sup>2</sup> *Scottish Historical Review*, Vol XIII (1916), 170-1

<sup>3</sup> A.A.M. Duncan, Scotland, *The Making of the Kingdom* (Edinburgh, 1975), 511;  
Alexander Keith, *A Thousand Years of Aberdeen* (Aberdeen, 1972), 12

<sup>4</sup> Duncan, op.cit., 510-11.

<sup>5</sup> *Scottish Historical Review*, Vol I (1904); 274-5

<sup>6</sup> *Encyclopedia of the Laws of Scotland* (Edinburgh, 1929), Vol VII, 85.

## CHAPTER 2

### **Dundee and its Early Fairs**

Dundee was created a Royal Burgh, or at any rate a burgh with similar privileges, in the late twelfth century, probably between 1190 and 1195, when she would be granted trading rights, and the earliest fair or fairs may date from then. A papal bull of 19 April 1198, granted to the Abbot of Lindores, mentions the Abbey's rights to 'a toft in the burgh of Dunde, free from all exactions and service', suggesting that the community had the privilege to levy dues by that date.<sup>1</sup> The town was certainly a burgh in 1199 when the English king, John, granted 'the burgesses of Earl David, brother of the King of Scotland, of Dundee, freedom from toll and all other customs of the Crown, except in the City of London.'<sup>2</sup>

There is no known record of the foundation of Dundee's original fair or fairs and we can only assume that St Mary's Fair, or the Lady Mary's Fair is the oldest. This fair came to be known as the First Fair, presumably to distinguish it from the Latter Fair, also known as the Letter Mary Fair. 'First' and 'Latter' seems to refer to their position in the year, and both are connected to the Virgin Mary, the 'First' being held on 15 August OS, the day of the Assumption of the Virgin, or Marymas, and the 'Latter' on 8 September OS, the day celebrated as the Nativity of the Virgin. A fair may have been instituted by David, earl of Huntingdon, when the burgh was created and the 'Kirk in the Fields' dedicated to Saint Mary.

Very little mention of this early fair appears in records. That it was an important trading place, importing goods, is shown by a reference in 1264 to cloth and furs for the king's use (Alexander III) being purchased at the fair of Dundee, suggesting also that there was only one fair at this period.<sup>3</sup> When the burgh of Perth had its rights over the River Tay confirmed in 1317 it was decreed that no ship coming up river beyond Drumley (Abertay Sands) should unload until it reached Perth bridge, unless 'it carries goods of Dundee men or in time of Dundee fair'.<sup>4</sup> An exchequer payment in 1438, to cover the cost of driving horses from the Province of Mar to the fair at Dundee, may refer to a second fair.<sup>5</sup>

However, a charter executed in 1458 granting a fair to Dundee to be held on 13 November only mentions one existing fair, the 'public fair on the Feast of the Assumption of the Blessed Virgin Mary and for eight days thereafter'. This new fair was to last for the same number of days as the Marymas fair.<sup>6</sup> Interestingly the charter granting the new fair was

sealed only two weeks after representatives of the rival burghs of Dundee and Montrose had appeared before parliament at the king's command, in an effort to have the disputes over their privileges settled, and the concession of this market then may not be a coincidence.<sup>7</sup> In 1491, at the instance of James Scrymgeour, Constable of Dundee, the king authorised a change in the date of the fair to 23 November, the Feast of St Clement.<sup>8</sup> The reason for the variation by ten days is uncertain but Clement was an old dedication in Dundee, being important enough locally for the saint to be represented on the reverse of the burgh seal. It is likely that his feast was celebrated and, as the fair would also be a holiday, the alteration may have been a move to restrict the stoppage of work. St Clement's Fair seldom merits a mention again, but in 1618 the Guildry, mindful of the burgh's privileges, instructed all merchants, by bell and drum, to observe the fair and to erect stands with their merchandise on them. Clearly this was not merely a token display of ancient rights, for failure to comply was to incur a 'paine of ten pundis'.<sup>9</sup> Lady Mary's Fair is also called the First Fair in 1495 in a reference, 'ad festum Assumptionis B.V.M. vulgariter diet, le Fyrstfaire'.<sup>10</sup>

The Government enacted laws applying to fairs throughout the land which give us an insight into how they were, or ought to have been, conducted. 'Hukstaris' were only allowed to buy wrought wool at fairs, in an effort to ensure that these goods came to market.<sup>11</sup> Measures were taken from time to time to prevent forestalling (disposing of goods before they reached the market) and regrating (cornering the market). 'Nochttheles the saidis actis and statutis ar nocht observit and kept... swa that na maner of gudis can be had nor coft [bought] bot at the thrid hand.' Evidently there were middlemen the government wished to eliminate.<sup>12</sup>

When David II was released from his long captivity in England, in 1357, part of the agreement provided for freedom of trade between the countries, a clause which at the time was advantageous to the Scots. Within days of his release an act of parliament laid down that merchants from abroad were to be allowed to buy and sell, and that English currency was to be given 'trew valour'.<sup>13</sup> Fairs were frequently sited in the kirkyard, but in 1503 parliament passed an act forbidding the holding of fairs on holy days or within kirks and kirkyards.<sup>14</sup> The hubbub seems to have been disturbing churchgoers, but this suppression is somewhat ironic for, in some instances, fairs may have originated on feast or saints days, with stalls being set up to provide refreshments for worshippers. Old-

established practices are difficult to end and fairs continued in churchyards, with a market still being held in Kincardine O'Neil kirkyard in the late eighteenth century, the table-tombs being used as stalls.<sup>15</sup>

Where these early Dundee fairs were held originally is uncertain, but they may have been located in the environs of St Mary's Church. However, it is known that until 1551 they had been held for some time at the west end of the High Street or Marketgait, but the space available, 'betwixt the east nuik of the auld tolbuith and the Kirk Wynd' was proving too confined and the Council decided to change the venue to the south side of St Mary's Churchyard. Many people came to the town from other parts of the country for the fairs, and the difficulties arose between them and the residents, especially when there was such limited accommodation for the trading booths and tents which the pedlars and chapmen wished to erect. There was probably also tension between the merchants and craftsmen, who often had luckenbooths in front of their houses, and the incomers. A building which stood at the corner of Overgate and High Street until the 1960s, which had a flat-capped turret at its north-eastern corner, was at one time known as 'The Luckenbooth'. Its open recessed arches at ground floor level had at some stage been converted into shops.<sup>16</sup> Evidently business at the fairs was on the increase, for the strong demand for stances had caused the rents to soar, but the authorities feared that the high rates might discourage some of the incomers on whom much of the custom dues depended. The revenue from the use of the churchyard was to be applied to the cost of building work at the kirk. That there was also congestion is borne out by the hope expressed by the Council that the new arrangements would mean 'neighbours and strangers nicht use their mercat without they stoppit the common passage to the Kirk.'<sup>17</sup>

Attempts were made in the reigns of James II and James III to curb the excesses of constables of castles and sheriffs by framing rules to protect traders from the hefty charges being levied by some of the superiors.<sup>18</sup> In the early seventeenth century complaints were regularly before the Privy Council, usually brought by the Convention of Royal Burghs, concerning the extortionate charges levied at St Serfs, Bartill and Laurence Fairs. The culprits were the lairds of Newton and Harthill and the Master of Forbes. In 1624 Gordon of Newton and Leith of Harthill were sent to the Tolbooth of Edinburgh, while the Master of Forbes entered ward in Edinburgh Castle, as befitted his higher rank. Three years later similar grievances were before the Council in respect of the same fairs.<sup>19</sup>



2. 'UNION HALL, HIGH STREET, DUNDEE.'

GEORGE MCGILIVRAY, OIL IN DUNDEE CITY ART GALLERY, INSCRIBED 1847.

A rather sanitized view of the west end of High Street where fairs were at one time located. The building with the turret surmounted by a railing was known as 'The Luckenbooth'. (Dundee Art Galleries and Museums)

Clearly, there was a somewhat cavalier response to the edicts of central government. There is no evidence of overcharging at the Dundee fairs. The superiority of a fair could be a highly profitable source of income, especially on a good site. Erskine of Dun obtained permission from parliament to hold an annual fair on the Muir of Dun, through which passed the old road from Aberdeen to Perth. He had repaired the old North Water Bridge, with authority to charge tolls, and the improved access helped bring traffic to his Dunsmuir Fair, increasing his customs revenue.<sup>20</sup>

## NOTES

- <sup>1</sup> A.H. Rea, *Lindores Abbey* (Dundee, 1902), 23.
- <sup>2</sup> J. Bain (ed), *Calendars of Documents relating to Scotland preserved in Her Majesty's P.R.O. London* (Edinburgh, 1881), 43
- <sup>3</sup> A.C. Lamb, *Dundee, Its Quaint and Historic Buildings* (Dundee, 1895), 12.
- <sup>4</sup> A.A.M. Duncan (ed), *Regesta Regum Sottorum Vol. V, The Acts of Robert I, King of Scots, 1306-1329* (Edinburgh, 1988), 390-1.
- <sup>5</sup> G. Burnett (ed), *Exchequer Rolls of Scotland Vol. V, 1437-1454* (Edinburgh, 1882), 59.
- <sup>6</sup> DDARC, CC1/35, Transcript of Charter by James II dated 31 August 1458.
- <sup>7</sup> DDARC, Town's Charter Chest Box, item 33, Notarial Transcript dated 31<sup>st</sup> August 1458.
- <sup>8</sup> DDARC, CC1/42, Charter by James IV dated 20 October 1491.
- <sup>9</sup> A.J. Warden, *Burgh Laws of Dundee* (London, 1872), 152.
- <sup>10</sup> J.B. Paul (ed), *Registrum Magni Sigilli Regum Scotorum, 1424-1513* (Edinburgh, 1882), 478.
- <sup>11</sup> C. Innes (ed), *Scottish Burgh Records Society, Ancient Laws and Customs of the Burghs of Scotland, Vol. I* (Edinburgh, 1868), 66.
- <sup>12</sup> *RPCS*, First Series, Vol. I, 141; The law on regrating prohibited goods being resold within four miles of the fair.
- <sup>13</sup> C. Innes (ed), op. cit., 189; A.M. Mackenzie, *The Rise of the Stewarts* (Edinburgh, 1957), 48.
- <sup>14</sup> R. Renwick (ed), *Ancient Laws and Customs of the Burghs of Scotland, Vol II* (Edinburgh, 1910), 55.
- <sup>15</sup> A.I. McConnachie, *Deeside* (Aberdeen, 1985), 80.
- <sup>16</sup> W. Kidd, *The Dundee Market Crosses and Tolbooths* (Dundee, 1901), 13; W.J. Smith (ed), *A History of Dundee* (Dundee, 1975), 110.
- <sup>17</sup> A. Maxwell, *Old Dundee, Ecclesiastical, Burghal and Social prior to the Reformation* (Dundee, 1891), 305.
- <sup>18</sup> *Laws and Acts of Parliament made by King James the First, Second, Third, Fourth, Fifth, Queen Mary, King James the Sixth, King Charles the First, and King Charles the Second* (1681), 129.
- <sup>19</sup> *RPCS*, First Series, Vol. XIII, 653-4.
- <sup>20</sup> V. Jacob, *The Lairds of Dun* (London, 1931), 214-16.



## CHAPTER 3

### The Constable of Dundee

In March 1298, William Wallace, Guardian of Scotland, granted to Alexander the 'Skirmeschur<sup>5</sup> lands near Dundee, along with the office of Constable of the Castle of Dundee. This act by the 'keiparis of the kingdome of Scotland<sup>5</sup> was ratified, and a charter granted, 'with certain customes and privilegis thairin contenit<sup>5</sup>, by John Balliol. If the efficacy of a donation by Balliol, or in his name, might be in doubt, Scrymgeour, as his surname became, was later confirmed by Robert the Bruce 'in his possession of the landis and constabularie of Dundie, quhilk he got frae Wallace'.<sup>1</sup> The Scrymgeour family held the estates and the hereditary office of Constable until the death of the 3rd Viscount Dudhope, 1st Earl of Dundee, in 1668.<sup>2</sup>

The relationship between the Constable and the town was strained from time to time, due to the undefined privileges of the former, and the reluctance of the Council to acknowledge his jurisdiction. With their extensive holdings of land in the vicinity of Dundee the Scrymgeours were in an influential position, but their claim to exercise authority within the burgh in virtue of their office was resisted by the burgesses. Nevertheless, many of the barons maintained a friendly connection with the town; indeed several of them held the office of Provost. In 1384 a compromise was reached between the burgh and James Scrymgeour, under which the Constable's jurisdiction was limited to the week of the First or Our Lady Fair, with his magisterial authority restricted to sitting in judgment upon offenders, along with the bailies, but he having no part of the fines. An indenture was made between the town and Scrymgeour, by which he agreed, on receiving the sum of forty pounds, to renounce his right as Constable of, in the words of a fifteenth-century translation, 'punishing of the blude touching the burgesses or stallangers and their servants in taking their places at the Fair<sup>5</sup>. The penalty to be levied for the offence of shedding of blood, short of killing, known as 'bludwites<sup>5</sup>, would be 'twenty merks to the Bailies . . . na pairt of it remaining to the Constable'.<sup>3</sup> Probably the burgh authorities hoped to recoup their capital outlay before long.

Despite the agreement, this Constable's successors were in the habit of claiming the penalties for offences committed during the time of their

jurisdiction. At the First Fair in 1520 two sailors from the Perth vessel, *Gabrieli*, Thomas Bruson and his cousin, James, committed an assault upon John Flat. For this ‘James tholit law in the Constable’s court’ but ‘Thomas was fugitive frae the law for his part of blude-drawing of John, and the unlaw [fine] and duties of the Constable - that is five pounds’ and the vessel, which contained Bruson’s gear, was arrested. It lay at the harbour under arrest for nine months, until June when the bailies, who were by then on good terms with the Constable, ‘offerit to lowse the arrestment’, the owner finding surety to the Constable’s bailie and to themselves. This Constable, also named James Scrymgeour, was appointed provost at the following Michaelmas.<sup>4</sup>

A dispute arose between the town and the Constable during the time of the fair of August 1556. John Williamson, who had injured Thomas Robertson, probably in a street fight, was apprehended by the Bailies’ officers and put in the stocks. The Constable alleged that the Bailies had usurped his privilege, and, on the following morning, he had the lock of the stocks broken and Williamson removed to Dudhope. This was too much for the Council who complained to the Queen Regent and prayed that the Constable be required to deliver the prisoner to them ‘within certain space, under pain of rebellion’.<sup>5</sup> The outcome does not appear to have been recorded.

The Constable, on occasion, was prepared to be both a party and a judge in a dispute. In 1580 the four sons of Alexander Maxwell of Tealing complained to the Privy Council that Robert Scrymgeour, uncle to the Constable, James, along with some of the retainers of the latter, had set upon their cousin, Walter Arnot in the High Street during the fair, ‘and cruellie woundit him in the heid, to the great effusion of his blude’. The Maxwells had managed to rescue their kinsman and take him by boat to Fife and safety. They stated that James Scrymgeour was demanding that they return their cousin to his Constable Court, as he claimed to have arrested Arnot for causing trouble at the fair. Understandably, they were not prepared to do so, and the Privy Council appointed two independent judges, with the consent of the parties, to hear the case in the Tolbooth of Edinburgh.<sup>6</sup> No trace of their judgment seems to have survived.

Violence seems to have been a not uncommon occurrence in the sixteenth century during fairs, which also served as occasions for settling outstanding debts. David Wedderburne, the Dundee merchant, recorded in March 1595, ‘William Lochmalony awin me Nyn barrel hering to be payit at the Lettir fair nixt conforme to ane act in the court builds’.<sup>7</sup> Whether or not Wedderburne received settlement is not recorded but presumably his efforts at debt collection did not result in the grievous assault, also at the Latter Fair of

1595, which was the outcome of an attempted debt recovery by Thomas Finlasoun, another Dundee trader. Finlasoun had resorted to diligence to recover a debt on account of 'threttie fyve bollis beir' (barley) from David Wollum or Volum of Woodrae, in the parish of Aberlemno, and had obtained decree to poind goods to the value of £4. An officer at arms, on the authority of James Bonair, Sheriff Depute of Forfar, had attempted to poind Volum's cattle, which were pasturing upon his land at Oynstoun, but Volum and his accomplices had attacked the officer and 'deforceit him in the executioun of his office; quhairupon he braik his wand'. The wand was the symbol of the officer's authority and by breaking it he formally indicated that he had been resisted in the course of his duty. Volum had committed a very serious crime, deforcement of a messenger at arms being a capital offence. Bonair called on Volum himself, but was dissuaded from taking any immediate action, the Laird of Woodrae promising to meet his debt at the First Fair. This agreement was not honoured, and at the Latter Fair Volum appeared in Dundee armed, together with his sons, James and George, and some supporters, and attacked Sheriff Bonair, 'struke the richt hand fra him to ane tak, hes mutilat and maid him altogidder impotent thair of, hurte and woundit him in divers pairtis of his body, to the effusioun of his blude in grite quantitie, and left him for deid'. Bonair complained to the Privy Council but the Volums did not appear when cited and were denounced rebels.<sup>8</sup> It is perhaps understandable that, with such lawlessness, many landowners in Scotland, and indeed some rich burghers, continued to build fortified houses for their dwellings well into the seventeenth century.

