

# Dormount Hope: medieval deer trap, park or hay?

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## ABSTRACT

*Until recently, deer hunting in medieval Scotland has been poorly researched archaeologically. In Hunting and Hunting Reserves in Medieval Scotland Gilbert identified medieval parks at Stirling and Kincardine in Perthshire that William the Lion created, but it is only in recent years that excavations by Hall and Malloy have begun to explore their archaeology. The Royal Commission on the Ancient and Historical Monuments of Scotland recorded another type of hunting feature, a deer trap at Hermitage Castle, in 1996 and then re-recorded the earthwork at Dormount Hope in 2000, originally reported as two separate monuments. Although the earthworks of parks and traps display similarities in the construction of their earthwork boundaries, the individual sites have variations in their topography that beg questions about their function. This paper establishes that the earthwork is indeed a single monument which has an open end allowing deer to be driven into the natural canyon of Dormount Hope. It goes on to discuss its dating in both archaeological and documentary terms and then its function as either a park, trap or hay (haga OE). This last possibility is raised by its apparent mention in a Melrose Abbey charter of the neighbouring estate of Raeshaw dating to the last quarter of the 12th century, made by the lords of Hownam, a family of Anglian origin. This Anglian connection leads to its interpretation as a hay – a kind of deer-hunting enclosure or trap known in many parts of England prior to the Norman Conquest, for which ‘hay’ place names, such as Hawick, in the Scottish Borders provide support.*

## INTRODUCTION

Hunting practice in medieval Scotland has been poorly researched archaeologically until recently. Gilbert (1979; 2013–14) outlined the documentary evidence for hunting and its archaeological potential with respect to parks such as that at Kincardine, Aberdeenshire, a documented hunting park of William the Lion and one of the earliest, along with those at Stirling and Falkland. Hall and Malloy have explored the archaeology of parks at Kincardine, Durward’s Dike in Angus and Buzzart Dikes in Perth and Kinross, identifying a possible hunt hall and traces of the timber and earthen park pale at the latter (Hall

et al 2011). Parks were but a small part of hunting practised by the aristocracy that included reserves called forests introduced to Scotland by King David in the 12th century. In open ground a variety of techniques were used, including traps called *eileirg* in Gaelic, *elrick* in Scots place-names, to which deer were driven to provide a killing ground. That this was improved by the building of dykes or fences has become more widely recognised (Fletcher 2011: 51–5). Built traps for deer have previously been recognised on the island of Rum in the Small Isles by Love (1983), and also on Jura (Fletcher 2011: 53). The Royal Commission on the Ancient and Historical Monuments of Scotland (RCAHMS), revisiting

