The Making of Urban Scotland

Originally published in 1978, *The Making of Urban Scotland* traces the evolution of towns from their prehistoric origins to the present day. Most of the material is based on research in Scotland’s archives, housed in the Scottish Record Office. Special emphasis is placed on the causes of economic change and its repercussions upon Scottish town life. The urban stresses of the nineteenth century are analysed in detail, as well as the subsequent emergence of Scotland as Western Europe’s pre-eminent council house society. The unique character of Scotland’s housing occupies two chapters and for the first time the whole panoply of the statuary origins of the council house landscape is exposed.
The Making of Urban Scotland

By Ian H. Adams
THE MAKING OF URBAN SCOTLAND
CROOM HELM HISTORICAL GEOGRAPHY SERIES
Edited by R.A. Butlin

THE DEVELOPMENT OF THE IRISH TOWN
Edited by R.A. Butlin

THE MAKING OF URBAN SCOTLAND
I.H. Adams
THE MAKING OF URBAN SCOTLAND

Ian H. Adams

CROOM HELM LONDON

McGILL-QUEEN'S UNIVERSITY PRESS
Montreal 1978
 CONTENTS

Acknowledgements
Preface
1. Urban Beginnings 11
2. The Medieval Burgh 31
3. The Burgh and the Countryside 49
4. Georgian Townscapes 73
5. Industrial Towns 87
6. Towns and Transport 105
7. Urban Reform 127
8. Socialist City 155
9. Feudal Suburb 187
10. Garden City 203
11. Planned Community 221
12. Small Town Survival 245
13. City Region 259
14. Urban Future 271
Appendix: The Foundation of Scottish Burghs 278
Glossary 283
Index 287
Maps
‘... a city is more than a place in space, it is a drama in time. Though the claim of geography be fundamental, our interest in the history of the city is supremely greater . . .

Patrick Geddes 1905

To Judy and Christopher
ACKNOWLEDGEMENTS

This book could not have been written without help from several institutions and many individuals. The Keeper of the Records of Scotland, and his staff in the Scottish Record Office, have my heartfelt appreciation for their constant support, as do Professors Wreford Watson and Terry Coppock for the encouragement in the long task of unearthing from the archives the hidden story of Scotland's historical geography.

I have had the pleasure of discussing the work with many individuals, including George Barbour, Sheila Coppack, B. Y. Dodd, Colin Johnston, Charles Somerville, Geoffrey Stell, Liz Thoms and Ian Wyhte. I thank them all for giving me their time and knowledge.

Above all others I must thank Meredyth Somerville and Mary Young for giving unstinting labour and steadfast encouragement in the production of this book. Meredyth has again turned her bibliographic skills to a major task and provided the stimulus to bring the work to fruition, while Mary's cheerfulness lightened many a day of correcting rough drafts.

The illustrations from the Scottish Record Office are published with the approval of the Keeper of the Records of Scotland. I would also like to thank the owners of plans also in the custody of the Scottish Record Office: the Marquis of Zetland, the Earl of Eglinton and Winton and Messers. Shepherd and Wedderburn, WS, Edinburgh. Other items are published by permission of the Controller of HM Stationery Office. G. B. Arrington's photographs are but a few of a splendid portfolio taken by this American town planner. The numerous diagrams were so skilfully drawn by Ray Harris and his team of cartographers in the Department of Geography, University of Edinburgh. Permission for photographs was kindly given by: Aerofilms Ltd; John Bartholomew (dust jacket); John Dewar Studio; East Kilbride Development Corporation; New Lanark Conservation Trust; The Scotsman; Scottish Record Office; C. Somerville.

Lastly to my wife - my thanks for her patience.

Ian Adams, 1977
Edinburgh Corporation accepts no responsibility... (Photo: G.B. Arrington.)
On a grey November evening as a fresher at Edinburgh, tired by the grind at standard texts in the stuffy and rather decrepit vastness of the Upper Library in the Old Quad, I idly lifted a volume entitled *The Making of the English Landscape*, to have revealed from the pen of W.G. Hoskins a language of landscape. The closing bell came all too soon — down stone stairs, across the dimly lit quad and out on to the deserted Bridges — for me landscape had taken on a new meaning.