The Laird of Woodrae's sons featured in an incident in the following year which gives us an insight into the system of supplying merchandise to fairs at this period. James and George Volum, along with several accomplices, waylaid and robbed two cadgers, James Black and William Young accompanied by two servants, as they were taking seven packhorses to Brechin's fair at Taranty Muir. The Volums were subsequently apprehended and tried for 'stouthreif, an old Scots law term for robbery with violence, and hanged in Edinburgh. Cadgers were carriers employed by smallware merchants to transport their goods to fairs and they usually travelled in company for mutual protection. On this occasion the small convoy would be an easy target as it passed Melgund close to the Volums' home base at Woodrae. Black and Young were described as dwelling 'upoun the south syde of the fferie of Dundie' so we may assume they did business at the Dundee fairs. The goods they were transporting were the property of Patrick Wedderburne of Dundee, Thomas Allan, a Canongate tailor, and two

Edinburgh burgesses,<sup>9</sup> one of whom was probably a tailor and the other an armourer.<sup>10</sup>

Dundee merchants could, of course, be the offenders too, as shown in a case of anglophobia in 1591. William Milburne, the servant of a London merchant, was engaged in business at a fair at St Andrews when Robert Jackson, a Dundee burgess, asked him 'giff he wes ane Englishman'. When Milburne replied 'that swa he wes' Jackson assaulted him.<sup>11</sup>

There was serious friction between the burgh and John Scrymgeour, Viscount Dudhope, in 1642, when the magistrates prevented the Constable from exercising his hereditary privileges in connection with the First or Lady Mary Fair. In 1641 Charles I, having been forced by the House of Commons to make fiscal and other governmental concessions in England, came north to Edinburgh in an effort to enlist support, bestowing titles and granting privileges. He gave Dundee a new charter which set out its rights, confirming previous grants dating back to the reign of William the Lion, and establishing the office of sheriff in Dundee, 'the chief and principal Burgh, lying within our Sherifffdom of Forfar'. The provost was to be sheriff principal, with the sheriff of Forfar no longer having jurisdiction over Dundee. No doubt the provost and magistrates were well pleased with their freshly defined and enhanced authority, which they may have felt strengthened their hand in their dealings with the Constable, probably under strain at the time. However, the charter, while not specifically mentioning the Constablenesship, refers to the burgh's liberty to hold 'free fairs' sanctioned in previous donations, suggesting that the drafters of the document were aware of the Scrymgeours heritable rights in the First Fair.<sup>12</sup>

The Constable complained to the Privy Council that he and his predecessors had, from time immemorial, the right 'of ryding the first faire of Dundie throw the toun thair of, receaving the keyes of the tolbuith, uplifting the customes of the said faire and doing justice, and this their possessioun wes never querrelled nor interrupted till latelie that the provest and baillies of Dundie hes debared the said Vicount from the said priviledge, and in August last when the faire wes to be ridden steeked [shut] their ports upon him, refused him the keyes, would not suffer him to ryde the fair nor sett his guard nor uplift the customes'. Andrew Smith, collector of customs for the Constable, had been held in the tolbooth for the eight days of the fair, presumably resulting in a considerable financial loss to Lord Dudhope.

There was also a dispute between the town and Scrymgeour because of the latter encouraging some of his tenants in the Hill of Dundee to support the candidature of George Halyburton for minister of Dundee.<sup>13</sup>

The parties to the dispute had evidently anticipated that it would be taken to higher authority, as both had notarial instruments executed on Monday, 15 August 1642, setting out their respective accounts of the events of the previous Saturday, when the Constable's bailie had proclaimed 'the first fair, callit the first Marie fair of Dundie, to continow the space of aucht dayes nixt thairefter.' Lord Dudhope's bailie, James Scrymgeour, after visiting the muir, 'benorth the law, called Dundies Law', where the cattle market was held in conjunction with the fair, which would seem to point to what has long been called Fairmuir, 'thairefter came to the Walgait Poirt of the said burgh off purpois and intention according to old use and custome to haiff ridden throw the toune and thair to haiff attendit the gouvernement of the said mercatt'.

Scrymgeour claimed that the magistrates had closed the Wellgate Port, but the bailies averred that, when the Constable's representative asked them to open the port, the wicket was already standing open. This suggests that there might have been a main gate, through which the horsemen wished to ride in dignity, rather than having to dismount in order to enter by the side gate. The bailies had refused to hand over the keys of the burgh as Dundee 'wes an free royal brugh holdine of his Majestie, to whom onlie they wold delyver the keyis thairof (and to nane utheris)'.<sup>14</sup> Evidently they were emboldened in their stance by the possession of their new charter.

In defending their cause before the Privy Council, in what might have been described as 'an open and shut case', the Dundee Magistrates contested the Constable's right to ride the fair, claiming that 'receaveing the keyes and uplifting the customes . . . [was] prejudicial to the liberties off ane free burgh . . . contrair to the acts of Parliament in favouris of free burrowes'. They disputed the relevancy of the Privy Council in the matter, it being civil business which should have been remitted to the Court of Session. As the Constable had not 'ridden the fair' or been delivered the keys in the previous four years they claimed that 'the toune is infest *cum nundinis* and hes beine in possessioun of thair owne fairs . . . the space of four years bygane'. The statement attested on behalf of the town before a notary public had been an Instrument of Interruption, a legal step required in connection with a period of prescription. The bailies justified the detention of Andrew Smith, the Constable's collector of customs, on the grounds 'that he injurit the magistrats off the toune with reproachfull speeches'. They also put forward defences with regard to the other issues, including the row over the presentation of the minister of Dundee. Which do not concern us here.<sup>15</sup>

The Lords of Council found in favour of Viscount Dudhope, confirming his rights in the time of the First Fair, with the burgh liable to a penalty of

20,000 merks if they failed to repossess him. Dudhope was connected, (through the marriage of his daughter, Jane, into the Carnegie family), to the earl of Southesk, a prominent member of the Privy Council, which might not have hindered his suit. Bailie Davidson was consigned to the Edinburgh Tolbooth for imprisoning Andrew Smith and for inciting townspeople to attack two quarriers in Clepington, tenants of Dudhope. Various individuals made depositions in Edinburgh of what they had witnessed, or had not seen, and in some cases gave testimony regarding the Constable's right and practice of riding the fair. The similarity in the wording of some of the testimonies suggests that these had been prepared for them. William Chrystie in Balbeuchlie, aged 30, not only testified to the Constable having been in possession of his rights in the fair during Chrystie's lifetime but he had heard 'all his forbeares record the lyke past memorie of man'. George Kinnaird seems to have been very articulate and well-informed for a 22-year-old indweller, having deponed that the Constable's 'possession of the ryding of the faire, receaveing the keyes, uplifting the customes, and judgeing all causes civill and criminall for the space of eight dayes, to have been without interruption so long as he remembers'. He recalled that at the previous year's fair he had seen two bailies close the doors of the port, preventing the Master of Dudhope from entering. Four of the witnesses, including two bonnetmakers and a hammerman domiciled in the Hill of Dundee, and probably tenants of the Scrymgeours, 'dreads bodilie harme of the toune of Dundie, and craves caution and expenses'. The Privy Council ordained that the town should pay witnesses at the rate of £10 for a horseman and 10 merks for a footman.<sup>16</sup>

The town, or more particularly, the provost, bailies and councillors, went back to the Privy Council in the following month, having found themselves in the impossible situation of being required to find caution in the sum of £10,000 for an indemnity to Viscount Dudhope, the Master of Dudhope, their men, tenants and servants, for the actions of *all* the indwellers of the burgh. For failing to meet this obligation Lord Dudhope was threatening to put the magistrates to the horn. Horning was an old legal procedure for diligence under which the debtor was charged to fulfil his obligation. On his failing to do so, a messenger at arms denounced him rebel with three blasts of the horn at the mercat cross of the chief burgh of the sheriffdom. Apart from the embarrassment which the civic fathers were likely to suffer if such an execution took place before the local *hoi polloi*, now that Dundee had a resident sheriff, their personal property was liable to be poulded. The Lords of Council issued a qualified suspension of any action of horning, the general

effect of which limited liability to the period when the Constable could exercise his privileges of office.<sup>17</sup>

John Scrymgeour, First Viscount Dudhope, died the week following that decision and was succeeded by his son, James, Second Viscount Dudhope, who had been a party to the original complaint as Master of Dudhope. The new Constable charged the Provost and Magistrates to find caution to repossess him in his privileges at the next fair. This was an action which the town tried unsuccessfully to have suspended.<sup>18</sup>

The town attempted to play one more card in their efforts to frustrate the Constable. There was an obligation under law, dating back to 1425, for a burgh to hold a wapinschaw four times each year. In practice these reviews of men, from the age of sixteen to sixty, with their weapons, were often neglected and, when they did occur, the lack or poor state of equipment suggests rather ramshackle affairs. It seems more than a coincidence that the Town Council should have selected the fifteenth of August for their muster, the day on which Viscount Dudhope was due to ride the fair. A large turnout of the citizenry under arms, albeit a seventeenth-century 'Dad's Army', might have been calculated to intimidate the Constable and his small retinue.

However, the Privy Council got wind of what was being planned and the magistrates were forbidden to hold the parade on 15 August, which date could not be altered for the riding of the fair, whereas the town could quite conveniently hold its muster at another time. The Lords were of the view that the clash of events might have resulted in a breach of the peace.<sup>19</sup>

Both parties must have realised that it was in their best interests for the long-running quarrel to be settled, and a contract between the town and the Constable was drawn up and executed at Dundee on 12 October 1643, with this in mind. The document has eighteen articles, covering a wide range of mutual matters, in most of which the Constable had a pecuniary interest, from the 'fishers of men' to the fishers of Bervie. His contribution to the Dundee stipend was agreed, as was his levy on boats landing at the Shore of Dundee, with particular reference to the boats landing Bervie haddocks. The town acknowledged the Constable's right to the customs of the First Fair, and his practice of riding through the town on its first day, but his retinue was not to exceed twenty horse. It was agreed that, for the eight days duration of the First Fair, the Constable should sit in judgement, as in the agreement made in 1384 between Viscount Dudhope's predecessor and the burgh's representatives, the court to be held in the Tolbooth instead of on the Castlehill.

In this connection the magistrates agreed to allow the Constable access to

the Tolbooth, and to deliver the keys of the 'Upper or Nether Iron house' to him. Moreover, they undertook to assist him in the execution of his office during the fair time. The royal grant of a 'sheriffship' to the burgh was not to affect the rights of the Constabulary. Despite an authority by the king, Lord Dudhope agreed not to erect the Rotten Row, or Hill of Dundee, into a Burgh of Barony, with a weekly market and two annual fairs,<sup>20</sup> a development which the town feared would have been prejudicial to its interests. This last article, together with the new stipend arrangements, were probably the main motives for the Dundee magistrates entering into the contract, although the freshly defined lines of demarcation of the Constable's authority, restricting it to the duration of the First Fair, must have been welcome.

National events were to have a great effect on Dundee over the course of the following few years. Scotland had been drawn into the English Civil War with a Scottish army crossing the border in January 1644, following the signing of the Solemn League and Covenant. In July this army, under David Leslie, helped Fairfax to win the battle of Marston Moor, near York. Among the casualties was James Scrymgeour, 2nd Viscount Dudhope and Constable of Dundee, who died of his wounds.<sup>21</sup> In the following April Dundee was attacked by Montrose, and was in course of being plundered by his followers when a Covenanting army under Baillie and Hurry was sighted a mile from the town. In a remarkable feat Montrose managed to call off his soldiery from their prerogative of plunder, and his troops were leaving the town by the Seagate, or East Port, when Baillie's force was entering by the West Port. Nevertheless, the merchants' booths had been ransacked and the loss to the burgh's trading community must have been considerable. It is to the credit of the townsfolk that they showed compassion on the great Marquis on his brief return to Dundee in 1650, *en route* to Edinburgh and execution, for 'the whole town expressed a great deal of sorrow for his condition, and presented him with clothes and all other things suited to his place, birth and person'.<sup>22</sup>

On New Year's Day, 1651, Charles II was crowned at Scone and thereafter spent a few weeks in Dundee, prior to marching south to defeat at Worcester in September. Meanwhile, Dundee was under siege by General Monck, and, eventually when its defenders surrendered, the garrison and many of its citizens were massacred. The town was sacked and the effect on its commercial life was to be catastrophic.<sup>23</sup> The magistrates applied to Parliament for relief and assistance, but it was not until 1669, nine years after the Restoration, that three Acts were passed in an attempt to restore its fortunes. The first two Acts were in respect of levying duty on wines and spirits, and authorising the raising of monies throughout the country to repair



the harbour. The third, dated 23 December 1669, referred to the ships which Dundee had lost in recent storms, and to the damage sustained at the harbour. To encourage trading, and to give the burgh additional income from the tolls and customs, authority was given to hold two new annual fairs, in addition to the old established fairs. These fairs were to be held on the first Tuesdays of July and October respectively, 'ilk fair to last for the space of Eight days'.<sup>24</sup> The July fair came to be known as Stobb's Fair, but its date was altered at some stage to the first Tuesday after July 11.

The long reign of the Scrymgeours as Constables of Dundee ended with the death of John Scrymgeour, 3rd Viscount Dudhope, earl of Dundee, in June 1668, without a male heir. At the beginning of August, the magistrates were 'in an uncertainty what to do at their fair which is in the present month of August' and they made supplication to the Privy Council for fit persons to be appointed to ride the fair and uplift the customs. The Lords of Council authorised Sir George Kinnaird of Rossie, or in his absence, John Scrymgeour of Kirkton, to ride the fair and to arrange for the collection of customs which were to be accounted for. In October, John Scrymgeour of Kirkton and Alexander Scrymgeour, Writer in Edinburgh, who were both probably related to the deceased earl, were communicating their concern to the Privy Council about his charters and other documents which were 'in the house of Dudhope and are subject to be miscarried or embezzled'. The Privy Council decided that the charter chest and other boxes of papers should be sealed and sent to the Lord Register for safekeeping.<sup>25</sup> It may have been that creditors had claims against the estate for, in the two years prior to his death, the earl had granted several charters conveying his heritable properties to a succession of individuals in security of substantial sums due by him. It is interesting that the incorporeal right to the constable-ship was included in the heritage disposed. To meet the principal sum of 4,400 merks and sheriffs fee of 198 merks, a charter in favour of James Brisbane was granted on 27 July 1666, including 'the lands and lordship of Duddope ... the offices of the constabulary of Dundie and Hill, bearing the banner of the King, and uplifting the colt silver and all the customs of the first fair of Dundie'.<sup>26</sup>

The Guildry of Dundee had long been an important power base in the community and, although by the seventeenth century its influence was declining, it still seems to have been perceived as a useful place from which to exercise political and commercial weight. From November 1670, nominees of Charles Maitland, Lord Halton or Hatton, began to be admitted as burgesses. Maitland belonged to a very prominent political family, being the brother of the Duke of Lauderdale whose initial letter contributed to the

name, Cabal, given to the Government in England of which he was a chief minister, formed after Clarendon fled in disgrace in 1667. Through marriage to Elizabeth, daughter of Richard Lauder of Halton, Maitland obtained the Lothian estates of Halton or Hatton, Overgogar, Norton and Platts, and, when appointed an Ordinary Lord of Session in 1670, he took the judicial title of Lord Halton. Maitland was Lord Treasurer Depute and a member of the Privy Council. He was also to enjoy, in more senses than one, the office of Master of the Royal Mint, but not at this stage, for the present incumbent of that office, John Falconer, was one of his appointees on 15 April 1671, the day on which Maitland himself became a burges of Dundee. Thereafter, for a period of four years no further names of Maitland supporters were added to the 'Lockit Book' but in September and October 1675, a regular flood of his retainers had their names engrossed. Another contender for power in Dundee, the earl of Southesk, was also packing the Guildry in October 1675. We do not know if all their followers were members at the same time but if they were, Maitland and Southesk could each muster a strength of at least 22; probably 24 in the case of Maitland.<sup>27</sup>

The Guildry was becoming most concerned that 'divers noblemen and gentlemen with all thair servants and followers are made burges gratis, fearing the same may be prejudiciall to the towne'. The new breed of burges would be able to trade to the detriment of those merchants who paid for their membership. It was decided that a 'gratis burges' who commenced trading would require to pay double the ordinary dues. In November 1677, the Dean of Guild convened the Guildry and there was a large sederunt of seventy-one, only a few being absent. The Dean told the assembly that their privileges were being encroached upon, with an adverse effect on the town. Presumably the calling of the meeting was not notified to the nobles and their supporters, most of whom probably did not reside in the burgh, for the Guildry unanimously agreed to defend its rights.<sup>28</sup>

By a series of charters, commencing in 1670, Maitland had acquired the estates of the earl of Dundee, including the office of Constable, but the grants had formed the subject of unsuccessful litigation brought by various parties who disputed their validity. When in 1676 the earl of Southesk, as Sheriff of Forfar, and the Magistrates of Dundee took a dispute, which had arisen between them concerning their respective areas of authority in the burgh, to the Privy Council, the Lords of Council decided that jurisdiction belonged to one of their own members, Charles Maitland of Hatton, the Lord Treasurer Depute, confirming him as hereditary constable.<sup>29</sup> The relationship between Maitland and the town was a stormy one, and in November 1676, the new