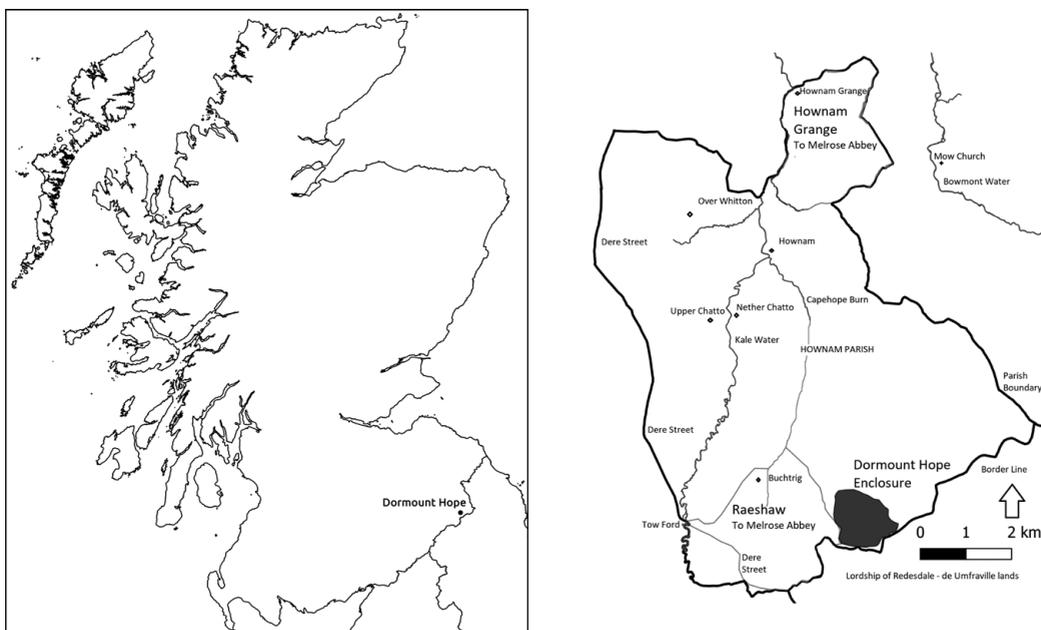
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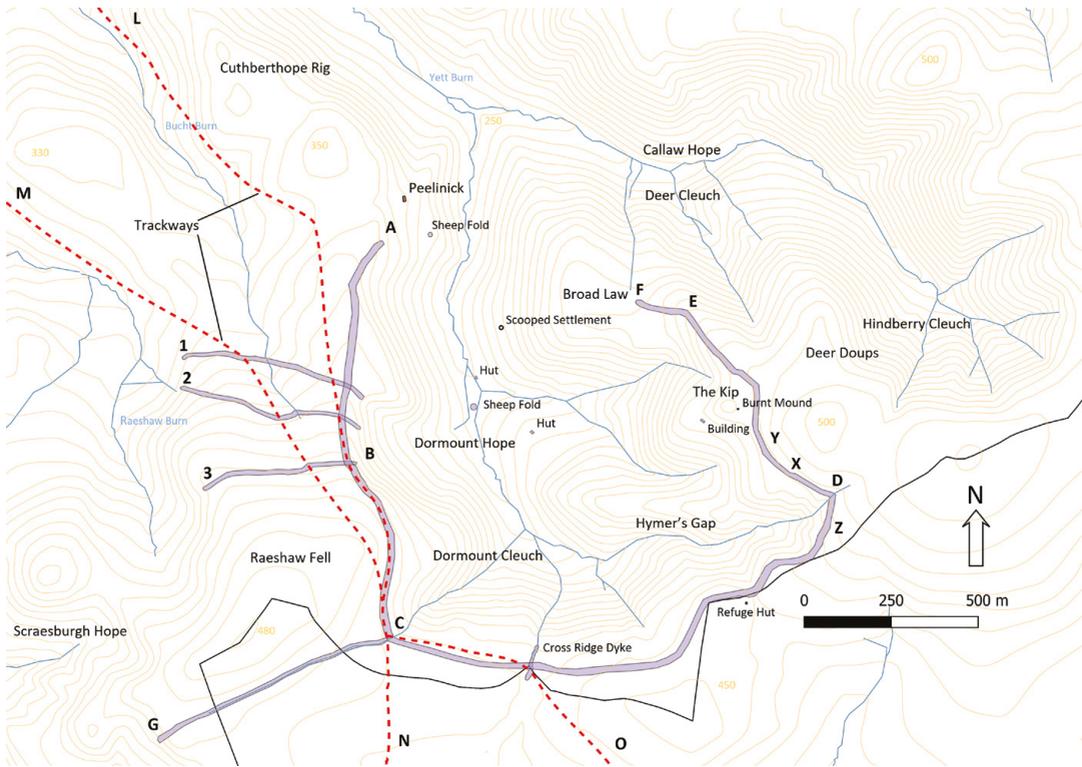
Liddesdale, Roxburghshire, in the 1990s as part of an Afforestation Land Survey (ALS), identified what was interpreted as a deer trap to the west of the castle at Hermitage, pre-dating the remains of the late 12th–14th-century park which later became known as the White Dike (Dixon 1997; Oram 2014).

The Dormount Hope earthwork, the subject of this paper (Illus 1), was initially recorded by General William Roy between 1747 and 1755 (Roy 1747–55). His map marks the earthwork from F to C on the plan (Illus 2) but does not show it as an enclosure because the west side is confused with the cross-border track L–N on the plan. Roy also shows the linear earthworks 1, 2 and 3 on the plan but works them into a rectangular structure around Raeshaw Fell. When RCAHMS in *An Inventory of the Ancient and Historical Monuments of Roxburghshire* recorded the earthwork it was still not recognised as a single entity but as two separate monuments, since in their view there was a gap between the two (RCAHMS 1956: 188–91 nos 394 and

395D). Further, it was not considered satisfactory to explain this earthwork as an enclosure for animals because of the gap and they thought, just like Roy, that the cross-ridge dyke on Raeshaw Fell was a continuation of the dyke along the south edge of Dormount Hope, which did not therefore form an enclosure. Barber in his article on linear earthworks realised that this was one complete earthwork and categorised it as a park pale or enclosure (Barber 1999: 114). However, he also considered that the east section from the Border line to Broad Law (D to F on plan, Illus 2) could be the dyke referred to in the *Liber de Melros* (*Melr Lib*: no. 131) and thought it might be the boundary of an ecclesiastical hunting forest in the parish of Mow. The monument was resurveyed in the winter of 1999–2000 by RCAHMS as part of another ALS and recognised as a deer trap (Canmore ID 318822: 2000). It was revisited by Gilbert in 2012, renewing his research on medieval hunting parks, and then again with Dixon in 2019, who had been instrumental in the ALS survey in 2000 which had remapped



ILLUS 1 Location map and map of Hownam parish showing the Dormount Hope enclosure and the lands of Raeshaw based on a Melrose Abbey charter dated AD 1175 × 1199 (*Melr Lib*: no. 131). (Map background, OS OpenMap Local Ordnance Survey data © Crown copyright and database right 2018)