Two of the themes of Hoskins' great work are taken up in a Scottish context. First, that the landscape is a living document on which past ages have made a virtually indelible impression. Our life today and tomorrow cannot be isolated from the past; rather we have to carry both the material and cultural baggage of the past into the future. Secondly, I have tried, like Hoskins, to redress prevalent distortions: in this case the historical preoccupation with Mary Queen of Scots and Bonnie Prince Charlie, and the geographical preoccupation with the Highlands. The story of where and how ordinary people lived has been largely ignored. As for the Highlands, it is hard to find a rational explanation for the continued emphasis on this marginal region. Just over four-fifths of Scotland's population live in the Lowlands. Within that area, more people live in Airdrie than in the whole of the Highlands! If Scotland really wants to establish her social priorities, she should look no further than the living conditions of her city dwellers, particularly in the West Central Belt. The Scots are an urban people, whose rural links have been severed for almost two hundred years. In the rapid progress of agricultural revolution a large part of the population was released from rural existence. Freed from their fermtouns, Scots migrated to towns and cities to man the factories springing up in the industrial revolution and, indeed, it was the very speed and success of this transformation that led to the unhappy problems of Scottish city life. Yet we need no longer think these problems are insoluble: technical and administrative solutions exist which, if properly applied, could transform the urban situation. Some have had a certain amount of success — the new towns, overspill agreements and the swinging back of the centre of economic activity to the east coast — but others, such as the huge housing estates and the mania for high-rise flats, have not been successful and have produced new problems. At a time when we are becoming more conscious of the blunders of the past 150 years as well as of
the possibilities for the future it behoves us to understand how urban Scotland came into being.
For anyone bred and brought up to town life, the noise and bustle, cobble and pavement, tall building, and dark corner are part and parcel of daily life, as familiar as Brer Rabbit's briar patch. But the town is a place of ideas where every day one rubs shoulders with strangers; it is not a closed world of set-piece opinions like those found around the table of a village pub. The very existence of towns has led men to question the ideas of the origin, causes and consequences of their development. This is not a parochial question, but one of worldwide consequence.

The original components of a city, according to Lewis Mumford, consisted of a citadel, a shrine, a spring and a market. Urban civilisation, he suggests, is pervaded by that peculiar combination of creativity and control, of expression and repression, of tension and release, whose outward manifestation has been the historic city. Early cities did not grow beyond walking distance or hearing distance, for it was necessary to hear the gossip at the well, the proclamations at the tron, to engage in the business of the market, both farming and commerce, and to hear the church bells calling people to arms or to worship. The distinction between village and town was made not only by the increase in the built-up area and population but also by the numbers that could be brought under unified control to form a highly differentiated community. At its widest, no medieval town extended more than half a mile from the centre. It was limited by water and food supplies, by municipal and guild ordinances which prevented the uncontrolled settlement of outsiders, and by the limitations of transport and communications.

United Nations population studies say that today there is no clear-cut dichotomy between town and country: '... the distribution is not really a twofold one, in which one part of the population is wholly rural and the other wholly urban, but a graduated distribution along a continuum from the least urban to the most urban, or from the least rural to the most rural. Consequently, the line that is drawn between urban and rural for statistical or census purposes is necessarily arbitrary.' Nevertheless the distinction between town and country is necessary, especially in Scotland whose urban history is so different from that of England. This distinction can be seen immediately in the need for political and administrative control wherever even rudimentary economic organisation is required. In pre-industrial times, burgesses continually tried to exclude foreigners from their towns, and at a higher level, the royal burghs objected to the development of non-royal burghs because of the threat
to their monopoly.

It has been said that ‘towns are agglomerations of dwellings, a majority of whose inhabitants are not engaged in producing food’, but this definition would fit a two-rowed mining village as well as the city of Glasgow. The definition of a town is so complex that it cannot be accomplished in one definitive sentence. Four main aspects must be considered: the physical structure and use of space; the legal identity, derived from charters and laws, giving it a separate and often privileged position in society; the economic structure that gives it a function in society; and lastly the relationship with the surrounding countryside or trading zone. An examination of any town over a long period will reveal a continuously changing balance and emphasis of these factors, making it virtually impossible to cover it with a single definition. In broad terms, one can recognize two major periods of town development in Scotland. The medieval town, which was essentially a trading centre in a largely rural society, is quite easily identified. After the profound changes that began in the second half of the eighteenth century the distinction became less clear. From then on it is probably better to relinquish the idea of the town and adopt the concept of the urban centre, defined as any place in which most people are employed in non-rural pursuits.