Constable was protesting to the Privy Council that the magistrates had infringed his rights of jurisdiction. There had been a tussle between the parties, due to the bailies dealing with delinquents who, the Constable averred, should have been brought before him. Some of the incidents that Maitland complained of happened outwith the time of the fair, and it would seem that he regarded his authority as all-embracing. The bailies had judged, imprisoned and fined culprits much to the annoyance of the Constable, whose privilege this was, while one James Christie, sentenced to prison by the Constable's depute during the fair for rioting, had been released by the magistrates. Offenders such as Christie were pawns in this clash between Constable and burgh, not that he had any reason to complain. The Privy Council found in favour of Maitland and ordered that the provost, George Broune, and two bailies, George Fairnie and Alexander Kirkaldy, be removed from office, the remaining members of the burgh council being ordained to meet and appoint their successors. Broune was fined 3,000 merks and the others 1,000 merks each, all three being committed to the Edinburgh Tolbooth until the fines were paid, it being stipulated that they were not to be reimbursed from the common good fund of the burgh.<sup>30</sup>

In the following year the Burgh Council learned through Sir William Sharp, His Majesty's Cashkeeper, that Maitland was willing to sell his interests in Dudhope, including the land, his heritable privileges and superiorities. The Council unanimously declared their willingness to bargain, but it appears the negotiations came to naught.<sup>31</sup> Next year the Town Council was still at loggerheads with the Lord Treasurer Depute, having taken legal advice in Edinburgh on their future conduct in dealings with him. They had been advised that, if required at the First Fair, they should deliver the keys of the Tolbooth to him, or to his depute. They should prepare a list of the prisoners in jail, 'aither for cryme or civiel debts', and ensure that the Constable was responsible for those prisoners while he or his depute had charge of the keys, and refuse to take them back until the end of the fair. The keys of the Town House, where the records and deeds were kept, were not to be handed over. They should fine any offenders they had to deal with themselves during the time of the fair.<sup>32</sup>

Ex-Provost Broune, who had suffered the severest punishment, following the Constable's triumph over the burgh in his case before the Privy Council, conducted a personal campaign in an effort to recover his fine of 3,000 merks arguing that he had been acting as provost and should have been reimbursed from the town's funds. Although a number of magistrates had been named in the action, only Broune and two others had been penalized, the rest being

absolved. Shortly after Broune had demitted office the Town Council had also disallowed his claim for outstanding expenses, following an auditor's report. Clearly Broune was very aggrieved and, although his petition was rejected initially, he continued to protest to the Privy Council about what he perceived as unfair treatment. The irony was that the fine monies had been gifted to the burgh and placed in the common good fund. Eventually in 1682 Broune produced a commission 'given by the haill magistrats to him to come over to Edinburgh to defend in the said proces in behalfe of the toune'. The Lords cited the present magistrates to appear before them and in 1683 instructed the Burgh Council to refund him.<sup>33</sup> Broune may have been fortunate; William Anthy, who in the fifteenth century had travelled to Bruges on the town's business at his own expense, was recompensed by the Council with the grant of a burial lair in the parish kirk for himself and his wife.<sup>34</sup>

On the death of the Duke of Lauderdale in 1682, Maitland of Hatton succeeded to the earldom, but not to the dukedom. Shortly afterwards his stewardship while Master of the Mint was examined, and an investigating committee found him guilty of corruption. 'Clipping' is the illegal paring of the metal from the edge of a coin, which is guarded against by the milled edge. Maitland had gone a stage further; having charge of the Mint he had reduced the metal content in manufacture, thus producing more coinage than was officially accounted for, and defrauded the public exchequer of £72,000. It was proposed that he should be fined the same amount as he had stolen, but the King reduced the penalty to £20,000, seemingly as the result of supplications made on his behalf. The Bishop of Edinburgh wrote to the Dowager Duchess of Lauderdale in March 1683, that Maitland 'and his familie will be absolutely ruined if his Majesty prove not eminently merciful to both, for he is decerned to pay £70,000 sterling and upwards to the King for his embezzlements of the Mint and coinage'. Nevertheless, the restricted fine brought about Maitland's financial ruin. There were probably other heavy obligations as a series of litigations was brought by his late brother's family, including the Duchess. She does not seem to have shared the Bishop's wish for compassion when it conflicted with her self-interest. Maitland had also expended large sums in remodelling Hatton House in Midlothian into one of the most splendid mansions in Scotland, set in 240 acres of spacious grounds, with stately avenues, walled gardens, and an artificial lake. Among the properties he was required to dispose of were those of the House of Dudhope and the title to the Constabulary of Dundee, which were transferred to Colonel John Graham of Claverhouse in May 1683.<sup>35</sup>

Claverhouse had written to the Marquis of Queensberry, the Lord Treasurer, in March, enlisting his support in his request for these pickings from Maitland's downfall.<sup>36</sup>

It was not long before Claverhouse exercised his power in the burgh, claiming that as Constable he should be considered the first magistrate. In November 1686, Claverhouse, now a major general, appeared at the council house with the nominations of the Privy Council for the offices of provost, bailies, councillors and deacons for the ensuing year. Just over a year later the Privy Council appointed Claverhouse as provost. However, his reign in the town was not to last long and, following his death at Killiecrankie, the magistrates petitioned the Council for permission to assume the function of the Constable during the time of the First Fair. They expressed concern that 'the peace of the said burgh might be very much disturbed by the resort of strangers especially Highlanders to the towne dureing the [fair] tyme'. The Privy Council appointed the earl of Leven to exercise the jurisdiction as Constable during the First Fair of 1689.<sup>37</sup> Claverhouse's estates were forfeited and were given to the earl of Forfar, and on his death without a direct heir they passed to the Marquis of Douglas and were eventually inherited by the earls of Home, including the rights of the Constable of Dundee.<sup>38</sup>

## NOTES

---

<sup>1</sup> J.B Paul (ed), *The Scots Peerage* (Edinburgh, 1906), Vol 3, 304; SRO, Scrymgeour Wedderburn Muniments, GD137, Introduction; J.M. Thomson (ed), *Inventory of Documents relating to the Scrymgeour Family Estates, 1611* (Edinburgh, 1912), 39.

<sup>2</sup> SRO, Scrymgeour Family Muniments, GD137, Introduction.

<sup>3</sup> Maxwell, op. cit., 204-5, 401; A.H. Millar (ed), *The First History of Dundee, 1776* (Dundee, 1923), 51.

<sup>4</sup> Maxwell, op. cit., 205.

<sup>5</sup> *Ibid.*, 205.

<sup>6</sup> *RPCS*, First Series, Vol III, 303-4.

<sup>7</sup> A.H. Millar (ed), *The Compt Book of David Wedderburn Merchant of Dundee, 1587-1630* (Edinburgh, 1898), 44; Settlement of debts was linked frequently to feast days, including the

---

Nativity of Our Lady, The Assumption of Our Lady, and All Hallows Mass)

<sup>8</sup> *RPCS*, First Series, Vol V, 270-1.

<sup>9</sup> R. Pitcairn, *Ancient Criminal Trials in Scotland Vol II 1596-1609*, Maitland Club (Edinburgh, 1833), 385-6.

<sup>10</sup> C.B.B. Watson (ed), *Roll of Edinburgh Burgesses and Guild Brethren 1406-1700* (Scottish Record Society, 1929).

<sup>11</sup> *RPCS*, First Series, Vol IV, 625.

<sup>12</sup> A.H. Millar, *The First History of Dundee, 1776* (Dundee, 1923) 111-126.

<sup>13</sup> *RPCS*, Second Series, Vol III, 376-8.

<sup>14</sup> *Ibid*, 376-8.

<sup>15</sup> *Ibid*, 553-5.

<sup>16</sup> *Ibid*, 378, 601-2.

<sup>17</sup> *Ibid*, 401-3.

<sup>18</sup> *RPCS*, Second Series, Vol. VII, 445.

<sup>19</sup> *RPCS*, Second Series, Vol. XIII, 5-6.

<sup>20</sup> Millar, op. cit., 126-9; SRO Scrymgeour Wedderburn Muniments GD137/4013.

<sup>21</sup> A. J. Warden, *History of the Scrymgeours*, (1886), (Typeset in the Lamb Collection [391(2)] DPL).

<sup>22</sup> J. Buchan, *Montrose* (Edinburgh, 1931), 236-7; R. Williams, *Montrose* (n.d.), 227-9; An account is given in the Wardlaw M.S. in Scottish History Society, First Series Vol.47 (Edinburgh, 1905), 355.

<sup>23</sup> Millar, op. cit., 132-5; W.J. Smith (ed), *A History of Dundee* (Dundee, 1975), 35-41.

<sup>24</sup> DDARC, CC1/106, Act of Parliament dated at Edinburgh, 23<sup>rd</sup> December 1669, granting two fairs to the Burgh of Dundee.

<sup>25</sup> *RPCS*, Third Series, Vol II, 516 & 553.

<sup>26</sup> J. H. Stevenson (ed) *Registrum Sigilli Regum Scotorum 1660-1668* (Edinburgh, 1914), 451, 471-2, 474-5, 538-9.

<sup>27</sup> Index to the Lockit Book of the Guildry of Dundee, 1515-19 – (Copy in DPL); J.B. Paul (ed), *The Scots Peerage*, Vol. 5 (Edinburgh, 1908), 306-7.

<sup>28</sup> A.J. Warden, *The Burgh Laws of Dundee* (London, 1870), 160.

<sup>29</sup> *RPCS*, Third Series, Vol. IV, 528-35; J.B. Paul, op. cit., 306-7.

<sup>30</sup> *RPCS*, Third Series, Vol. V, 64-6.

<sup>31</sup> DDARC, Dundee Town Council Minutes, 27 July 1677.

<sup>32</sup> *Ibid*, 12 March 1679.

<sup>33</sup> *Ibid*, 24 July 1677; *RPCS*, Third Series, Vol. VII, 493-4; Vol. VIII, 32-33, 107.

<sup>34</sup> DDARC, Dundee Town Council Minutes, 21 November 1451.

<sup>35</sup> M. Linklater and C. Hesketh, *For King and Conscience* (London, 1989), 93; W.A. Doubleday (ed), *Complete Peerage*, Vol. VII (London, 1929), 492; J.B. Paul (ed), op. cit., 306-8.

<sup>36</sup> A.M. Scott (ed), *Letters of John Graham of Claverhouse* (Scottish History Society, Miscellany XI, Edinburgh, 1990), 187-9.

<sup>37</sup> *RPCS*, Third Series, Vol. XVI, 13.

<sup>38</sup> Lamb, op. cit., Xc.

## CHAPTER 4

### All the Fun of the Fair

To many modern readers the word ‘fair’ may suggest a place of amusement, a ‘funfair’, rather than the periodical market of medieval times. There is some merit in this for the word is derived from the Latin word for a holiday, *feria*, and for most people the fair was one of the few recreational occasions in the year. The fairs of the Middle Ages became great regional, national, or even international, gatherings and were important in the cultural life of the community which they served. The fair was a place where people could meet and exchange news and ideas.<sup>1</sup> While the fifteenth-century poem, *Peblis to the Play*, describes the journey of country people to the May Day festival, it probably could depict equally the atmosphere of a Scots fair with its games and dancing, the young people in their best clothes flirting, the drinking and the brawling, and the farewells until the next fair.

Professional entertainers frequented many fairs, with showmen exhibiting relics and performing bears or monkeys. The elephant which collapsed and died on its way to Dundee in April 1706, would have been too early in the year for a fair, but the incident demonstrates the coverage of exhibitors at the time. It had travelled through Europe to England, and, after being brought north, had been shown in Edinburgh and Perth.<sup>2</sup> Peepshows had views of battles, or of great cities such as Constantinople. Some of the terms used have become pejorative. A charlatan was an itinerant seller of medicines with a patter to attract his customers, while the mountebank was the charlatan mounted on a bench or stage, usually surrounded by elaborate properties.<sup>3</sup>

*The Mountebank now treads the Stage, and sells  
His Pills, his Balsams, and his Ague spells<sup>4</sup>*

From the entertainer’s point of view it was probably easier to change the audience, by moving from one fair to the next, rather than alter the repertoire.<sup>3</sup> It was prudent, no doubt, for the charlatan or quacksalver to move on in case the medicine proved ineffective.

Around the year 1600 troupes of English and French actors were in the habit of performing at the Frankfurt Easter and autumn fairs.<sup>5</sup> Whether or not any actors came to Dundee during the fair times is not known, but plays were recorded as having been performed in Dundee at Westfield, near the West Port, as far back as

the late fifteenth century. A payment of twenty unicorns by James IV to French players who had performed in Dundee is recorded in the Exchequer Rolls for 23 July 1490.<sup>6</sup> Players from the Globe Theatre, London, toured in Scotland in 1601, performing in Aberdeen for three weeks in October, and there is the likelihood they visited Dundee.<sup>7</sup> At least there was a tradition of actors performing in the town.

Puppet shows, gingerbread stalls, wax figures, throwing for prizes, and living curiosities such as dwarfs or giants, were familiar features at pleasure fairs. At some of the larger fairs in the early nineteenth century major commercial entertainments such as Adam's Circus or Wombwell's Menagerie might appear.<sup>8</sup> Wombwell was a frequent visitor to Dundee. Cooke's Circus was a favourite attraction in Dundee and it was crowded every night to see Mr Cooke and his four sons performing. Many of the local young ladies received riding lessons from Mr Cooke during his stay in the town in the early nineteenth century.<sup>9</sup> When Polito's Menagerie appeared in Dundee at the Latter Fair of 1816, exhibiting a wide range of exotic animals including a zebra, an elephant, a Bengal tiger, a pair of kangaroos, and a black swan, their advertisement claimed that their full grown lion was the only one 'seen in this place for upwards of 20 years', suggesting that there may have been shows of wild animals in Dundee in the late eighteenth century.<sup>10</sup>

Glasgow's original, or midsummer, fair had shows, menageries, theatrical performances, games of chance and penny reels, while at St Comb's Fair at Largs the chief pastime, after the business was transacted, was the dance on the village green to the bagpipe or the fiddle.<sup>11</sup> Burghs had their official pipers who would play at the local fairs and enliven the atmosphere. Often they were personalities, such as Habbie Simson, the Piper of Kilbarchan, who played in his locality, 'At every play, race, feast and fair', or Rob the Ranter, who toured the fairs of Fife, referred to in the lines, 'There's nane in Scotland plays sae weel, Sin' we lost Habbie Simson'.<sup>12</sup> In John Galt's fictional village of Dalmailing a fair was established in the year 1770, creating 'a day of wonderful festivity to all the bairns, and lads and lasses, for miles around'. One of its treats was a Punch and Judy show. Galt was an accurate observer of local life in what he called his 'theoretical histories of society'.<sup>13</sup>

The great fairs of England, such as Bartholomew and Stourbridge, were leading centres of entertainment. When James VI and I issued orders against what were termed 'unprofitable games' at Stourbridge there were mentioned 'bull-baiting, bear-baiting, common plays, public shows, interludes, comedies and tragedies in the English tongue, games at loggets, nine-holes'. There were also horse races and performances by tumblers, conjurors and ropedancers.<sup>14</sup>





3. AT THE 'SHOWS', EARLY TWENTIETH CENTURY.

Most of the people appear to be attired in their Sunday best. Note the boys with their toys and the little twin girls wearing hats with tassels. (Dundee Art Galleries and Museums)

Pedlars of the type of Autolycus in Shakespeare's *The Winter's Tale* sold ballads, chapbooks and almanacs at fairs. Some of the balladmongers were sturdy rogues, while others were deformed and incapable of physical work. Occasionally they were in league with the pickpockets who frequented fairs and who would rob their prey while their attention was distracted, as described by Ben Jonson in *Bartholomew Fair*.<sup>15</sup> Among the well-known chapmen was Dougal Graham, born in Stirlingshire around 1724, who composed many chapbooks which were sold all over Scotland. William Cameron, better known as 'Hawkie', born in Stirling about 1785, toured Scotland as chapman, beggar and street orator. His witticisms were famous.<sup>16</sup>

While there is no certainty that these activities were to be found at Dundee, it seems reasonable to suppose that they would have been, if sometimes in different guises. It is probable that some similar entertainment was provided at the First and Latter Fairs, prior to the nineteenth century when records give us an insight into their amusement elements.

Hugh Gowan was a well-known worthy at Dundee fairs in the mid nineteenth century. Known as Blin' Hughie he was a comic singer and from this verse of a popular ballad he seems to have been in competition with Robbie Salmon, a gingerbread vendor, for the attention of the crowd:

*Puir Robbie wad start a lang-windit oration  
(An' better than he we'll nae mair see at fairs),  
Yet a' heard the finish o' Hugh's emanations  
Ere ever they'd gang to buy gingerbread  
wares.*

He died about 1880.<sup>17</sup>

Gingerbread was sold in large quantities at fairs, some of which were even referred to as 'Gingerbread Fairs'. There are frequent references to it being sold at Dundee fairs, with the customs levied on it being rated by the hundredweight. Some eighteenth-century gingerbread recipes in Scotland are for something like a treacle scone, rather than a cake. Gingerbread at fairs was sometimes sold as a novelty, being fashioned into attractive shapes, such as miniature men and women, and covered in gold or silver paper.<sup>18</sup>

There was one pleasure which was probably common to all fairs; their attraction as a meeting place for young men and women.