ILLUS 2 Plan of the earthwork at Dormount Hope, Scottish Borders. (Canmore Areas data © Historic Environment Scotland; OS OpenMap Local (Full Colour Raster) Ordnance Survey data © Crown copyright and database right 2019; OS Terrain 50 Ordnance Survey data © Crown copyright and database right 2018)

it with differential GPS. The questions that arose from this site were related to its form, function and date as well as to the wider context of medieval hunting parks and traps in southern Scotland and the debate about *haga* or hays that are documented in Anglo-Saxon England and Cumbria, thought to be an early form of park (Hooke 1989; Liddiard 2003; Winchester 2007; Fletcher 2011). South-east Scotland, being an Anglian realm until the 11th century, may have looked as much to the south for its deer management as to the north.

This paper will analyse the archaeological remains of the earthwork at Dormount Hope, discuss its date in the light of relevant documentation and then assess in turn whether it should be interpreted as park, trap or hay.

## DESCRIPTION OF THE EARTHWORK

The earthwork is very much as it was described in the Inventory (RCAHMS 1956: 188–9 no. 394, 190–1 no. 395 D) and the following description is largely based upon the detailed description therein with an accompanying commentary based on fieldwork on two separate occasions in 2012 and 2019. The sites that relate to the earthwork are plotted on a plan of the site annotated by letter following the Inventory wherever possible (Illus 2). National Grid References (NGR) were checked and corrected with a handheld Garmin GPS in 2019. Comparable differential GPS derived NGRs in Canmore, the National Record of the Historic Environment, are listed for comparison in Table 1.

TABLE 1  
Comparative National Grid References for key points of the deer trap (see Illus 2)

<i>Survey points</i>	<i>Dixon &amp; Gilbert 2019</i>	<i>Canmore ID 318822: 2000</i>
A	NT 79368 13957	NT 79361 13962
B	NT 79274 13322	NT 7925 1332 (RCAHMS 1956)
C	NT 79389 12817	NT 79391 12821
D	NT 8066 1322 (2012)	No data published in NRHE
E	NT 8024 1376 (2012)	No data published in NRHE
F	NT 80122 13773	NT 80123 13784
Y	NT 8047 1335 (2012)	NT 8047 1335
X	NT 80550 13287	NT 8055 1328

## CONTEXT

The earthwork runs from Peelinick in the west to Broad Law in the east, along the crest of the slope around the head of the steep-sided valley of Dormount Hope (Illus 2). Its highest point is at The Kip, a conical promontory in the east overlooking the head of the valley, 470m above sea level (ASL). The bottom of the valley is 190m lower, 280m ASL. It is 3.6km in length from end to end and encloses an area of about 122ha, forming an irregular U on plan, about 1,200m across from east to west and a similar extent from north to south. It is open to the north, allowing access up the valley from the Yett Burn, but limits movement out via the crest of the ridge around the top of the valley. Its construction with a ditch on its downhill side adds to its effectiveness as a barrier. Apart from the three cross-ridge dykes on Raeshaw Fell (Canmore ID 58063), it also crosses a short cross-ridge dyke on its south side which runs over the watershed between the Tweed and Coquet valleys (not mentioned in Canmore but mapped by RCAHMS in 2000 as part of the deer trap). Several tracks cross it of medieval or later date (see below).

The only features within its ambit of medieval or later date are two huts and a drystone sheepfold at the bottom of the valley and a building on The Kip in a position on its south-west that overlooks the head of the valley (Canmore ID 252090, 252091, 252092, 318730). There is also

a sheepfold on the terrace immediately south of the shepherd's house at Peelinick (Canmore ID 252098). Bing Maps Aerial View photographs also show an unrecorded elongated enclosure reduced to grassy banks around the house, not shown on any of the OS maps, which is orientated on the same north/south axis and is presumably coeval with it. Two prehistoric sites were noted. One is a burnt mound on the east side of The Kip beside a boggy hollow (Canmore ID 318729). Although usually dated to the Bronze Age, some have been dated to the Iron Age and early medieval period and medieval Irish texts suggest a connection with hunting (Ó Néill 2009); the other is a scooped enclosure of Iron Age date at NT 79709 13706 on the WSW flank of Broad Law with an adjacent field-system – again not yet in Canmore.

Of the later structures, the building on The Kip is the most significant; this measures 10.2m from north-west to south-east by 2.5m transversely within faced rubble walls 0.8m in thickness and up to 0.3m in height, with an entrance in the south-west side. From its location this building is unlikely to be a shieling hut since it is not close to good water sources and grazing in the valley bottom and, at 10m, it is larger than most shieling huts, including the two huts here, which are about half the size – the huts are 225m apart and could be post-medieval shepherd's bothies rather than shieling huts, as they show no signs of the repeated use common at shielings. The building's position overlooking the head of the valley

and its size suggest it might be a hunting lodge, but its style of construction based on a stone footing has a broad date range from the 13th to the 18th century.