Which was the first Scottish town? This is a matter of speculation, for archaeologists have long sought evidence of proto-urban centres. From prehistoric times we have been bequeathed Scara Brae in Orkney, a cluster of seven self-contained huts connected by covered alleys. This splendid site is not unique, for similar settlements have been discovered at Rinyo on Rousay and Jarlshof at the southern tip of Shetland. The lack of wood forced the occupants to use stone for building, leaving to posterity a perfect picture of their material culture. One cannot find urban origins therein: their existence was one of bare rural subsistence in a northern clime.

The Romans came to Scotland but they too failed to found towns. Their occupation of Caledonia was never deep rooted nor did it last long. Southern Scotland was left in the hands of the native Celts so that the villas and farms common in southern Britain are absent. Archaeological investigations are far from complete so that large-scale settlements may yet be found. Tribal centres (oppida) are known to have been in existence by the time of the Roman occupation. Traprain Law, the tribal centre of the Votadini situated on top of a basaltic hill in East Lothian, was permitted to continue its existence under the Romans. Partial excavation of Traprain Law has unearthed a hoard of Roman silver and a great mass of native material indicating that the site was occupied for about a thousand years from the middle of the first millennium B.C., with a possible break in occupation some time after the end of the first century A.D. and a final desertion in the mid-fifth century.
It has been suggested that there were three or four sets of defensive works surrounding an area of 16 hectares. The inhabitants were agriculturalists, stock breeders and metal workers who traded with the south by the east coast route. Traprain was probably a very important place in Scotland and north-east England for if the Votadini had a pact with the Romans it has a unique place as a ‘free’ British town in Roman times when no native centre of power was tolerated which seemed likely to become a focus of trouble. For example it appears that the oppidum of the Selgovae on Eildon Hill North (Roman Trimontium) was dismantled. North of Hadrian’s Wall lay a buffer zone which was too insecure to support urban life. The occupation forces built a series of forts along the Antonine Wall, signal stations in Strathmore, ports at Cramond and Inveresk and some isolated forts in the Borders, but none emerged later as a significant urban centre. Only at Carriden where the Antonine Wall reached the Firth of Forth is there direct proof of a small settlement, a vicus, of a civil nature outside the fort.

In a pastoral society meeting places were frequently on the remote borders of territories. K. A. Steer has suggested from evidence in the Roman road-books that there were seven such meeting places for the administration of justice and the holding of markets; but only four can be tentatively identified. Tába or Tava for the Tay, Selgoes and Damnonii presumably lay respectively within the territories of the Selgovae and Damnonii. There are good etymological grounds for connecting Maponi with the Clochmabenstane, a large boulder which once formed part of a megalithic monument on the Solway shore, south of Gretna, and which was a recognized place of assembly in medieval times. Similarly, since well-known megalithic monuments would obviously provide convenient focal points for tribal gatherings, it is tempting to suggest that Manavi, which is linked with Manau, the district at the head of the Firth of Forth, was located in the vicinity of the Clack Mannan, or stone of Mannan, which originally stood not far from its present position in the centre of Clackmannan burgh.

At the end of the Roman period the tribes of southern Scotland slowly began to evolve into primitive states and a series of strongholds was established from the fifth century. Stirling and Edinburgh were strongholds of the Gododdin kingdom and Dumbarton was the capital of Strathclyde. The volcanic plug of Dumbarton was well situated to become the chief defensive position of the kingdom of Strathclyde during the fourth century. Although little is known of the inhabitants of this stronghold, the place (known as Alcuith or Clyde Rock) is frequently mentioned in Dark Age chronicles, and it is known to have been besieged in 756, sacked in 780, and besieged again in 870 when it yielded up to the Vikings from Ireland, after four months siege, ‘great riches and countless captives’.

Although the Vikings have been regarded as destroyers, they
were basically colonists who came to find farmland in the familiar environment of the islands – Orkney, Shetland, the Hebrides and Ireland. At Jarlshof they built long two-roomed houses, with a barn, smithy, byre and stables. Evidence from place-names for the geographical distribution of the Old Norse element byr (a farmstead, a village) shows that many Scandinavians settled on the Scottish mainland, especially in the Annan valley in Dumfriesshire. However, no evidence has yet been discovered of a Viking town in Scotland such as at Stamford, Jorvik (York), Dublin or Hedeby in north Germany. The archaeological record suggests that Scotland's was an agrarian society with little need for larger settlements. Anglian colonization and its village settlements were restricted to the south-east and took place essentially in the valleys and only in limited numbers. Throughout the rest of the country there was basically a cattle culture which created small-scale settlements dependent for survival on summer grazings away from the permanent dwellings.