*Here country John in bonnet blue,  
An' eke his Sunday claise on,  
Rins efter Meg wi' rokelay new,  
An' sappy kisses lays on.*<sup>19</sup>

Meg, in her new short cloak, no doubt felt the height of fashion and hoped to be noticed and pursued. Since many servants were single, young people were prominent at feeing fairs. Most of them were normally under the control of a master or a mistress, or still subject to their parents, curbing their opportunities for sexual indulgence. A fair allowed a temporary escape from such restrictions.<sup>20</sup> It was a suitable season for advancing a courtship or attempting a seduction. Betty, the chambermaid in Henry Fielding's *Joseph Andrews*, is probably typical of many women won over in the carnival atmosphere of a fair.<sup>21</sup> The First, Latter and Stobb's Fairs are mentioned as the likely occasions when 'the guilt was contracted' in three eighteenth-century fornication cases before the Kirk Session of Dundee.<sup>22</sup> The downfall of young girls at fairs seems to have been a perennial problem and in 1878, as an alternative to them attending the local fair, the renowned crusader and champion of women's rights, Ishbel, Countess of Aberdeen, invited domestic and farm servants to a garden party at Haddo House. Six thousand turned up.<sup>23</sup> The young female subject of a ballad entitled, 'The Back o' Reres Hill', and her sweetheart, lost their way at the Lady Mary Fair and spent the night on Reres Hill. However, it seems this gave her no cause for regret, for the last line is, 'Success tae Lady Mary's Fair an' the Back o' Reres Hill'.<sup>24</sup>

Others evidently went to a fair merely to spectate, but dressed up for the occasion, as is brought out in an Ayrshire ballad describing a visitor to the fair at Kirk Dominæ:

*O Robin lad, where hae ye been?  
Ye look sae trig and braw, man,  
Wi' ruffled sark, and neat and clean  
And Sunday coat and a<sup>3</sup> man.  
Quo' Rab, I had a day to spare,  
And I went to Kirkdamdie Fair,  
Like mony anither gouk to stare,  
At a<sup>3</sup> that could be seen, man,*<sup>25</sup>

Many answering Rab's description would have been visible at the Dundee fairs.

Fielding's Betty received a new straw hat as a fairing, and the presents given or brought home from a fair must have contributed greatly to the pleasure derived from the occasion, admirably captured in Alexander Burr's painting, *Home from the Fair*, in Dundee's Orchar Collection. Fairings would often be practical gifts in an age when the plenishings of a cottage were meagre.

*A brose caup, a horn speen  
A chopper and a ladle Fae the  
Timmer Market, Aiberdeen Tae  
grace your kitchen table.*

The Timmer Market was held in Aberdeen on the last Thursday of August, with snuff boxes and wooden eggcups being among the other fairings frequently bought there.<sup>26</sup> It is likely that similar gifts were popular at Dundee's fairs. Pottery, known as 'pigs', or as 'wallies' in the case of ornaments, was traded there and was to be found on many dressers and mantelpieces in Angus. There was a special rate for a chapman's stand 'of pigs and earthenware' at the Lady Mary Fair.<sup>27</sup>

## NOTES

---

<sup>1</sup> H.R. Loyn (ed), *The Middle Ages, A Concise Encyclopaedia* (London, 1989), 127.

<sup>2</sup> P. Blair, *A full and exact Description of all the Bones of an Elephant which died near Dundee, April the 27th 1706 with their several dimensions* (London, 1713), 3, 12.

<sup>3</sup> P. Burke, *Popular Culture in Early Modern Europe* (London, 1978), 94-7.

<sup>4</sup> J. Gay, *The Shepherd's Week. In Six Pastorals* (London, 1714), from the sixth pastoral, 'Saturday'.

<sup>5</sup> Burke, op. cit., 111-12.

<sup>6</sup> J.C. Dibdin, *The Annals of the Edinburgh Stage* (Edinburgh, 1888), 15.

<sup>7</sup> F. Wyness, *City by the Grey North Sea* (Aberdeen, 1965), 156-7; L. McGill, Dundee District Libraries, Brief Notes on Dundee's Theatrical Past.

<sup>8</sup> R.W. Malcolmson, *Popular Culture in English Society 1700-1850* (Cambridge, 1973), 21

<sup>9</sup> W. Kidd, *Dundee Past and Present* (Dundee, 1909), 117.

<sup>10</sup> *DP & CA*, 13 September 1816.

- 
- <sup>11</sup> D. Murray, *Early Burgh Organisation in Scotland* (Glasgow, 1924), 334-7.
- <sup>12</sup> Robert Sempill, 'The Life and Death of the Piper of Kilbarchan', and Francis Sempill, 'Maggie Lauder', in Tom Scott (ed) *The Penguin Book of Scottish Verse* (London, 1970), 234, 237-8.
- <sup>13</sup> J. Galt, *Annals of the Parish* (Edinburgh, 1978), 55.
- <sup>14</sup> Malcolmson, op. cit., 111-12.
- <sup>15</sup> L. Shepherd, *The History of Street Literature* (Newton Abbot, 1973), 82, 88.
- <sup>16</sup> Ibid., 91-7.
- <sup>17</sup> W. Kidd, *The Dundee Market Crosses and Tolbooths* (Dundee, 1901), 24-25; N. Gatherer (ed), *Songs and Ballads of Dundee* (Edinburgh, 1986), 100-1.
- <sup>18</sup> J. Harrowven, *The Origins of Rhymes, Songs and Sayings* (London, 1977), 132; M. Lochhead, *The Scots Household in the Eighteenth Century* (Edinburgh, 1948), 216; DDARC, Table of the Petty Customs, ref TC/H/M8/3.
- <sup>19</sup> Robert Fergusson, 'Hallow-Fair', in Tom Scott (ed), op. cit., 291.
- <sup>20</sup> Malcolmson, op. cit., 77-9.
- <sup>21</sup> H. Fielding, *Joseph Andrews* (Oxford, 1966), 75.
- <sup>22</sup> DDARC, CH/21218/4, Dundee Kirk Session Minutes, 13 April 1768, 15 February and 22 November 1772.
- <sup>23</sup> J. Drummond, *Upstairs to Downstairs: Advice to Servant Girls and Weary Mothers* (Aberdeen, 1991), 3.
- <sup>24</sup> N. Gatherer, op. cit., 69.
- <sup>25</sup> J. Shaw, *Ayrshire, 1745-1950* (Edinburgh, 1953), 180.
- <sup>26</sup> From a Display in the museum at Provost Skene's House, Guestrow, Aberdeen.
- <sup>27</sup> H. Chepe and G. Sprott, *Angus Country Life, A Companion to the Angus Folk Museum* (Edinburgh, 1980), 30; DDARC, Table of Officers' Dues at the Lady Mary Fair of Dundee, circa 1800.

## CHAPTER 5

### Stobb's Fair

At this stage we consider the two fairs which were authorised by Parliament in 1669 and which, like the Latter Fair, were under the control of the Burgh Council of Dundee. As already stated these fairs were timed for July and October, the former becoming known as Stobb's or Stob's Fair, while the October fair was probably referred to as Melvin's fair, although little is known of it other than it was generally held on the same ground as Stobb's. Fair days normally occurred during the farming season when there was produce available for sale, (although Aberdeen had an early January fair), and at times when people from the surrounding area would be able to travel to the marketplace. A clash of dates with another nearby fair would obviously affect attendances, but the royal burghs sometimes took steps to remove or curb competition. Originally fairs had been held on religious feast days and many of them continued to be holidays which, of course, added to the crowds. Some of the fair days were standardised instead of being linked to a variable feast like Easter or Trinity. Post-reformation foundations such as Stobb's were, naturally, secular. The most popular fairs in Dundee, in terms of attendance both of customers and traders, were undoubtedly the First or Lady Mary and Stobb's, both held in the summer months. There is little to suggest that the others ever enjoyed any significant degree of success. Dundee had had an interest in the estate of Craigie for hundreds of years, through a grant in 1391 of a third part of the lands of Milton of Craigie to the chaplaincy of St Salvator in the parish church.<sup>1</sup> In 1665 it was reported to the Council that, when the town's marches 'wer perambulat', there was a discrepancy in connection with the Muir of Craigie, and the Dean of Guild was instructed to speak to the laird.<sup>2</sup> In 1676 an agreement was reached between the town and Patrick Kyd, laird of Craigie, for the rent of several properties, namely 'Oliver's Croft, The Rood Yards and Currol Hole'. It was also agreed that 'the town of Dundie and inhabitants thereof has libertie to keep a fair the first tuesday of July ... upon the common muir of Craigie'. The inhabitants of the burgh were entitled to remove clay from the muir, presumably for building purposes, and in time of plague huts could be erected to quarantine the victims.<sup>3</sup> The muir was acknowledged to belong to the Kyd family, but the servitude was to be secured to the town 'in the best way that shall be devised by lawyers'.<sup>4</sup>

This was to prove ironical and a source of difficulty for the Council over a very long period. On 23 June 1679, the Council gave instructions ‘for ane fair to be holden at the Mure of Craigie and within this brugh, beginand the first tuesday of July nixt and to continue all that weik and the sd faire to be Custome free for this yeir alanerlie’.<sup>5</sup> This seems to have been one of the earliest Stobb’s Fairs with a custom-free concession, presumably to encourage trading at the relatively new market. The fair would appear to have been split at this time, partly on the muir and partly in the town, as was the case with the First Fair. It has not proved possible to identify on which part of the Muir of Craigie Stobb’s Fair was located, or indeed to delineate the muir itself, maps of the period being of little assistance. However, it seems likely that the market would be held on or near the present recreation ground known as Stobsmuir, covering a greater area, and including ground which was later used for other purposes, including house feus. This was the part of the muir which the town agreed with a subsequent laird of Craigie should be used as the fairground. It had good road access, being near the main roads from Dundee to Forfar and Brechin. It has been claimed that the fair was called after the person renting the field where it was first held, or that the name derives from a Scots word for a post. Another suggestion links it to St Abb, but the few dedications to this saint are in Berwickshire and there is nothing to suppose an ecclesiastical connection. The first reference to it under this name traced in official records is in 1717, when the Council Treasurer was instructed to arrange for intimations in the parish kirks to the effect that the fair was not to be held at the Muir of Craigie, but at ‘the Cowgait of Dundie and waist ground wt out the port’. Efforts were to be made to have similar announcements made at country markets, evidence of the importance placed on attracting patronage from rural areas. In the following July the fair was proclaimed to be held once more ‘in the ordinari place in the muir’.<sup>6</sup>

James Guthrie, who had been a merchant in Stockholm, returned to Dundee and his son, also James, acquired the lands of Craigie from the Kyd family in 1728, the estate being added to by a further purchase in 1766.<sup>7</sup> The younger James seems to have been an early improver, enclosing some of his lands in the 1750s, or even earlier. In 1761 he approached the Town Council with a request that they move their fair to another part of the Craigie moorlands as the present site was in his scheme of things. Interestingly only Stobb’s Fair is referred to, suggesting that the other fair at the same venue, probably Melvin, had either fallen into desuetude or was of very little significance. Fairs did disappear due to changed circumstances, or because of competition, and this may have been

its fate. Dunsmuir Fair, near Montrose, dwindled away, and on the last occasion it was held the total stock was reported to have been a solitary cow.<sup>8</sup>

The Council was not enamoured with Guthrie's proposal as, in addition to the fair, the town had other rights over the muir, particularly grazing of cattle, exercising the militia, the digging and removal of clay, peat and divot. They decided to make a symbolic legal protest and the Treasurer was empowered to throw down part of the dykes and ditches forming the laird's improvements. The Town Clerk had this Instrument of Interruption duly recorded.<sup>9</sup> The Nine Incorporated Trades of Dundee put a paper before the Council suggesting what action should be taken. They pointed out that the acts of the Town Council of 1676 and 1704, setting out the terms of the agreement between the laird of Craigie of the day and the burgh, had never been legally formalized and that Guthrie should be asked immediately to produce his titles to the properties, otherwise the town should enter into possession and let them out, claiming back rents from him. This savoured of sharp practice, for the minute of agreement between Guthrie's predecessor and the town had been recorded in the Council Books, and the arrangements appear to have worked satisfactorily over many years. The Trades suggested that, as a concession to Guthrie, the Council might wish to indicate to him that they would waive any claim to past rents if he moved out of the muir quietly.<sup>10</sup> However, an early settlement was not on the cards. Over two years later, the Council, realising that legal action would be expensive, with the outcome not necessarily favourable to the town, agreed that the dispute be submitted to mutually acceptable arbiters.<sup>11</sup>

The arbiters' report found that Mr Guthrie had sole right of property to the Muir of Craigie, but that he should grant a disposition to the town of the part of the muir lying to the east of his enclosures which measured just over eleven acres. The town was to renounce all claim to property of, or servitude upon, any other part of the muir and Mr Guthrie agreed to pay the town the sum of £125.<sup>12</sup> After the difficulties experienced, it might have been expected that greater care of the burgh's deeds would be exercised, but problems were to arise in the future over the boundaries of Stobsmuir, and the document of title was to be lost or mislaid. However, before we look at the situation which brought to light these discrepancies we should hear something of the nature of Stobb's Fair itself, regular accounts of which appeared in the nineteenth-century press.

Some of the contemporary reports of Stobb's Fair are quite Hogarthian in the word images which are drawn. The scene on occasion may well have resembled that portrayed in Sir David Wilkie's painting, *Pitlessie Fair*. The



poet, Thomas Hood, during his residence in Dundee, visited a fair and has left some lines based on his impressions:

*Some large markets for cattle, or fairs, are held here,  
On a moor near the town, about thrice in a year.  
So I went to the last, found it full, to my thinking  
Of whisky and porter, of smoking and drinking,  
But to picture the scene there presented, indeed  
The bold pencil and touches of Hogarth would need.  
Here you'd perhaps see a man upon quarrelling bent,  
In short serpentine curves wheeling out of a tent,  
(For as best so they call blankets raised upon poles  
Well enlightened and aired by the numerous holes),  
Or some hobbling old wife, just as drunk as a sow,  
Having spent all the money she got for her cow.  
Perhaps some yet unsold, when the market has ceased,  
You may then see a novelty, beast leading beast!<sup>13</sup>*

The livestock at the fair tended to vary considerably both in quantity and quality. It was not considered an important tryst, and sometimes the show of cattle was small and the sales dull. In 1823 a very extensive supply was reported, due to considerable droves from the North. Horses were also traded but, with a few exceptions, tended to be inferior beasts. There was a feeing market, which helped to bring large crowds of farm servants to the muir who were often provoked by townspeople, resulting in numerous fights.<sup>14</sup> No doubt there was hostility on both sides, the peasant class in search of work or a better place, at a time when changes in agricultural methods required a smaller labour force, and the urban dwellers, many not long removed from the land themselves, out for enjoyment, with a rowdy element intent on mischief. It took only a minor incident to result in a fracas and it became almost a tradition for the fair to end in a serious disturbance, the lack of such a climax being the subject of special comment. At the fair of 1809, a recruiting party of the 25th Regiment of Foot was present, and in the evening their drum was damaged, which caused fighting to break out between the soldiers of the 25th on the one side, and some of the crowd aided by some artillerymen on the other. The soldiers used their swords and bayonets, while the local populace employed stones and sticks. There were a number of serious casualties on both sides and a young man who had been struck on the head by a stone died on the following

day.<sup>15</sup> The authorities, from time to time, took measures in an effort to stamp out, or at least control, the violence but, in an era before the introduction of a professional police force, these steps were seldom effective. An account purporting to be of a farm servant's visit to the fair of 1819, signed with a pseudonym, and 'corrected' by his parish schoolmaster, appeared as a letter in the *Advertiser*:

I am a ploughman and as such attended Stobb's Fair on Tuesday in the hope of finding some one who would be kind enough to give me leave to toil. . . .

It was not without some fear I adventured to a spot celebrated for rioting and mischief and breaking the heads of the peaceable folk who go there for the purpose of transacting business. My fears on this occasion however proved groundless . . . There was indeed no lack of landward idlers, trying to commence their destructive operations, but to counteract their wicked designs there was sent out by your Provost ... a party of porters about a dozen strong headed by a feeble town's officer or two, whose strength I thought lay as much in their grim countenances and, what everybody knows, their approximation to the finishers of the law, as in their physical power. The fair thus passed off without any broken heads . . . Two of the porters, I heard, fonder of keeping up the ancient character of this fair than of preserving the peace, did indeed get drunk. . .

Returning my thanks then, and those of the other country people who were obliged to attend this fair, for the protection which the Magistrates afforded on this occasion.