#### SECTION A TO B

The earthwork runs uphill from point A on plan (NGR: NT 79368 13957) at Peelinick in a SSW direction over a distance of approximately 695m to point B on plan (NGR: NT 79274 13322). 'It consists of a bank, 10ft–12ft [3m–3.7m] thick at the base and showing traces of stones here and there in its face, with a ditch up to 5ft [1.5m] wide on its E. or downhill side. Owing to the steepness of the slope on the lip of which it stands, the top of the bank rises in places as much as 6ft [1.8m] above the bottom of the ditch' (RCAHMS 1956: 190). RCAHMS (1956) considered that this earthwork could have been constructed to stop animals leaving Dormount Hope, just like the earthwork on the other side of the valley from D to F (see below). In this section the earthwork cuts through three linear earthworks, 1, 2 and 3 on plan (Illus 3 & 4) and so post-dates them (Barber 1999: nos 82, 182 & 183).

#### SECTION B TO C

RCAHMS (1956) did not consider that the bank continued south beyond this point: 'Notwithstanding Mack's statement (Mack 1924: 222) that there is in this stretch "clear evidence of yet another wall (possibly of turf)", there is actually no trace of anything beyond the deeply worn hollows of the old road, the ridges between which do in places superficially resemble a turf mound' (RCAHMS 1956: 190–1). However, RCAHMS on revisiting in February 2000 stated that: 'On Raeshaw Fell the bank is reused as a track for some of its length ... thus complicating the interpretation' (Canmore ID 318822: 2000). Indeed, it is the view of both authors that the earthwork is identifiable most of the way from point B to point C (NGR: NT 79389 12817), a distance of 525m (Illus 5). The traces of the earthwork are less clear because of the track (L and M to N) which runs along the same route as the earthwork to the Border and beyond. This track is formed by two tracks which combine south of point B (RCAHMS 1956: 185 no. 379; Barber 1999: 114 Routeway no. 341). Barber too considered that the earthwork is broken by the track which runs along it but that the earthwork did exist in this section (Barber 1999: 114 no.184 Section 1).



ILLUS 3 View of earthwork in section A to B where it overlies a linear earthwork (2 on plan). (© Piers Dixon)



ILLUS 4 Aerial photograph of the three linear earthworks on Raeshaw Fell and the tracks that cut or are cut by them as well as the deer dyke that cuts all three, indicating its later date. The early medieval fort at Moat Knowe is visible in the background. (© Historic Environment Scotland DP084833)



ILLUS 5 View of the earthwork in section B to C showing that it is clearly visible as an earthwork with a track running along its left side. (© Piers Dixon)

#### SECTION C TO D

At point C RCAHMS considered that there was a 30-yard (27.4m) gap in the earthwork that ran

from D to G on plan (RCAHMS 1956: 185 no. 394) and that this gap was made by a branch of the track from M to N running across the earthwork. They considered that the ditch running

westwards from D continued for 10 yards (9.1m) into the gap. However, Barber considered that the earthwork running from D to C turned north towards B and did not carry on to G. The authors agree with this and indeed this was the conclusion of the RCAHMS survey in 2000 (Canmore ID 59162); so that approaching C from the north the earthwork turned east. In addition the ditch from B to C and C to D is on the east and north side, ie the same side of the bank in both these sections whereas in section C to G the ditch is on the south side. It seems, therefore, unlikely that D to G is one earthwork. This section of the earthwork runs roughly east for about 800m before turning north-east to continue following the crest of the hill to point D on plan (NGR: NT 8066 1322). RCAHMS in 1956 describe the earthwork from D to C thus:

Bank and ditch construction is here resumed, though as the ditch is on the downhill side it is apt to assume the appearance of a terrace where the slope is pronounced. The terrace sometimes shows a hollow along the base of the bank, and where a true ditch exists it is about 5ft [1.5m] wide and up to 1ft [0.3m] deep; at one point a borrow-ditch appears above the bank and the whole work is here at least 24ft [7.3m] wide. From its point of origin this section runs generally SW for some 700 yds [640m] and then W for the same distance, following the irregularities of the lip of Dormount Hope; it is pierced at two points by the tracks of an old road (RCAHMS 1956: 189).

The ditch, where it survives, is on the downhill or north side of the earthwork. At some points RCAHMS saw a 'borrow-ditch' on the uphill side; that is to say, a ditch to provide make-up or fill and/or drainage. Barber considered that the earthwork was degraded and broken by trackways and animal disturbance. His survey identified two entrances which seemed to be original features of the earthwork cutting through a stone-faced bank where up to six or seven courses of laid stone were visible (Barber 1999: 114 no. 184 Sector 2). RCAHMS in 2000 commented: 'The gaps in the bank and ditch on the south, noted by Barber (1999), are due to trackways cutting through it' (Canmore ID 318822: 2000). However, although the authors verified the two

possible gaps in this sector in 2019, the easterly of the two was actively being eroded by rainwater where it crosses a narrow gully that has developed out of a peat track (Bing Aerial Maps) and the other could not be confirmed as a genuine gap due to the vegetation growth in the bottom of a broader gully that may also have suffered from erosion.