In Europe, the church provided many an urban nucleus around which a town could grow. Yet the picture in Scotland is by no means clear for the few remaining historical and archaeological records leave many questions unanswered. The earliest Christian settlement in Scotland appears to have been Whithorn which arose from a partially Romanized settlement. The inhabitants embraced Christianity during the fourth century, when they petitioned for a bishop, St Ninian. In the latter part of the sixth century St Mungo (Kentigern) established an episcopal church associated with the kingdom of Strathclyde, although the precise location of the church itself, whether on the traditional site in Glasgow or on one in Govan, remains in doubt. The sites of other episcopal centres are equally uncertain, but Old Melrose, Stobo and Abercorn probably qualify and indeed had long ecclesiastical histories even if they did not become urban centres. With the introduction of monasticism, in which a communal life remote from worldliness was adopted, the town had little relevance. By the end of the eighth century, on the eve of the first Norse raids, the church in Pictland began to return to regular episcopal foci from which bishops controlled defined ecclesiastical regions from fixed urban sees, and Abernethy, St Andrews and perhaps Dunkeld joined Glasgow as pre-urban centres.

Clearly identified urbanization began during the Norman settlement and colonization of Scotland. In the twelfth century the kings were trying to bring the government of lowland Scotland into line with practice in England, France or Germany. In this process the monarchs from David I onwards encouraged the settlement of barons from England and even some directly from France and Flanders. Most of these settlers were established in small fiefs of one knight's fee, but great feudal estates were created in areas
Fig. 1.1 Dunkeld: An abbey for the monks from Iona was founded here in 315. The present ruins date from twelfth to fifteenth centuries. It was a burgh of barony in 1511 and was erected as a royal burgh in 1704, but this charter remained inoperative.

(Photo: John Dewar.)
which were not ruled directly by the king. This twelfth-century revolution was accompanied by many innovations. One of these imports was the scarped earthen mound known as the motte. The Bayeux Tapestry shows a timber tower erected on the motte and enclosed by a palisade. A flying bridge of timber crossed the ditch from the outer bank, and a more extensive enclosure, also protected by ditch and bank, was sometimes added at a lower level. The Scottish distribution of mottes shows none at all in Lothian, a fair spread in Fife, Angus, the north-east and Moray, and the greatest concentrations in Menteith, Perthshire, the Clyde and, above all, in Ayrshire and Galloway (Fig 1.2). Mottes were common where the Crown depended for much of its authority on feudal control exercised by a great magnate. The question arises as to what part mottes played as pre-urban nuclei. In the earlier stages it appears to have been very little: for example, Galloway with its numerous mottes developed very little urban life. Only later does one find burghs of barony being erected in the lee of these by then derelict structures. In contrast, the castles at Annan, Lochmaben and Dumfries acted as regional centres in Annandale and Nithsdale, where each developed a burgh. In eastern Scotland the castle was the symbol of strong royal control. In the Tweed valley sheriffs controlled the shires of Berwick, Roxburgh, Selkirk and Peebles, each shire with a castle at its centre and a burgh attached. It is clear that the provision of a castle or motte was a key factor in the establishment of stable government and society. Often, in the shadow of these structures, trading towns or burghs were planted, religious houses and hospitals built, and parish churches founded and endowed. These new burghs gradually superseded the castles in importance and it was here in the Tweed Valley that urban life took shape in the Scottish countryside (Fig. 1.3).

The evolution of a burgh was not a matter of chance, but required the active co-operation of many people: there had to be a supreme governing body to enforce law and order so that merchants and craftsmen might ply their trades. Without such social stability towns could not prosper, but in Scotland, as in much of Western Europe, these conditions did not prevail until the early Middle Ages, when, throughout Europe towns re-emerged after the Dark Ages to play an important role in economic and cultural life. Many questions arise out of this movement. What was the initial cause of their creation? Did burgesses seek royal protection and security for which they agreed to pay taxes? Did the Crown find it more convenient to administer society through towns rather than baronial estates? Was defence the main criterion in the choice of sites or was the command of a rich agricultural hinterland or commercial foreland more important? Did the existence of fords or bridge-points play a part? Again, did new burghs spring from pre-existing settlements or were they erected de novo?
Fig. 1.2 Distribution map of Norman mottes
Fig. 1.3 Early Norman foundations recorded by 1214 (castles by 1249) showing the main areas of Norman influence and later of strong burgh evolution. (After Simpson and Webster.)
The answers to these questions cannot be given with any certainty. Information regarding the earliest burghs does not come from charters of foundation, but from many casual and incidental references such as the grant of a toft or tenement in a particular burgh. It was an age of sparse documentation, and the records have suffered considerably both from neglect and from two great dispersals at the hands of Edward I of England and of Oliver Cromwell. As a result, the earliest surviving Scottish public record is a letter, dated 1189, from Richard I of England restoring Scottish independence. The earliest surviving burgh charter is that of Ayr, dated 1205; the records of the Great Seal survive only from 1315; the earliest extant Exchequer Roll is dated 1326; and, apart from a few early rolls dating from 1292, the official records of Parliament begin in 1466. Anyone attempting to explain the actual origin and function of the early burgh is thus faced by a tantalizing lack of evidence from the earliest period. Owing to this paucity of documentary evidence scholars have been tempted to fill the vacuum with theoretical discussion.