I remain, Sir, yours  
'Cuddie Headrigg',<sup>16</sup>

From this account the guardians of law and order do not inspire much confidence. The writer of the letter may also have been fortunate in his choice of fair, for in some years there was physical injury caused to innocent attenders, apart from the losses sustained through the activities of pickpockets, with watches and snuffboxes regularly being reported stolen. He may have left early, for the worst trouble seems to have occurred in the evenings when most of the townsfolk appeared. The Dundee Police Act was passed in 1824, ironically just before one of the worst incidents at Stobb's Fair. The purposes of the Police Act were, of course, wide ranging, and included matters such as watching, lighting, cleansing, paving and sewers, as well as the prevention, detection and punishment of crimes.<sup>17</sup> Reports of the fair after this date often mention the work of the police, giving accounts of their arrests, with a more

peaceable fair being attributed to their presence in force on the ground. However, instances of assault on the officers, while in the course of their duty, were numerous.<sup>18</sup>

The murder which took place in 1824 did not occur on the fairground, but in close proximity to it, the victim being John Allan, a young mason who had gone to Stobb's in the evening with a number of his workmates. They had left the field for Stobsmuir Toll to obtain refreshments, when they were attacked by a gang of around a dozen men armed with sticks, who beat them before robbing them. Allan, who was 26 and was to have been married shortly, died from his injuries. Some of his companions sustained injuries, as did a number of other passers by, including an employee of the nearby bleachfield who suffered a fractured skull. Three men were arrested in connection with the murder.<sup>19</sup>

In 1831 the Town Council had considered a report from its Committee on Public Property and Improvements referring to the different properties belonging to the burgh, 'with a view to their being rendered most available for the interests of the Community'. In other words how could they yield better returns. The Town Chamberlain suggested that Stobb's Muir could be feued, provided arrangements could be effected for transferring the fair, the new site proposed being 'the Town's fair muir'.

This field belonged to Sir John Ogilvy of Inverquhar as an heir of entail, subject to the servitude of the fairs held there annually, presumably being used mainly for the livestock sections of the First and Latter Fairs, which, as we noted earlier, were located on a muir 'benorth the law'. Negotiations began with Sir John, who was favourably disposed to the proposal, although there was the problem of fettering an entailed estate with the burden of an additional servitude.<sup>20</sup> Sir John also wished to restrict the area of the muir to be used by the fairs, presumably so that some of the land could be put to another use.

This also raised the question of how much land was required for the town's fairs, bringing into the discussion Lord Douglas, who, as successor to the Constables of Dundee, had a heritable interest in the customs and dues of the Lady Mary Fair, including that part which took place at the Fairmuir.<sup>21</sup> Several legal and legislative steps were taken before Stobb's Fair could be moved, including an action of Limitation of Servitude, following a report to determine the extent of the muir which would be needed for the fairs, and an Act of Parliament. This was an improvement act and authorised the opening of some streets in the burgh, as well as empowering the changes to the fairs. It was finally agreed, after lengthy negotiations, that an area of twelve acres be

appropriated for the fairs, with Sir John Ogilvy consenting to improve the road approaching the muir from the east.<sup>22</sup> The Council was now in a position to give notice of its intention to transfer the fair, effective from 1845, and to auction feus on the Stobsmuir land for building purposes. Once again there was difficulty with the title, for the disposition granted by the laird of Craigie in September 1766 could not be found, and it was necessary to ask Craigie's trustees to grant a Charter of Novodamus.<sup>23</sup> Most of Stobsmuir was built on, forming the nucleus of the suburb of Maryfield, with an area being acquired by the Dundee Water Company for a reservoir. The remaining ground was taken over by the Police Commission for a recreation ground, at a time when such provision came within their authority, but since 1894 it has again been under the direct control of the Town Council and their successors.<sup>24</sup>

Stobb's Fair was held for the first time on Fairmuir in 1845, when there was a very large attendance, but fortunately it passed off without any significant disorder. The stalls usually erected at the fair, apart from the refreshment tents, included sweetie stalls, peep shows, conjuring acts and fortune tellers. Roundabouts and swingboats were also erected. The show of cattle, sheep and horses occupied most of the day, with the entertainment element of the fair beginning in the afternoon about 4 o'clock. In order to display the capability of an animal, a horse dealer would send it running along the muir with a young boy on its back whipping it, to the hazard of those gathered there, who were no sooner out of the way of one galloping horse than they were in the road of another. Crowds from the town would continue to pour into the ground until nine or ten in the evening. Occasionally soldiers stationed in the area, in their red or blue jackets, would be conspicuous. In 1855 several companies of the 93rd Highlanders were the object of public notice, this being the regiment, the Sutherland Highlanders, who had formed 'the thin red line' at the Battle of Balaclava in the previous October.<sup>25</sup>

If the authorities had expected more orderly behaviour now that the fair had a new location, they were to be disappointed, although there are no more accounts of fatal injuries being sustained. However, considering the size of the crowd, on occasion estimated to be between 8,000 and 10,000 in the evening, some disorder was to be expected, as for many such a visit would be one of the very few opportunities for leisure in the year. Moreover, it was a period when drink was consumed in enormous quantities. The fair must have been disruptive to the regular retail trade, for many of the grocers and other shopkeepers were in the habit of taking the day as a holiday. On the other hand, cab proprietors were reported to do 'a capital business in driving passengers to

and from the muir'.<sup>26</sup>

An eyewitness recorded his impressions of the fair of 1864, which he pointed out had taken place on the anniversary of the Battle of the Boyne. 'The Irishmen were numerous and seemed anxious for opportunities to commemorate their great defeat.' He observed that the road from Hilltown to the Fairmuir had been crowded in the evening with groups of people going to and from the fair, many of them being drunk. The stands which had been used for business earlier in the day had mostly disappeared, 'the few remains of these erections are burning in the corner of the muir, or made the weapons of defence by skirmishing plunderers ... Sticks and stones are flying in the air in abundance... If a tent remains the mischievous gang are plotting against it ... In the commotion two lads of about equal weight come up rather sharply against each other when the superior boxer has to display his accomplishments in the fistic art. . . [The police] march in line along the road on the west side of the Fairmuir while stones, sticks and numerous missiles without name are directed at the unfortunate "bobbies". Numerous complaints are conveyed to them but no assistance is rendered. The slightest attempt to interfere on their part only tends to augment the fury of the mob against them'.<sup>27</sup> The following year the police seem to have been better prepared, and a large force of men dealt with attempts to generate disturbances as they rose, with the muir being cleared by nine o'clock.<sup>28</sup>

However, in 1870 Mr Robert Mitchell of Douglas Foundry was writing to the *Advertiser*, complaining of the inactivity of the police during an incident when around fifty small mill boys had set upon a drunk woman. According to Mr Mitchell, the police seemed to regard the episode as fun and would not respond to his appeals for them to intervene.<sup>29</sup>

Since Dundee adopted the General Police Act of 1833 there had been an administrative problem in the policing of the Fairmuir, as it lay just beyond the parliamentary bounds of the burgh. There were three fairs held there in the course of the year, and the responsibility for policing them lay with the Forfarshire Constabulary, which had to bring men from all parts of the county to augment a force of around 14 constables sent by the Dundee Magistrates. The cost of travelling expenses was an unwelcome item in the County Superintendent's budget, a problem he brought before the County Constabulary Committee in 1852, at the same time pointing out that the sheriff had powers to extend the jurisdiction of the Police Act by one thousand yards, which would take the fair ground within the province of the Dundee Police. While the Dundee Magistrates confirmed in writing their willingness to cooperate with

the County, their Police Superintendent sent his Forfarshire counterpart an account of expenses amounting to 12s.6d. for dinner for ten constables on duty at Stobb's Fair. When referred to the County Committee, payment was refused until the matter of the fairs could be looked into, and a sub-committee was set up. Evidently the subcommittee did their homework, tracing the history of the fairs from the Act of the Scottish Parliament in 1669. Prior to 1824 the town had paid a sum for a guard at Stobsmuir and, after the original Police Act, the Magistrates had sent out a force of men, first to Stobsmuir and subsequently to Fairmuir. The sub-committee observed that, while for police purposes, the Fairmuir was outwith the Parliamentary boundary, it was within the royalty which had been extended in 1831. They were of the opinion that the responsibility and cost of preserving order at the markets should fall on the burgh which drew the customs arising from them.<sup>30</sup>

Reports of the fair later in the century suggest that relatively better order was being maintained, probably for a number of reasons. There was less drunkenness, and the police seemed better organised and more professional, with detective officers assigned to be on the lookout for pickpockets. The tension of former years was lessened by most of the country people leaving for home in the late afternoon, before the main crowds from the town descended on the muir, after the mills and factories closed. The traders avoided the vandalism to their property previously experienced by taking down their stands and tents around 6 o'clock, suggesting that most of their business came from the farming community. By 1880 it was reported that there was no longer any feeling, with the result that the number of farm servants attending was not large. There were other opportunities for farm labourers changing employment. Bell's Fair, held on the first Friday of October, seems to have been purely an annual hiring market for married farm servants. It continued well into the twentieth century.<sup>31</sup> Adverse weather conditions in some years played a part in the decline of Stobb's but in 1894, despite excellent weather, the market was a mere shadow of former years. Like other fairs it had declined because of the growth of stock sales and auction marts. Only its horse display was worthy of mention, but even here trade was not brisk and clearly the days of Stobb's Fair were numbered and it seems to have died out a few years later.<sup>32</sup>

## NOTES

- 
- <sup>1</sup> W. Hay, *Charters, Writs and Public Documents of the Royal Burgh of Dundee* (Scottish Burghs Record Society, 1880), 15-16.
- <sup>2</sup> DDARC, Dundee Town Council Minutes, 10 May 1665.
- <sup>3</sup> *Ibid.*, 24 October 1676.
- <sup>4</sup> *Ibid.*, 26 February 1704.
- <sup>5</sup> *Ibid.*, 27 June 1679.
- <sup>6</sup> *Ibid.*, 22 June 1717; 26 June 1718.
- <sup>7</sup> *Burke's Landed Gentry* (London, 1972), 18<sup>th</sup> Edition, Vol. 3, 409.
- <sup>8</sup> Jacob, *op. cit.*, 216.
- <sup>9</sup> DDARC, Dundee Town Council Minutes, 8 July 1761; 10 November 1761; 19 December 1761.
- <sup>10</sup> *Ibid.*, 15 November 1762.
- <sup>11</sup> *Ibid.*, 6 January 1765.
- <sup>12</sup> *Ibid.*, 23 January 1766; 18 July 1766; DDARC, Submission and Decreet Arbitral between the Town and Hospital of Dundee and James Kyd and James Guthrie, Esquires 25 June 1766.
- <sup>13</sup> A. Elliot, *Hood in Scotland* (Dundee, 1885), 70-1; While the poem refers to the 'last' fair, suggesting the Latter Fair, it was published under the heading, 'Stobb's Fair'. It probably refers to Stobb's Fair of 1815.
- <sup>14</sup> *DP & CA*, 20 July 1810, 15 July 1814, 17 July 1823, 20 July 1826, 19 July 1827, 17 July 1828, 18 July 1834, 20 July 1838, 15 July 1842.
- <sup>15</sup> *Ibid.*, 21 July 1809.
- <sup>16</sup> *Ibid.*, 16 July 1819.
- <sup>17</sup> *DP & CA*, 1 July 1824.
- <sup>18</sup> *Ibid.*, 16 July 1829.
- <sup>19</sup> *Ibid.*, 15 July 1824, 22 July 1824, DDARC, Dundee Register of Burials.
- <sup>20</sup> DDARC, Committee on Public Property and Improvements, Dundee, Minutes, 14 September 1831, 24 October 1834.
- <sup>21</sup> DDARC, Dundee Town Council Minutes, 1 March 1838; Committee on Public Property and Improvements Minutes, 26 May 1838.
- <sup>22</sup> DDARC, Act of Parliament, William VI Cap.liv; Committee on Public Property and Improvements Minutes, 23 November 1839, 30 November 1840; Dundee Town Council Minutes, 14 December 1843, 29 February 1844; Report by Sheriff Substitute of Forfarshire at Dundee in the Petition of Limitation of Servitude, Sir John Ogilvy, Baronet v Lord Douglas and the Magistrates of Dundee, November 1843.
- <sup>23</sup> DDARC, Dundee Town Council Minutes, 16 January 1845; Committee on Public Property and Improvements Minutes, 24 November 1844, 6 March 1845.
- <sup>24</sup> *Dundee Year Book*, 1900, 196-8.
- <sup>25</sup> *DP & CA*, 18 July 1845, 21 July 1848, 20 July 1855.
- <sup>26</sup> *DA*, 21 July 1865, 15 July 1870.
- <sup>27</sup> *Ibid.*, 15 July 1864.
- <sup>28</sup> *Ibid.*, 21 July 1865.
- <sup>29</sup> *Ibid.*, 30 August 1870.

---

<sup>30</sup> DDARC, Minutes of Forfarshire Constabulary, 18 June 1852, 10 November 1952, 16 July 1853, 29 September 1853.

<sup>31</sup> Dundee Newspaper Cuttings, 1 October 1919, 4 October 1919; Bell's Fair was listed in the Dundee Directories as late as 1972.

<sup>32</sup> *DA*, 16 July 1875, 14 July 1880, 18 July 1894; *DC & A*, 15 July 1896.



## CHAPTER 6

### The Lady Mary and the Latter Fairs in the Nineteenth Century

The various fees and customs levied by the town at its markets and fairs formed an important part of the municipal income in the late eighteenth century and, conscious that changes in trade had made some of the dues out of date, the Council in 1785 drew up a new table of charges. Most of the charges relate to the Mealmarket which does not concern us here, but some of the duties are in respect of the Latter Fair, the First or Lady Mary Fair being the prerogative of the Constable. These charges give us an indication of the kind of trader likely to be found on the High Street during fairtime:

Each covered chapman's stand at the Latter Fair, beside his usual custom	4s. Scots
Each uncovered chapman's stand at the Latter Fair, beside his usual custom	2s
Each auctioneer on the High Street	18s
Each Quack Doctor having a stage erected on the High Street	£3
Each Ginger Bread or Confections stand at the Latter Fair	1s <sup>1</sup>

It was the practice for the customs of the fairs to be roused, which allowed the Burgh a fixed sum without the trouble of trying to collect the charges as tabled. No doubt those who bid to become the tacksman of the fair calculated to make a good profit out of the exercise and the price varied, reflecting its perceived value. In 1767 the custom of the three fairs was set at £20 sterling, falling to £18 in 1789. The income had risen in 1768 to £26.10s. when rented to John Thrift who received back £1.4s. to provide a guard. In 1806 no bid was received at the upset price of £14 and the right was taken up by Silvester Oliver, a merchant, for £13. This was the sum obtained in the following year when Thomas Jack took over, and it would seem that the town and the Jack family were satisfied with the bargain for the same bid was accepted in 1820 from David Jack.<sup>2</sup> When the Committee on Public Property, as occupiers of the Fairmuir, considered a Notice of Assessment for the support of the poor of the parish of Mains and Strathmartine in 1851, it was mentioned that it had been based, not on the value of the ground, but on an assumed rental of £15

which was approximately the total dues from the town's three fairs.<sup>3</sup> Clearly the value of the fairs had fallen very substantially in real terms, over a period that included the decades of improvement in the second half of the eighteenth century, and the years of inflation which had accompanied the French Wars. In 1838 Robert Marr, a Dundee fishmonger, approached the Council, claiming that Lord Douglas, the heritable proprietor of the First Fair, was making a levy on every boatload of fish landed at Dundee, not only throughout the week of the Lady Mary Fair, but during the whole year. The Town Clerk was instructed to write to Lord Douglas's law agents in Edinburgh for an explanation and in due course their reply claimed that their client had by his Charter from the Crown right to the customs of the Constable of Dundee. They referred to the case which Charles Maitland of Hatton had raised when Constable in 1679.<sup>4</sup> However, the Town Clerk's request for a perusal of the relevant decree does not seem to have been responded to by Lord Douglas's lawyers, and no further attempts to exact this charge appear to have been made.

In the same year another complaint was made from the opposite standpoint. Mrs Anderson, the proprietor of the West Port customs protested to the Town Council that the Dundee and Newtyle Railway Company were bringing goods into town without allowing her to exact the appropriate dues. When the Town Clerk wrote to the railway company warning that the evasion of customs would endanger the permission given for the railway to pass through the town to the harbour, the manager denied the allegation. He claimed that the company 'had given the Tenant of the Customs every facility for the collection thereof. The Town Clerk advised Mrs Anderson of the tenor of the manager's letter and the matter seems to have rested there.<sup>5</sup>

The methods of collecting dues at the First Fair of 1852 brought letters of protest to the press. One complainant claimed heavy handed tactics were being used by the tithe proctors, described as 'a set of rude-looking men, with clubs in their hands... stopping every cart or barrow, tugging at every bundle, and peeping into every old wife's basket... [supervising] one of the most barefaced systems of legalised freebooting ever practised on an enlightened community'. A Fife farmer, who had attended Dundee cattle fairs for over thirty years, protested over customs being levied twice, a second charge being imposed when boarding the ferry.<sup>6</sup>

Accounts of the fairs in the nineteenth century, especially of the First or Lady Mary Fair, give an impression of movement; the activity of the crowds which thronged there, the fluctuation as the fairs expanded or contracted, and the change

of location, brought about principally by the expansion of the town.