#### SECTION D TO F

In contrast to this survey, the original RCAHMS description (1956: 188–9) starts at the north-west end of the earthwork (F on plan, NGR: NT 80122 13773):

The first section, 230 yds long [210m], is an earthwork of rather massive proportions, starting on a flat shelf 180 yds [165m] ENE of the summit of Broad Law, and mounting the slope. At the bottom the work consists of a bank of earth and small stones, 12ft thick [3.7m] and standing 2ft high [0.6m], with a ditch 12ft wide and 2ft deep on its SW side. In its upper part there is a shallow borrow-ditch as well on what is here the N side. At spot height 1440 the work changes both in character and in direction, taking the form of a drystone wall, well-built of coursed masonry and without orthostats. However, due to the manner in which it flanks a rather steeply rising slope, the wall in its present condition appears more as a revetment than as a free-standing construction. Where best preserved it shows seven main courses in a height of 4ft [1.2m] of wall-face. The wall runs generally SE, diverging from the modern fence so as to keep below the lip of the slopes descending to Dormount Hope, though cutting off the projecting feature known as The Kip, and ends on the NW side of the head of a narrow transverse gully about 150 yds [137m] short of the Border. Rather less than 200 yds [183m] NW of this end the wall is pierced by an opening, perhaps originally 6ft wide [1.8m] but now widened by the collapse of the large squared stones that formed its jambs; no track passes through the opening, but a small excavation has been made in the hill-face that rises outside it.'

At point D there is a short gap cut by a burn gully between the end of the previous length of earthwork and that which runs north-west from it on the flank of Lamb Hill. This part of the

earthwork continues north on this axis for some 670m, before turning west-northwest at point E on Broad Law (NGR: NT 8024 1376) to continue for a further 170m where it appears to end on the flat summit of Broad Law. However, the RCAHMS survey in 2000 and aerial photography (Bing Aerial Maps) shows it turning north towards the top of an unnamed sike that descends north to the Callaw Hope (Illus 6). For the most part the earthwork in this section is replaced by a drystone wall embanked with earth on the east or uphill side, and appears more as a revetment than a free-standing construction, as described by RCAHMS above (Illus 7). Indeed, in some parts it still stands to a height of about 1.2m (4ft) described by RCAHMS. At NGR: NT 80257 13737, just before the corner at point E, the wall is replaced once again by an earthen bank with a ditch on the south-west as it runs down on to Broad Law.

The gate identified by RCAHMS (above) could not be confirmed in 2000 as the dyke had been reduced to rubble in this sector. In addition: ‘A stone-walled enclosure built on its W side at NGR: NT 8047 1335 [Y on plan], where the bank is revetted with stone, has an opening on the south, and is probably secondary [Illus 7]; as

is a small earthen-banked enclosure at NGR: NT 80550 13287 [X on plan] which is constructed in the return of a bend in the dyke’ (Canmore ID 318822: 2000).

#### DATE

Although the purpose and the date of the earthwork are interlinked, it will be helpful to give some account of the evidence for the date of the earthwork before looking more closely at its purpose.

In 1175 × 1199 William of Hownam son of John granted the lands of Raeshaw to Melrose Abbey (*Melr Lib*: no. 131),<sup>1</sup> presumably as an addition to their grange of Hownam which they had received from John in 1164 × 1170 (*Melr Lib*: no. 127, date from POMS). Raeshaw lay immediately to the west of the Dormout Hope enclosure. The bounds of the lands are given as:

a rivo de Cuithenop sursum totam illam semitam usque ad fossatum inter raweshauue et cuithbrithishope et sic totam divisam inter me et Ricardum de Umfraville usque in derestreth versus occidentem et de derestreth descendendo totum usque ad divisam de



ILLUS 6 View of the earthwork on Broad Law looking NW from point E to point F showing it turning towards the unnamed stream gully on the right. (© Piers Dixon)



ILLUS 7 View of stone revetted earthwork in section from D to E with the drystone enclosure on the left. The conical hill called The Kip is in the background. (© Piers Dixon)

chatthou et sic per illam divisam inter me et chatthou usque ad rivum de Cuithenop<sup>2</sup>

from the river of Capehope up all that path to the ditch between Raeshaw and Cuthberthope and so [by] the whole boundary between me and Richard de Umfraville [in Redesdale] to Dere Street to the west and descending by Dere Street all the way to the boundary of Chatto and so by that boundary between me and Chatto to the Capehope river.