The debate was opened in 1902 by George Neilson who put forward the Garrison Theory. He concluded that the burgh was essentially a military and administrative institution which, in close co-operation with castle and sheriffdom, was used by the Crown for the pacification and government of the country — 'castle-ward is the tie of town with country'. 9 Neilson related the rise of burghs to the spread of castles by the Anglo-Normans and quoted the pacification of Moray as an example of feudal colonizing in which burghs played a role. Most of the argument revolved around the coincidence that of the thirty-one royal burghs founded before 1286 only seven did not have a royal castle (Haddington, Selkirk, Wigtown, Montrose, Cupar, Aberdeen and Banff). Moreover, all but four (Inverkeithing, Kinghorn, Dundee and Montrose) of the thirty-one early royal burghs were the head burghs of sheriffdoms at one time or another. By 1286 the burghs had passed beyond this primitive phase of their evolution and the close connection between castle, sheriffdom and burgh was fading.

The Commercial Theory was put forward by Adolphus Ballard in 1902, in whose view Edward the Elder's law, 'let no man bargain out of port', supplied 'the principle which can be shown to be the foundation of all Scottish municipal theory'. He concluded that, 'we are therefore able to define the early Scottish burgh as the only place in which trade could lawfully be carried on or a market might be lawfully held'. 10 He tended to give retrospective strength to later evidence thus implying a strong code of mercantile law from the very beginning. It can be claimed, however, that the distinctively Scottish system of clearly defined and rigidly graded economic privileges of burghs was evolved slowly. It did not reach full maturity until David II's general charter of 1364 gave the royal
burghs their exclusive rights. The trading rights of the earliest non-royal burghs were sometimes equal to those of royal burghs: as late as 1175-7 the Crown permitted the erection of the bishop's burgh of Glasgow with a weekly market and this concession was defended against Rutherglen and Dumbarton, neighbouring royal burghs. George Pryde in 1935 rejected Ballard's argument: 'The statement that the market was the germ of the burgh is therefore not universally true, and is no adequate explanation of its creation'.

According to David Murray in 1924, 'the foundation of the burgh was its common property in which the burgesses had certain determinate rights, the possession of which made them a fellowship or community, in which they were united by a common oath'; the burgh itself was therefore 'a community of self-governing freemen, founded on a community of property'. Murray's communal or territorial theory was later dismissed as a 'legalistic rationalisation of later days'. Common property and the oath-fellowship had little to do with the founding of burghs, for in David II's time burgesses were still only the king's immediate tenants, holding tofts in the lands round a castle, owing rent to the king, with defined duties of watching and warding, and protected by privileges, especially in regard to buying and selling. Government and self-regulation of the burgh evolved much later.

In the 1945 Rhind lectures W. Mackay Mackenzie discussed the various theories that had been promulgated about the origins of Scottish burghs and introduced the creation theory in an effort to rationalize the apparently sudden appearance of burghs in the reign of David I. It had been suggested that burghs grew up around and under the protection of the church or castle, but, as Mackenzie pointed out, the earliest religious houses were founded by Alexander I (1107-24) at Scone and Inchcolm (although in the latter's case it could not be regarded as even a possibility). Kelso Abbey had only a special privilege of buying and selling for its men in the adjoining hamlet. Holyrood Abbey had an early burgh in Canongate which was founded by charter of King David on unoccupied land. Other religious orders, such as the Cistercians, tended to destroy rather than build up any nearby settlement when they founded a monastery. Similarly, castles did not necessarily lead to the creation of burghs. The burghs of Ayr and Dumbarton and their castles were deliberately and newly founded, although there was already a villa in the neighbourhood of Ayr which in fact had no part in the burgh. Nairn castle and burgh were built together on a new site acquired for the purpose.