Low life and petty crime feature frequently in the earlier reports, with many instances of pockets picked or wallets cut out of pockets, watches snatched, and a woman even having the shawl snatched from her shoulders. There were personal assaults in the course of robbery; in one instance two packmen were knocked down in the Murraygate but the watchmen apprehended two of the thieves before they could make off with the trader's goods. Houses were broken into while people were at the fair, probably one of the rare occasions when many dwellings were unoccupied.<sup>7</sup> However, most of the cases brought to court were due to fighting or drunkenness, with the former offence often being the result of the latter condition. One inebriate was removed to the lockup house in a cart for his own protection and charged 4s. expenses, presumably for his transport and accommodation.<sup>8</sup> It seems to have been a not uncommon practice to deal summarily with offensive behaviour. Some 'thimblerriggers' were detained by the police on the muir, held overnight, and then ordered to quit the police bounds, presumably to become some other authority's problem. A 'thimblerrigger' seems to have been a sleight of hand trickster who pretended to conceal a small ball under one of three cups.<sup>9</sup>

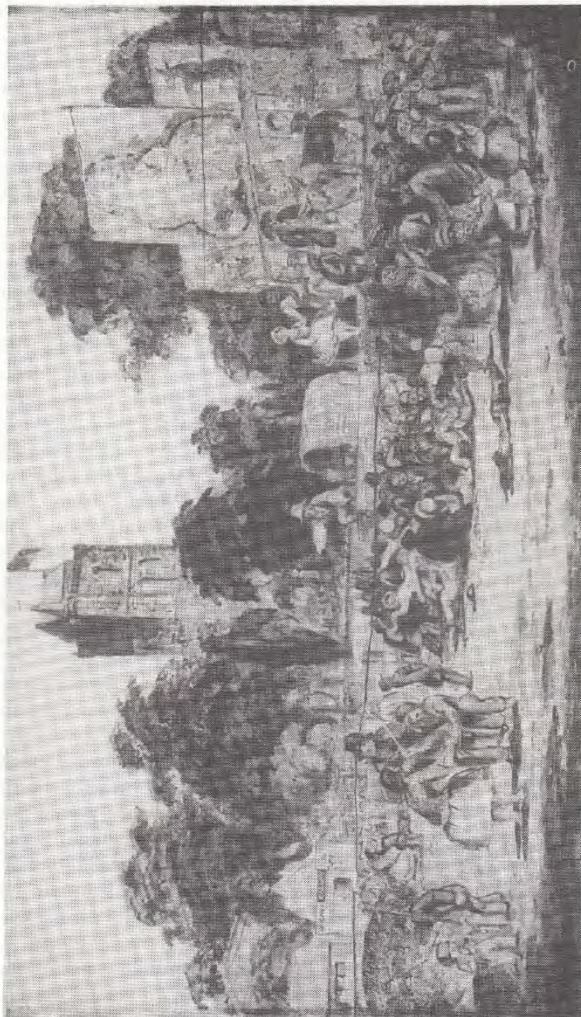
While many of the reports of lawbreaking refer to the muir, most of the incidents took place in the town, including some which were probably due to the high spirits of youngsters. For many people the fair was a welcome break from the harshness of life among the insanitary lands and narrow closes, none more so than for the young, eager to seize every chance of fun and freedom. A visit to the muir, with its clean air and the liberty to run about on the moorland, must have been a pleasurable diversion. The arrival in the town of the entertainment caravans and the waggons carrying wild beasts for the exhibitions, parading through the streets, accompanied by drummers and trumpeters, would excite the young minds used to a strictly disciplined regime, turning their thoughts to the prospect of a week's amusement. According to a newspaper account the children called the opening day of the First Fair the 'merry, merry, market day'. Some of the pranks would cause annoyance to their elders, as evinced in a letter to the newspaper after the First Fair of 1828. The writer complained of the large number of boys assembling at the Back Meadows, where the exhibition booths and tents had been sited.

The boys had succeeded in knocking down one of the booths and, by their practice of rushing about the ground in packs, were liable to knock over some of the adults. They had also been throwing stones and other missiles, as well as obstructing the people going into and coming out of the shows. The author called for more involvement of the police, described as 'some of those

useless men who are to be seen daily prowling about our streets, seeking work and finding none'.<sup>10</sup> Another writer in the following year took exception to what he regarded as too strong action following an assault. An employee of Mr Ord's circus had struck a policeman when drunk, resulting in the circus being banned. The authorities relented and Ord was allowed to resume performances at the Little Meadows.<sup>11</sup> The contrast reveals something of the maintenance of law and order before the Police Act of 1839 and the development of a professional police force.

The volume of the livestock trade held at the Fairmuir varied, influenced largely by market and weather conditions. A very wet day might mean a small attendance but, on the other hand, fine weather in late August and an early harvest resulted in a poor turnout of country people at the First Fair, while the Latter Fair, held towards the end of September, suffered regularly by clashing with the harvest.<sup>12</sup> Occasionally the fear of disease kept stock away, the cattle market at the First Fair of 1865 being a comparative failure, rinderpest or Cattle Plague having been introduced into this country in that year by cattle from Russia.<sup>13</sup> The long established cattle trade by which store animals were driven south by the drove roads to the big fairs like Falkirk Tryst, (cattle traded at the Fairmuir frequently were resold at Falkirk), was superseded in the course of the century. Winter feeding was available at home, and the development of the railway meant that by mid-century exports to England were being carried by rail. Aberdeen Harbour had also built up a flourishing coastal trade in cattle and meat in the 1830s.<sup>14</sup>

While the fair on the muir was concerned primarily with trading livestock or arranging fresh employment, the principal day of the fair in the town was devoted largely to holiday purposes, with the spinning mills and most of the other works suspended, the streets being crowded from morning till night with young and old intent on enjoying themselves. An unsigned oil in the Dundee City Art Collection shows a fair in progress on the land north of the Howff, now occupied by the Post Office and the Courier Buildings. The Gallery's catalogue dates it to 1763 but the present Keeper of Art thinks it may be early nineteenth century. In the 1820s, 30s, and 40s most of the shows and exhibitions were located at the Meadows, with retail stands lining the streets. According to a handbill, Cooke's Circus was sited near Baltic Street in 1816. Ord's Circus, Giles Theatre of Varieties, Billy Purvis's Theatre, Scott's Royal Victoria Theatre and Ducrow's Circus were annual visitors for many years.<sup>15</sup>



4. 'OLD STEEPLE AND MARKET, DUNDEE, 1763.'

The viewpoint of this oil by an unknown artist of a fair would have been the ground now occupied by the Courier Buildings.  
(Dundee Art Galleries and Museums)

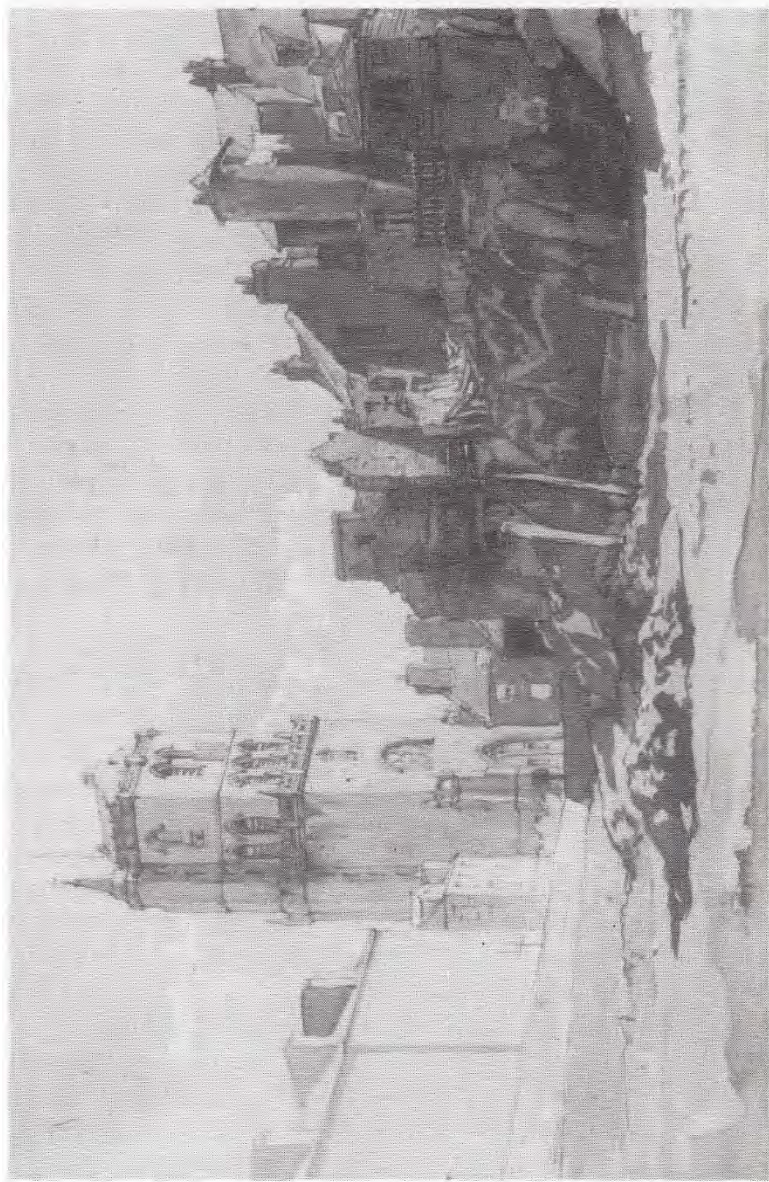
Other amusements recorded at this period include Scott's Pantheon, the French Theatre of Arts, and Well's Circus.<sup>16</sup> There was, nevertheless, still an extensive trading element created by the mainly itinerant dealers, who originally had provided goods and services not always obtainable locally. With the growth of the local retail trade they were becoming more and more in competition with the indigenous tradespeople who resented the annual incursion into their territory. As early as 1833 there were complaints that the regular shopkeepers were deriving little benefit from the extra bustle.<sup>17</sup>

The exhibition of exotic wild animals was a novelty for many people, and occasionally for some a frightening experience. A member of the Jobson family related that her father had taken his friend, Mr Ogilvie, a solicitor, to a menagerie early in the nineteenth century, as the latter had never seen a lion. When they arrived at the box office the cashier explained excitedly that the attendants were trying to secure the large Bengal tiger which had escaped from its cage. On hearing this Mr Ogilvie had exclaimed, 'May the Lord preserve us, cashier, or we're baith dead men!', and had not stopped running until back in the safety of his office in New Inn Entry.<sup>18</sup> Whether or not Mr Ogilvie ever did view a lion is not recorded.

The Meadows, as shown by Wood's map of 1821, was bounded by what is now Meadowside, Bell Street and lower Constitution Road, but had at one time been larger, extending southwards. Most of this land, south of modern Meadowside, had been built upon, but there was still an area, east of The Howff, known as the Little Meadow, used for the fair. In 1825 town improvements had been sanctioned, resulting in the opening of new streets, including Panmure Street and Lindsay Street. The construction of Reform Street in 1832, and the building of the Dundee Seminaries, (now the High School), in the Meadows two years later,<sup>19</sup> encroached on the fair ground and, with later feuing of this area, the entertainments eventually had to be accommodated at Lindsay Street Quarry.<sup>20</sup>

Attempts to extend the fair in another direction met with hostility, for some of the traders were in the habit of setting up their stands on the roadside leading into the burgh at the Wellgait Port. This road, known at one time as Mains Road but long since named Hilltown, must have been an opportune trading position, as a large section of the country people would approach the town by this route. However, this area was part of the domain of the Barony of Hilltown, created by Charles I in 1643. Dundee Town Council had for long treated the inhabitants of the Hilltown as 'unfreemen' for the purposes of customs, other than those who were burgesses of the burgh.<sup>21</sup>





5. 'WINDMILL BRAE AND LINDSAY STREET QUARRY.'

WILLIAM GIBB 1839-1929, WASH DRAWING IN DUNDEE CITY ART GALLERY.

The Quarry was north of Overgate and the entertainments of the Lady Mary Fair were sited here for a few years until moving to Dock Street in 1864. (Dundee Art Galleries and Museums)

The barony's bellman was paid for announcing the Dundee fairs, but no custom was to be levied by the burgh of Dundee on goods sold within the bounds of Hilltown. In 1839 the Baron Bailie reported that ninepence had been expended on repairing the bell handle. This outlay was necessary as the meeting of the Feuars of the Barony had resolved to order the bellman to announce publicly on the First Fair day that those trading on the streets of their jurisdiction were forbidden 'from paying custom to any person or persons pretending to have a right thereto'. The bellman, David Watt, was still being paid for this duty in 1845 when he received 1s.2d. for '2 calls of the bell'.<sup>22</sup>

The First Fair was sometimes the occasion for processions, as well as the exhibitors' parade which was a regular feature. In 1841 a large procession of teetotallers and Rechabites, claimed to be over a mile long and four deep, marched through the streets with banners, accompanied by bands. This was at the height of the Temperance Movement in Scotland which achieved success some years later, with the Forbes—Mackenzie Act closing pubs on Sundays, and legislation controlling the sale of methylated spirits. The reporter commented on the well-dressed appearance of the marchers, considering the current state of trade and the low wage rates, which he thought spoke much for their cause. Antagonism from spectators may have been anticipated, for the female marchers were flanked by males, but the demonstration passed off peacefully.<sup>23</sup>

By tradition the First Fair was proclaimed publicly on the High Street early on Friday morning, a practice that continued until its demise. Its advent was announced as usual in 1845 by John Frazer, the Town Drummer, who was jostled by some of the crowd of hundreds gathered there. A custom had developed of the Drummer being pushed ^s he performed his duty, and on this occasion the proclamation was snatched from his hands before half of it was read. He was a man of mettle, for he finished the announcement from memory to the cheers of the crowd, a wag suggesting that in future he should appear mounted on the Bellman's cuddly.<sup>24</sup>

A typical opening parade for the fair in mid-century may have been that presented by Wombwell's Menagerie, their caravans entering the town on Saturday afternoon and touring the principal streets before being stationed at the Old Meadows. They were preceded by a brass band with the 'Lion Queen' in another carriage. Ten waggons followed, carrying the animals, including two full-grown male lions, a lioness with her three cubs, and 'the finest royal tiger we have ever seen'. The menagerie was open daily until ten in the evening.<sup>24</sup> Wombwell's was one of the best known travelling collections of wild animals at this period. The last of the family met his death at Hull Fair from a mauling by one of his lions.<sup>25</sup> Other forms of amusement also arrived on Friday and



Saturday, including, no doubt, Walter Burke's 'wonderfully large pig' which was to be seen at the northwest corner of Reform Street leaping through a hoop, 'for the benefit of Dundee Royal Infirmary'. The curious could also inspect, in Reform Street, on payment of threepence, the 'Ichaboe Mummy', a body discovered on the coast of Africa, preserved for over fifty years in guano.<sup>26</sup>

For those interested in making household or personal purchases a visit to Burwell's Bazaar at the top of Reform Street gave them the opportunity to examine 'everything rare and choice in London, Birmingham and Sheffield goods [and] English, German and Geneva merchandise'. The many articles advertised in the press included Geneva and skeleton timepieces, musical boxes, papier-mache tea trays, work boxes, silver butter knives, snuffboxes, shawl pins, seals, lockets, and tooth picks, reflecting the wide range of goods, from home and abroad, now available. For entertainment there were French and German accordions, and games, including backgammon, chess and cribbage boards. A mechanical railway suggests that some toys were trendy. There were various spoons in Berlin silver, and toddy and soup ladles. Cutlery was from 'the most celebrated Sheffield makers'. For the ladies there was eau-de-Cologne, scented soaps, smelling bottles, tortoiseshell combs, needle boxes and card cases; for the gentlemen, French and meerschaum pipes. The same newspaper carried an advertisement by Mr John M. Beatts, (a local amateur historian), reminding the public of his 'Fancy Bazaar, 39 Reform Street, which is a permanent establishment'.<sup>27</sup>

The holiday atmosphere which was associated with the First Fair by midcentury is illustrated in the notices advertising cheap (for some) pleasure trips by steamer and by rail. An Edinburgh line was inducing people to travel to Dundee by their steamers, so that the fair must have benefited from an influx of visitors.<sup>28</sup> In 1855 the press reported that some 20,000 passengers had been carried in the special trains to Glasgow, Perth, Edinburgh, Arbroath, Aberdeen, and Newtyle, and on the Tay Ferries. The temperance rallies continued, with an excursion to Falkland Palace, while the Band of Hope, with their drums and fifes, visited Arbroath. Perhaps the organisers of these movements hoped that by providing other diversions their members would aim at a better lifestyle than they were likely to find using their little leisure time wandering around the fair. By contrast the following day's Police Court proceedings were unusually heavy with 'drunk and disorderly' cases.<sup>29</sup>

People seem to have made full use of their infrequent holidays for the Fair excursions often involved a very long day. The special trains for Glasgow, Loch Lomond and Aberdeen left as early as 6.30 a.m., some of them not returning until 7 or 8 p.m. While the places visited would benefit from the extra trade there could be mixed blessings. A correspondent from Dunkeld complained of the

intemperate behaviour of visitors on an excursion to the village organised by the Dundee bakers. The propriety of 800 excursionists who disembarked at Newburgh from the vessel, *Princess Royal*, on the occasion of the same fair, is not on record, nor is the reaction of the local licensed trade for these visitors were total abstainers.<sup>30</sup>

The flavour of the fair at this period, which was the peak of its popularity and activity, is encapsulated in a newspaper account of August 1860:

The characteristics of the First Fair have this year made their appearance with all their former vigour, and evinced no symptom of falling off.