Although it has been suggested that *Cuithenop* could be either the Capehope Burn or the Yett Burn (*RRS* ii: no. 376), the former seems more likely since the north boundary of Raeshaw (Illus 1) runs north-eastwards from Dere Street south of Chatto to the *Cuithenop* and the Capehope Burn is the first major burn encountered on that line. There is also an old track, L to N (*semitam* above), identified by RCAHMS,<sup>3</sup> which runs parallel to the earthwork from A to B and joins the other track from Buchtrig and the Capehope Burn, M to N. The word *fossatum*, although technically meaning ditched, actually implied a bank and a ditch. The earth from the ditch was thrown up to make a bank and so the word usually is taken to mean a bank and a ditch. This ditch and bank are described as running between

Raeshaw and Cuthberthope. Cuthberthope Rig today is the ridge between the Yett Burn and the Bucht Burn which suggests that Cuthberthope was presumably the enclosed valley of the Yett Burn and the Dormount Burn, Cuthberthope being an earlier name for Dormount Hope.<sup>4</sup> Consequently, the earthwork under discussion could be the *fossatum* of the charter.

The north-western boundary of Raeshaw with Chatto was clarified in 1226 × 1227 (*Melr Lib*: no. 280, date from POMS) as

Scilicet ex orientali parte de Derstret ascendendo de Calne per sicum usque in Scolceuescluch et per eundem sicum ascendendo usque ad crucem de assensu nostro constructam et sic in directum usque ad Capud de seteburne et per eandem burnam descendendo usque ad burnam que descendit de Thedbrichteshop et sic descendendo usque ad rivulum de Cuithenhop

‘Namely from the east of Dere Street ascending from the Kale by the sike up to *Scolceuescluch* and ascending by the same sike to the cross constructed with my assent and so directly to the head of the *Seteburn* and by that same burn descending to the burn which descends from *Thedbrichteshop* and so descending to the Capehope burn.’

This boundary starts from a point which is on both the Kale Water and Dere Street and must, therefore, be at Tow Ford. Although the only burn which can be identified thereafter is the Capehope Burn, the description would fit the geography of a line ascending from Towford up the Hangingshaw Sike to the watershed to the east of Hangingshaw Hill and thence down the unnamed sike to the west of Buchtrig to the Capehope Burn. Raeshaw lay to the south and east of this line which corresponds with the bounds of Upper Chatto shown in a plan of 1808 (NRS RHP 11186/1).

Therefore, it seems likely that the eastern boundary of Raeshaw in 1175 × 1199 ran up the track from the Capehope Burn from L to N on the north-east bank of the Bucht Burn and then along the earthwork roughly from B to C. Note that this differs from Barber's identification of this bank as the dyke running from D to F (Barber 1999: 114). The track and the bank were, therefore, in existence by the second half of the 12th century and probably earlier.

The early date of this earthwork and the lifetime of its use are also supported by the evidence of other earthworks in the area. It is clearly later in date than the linear earthworks which it cuts through (Illus 4). Barber has studied these earthworks in the Borders in some detail. He considers that they were not defensive structures, nor, he argues, did they function like head dykes. Their common feature is that they traverse the cross-border routeways which travel up and down the ridges or rigs which lead to the Border. Therefore, in the most general sense they existed to 'control' these routes (Barber 1999: 71–2). It is possible, he argues, that part of their function was to mark off a 'border' and to limit major trade and access by, for example, carts and herds to certain areas and routes (Barber 1999: 137). Some of these cross-route linear earthworks are pre-Roman in date, since several at Woden's Law are cut by Dere Street. Others appear to be medieval and linked to routes of that date (Barber 1999: 71, 86–9).

In the Dormont Hope area when this enclosure was built the routeway lay to the west and south of it and presumably was not busy enough

to threaten the enclosure. Perhaps when it fell into disuse the routeway encroached upon the enclosure. When this was can only be guessed at, but prolonged cross-border warfare provides a context in which this might have occurred. Further to this, RCAHMS showed that the name 'Hymer's Gap' near the head of Dormont Hope (NLS OS NT81) resembled the 'Hymerswell' or 'Hyndmar's Well' found in various forms in 16th- and 17th-century documents. Consequently, it was suggested that the road along the west side of the enclosure may have originated as one of the 'ingates and passages forth of Scotland' recorded in 1543 and 1597 (RCAHMS 1956: 185 no. 379) and it could well be the road shown on Roy's map of c 1750 which is marked passing through Swinlaw Gap on the Border (Roy 1747–55). It seems unlikely that the routeway originated in the 16th century given the reference to *semita* in the 12th century, but it may have been in the 16th century that it became a busier route with sufficient traffic to break down the enclosure in places.

In this area it would seem that the linear earthworks could be of pre-Roman date like those at Woden's Law. They were then cut by new trackways along Raeshaw Rig, during the Roman and medieval periods. One of the linear earthworks on Raeshaw Fell (1 on plan, Illus 2) overlay one of the trackways, indicating that there was a recognised route up the Fell from the north-west in prehistory (Illus 4). The earthwork was constructed beside these trackways and they were clearly excluded from the enclosure. After it fell into disuse and when the traffic on the routeway increased the track broke into the enclosure and destroyed sections of the earthwork.