Mackenzie suggested that the foundation of a burgh was a creative act, formally conferring upon a place a legal status unlike that of any other political unit. 'The key word to the burgh is creation, not growth'. He cited the provision of kirset, a period usually of five years during which time a newcomer could build his tenement and
be free from rent, as being highly significant in that it could have no relevance to those already living in a town but only to newcomers coming to a chosen site to houses yet to be built by burgesses yet to come, and 'so marks definitely the beginning of a burgh'. These burgesses 'yet to come' were mainly of foreign origin, as their names show; and if the burghs were inhabited largely by foreigners, privileged burgesses, it would be necessary to throw defences round the burgh against possible molestation from the native settlers. It has been shown with certainty in England and Wales, and probably also in Scotland, that, as a result of diffusion by the Normans, some towns were granted the same customs and franchise as those of the Norman town of Breteuil. By creating castles and free towns the Norman barons colonized and subjected regions far from the centre of government where the pressure of royal power was comparatively weak. The castle was generally constructed near an existing village; the village was converted into a free town, or even in some cases a new town was built beside the village. The creation of the market, the assured custom of the garrison, the bait of the franchises of Breteuil, all attracted settlers.

None of the theories can be exclusive and one is tempted to suggest another which may be termed the *emulation theory*. Its premise is simple: towns were seen to be desirable objects in their own right, fulfilling several functions simultaneously. Thus to rule effectively the king used the most modern tools of the time, be they feudal principles, castles or law. The burgh was but a ripple in a whirl of innovation. As far as Scotland is concerned the town was such a well-tried feature throughout the Anglo-Norman world that it would have been unthinkable not to erect them within the areas of royal control. Peer group pressures and fashions reign in royal circles as anywhere else and are persuasive in any age.

When David I became King of Scots in 1124 he had already granted charters to the burghs of Berwick and Roxburgh. Thereafter he established eleven more royal burghs — Haddington, Edinburgh, Linlithgow, Stirling, Rutherglen, Renfrew, Inverkeithing, Dunfermline, Crail, Perth and Elgin — before he died in 1153 (Fig. 1.4). Each of these burghs, except perhaps Haddington, had a royal castle and nearly all were the *caput* of a sheriffdom (Fig. 1.3). The system was designed to facilitate the keeping of the peace and to make the fiscal system more efficient.

The essential criteria of a royal burgh were the erection of burgesses into communities or municipal corporations and the granting of property to the individuals and to the community under a permanent feudal tenure; in return the Crown received fixed rents and the performance of personal services for the security of the public peace. Grants or recognitions by the Crown of valuable rights and privileges to be enjoyed by the burgesses were guaranteed in early charters. The constitutions of all burghs were similar. The
charter did not necessarily create the burgh, it conferred privileges or franchises on the burgesses beyond those implied in the existence of a burgh. The charter granted by William the Lion to the burgesses of Ayr in 1205 gave them all the liberties and free customs throughout the kingdom enjoyed by his other burghs and resident burgesses, together with a weekly market.

A royal burgh was granted the king’s peace which freed the travelling burgess from tolls, pontages and similar imposts and was in some respects more valuable than the grant of a market or fair. Further, it provided the impress of royal protection, as can be seen when David I granted the burgh of Glasgow to the bishop about 1175, ‘And I strictly prohibit anyone from unjustly disturbing or molesting them [the burgesses] or their chattels, or subjecting them to any injury or affront, under pain of the highest penalty.’ The king’s highway ran from burgh to burgh, and there was later a transference of peace from the users to the road itself. Again, from the same charter, ‘who shall be resident in the said burgh, shall of
right have my firm peace throughout all my land in going and returning'. Manbote or payment to the king for breach of his peace, or for crime committed in his precinct, was 180 cows, a considerable fine at any period. As royal burghs were established partly for trading purposes, it was to the advantage of the burgesses to keep the peace.