By Tuesday forenoon the north side of High Street and Reform Street and Ward Road and Lindsay Street were edged with rows of stands covered with sweeties, toys and every imaginable and unimaginable article which could possibly tempt the pocket of Paterfamilias or the stomachs of his youthful charges. Crowds of well-dressed people — all apparently in the most good humoured moods — sauntered along between the rows of stands intent on amusement. The streets, which during the day were well thronged, towards evening became almost impossible and the crush was by no means lessened by the extra quantity of crinoline which had been donned for the occasion. In the [Lindsay Street] Quarry the scene was one of continuous uproar the whole day, the noise from human voices and every variety of what by no stretch of the imagination could be denominated ‘musical instruments’ baffling description. At night the noise and confusion was increased still more owing to the blocking up of Lindsay Street by determined revivalist preachers who vied with their opponents in exerting their lungs to attract a crowd round them. At the fatal hour ‘afore the twal’ Forbes Mackenzie ruthlessly caused the invasion of the streets by a very large number of inebriates of both sexes, of which there were previously comparatively few to be seen. Early on Wednesday morning great numbers of people in holiday attire were to be observed passing along the streets all hurrying towards the Shore and the Railway Stations and casting anxious glances upwards to the threatening clouds which looked as if they intended to spoil the day’s enjoyment.

After a shower, however, the sun dispelled the clouds and with them the anxieties of the excursionists who were afterwards favoured with one of the most delightful days we have seen this summer. Throughout the town the shops and places of business were almost

all closed, and this, together with the number who had taken advantage of the cheap trips, combined to give the town a half-deserted appearance which did not wear off till late in the afternoon when the return trains began to arrive. In the evening again the streets wore as animated an appearance as on the previous one, though by this time the effects of the two days cessation of work were sadly observable in the increased number of persons the worse of liquor who were staggering about, and in some cases getting up 'rows'. As on the Tuesday night the revivalist preachers again enterprisingly commanded the approaches to the Quarry and held forth to all who chose to listen, but they were not so well received as on the previous evening, several ill disposed persons in the crowd interrupting them by vulgar and indecent observations, occasionally mixed with oaths. At one time, indeed, the annoyance was not confined to words, but was aggravated by parties discharging stones at the preachers, but the capture of the ringleader by some of the crowd who handed him over to the police, prevented the recurrence of such an unpleasant adjunct of sermonising. Excepting this and a few drunken riots, we heard of no serious breach of the peace.<sup>31</sup>

The movement of the entertainment provided at the fair, known as the 'Shows', from the Meadows to the Lindsay Street Quarry, proved not too satisfactory, due to the steep decline to the quarry; moreover, central locations were being built upon as the town expanded. In 1864 the Shows were erected on ground in Dock Street, near the Arbroath Railway station, which seems to have been generally acceptable, the attendance of exhibitors and of visitors increasing. The amusements were a mix of fairground stalls, similar to previous years, with exhibitions of wild animals and circus acts. A boxing booth attracted patrons under the name of 'The Dodgers Sparring Gallery and Temple of Arts'. The noise at the Dock Street location must have been especially deafening with the stand next to the waxworks having 'three bagpipes, two drums, a pair of cymbals, a noisy parrot, a cockatoo and a man with a speaking trumpet'. A shooting gallery claimed to be 'patronised by His Royal Highness, the Prince of Wales, and the Volunteers, and sanctioned by the military authorities'. Changes in technology were in evidence, for the merry-go-rounds, formerly propelled manually with the eager assistance of small boys, were now operated by machinery. It is interesting to note that there were numerous photographic studios, for the wet plate process was in use at this time and the collodion-coated plates had to be sensitized immediately before exposure and processed while the emulsion was moist, difficult operations under temporary showground conditions.

Most of the stands offered harmless entertainment, but one show must have been nauseating to many, if not most, people, although it was one of the best patronised. In it a man performed several times in the evening, skinning live rats with his teeth and biting off their heads. The *Advertiser* called for this exhibition to be suppressed by the authorities, pointing out that when it was staged in Glasgow the magistrates had closed it as objectionable. A few days later the newspaper reported that the performances had been discontinued, following a request from the police, but the writer lamented, 'it is melancholy that there are so many persons in Dundee with tastes so depraved as to lead them to patronise such an inhuman spectacle'. Other attractions organised to coincide with the fair included an opportunity to climb the Old Steeple, and the opening of the museum of the Watt Institution.<sup>32</sup>

During the summer months other exhibitions and entertainments were often staged, including some internationally famous, which, while not part of the fairs, must have helped to create a long period of festivity. Chang and Eng, the Siamese Twins, were at the Caledonian Hall, Castle Street, in August 1830, returning in 1834. General Tom Thumb together with the equally diminutive Commodore Knott made several visits to Dundee, their last appearance at the Kinnauld Hall in 1879 being in early September when the Lady Mary Fair drew to a close.<sup>33</sup>

The alteration of the annual Dundee holidays from August to June had a considerable effect on the First Fair, and in 1875 it was felt that it might be dying out. While the streets were still thronged, it was largely due to the number of workpeople idle, for it was a period of depression in the textile industry. Moreover, strikes and reductions in wage rates meant that there was less money to spend, and this seems to have been reflected in the fewer number of dealers' stands in Reform Street and on the north side of High Street, with the entertainment on a smaller scale.<sup>34</sup> The decline seems to have continued, and in 1889 it was reported that not a single stand had been erected in Reform Street. The High Street had only three booths selling fruit and confections, as well as several stalls put up by what were described as 'Cheap Johns'.<sup>35</sup>

In 1882 Mr Woods, Tacksman for Lord Home, the heritable proprietor of the Lady Mary Fair, let the Greenmarket, the area at the foot of Crichton Street, for the use of the showmen with their exhibitions and caravans. As the market stance was almost completely taken up, numerous complaints were made to the magistrates and the Council decided that the Greenmarket should not be used for such purposes in future and in the following August they obtained interim interdict against the Tacksman.<sup>36</sup>



6. EARLY TWENTIETH-CENTURY VIEW OF FUN FAIR AT FOOT OF GREENMARKET.  
(Dundee Art Galleries and Museums)

Mr Woods defended the action, claiming that the street customs during the Lady Mary Fair belonged exclusively to the Douglas family. The caravans and shows had been in the habit of coming to Dundee, and on this occasion had taken up their position in the Greenmarket, and he had levied customs on the market place and streets as had been done from time immemorial. It was after they were in position that Mr Woods had received a letter from the Town Clerk, followed a day or two later by a petition of interim interdict. He alleged that he no longer had control over the showmen who had come to the fair. However, the shows were moved to vacant ground, the rents for which were payable to the Council.<sup>37</sup>

## NOTES

---

<sup>1</sup> DDARC, Dundee Town Council Minutes, 31 January 1785.

<sup>2</sup> Ibid., 5 November 1767, 31 January 1785, 4 November 1789, 6 January 1806, 6 October 1806, 28 January 1807, 7 June 1820, Dundee Burgh Treasurer's Book, 1753-1778.

<sup>3</sup> DDARC, Commission on Public Property and Improvements Minutes, 16 May 1851.

<sup>4</sup> DDARC, Dundee Town Council Minutes, 12 July 1838, 16 August 1838.

<sup>5</sup> Ibid., 31 October 1838, 15 November 1838.

<sup>6</sup> *DP & CA*, 27 August 1852, 7 September 1852.

<sup>7</sup> Ibid., 1 September 1820, 18 July 1822, 17 July 1823, 28 August 1823.

<sup>8</sup> Ibid., 1 September 1825.

<sup>9</sup> Ibid., 1 September 1837.

<sup>10</sup> Ibid., 28 August 1828, 18 September 1828, 26 August 1853.

<sup>11</sup> Ibid., 3 September 1829.

<sup>12</sup> Ibid., 27 August 1829, 30 August 1832, 27 September 1837.

<sup>13</sup> *DA*, 1 September 1835.

<sup>14</sup> Keith, op. cit., 316.

<sup>15</sup> Lamb, op. cit., LVa.

<sup>16</sup> *DP & CA*, 31 August 1838.

<sup>17</sup> Ibid., 30 August 1833.

<sup>18</sup> W. Kidd, *Dundee Past and Present* (Dundee, 1909), 117.

<sup>19</sup> D.M. Walker, *Architects and Architecture in Dundee, 1770-1914* (Abertay Historical Society Publication 18, Dundee 1977), 9-12.

<sup>20</sup> Lamb, op. cit., LVa.

<sup>21</sup> DDARC, Dundee Town Council Minutes, 7 January 1725, 4 November 1730.

<sup>22</sup> W.C. Skinner, *The Baronnie of Hilltowne Dundee* (Dundee, 1927), 3, 15, 40-1.

<sup>23</sup> *DP & CA*, 27 August 1841.

<sup>24</sup> Ibid., 26 August 1845.

- 
- <sup>25</sup> B. Jewell, *Fairs and Revels* (Tunbridge Wells, 1976), 95.
- <sup>26</sup> *DP & CA* 26 August 1845.
- <sup>27</sup> *Ibid.*, 26 August 1845.
- <sup>28</sup> *Ibid.*, 26 August 1845
- <sup>29</sup> *Ibid.*, 31 August 1855.
- <sup>30</sup> *Ibid.*, 25 August 1857, 28 August 1857.
- <sup>31</sup> *Ibid.*, 31 August 1860.
- <sup>32</sup> *DA*, 26 August 1864, 30 August 1864.
- <sup>33</sup> DPL, Lamb Collection 119(9); *DP & CA*, 5 August 1830; *DA*, 1 Septeber 1879, 5 September 1879.
- <sup>34</sup> *DA*, 27 August 1875.
- <sup>35</sup> *Ibid.*, 24 August 1889.
- <sup>36</sup> *Ibid.*, 28 August 1883.
- <sup>37</sup> *Ibid.*, 30 August 1883.

## CHAPTER 7

### The End of an Auld Sang

In the eyes of some the Lady Mary Fair had become an anachronism which no longer served any useful purpose in an expanding city where there was a wish to clear away the clutter of the town's medieval past. The report published in 1905 by the Dundee Social Union highlighted the problem of population density in the centre of the city. Much of the material for this report was provided by James Thomson, who became City Architect in 1904, and City Engineer two years later. His scheme for new municipal buildings on the site of the western docks, with wide tree-lined boulevards, replacing the narrow streets and wynds, was in keeping with Dundee's modern aspirations, and was accepted by the city authorities, although dropped in 1914 on the promise of the gift of a new city hall.<sup>1</sup> An old fair had no place in these forward-looking arrangements, and its disappearance was unlikely to cause any regret to city fathers who some years later were prepared to tear down their Adam Town House. The need for the fair could be said to have passed, for Dundee now had a wide range of shops, including several expanding department stores, such as D M. Brown's with its Arcade which formed an avenue of window display from High Street to Commercial Street. A great variety of goods and services were provided by the retailers who, unlike most of the traders at the fair, were domiciled locally. The shopkeepers objected to the itinerant vendors who paid no local rates and interfered with their trade by erecting booths in front of their premises. This local opposition had increased over the years and was shortly to result in an ugly confrontation.

The livestock element of the fair had diminished in the latter years of the nineteenth century, until no cattle were for sale at the Fairmuir, the only trading being in horses. In 1896 it was forecast that this market would soon be a thing of the past, although two years later nearly 100 horses were still on offer. Significantly, on that occasion, the prices in the few deals arranged were poor and, from a commercial standpoint, the demise of the fair was not far away. To protect the legitimate stallholders who had paid rent to the Constable, and to maintain order in the days before a police force, it had been customary for a small company of retainers to march out on the morning of the First Fair, preceded by a piper, and to assemble at a bell tent pitched on the muir. Each man had been armed with a halberd as an emblem of authority, with the but at



least, on occasion, being used to quell a disturbance. Circular forms had been provided on which these men sat grouped around the tent in the course of their guard duty. This office continued even after the police assumed responsibility for preserving order. Old traditions die hard and on the morning of 26 August 1908, although the Fairmuir was deserted, apart from a few youths playing football, Mr Charles Nicoll, tenant of Balgray Farm, and thirteen other men assembled on the muir and drew their pay of 4s. per head for their service, good remuneration at the time for what was merely a token appearance. While the tent was not erected, nor did they bear their arms, it along with the forms and the halberds were reported to be still in good condition and in the custody of Mr Nicoll.<sup>2</sup>

The retailing fraternity of Dundee had hoped that the Lady Mary Fair in the High Street would wither away, as had happened with the livestock market. However, the fair seems to have had a resilience and, after a few years of waning, it would wax forth to the frustration of the shopkeepers. In its success of recent years were the seeds of its own destruction.

As already mentioned, a few years earlier it had shrunk to some scattered stalls selling sweets and poor quality fruit, with one or two 'cheap jacks' quietly doing a very remunerative business. Their success got voiced abroad and the numbers of itinerant traders, anxious to sell their wares on the High Street of Dundee, expanded year by year, causing considerable traffic congestion to the fury of the indigenous retailers.<sup>3</sup>

In 1906 a concerted effort by local merchants to outmanoeuvre the birds of passage misfired. At six o'clock on Friday morning the fair was proclaimed as usual on the High Street, whereupon the stances were auctioned. The travelling traders were, of course, present, being described in the press as 'the customary crowd of motley cheapjacks of various nationalities and colours', but the High Street shopkeepers were also there and they proceeded to successfully outbid their itinerant competitors. As the locals whose offers had been accepted did not erect booths in front of their premises, the travellers took advice of a solicitor who advised them to pitch their stances on the vacant sites, and thereafter to maintain the positions they had seized. As a result large quantities of curtains, jewellery, fruit, sweetmeats and medicines were dumped down on the High Street, in front of the premises of the shopkeepers who had purchased the rights to the pitches, resulting in angry complaints to the authorities at the Town House.

A committee meeting was hurriedly arranged but, in the absence of the Town Clerk, it was unsure what action it should take. In due course opinion

was obtained that the fair had priority and that the stances must be occupied, otherwise someone else was entitled to come in and erect a booth on the vacant site. It was decided that the proper course would be to allow the shopkeepers who had secured the sites to erect stands for the sale of goods on Saturday morning, and a number of proprietors followed this course of action, although it had not been their original intention to trade there, only to frustrate the travellers. One firm packed a stand with fruit, another put up for sale boxes of polish, while a third filled the space fronting their premises with large cases. However, if the pitches were not used by the locals for selling goods they could be appropriated by their transient competitors.

The market traders who had seized sites were compelled to remove their property, and this decision resulted in a considerable disturbance when a number of individuals attempted to defy the police and force had to be used. The shopkeepers were now able to place improvised platforms on the edge of the pavement, and display on them articles nominally for sale. A new problem arose. The travellers now set about erecting their stalls immediately in front of those put up by the shopkeepers, thus causing an obstruction to traffic on the road, and resulting in three of the vendors being apprehended by the police.

There was another factor in the equation - the public. News of what had been happening spread through the city, and an immense crowd converged on High Street, their sympathy lying with the stallholders trying to defy the forces of order. Around midday the mood of the crowd turned angry, and the stall placed in front of a chemist's shop was ransacked. Attacks on other shopkeepers' property followed, the riot reaching its climax when the mob turned its attention on the stand of a provision merchant, rumoured to be the author of the scheme to thwart the market traders. All traffic was stopped, tramcars serving as grandstands from which to view the proceedings with safety, until a large contingent of police restored order and dispersed the crowd. In a telephone message to the Chief Constable at noon on Saturday a Town Councillor declared, 'I have never seen Dundee so lawless as it is at this moment'. Fortunately no one was severely injured.<sup>4</sup>

The fair continued for the following week but without any disorder. A number of the travellers' stalls remained and trade was reported as being quite brisk, particularly in the evenings. Some of the stands put up by the shopkeepers had been removed, or more probably wrecked by the mob. The rioters had been unable to dislodge one obstruction. It was a heavy wooden case resting on two boxes and bore the label, Free Trade Case: Price 21/-'. Its

sides were made of thick wood and efforts by some of the crowd to remove it or demolish it were unsuccessful. Many offers of purchase were made to its owner, varying from 2s. to 7s.6d., but he refused to accept less than a guinea. One man was so aggrieved at its continued presence that he gave some young boys coppers to keep kicking it. Notwithstanding, the case survived.<sup>5</sup>

The problem of the fair had been exercising the minds of the Town Council, or more probably its legal advisers, before the turmoil of 1906. The town had for some time collected the street customs on behalf of the earl of Home, as Constable, paying him a fixed rent of £8 which, although an insignificant sum nowadays, would at the time represent a working family's income for a month. The town would have liked to buy Lord Home's rights but the problem of entail, encountered years before in connection with the transfer of Stobb's Fair to the Fairmuir, arose again. A new Provisional Order, seeking to upgrade the local authority's powers, was in course of preparation, prior to it being placed before the Secretary of State, and it was suggested in Council that powers should be incorporated in the Order permitting the purchase of the title to the fair. Authority would also be framed to allow the abolition of the fair, 'if so desired', which undoubtedly was the Council's wish.<sup>6</sup> The *Advertiser*, while welcoming the decision of the Magistrates to secure express powers in the Provisional Order to abolish Lady Mary Fair, questioned whether such a step was really necessary, as the town appeared already to have a statutory authority to purchase the fair by agreement. The newspaper pointed out that the main nuisance of the fair was due to it being located in the principal thoroughfare, and that it was within the Council's rights to move it elsewhere. This power to site markets and fairs was contained in the Dundee Police and Improvement Consolidation Act of 1882.<sup>7</sup> There was evidently a traditionalist element, anxious that this link with antiquity be retained, whose sentiment the paper felt might be gratified if the Lady Mary Fair was removed to the Fairmuir where 'vendors and purchasers would alike benefit by the splendid atmosphere, not to mention the inspiring spectacle of Downfield'.<sup>8</sup> Downfield at this period was a semi-rural community of villas and cottages which had grown up around the railway, as the more affluent Dundonians moved from the overcrowded town. It was incorporated into Dundee in the following year by a boundary extension. At a meeting of the Corporation the Town Clerk did confirm the local authority's power to regulate the fairs and to purchase the interests of parties, but the problem was Lord Home's entailed rights, which could best be circumvented by a clause in the Provisional Order, and this course was agreed.<sup>9</sup>

In the meantime, steps were proposed by the Markets Committee to move 'the Market and Pleasure Fair called Lady Mary Fair' to Shore Terrace, and to prohibit it being held in the High Street and adjoining streets.<sup>10</sup>

Lady Mary Fair was held at Shore Terrace from 1907, adjacent to the Greenmarket where the amusements had been sited for many years, and merging with the weekly market held there. From the Council's point of view this was a more remunerative location, and its income from the fair increased, although the amounts were petty in more than one sense. The five year's average to 1906 was only £5.13s., rising to £16.4s. for the period ending 1911, and to a mean of £25.16s. for the five years to 1916. The Green-market was a much more lucrative source of funds but, of course, it met weekly. Prior to 1901 the Petty Customs, which were really a tax on goods brought into the Burgh, were exposed for sale by public roup, but there was difficulty frequently in obtaining satisfactory offers. In 1901 the Green-market, Street Customs, and the Lady Mary Fair were let for £300, but thereafter the management and collection of the dues were retained in the Council's hands. The total income gradually rose, and by 1925 was just over £1,000, although subsequently it appears to have declined slightly.<sup>11</sup> The outcry against the Magistrates' decision to re-site the fair was sharp but short, and the new venue was soon accepted by both stallholders and shoppers. The skirmishing which used to take place between the shopkeepers and the 'outlanders' was a thing of the past. While in 1908 the majority of Dundee shopkeepers were complaining about the lack of money in the town, the stallholders at Shore Terrace were enthusiastic about the level of their trade. The stall rentals were fixed in advance and the holder of one stance, set at 12s., offered the Superintendent of Markets a rent of £2 per annum for the next three years, reflecting his satisfaction with the site.<sup>12</sup> There was a tradition among townspeople to put something aside for the fair.