## INTERPRETATION

### PARK OR TRAP?

RCAHMS initially argued that it was not satisfactory to explain this earthwork as an enclosure for animals because of the gap which in their opinion stretched from B to C and because the section from F to G could never have formed

part of any such enclosure presumably because it was constructed in a straight line and did not turn north at C as an enclosure would have done. They considered that the earthworks were the southern boundary of lands defined by the Yett Burn and Callaw Hope as far as Deer Cleuch in the east and Capehope Burn and Scraesburgh Hope in the west.

Barber, however, realised that this was one complete earthwork from A to F and categorised it as a park pale or enclosure (Barber 1999: 114). Because this earthwork has been constructed as one feature with a ditch on the downhill side for most of its length, the most fitting interpretation of this earthwork from A to F is as an animal enclosure and, because there are numerous deer and hunting place-names in the area such as Deer Doups, Deer Cleuch, Raeshaw, Hindberry Cleuch, Hunt Slack and Huntfold Hill,<sup>5</sup> the enclosure could have been a deer park belonging to the lords of Hownam.

The wider 12th- and 13th-century context would also support the idea of this being a park to enclose or maintain deer (Illus 1). In the 12th century the main landholders in the area were the Anglian lords of Hownam: Eilaf, then Orm son of Eilaf, then John son of Orm, then William son of John, and then William Landelles nephew of William (POMS: sub William of Hownam; *OPS* i: 395; *RRS* ii: no. 376). Their residence, although it has not yet been identified, presumably lay in or around Hownam, and may have taken a form similar to the moated enclosure at Upper Chatto (Canmore ID 57995).

In 1189 × 1195 William I confirmed to William of Hownam all the land of Hownam and his wood (*boscus*) of Hownam in forest and forbade anyone to hunt or cut in the foresaid wood or anywhere within the bounds of Hownam (*RRS* ii: no. 314). His fief of Hownam would have included most of the parish of Hownam, including the lands of Hownam Grange and Raeshaw, but excluding Over Whitton belonging to Walter of Ryedale and his heirs and Chatto, which was split between Walter of Ryedale and Adam of Chatto and his family (*RRS* i: no. 42 notes, 1139 × 1153; *Melr Lib* no. 162 late 12th/early 13th century as in POMS). At this time the grant of control of

hunting with the support of the full royal forfeiture of £10 was still central to the forest grant but the specific mention of *boscus* as part of the forest grant is unusual in the 12th and 13th centuries. The control of wood-cutting was also, therefore, an important part of this grant, especially since *boscus* was often used to mean a managed wood producing underwood rather than an area of more open woodland with timber trees (Gilbert 2017: 218–20). The location of this wood cannot now be determined, but in the Bowmont valley it has been found that woods did survive in steep-sided ravines, though there were few large timber trees by this time (Tipping 2010: 80, 187). In Dormount Hope the presence of tree-throws where trees have been blown down in the distant past on the lower west side of Broad Law points to the presence of woodland at one time. The name ‘Raweshauue’ or ‘Raschahe’, modern Raeshaw, means the shaw where roe deer sheltered. Shaw was probably used to describe areas where underwood was cut on a regular basis, in other words, a managed coppice (Gilbert 2011: 50–3). Whether these shaws were still in existence in the 12th century cannot, of course, be proved but it does seem likely.

This forest of Hownam was one of several along the Scottish side of the Border in the 12th century. To the west lay the royal forest of Jedburgh and then two possible baronial forests, Liddesdale and Eskdale, where Ranulf de Soules and Robert Avenel respectively had taken control of the hunting (Gilbert 1979: 21). Adjoining Liddesdale on the west is Annandale, where Robert de Bruce had forest rights from the crown (Barrow 1999: no. 210) but to the east the forests in the Bowmont valley had not yet been created.

The development of hunting forests in the north of England throws some light on what may have been happening in Hownam. In medieval Cumbria, Angus Winchester has studied parks, including those remote from castles in upland hunting forests (Winchester 2007). He describes how in the 12th century barons probably had established hunting rights for themselves over the whole of their estates. He then argues that by the end of the 13th century the exercise of these rights had gradually receded to upland areas in

the face of expanding grazing and settlement. Even there these upland forests were more concerned with demesne pasture than with hunting. Within these upland forests, barons had created parks to preserve an environment favourable for deer. It is now well established that woods were frequently maintained and managed within deer parks because they could provide a regular crop of rods and poles as well as contributing to a suitable habitat for deer (Rackham 2001: 153–8). Combined with grazing of controlled numbers of domestic stock, this added value to the park at those times, often quite frequent, when the lord was neither in residence nearby nor hunting there.