Other burghs were created by the Church (Fig. 1.5). The ecclesiastical burghs of Glasgow, Aberdeen, Dunfermline and Arbroath probably preceded the foundation of their abbeys. The royal burgh of Dunfermline was granted to the abbey in 1303 and three more, Arbroath, Kirkcaldy and Whithorn, were raised to royal burgh status, as were Brechin, Glasgow, Queensferry and St Andrews after the Reformation. The remaining few, Canongate, Crawford, Kelso and Musselburgh, were erected burghs of barony. Other burghs such as Newburgh and Earl'sferry in Fife and Rosemarkie and Fortrose in Ross-shire may have had ecclesiastical associations. On the other hand there were eleven Cistercian abbeys in the country, but of them only Melrose and Cupar developed burghs. The burghs of Paisley, Culross, Pittenweem and Jedburgh developed later. Kelso and Holyrood abbeys created their burghs. The Church and her foundations had many scattered holdings in burghs throughout the country, granted by the king, big landowners, or burgesses or unfreemen. The Abbey of Arbroath had some of the richest endowments of land within the towns, possessing at one time holdings in seventeen burghs. Originally, ecclesiastical burghs did not enjoy the same rights as those holding directly of the king but these rights were gradually acquired during the late fifteenth and early sixteenth centuries in spite of considerable opposition from neighbouring royal burghs. Some Church burghs were granted trons and customs, as at Inverness. Those burghs with rights of import and export came to rank as free burghs with the same privileges as royal burghs, were represented at the Convention of Royal Burghs in the sixteenth century and paid their share of the taxation assessed by the convention. St Andrews' burgesses could buy skins, wool and hides everywhere within the lands of the bishop, including the burgh of Cupar; the bishop had the right to have his own coquet and the great custom of all goods coming to the burgh and port of St Andrews. Dunfermline, Kirkcaldy, Musselburgh, Queensferry, Brechin and Arbroath were granted similar privileges.

Beyond the royal and ecclesiastical burghs and their areas of political and economic control the great barons ruled. A barony was a territorial unit conferred on a baron by royal charter which gave him the right to hold his own court with justice of ordeal and justice of life and limb. A barony was bound to include a caput, built not so much for habitation as for defensive purposes. The economic aspect of the Scottish barony served as the nucleus for a potential burgh, with its own mill, smithy and brewery, fixing its
own prices of bread and ale and 'keeping good neighbourhood' (keeping the peace, especially in agricultural terms as conflicts arose over communal lands and grazing). If the baron wished to create a burgh he petitioned the Crown for a charter of erection. From this arose a settlement which was known originally as a burgh in barony, later as burgh of barony. Between 1451 and 1484 a group of charters erecting burghs of barony conveyed four basic rights: (1) that of buying and selling any goods within the burgh; (2) that of having craftsmen and bakers, brewers, fleshers, vendors of flesh, fish, etc.; (3) that of having a market cross and weekly markets on a stated day; (4) that of holding an annual fair on a fixed day and for the week following. By 1474 the first clause was becoming more specific and two new rights were added: (5) that of having burgesses; and (6) the right to elect bailies and other necessary officers (in some burghs the burgesses could elect their own officers, in others they were nominated by the superior or elected with his consent). By 1509 the superior could feu to the burgesses and others the crofts,
tofts and gardens of the burgh. The burgh of barony had no outside area of monopoly and no part in the import and export trade but within the burgh commerce was virtually open to all. Because a few burghs of barony gained trading privileges they were promoted into free burghs and were then able to carry on both internal and foreign trade but had to share the public burdens and taxes with the royal burghs. The burgh of barony’s government was at the discretion of the superior and was usually under his control. The burgh held no common good property and had no inherent claim to representation in Parliament or in the Convention of Royal Burghs. Because they were included in the shires, burghs of barony had no direct liability for taxes as had the royal burghs. The older royal burghs sought to prevent the erection of any new royal burghs for fear of competition; they preferred the creation of burghs of barony which could be erected within the jurisdiction of a royal burgh.

Yet another form of subordinate burgh was the burgh of regality. A regality had even fuller rights of jurisdiction and administration than a barony, indeed the only right which a full regality did not possess was the right to try treason; but the lord of regality might have his own chancery for the issue of breves, which were served in his own name and not in the name of the king; his own mint; his own rights of admiralty. To such an extent was the regality a petty kingdom within itself that the lands of the realm were divided into royalty and regality — almost one might say into those lands in which the king’s writ ran and those in which it did not.20

It was implicit in the erection of a burgh that trade and travelling should be fostered, not merely for the benefit of the baron but for the general welfare of the nation, and to that end a number of burghs were erected. For example, Rayne (1492) between Aberdeen and Elgin; Torry (1495) for travellers from the hills who wished to cross the River Dee; Merton (1504) for pilgrims to Whithorn; Pencaitland (1505) for travellers to the south and to Peeblesshire; Findhorn (1532) as a port and Fraserburgh (1546) as a haven; Clackmannan (1550/1) to provide accommodation for those attending sheriff courts; Fordoun (1554) for travellers from the north.