However, the travellers did not always have it their own way, and, although they could come into town confident that many of the populace looked forward to the fair and would have saved for a visit to it, there was little they could do to protect their trade from the vagaries of August weather. The fair of 1910 was accompanied by an especially wet spell, with the rain generally being at its worst in the evenings when most of the trading took place. On the closing Friday, normally one of the busiest days, a downpour caused the locality to be practically deserted. Nevertheless, a contemporary newspaper account, with its cameo of casual shoppers being hectored by the showman-type of dealer, would seem to capture the atmosphere of the trading at the fair in the immediate pre-First World War period:

The merchants princes who have come from far-off countries laden with fine linen, gems and rare spices to trade with the citizens of Dundee, have verily fallen on evil times. After the deluge of Friday, which did great damage to their goods, they smiled with the weather on Saturday morning . . . Towards evening the bargaining was in full swing - the market place was crowded. There never was such a display of cheap window curtains . . . The stolid crowd was defied in language forcible and sarcastic to go into any shop in Dundee and match the said curtains at the price; and although three half-crowns were flung onto the muddy floor as a gauge there were no takers. . . .

There was a great clatter at the china stalls where the salesmen appeared to have a pretty shrewd understanding of 'Cheap Jack' psychology. While one man would with eloquent accompaniment pile up the inducements to the people to buy, his partner would protest and tear his hair at the obvious ruin that would overwhelm the firm if such mad methods were persisted in; and sooner than allow such a lovely lot of china go for such a paltry price he would smash it to smithereens.

And smash it he did, with the result that the mouths of the crowd opened wider; and as it seems inevitable that purses open as wide as the mouths of the owners, a considerable amount of china was sold.

Linoleum is another strong line at the Fair . . . and many a gay roll was taken away by a fond father to delight the eyes of his wife and bairns.

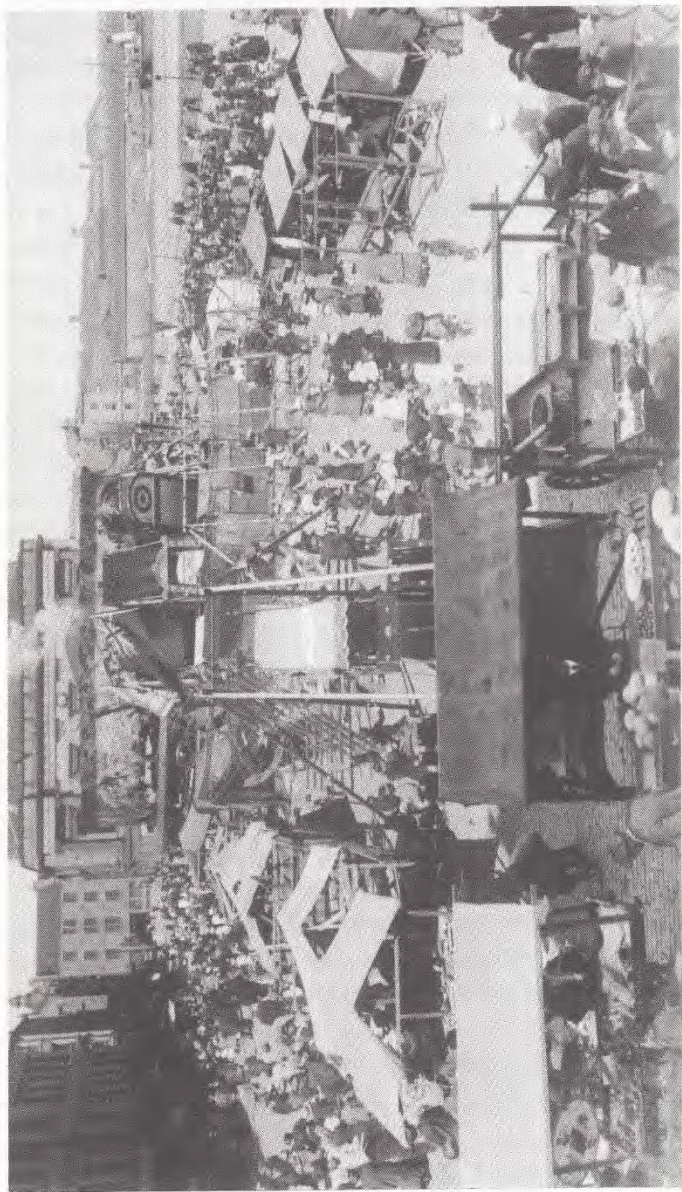
And of course there was the finest of cutlery, 'made in our works at Sheffield', the most sparkling jewellery, 'stamped on every link', gold watches for five shillings, and all the other luxuries and necessities that one cannot buy in the ordinary way. However... the clouds burst with one accord and in a few minutes time Lady Mary Fair was nearly washed away... The umbrella man did a fierce trade for a few minutes, but not all the umbrellas made could withstand that storm and the merchants were left to contemplate their sodden goods and sputtering naphtha lamps.<sup>13</sup>

The outbreak of war in 1914 had an impact on the fair and the level of trading dropped, with many of the dealers who had frequented it being in the Army. However, it did continue on a modified scale, and in 1915, at least, the proceedings were blest with warm sunny days which helped the carnival atmosphere, and, for a brief period, diverted attention from the events of

Flanders and Gallipoli. The building of the new city hall, which became known as the Caird Hall, had commenced the previous year, and speculation was rife as to the ultimate fate of the Lady Mary Fair as the massive new pile encroached onto the Greenmarket. Opinion was divided, with some quite content for the fair to be consigned to oblivion, while others had no wish that this link with Dundee's past should pass from sight.<sup>14</sup>

With the end of hostilities the travellers returned in force, although some 'weel kent' faces were missing, probably the best known being Sam Sheare, the 'curtain king' who had been killed in the war, his place being taken by his widow. Lace curtains seem to have been a perennially popular purchase by the housewives of Dundee. No decision had been reached as to the fair's future, with the Markets and Baths Committee being reminded that once the hall was opened the present fair ground would have to be given up. Two years later, in 1921, demand for sites was even greater, and more ground at Shore Terrace became available with the removal of barricades at the Caird Hall construction site.<sup>15</sup> There was provision underneath the new hall for a market of permanent stalls, later known as the City Arcade, and the Markets Committee tried to allay fears among the weekly stallholders at the Greenmarket that this site would be closed before Christmas 1921. As regards the future of the Lady Mary Fair, the Committee was still undecided and agreed that a sub-committee, appointed to consider the question, be allowed to stand. The noise from the music played on the roundabouts had been the subject of complaints from hotel owners in the vicinity, but it was pointed out to the Markets Committee that, while the fairground owners had the right to play music until eleven o'clock, the proprietor concerned had agreed to mute it after ten p.m. One committee member, who probably did not reside in the vicinity, commented that the fair would not be the same without music,<sup>16</sup>

In 1923 demand for stances was keener than ever, with the arrival of some new traders, and the unheard of sum of £64 was bid for one stance, the prices usually ranging between £2 and £8, according to size and position. The regular stallholders formed themselves into an association to prevent this kind of competition in the future. Trade seems to have been brisk at the fairs of the mid-twenties, justifying the level of rents. Apart from the ubiquitous curtain vendors, there were fruiterers, butchers, confectioners, drapers, toymakers and china stalls. Books could be purchased as well as the stumpiest of 'stumpy' umbrellas. Skin cures were offered and the future foretold by a palmist.<sup>17</sup> Doubtless no reflection was intended on the efficacy of the products of the patent medicine vendors when the stallholders organised the sale of items from



7. LADY MARY FAIR, SHORE TERRACE, EARLY 1930s.

The date of this photograph is uncertain but it may be of the last fair. D.C. Thomson entitled it 'Lady Mary Fair 1932/34'. The last fair was held in 1933. (The *Courier*, Dundee)

various stalls for the benefit of Dundee Royal Infirmary.<sup>18</sup> Traders and circus owners had, over very many years, contributed to the Infirmary, countering the allegation that they had no interest in the welfare of the local community.

The bulk of the stallholders' goods was transported to Dundee by rail and special arrangements allowed the traders to uplift them very early in the morning from the West Station goods yard. There seems to have been some arm-twisting of the railway staff as the travellers vied to have particular wagons unloaded first.<sup>19</sup>

When, at 6 o'clock on Friday morning, 22 August 1930, a crowd gathered at the Cross on the High Street to hear Mr Norman McMann, interim Superintendent of Markets, formally open the fair by proclamation, many people thought that they were witnessing the last Lady Mary Fair, for the Town Council was considering the conversion of Shore Terrace to a central bus stance.<sup>20</sup>

However, the fair was to last a little longer before finally being killed off by the City Fathers. The Town Council concluded arrangements with the earl of Home to purchase his rights in the First Fair for the sum of £ 160, with entry at Martinmas 1930.<sup>21</sup> Next April the matter came before the Markets Committee again, when a report from a sub-committee was heard, recommending the removal of the fair to the east end of the Esplanade. A councillor doubted the need to hold the fair at all, it being a source of great annoyance to shopkeepers, although the fact that he was a shopkeeper may have coloured his opinion. Lord Provost Johnston described it as 'a downright nuisance to shopkeepers'. In his view it was of no benefit to the public, as the stallholders were paying only a small rent and doing nothing for the city. In answer to a question, it was stated that the revenue to the town was just over £200. Further consideration was called for, in time for the next meeting of the committee in the following month. The May meeting was largely taken up with the problem of re-siting the Greenmarket traders, who traded on Tuesdays, Fridays and Saturdays. Representation was made by a solicitor on their behalf, pointing out that it was the only market for second-hand goods, which they collected during the week. Its closure would put one hundred and fifty people out of business, unless an alternative site was provided. The committee was sympathetic to these dealers' plight, and ultimately agreed to transfer their market to Craig Street. The Lord Provost favoured discontinuing the fair in Shore Terrace immediately, but it was pointed out that a joint report by the Town Clerk and the Chief Constable on the matter of its transfer to the end of the Esplanade was awaited. It was decided to leave the position in the hands of the Town Clerk meantime.<sup>22</sup>



The Greenmarket was removed to Craig Street on 24<sup>th</sup> April 1934, and it was publicly announced by Dundee Corporation that on the same date Lady Mary Fair would be officially abolished.<sup>23</sup> There seems to have been little public reaction, at least what there was has not been recorded, and part of Dundee's tradition, a fair which had probably lasted longer than London's Bartholomew Fair, immortalised by Ben Jonson, disappeared for good.

## NOTES

---

<sup>1</sup> B. Lenman et al., *Dundee and its Textile Industry 1850-1914* (Abertay Historical Society Publication 14, Dundee, 1969), 96-7; Walker, op cit., 27.

<sup>2</sup> DC & A, 27 August 1896, 27 August 1898; *Dundee Year Book for 1908*.

<sup>3</sup> DA, 29 August 1906.

<sup>4</sup> *Dundee Year Book for 1906*; DA, 25 August 1906, 27 August 1906.

<sup>5</sup> DA, 28 August 1906.

<sup>6</sup> DDARC, Dundee Town Council Minutes, 29 August 1906.

<sup>7</sup> Section 213 of Dundee Police and Improvement Consolidation Act states, 'It shall be lawful for the Commissioners to purchase by agreement and abolish all fairs or markets within the burgh and privileges of drawing dues or charges from persons frequenting such fairs or markets held by any person or corporation'.

<sup>8</sup> DA, 30 August 1906.

<sup>9</sup> Ibid., 30 August 1906.

<sup>10</sup> DDARC, Dundee Town Council Minutes, Markets and Baths Committee Minutes, 11 September 1906.

<sup>11</sup> DDARC, Dundee Public Markets and Slaughterhouse, letters and correspondence, ref TC/H/M.

<sup>12</sup> Peoples Journal, 22 August 1908, 29 August 1908.

<sup>13</sup> DA, 20 August 191, 22 August 1910, 27 August 1910.

<sup>14</sup> Ibid., 25 August 1915.

<sup>15</sup> *Peoples Journal*, 23 August 1919; Dundee Newspaper Cuttings, DPL, 22 April 1919, 19 August 1921.

<sup>16</sup> Dundee Newspaper Cuttings, 19 August 1921, 23 August 1921.

<sup>17</sup> Ibid., 25 August 1923, 22 August 1925.

<sup>18</sup> *Peoples Journal*, 30 August 1930.

<sup>19</sup> I am indebted to Mr Alex Donald, whose father was on the clerical staff of Dundee West Goods Station, for this information.

<sup>20</sup> Dundee Newspaper Cuttings, 23 August 1930.

<sup>21</sup> DDARC, Disposition and Assignment by the Earl of Home, K.T., of Lady Mary Fair &c, Dundee, registered in the General Register of Sasines, 13 November 1930.

<sup>22</sup> Dundee Newspaper Cuttings, 15 April 1931, 12 May 1931, 13 February 1932.

<sup>23</sup> Ibid., 24 March 1934.

**Publications of the Abertay Historical Society  
in print**

- No.26** Annette M. Smith, *The Three United Trades of Dundee*. (1987)
- No.27** Kenneth J. Cameron, *The Schoolmaster Engineer, Adam Anderson of Perth and St Andrews c.1780-1846*. (1988)
- No.28** Enid Gauldie, *One Artful and Ambitious Individual, Alexander Riddoch (1745-1822), (Provost of Dundee 1787-1819)*. (1989)
- No.29** D.B. Taylor, *Circular Homesteads in North West Perthshire*. (1990)
- No.30** Elizabeth P.D. Torrie, *Medieval Dundee, A Town and its People*, (1990)
- No.31** Gordon Jackson with Kate Kinnear, *The Trade and Shipping of Dundee, 1780-1822*. (1991)
- No.32** C. A. Whatley (ed), *The Remaking of Juteopolis: Dundee c.1780-1991*. (1992)
- No.33** Leah Leneman, *Martyrs in our Midst*. (1993)

**All publications may be obtained through booksellers or by post from the  
Hon. Publications Secretary, Abertay Historical Society, Archive and  
Record Centre, 1 Shore Terrace, Dundee DD1 3BY.**

## THE FAIRS OF DUNDEE

*'It was not without some fear I adventured to a spot celebrated for rioting and mischief and breaking the heads of the peaceable folk who go there for the purpose of transacting business.'*

Since the early middle ages fairs have been held in Dundee; opportunities for traders to display their wares, entertainers to perform and ordinary citizens to relax and enjoy themselves. But the fairs might also lead to disorder and violence, and by the early twentieth century the local authorities were looking for ways to abolish them.

Ian McCraw tells the story of Dundee Fairs over eight centuries, and from local archive and record materials reveals a fascinating picture of the Lady Mary's Fair, Stobb's Fair, and the rivalry between the Constable of Dundee and the Burgh Council who tried to control them.

ABERTAY HISTORICAL SOCIETY  
PUBLICATION No.34 DUNDEE 1994



## Book Scanned by Iain D. McIntosh September 2021

Scanning on A4 CanoScanLiDE 220 - 400 dpi. Software - Abby Finereader 12 OCR.

No changes whatever have been made to the original book after scanning and converting to pdf format.

All text and images from the original book, including details of the Abertay Council members and the list of books currently in print at that time, are as they were at the date of the original publication.

Up to date information of all current books and prices for sale can be found on the Abertay Historical Society Website - <http://www.abertay.org.uk/>