Other burghs such as Kirriemuir, Abernethy and Douglas, were founded as a result of rivalry between local landlords. Other reasons for founding could be: the importance of the village as a fishing harbour (Kilrenny and Garmouth); as a port (Peterhead, Innerwick); as a market (Ardgowan, Blairgowrie); because the nearest burgh was too far away (Stranraer); for court purposes (Galashiels); as a new caput (Inverbroma); or for pacific purposes in a remote region (Stornoway, Cromdale).21

The granting of a charter was not in itself a guarantee of the success of a settlement. Failure took many forms. No action seems to have been taken even to start a settlement at Dalnagairn, Kirkmichael, Balnakilly, Balmald or Corshill-over-Inchgall. There are
at least twelve others of which little or nothing is known: Spynie, Kingussie (the modern town is based on an eighteenth-century planned village), Myreton, Dunglass, Auchterhouse, Merton, Auchinleck, Scrabster, Dryburgh, Pitlessie, Durris and Newbigging. For others failure meant little growth so that they are now represented by a mere hamlet or farm as at Madderty. Some failed because they were near an older prosperous burgh and were in due course incorporated into that burgh; for instance, Linktown was absorbed into Kirkcaldy. About 50 per cent of burghs of barony and regality could be regarded as failed. On the other hand only three royal burghs — Auldearn, Fyvie and Roxburgh — failed. Roxburgh suffered from its frontier position and was burned down three times between 1377 and 1460. Furthermore it was in English hands for a total of 178 years between 1174 and 1550. But this formerly thriving trading community, that had even built a new burgh beside the old twelfth century, had already decayed by the time peace with England was established.

The main sources for the study of urban history are the archives of the burghs themselves, seventy-two of which have deposited their records in the Scottish Record Office in Edinburgh. Certain types of material are common to most collections, such as the burgh register of sasines (property register of royal burghs), register of deeds (legal transactions involving the corporation itself and individual burgesses), court books, burgh charters, town council minutes, records of specialized committees and, in the case of the older burghs, the records of the merchant guilds and craft corporations. Apart from the burghs' own archives information is to be found in the records of the Scottish Parliament and privy council who made laws affecting burgh life. Exchequer records contain the books of the customs and excise which reveal many aspects of seaport life. Later source material which often throws light on the social problems of growing urban communities in a period of industrialization includes church records. Eighteenth-century taxation schedules, particularly those of the shop tax and inhabited house tax, offer scope for analysis, as do the valuation rolls which began in 1855. Census records, particularly enumeration schedules giving details down to households, are now available to 1891. The early history of a town which began as a burgh of barony or as a planned village is often to be found in collections of family muniments, and the same source often reveals much of the murky world of burgh politics. Printed sources depend heavily on the work of Sir James D. Marwick and the Scottish Burgh Records Society which was founded in 1868. Twenty-two volumes were published up to the dissolution of the society in 1908. Further works have been published uniform but not part of the society's series. Specific volumes published by the Scottish History Society and Scottish Record Society also provide useful sources. Lastly, the
Fig. 1.6 Ayr: the growth of a burgh
numerous Parliamentary reports and commissions of the nineteenth century contain a vast quantity of evidence.

Although most of our knowledge of burgh origins has come from painstaking work by historians, the historical geographer and archaeologist have begun to make a contribution to this field. The landscape and the study of man's material culture provide further sources of evidence to be explored in the search for Scottish urban origins. Recently M.R.G. Conzen has used the town plan as an analytical tool and has provided a method to strip the burgh back to its original site. He used Alnwick for his classic example of this technique and it has since been adopted to show the evolution of Ayr (Fig. 1.6). Our knowledge of material culture is being extended through the work of a small band of urban archaeologists who have recently begun to practise their craft in Scottish towns. Remarkable digs have been completed in Aberdeen, Edinburgh and St Andrews which have provided a great deal of information on such matters as trade in medieval pottery.

Whatever the origins of the medieval burgh its importance lay with the people who dwelt within its walls. Their mode of living stood apart from the agricultural rhythms of the surrounding community. Their numbers were small, yet eventually their urban way of life was to embrace the bulk of society.

Notes


16. For a discussion of the customs of Breteuil see M. Bateson, 'The Laws of Breteuil', *English Historical Review*, vol. 15 (1900), pp. 73-8, 302-18, 496-523, 754-7 and vol. 16 (1901), pp. 92-110, 332-45.