This is very reminiscent of what seems to have been happening in Hownam and on the Scottish side of the Border. The enclosure at Dormount Hope is very much in the upland part of the forest of the lords of Hownam. Indeed, the whole forest could be described as being upland. Just as in the neighbouring Bowmont valley, the Anglians in the 7th and 8th centuries no doubt continued the development of the area which had started in the late pre-Roman Iron Age (Tipping 2010: 190). In the 12th century the grants of Raeshaw and Hownam Grange to Melrose Abbey evidence the further development of grazing and settlement in the area. Indeed, the action which William son of John pursued in 1208 × 1209 to reclaim the use of Raeshaw from Melrose Abbey for his lifetime probably reflects the extent to which the activities of the monks were damaging his pasture, shaws and game (*Melr Lib*: no. 133, date from POMS).

The enclosure at Dormount Hope which encloses 122ha does not initially look like a park in which hunting could take place. As a hunting park it would have been very confined as the slopes in it are quite vertiginous. It could be argued that it makes more sense as an area where deer were kept and it could well have been created as a haven for deer in the face of pressure on their environment, perhaps an area with some woodland where other grazing was restricted and where deer could be nourished. The stone-walled building (Canmore ID 318730) inside the enclosure high up on The Kip near the east side of the enclosure, given its narrow width, could

be a sheep house to shelter sheep at night, but sheep houses usually have an entrance in one end (Moorhouse 2016: 81–2) and this has an entrance in one side, facing south-west. Its location, however, also suggests a hunting connection. Given its size of 10.5m × 2.5m, it is too small to be a hunt hall and, while it could have been a lodge or house for hunting parties, it could also have been used by park-keepers if they had to tend deer or when they were on the lookout for poachers or illegal grazing and wood-cutting. Like other lodges of this type it is placed high up in the park to obtain a good view over the enclosure (Moorhouse 2007: 110). The location overlooking the enclosure is a parallel with the position of the hunt hall at Buzzart Dikes, although in that case it is outside the park (Malloy & Hall 2019: 367).

The sections of the dyke which lie between D and E, as well as other sections which skirt the top of steep slopes, could have made excellent deer leaps where deer could jump in or be driven in but would be unable to jump out again. Deer could also have been hunted or chased into the park up the valley of the Yett Burn. It may be significant that the area across the Yett Burn from the park is called Hunt Slack, the ‘hollow for the hunt’. The word ‘slack’ comes from Old Norse *slakki* and while the examples from Roxburghshire may not be of that date (Williamson 1942: 120) the name is taken into Scots and it did exist in the Borders in the 15th century, as at Catslack in Ettrick Forest (*ER* vi: 224). It seems likely, therefore, that the hunting which led to this name was medieval in date.

The main problem, however, with interpreting this earthwork as a hunting park of some sort is the gap between A and F. There is no sign on the ground or from the air that this gap was ever filled with a bank, nor is there any sign of it on historical maps. It might have been closed, if required, by a more temporary structure such as a wooden paling, a quickset hedge or a wattle fence. The name ‘Peelinick’ on the western side of this gap is suggestive of a gap in a pale, perhaps even of a pale filling a gap. Williamson identified various uses of ‘peel’ in place-names. ‘Peel’ comes from Scots *pele* which refers to the

palisade round a castle courtyard (Williamson 1942: 76; *DOST* sub *pele*) or to any other kind of palisade such as the pale round a deer park. The second element of the name is 'nick' which means a hollow, pass between hills, a notch or a nick (Williamson 1942: 94). This place-name, the pale in the hollow or the nick in the pale, could have been formed at any time from the 12th to the 16th century.

It therefore seems likely that the earthwork at Dormount Hope may have been primarily a deer trap because of the large gap between A and F (Dixon 2002: 44–5; Canmore ID 318822: 2000) and because at F the bank curves northwards, thus widening the gap rather than narrowing it. This would have assisted the process of driving deer into the trap and clearly argues that there never was any intention to close the gap. Other sites of this type have been identified in Scotland. At first sight it might appear that the gap in the extension (1.09km<sup>2</sup>) to the deer park at Kincardine in Angus (NGR: NO 653 789) may represent a similar kind of trap and in a sense it did (Malloy & Hall 2018: 158, 169). Deer could be driven into the extension through the gap and they could have been killed as they passed through, or it might have been a way of restocking the park, but at Kincardine the main park (7.85km<sup>2</sup>) was large enough for hunting to take place within it. Kincardine Park was, therefore, a hunting park in which to hold deer captive and was not primarily constructed as a hunting trap.

A closer parallel to Dormount Hope in terms of its function within a hunting forest might be Buzzart Dikes (0.9km<sup>2</sup>) in Perthshire (NGR: NO 131 479), which probably dates to the 13th century. A charter of Alexander III mentions a park in Clunie forest and the park at Buzzart Dikes seems to be a likely candidate because it lies within that forest. It was mis-located by the editors of *RRS* iv because they overestimated the size of Clunie forest and so thought the park of Alexander III's charter lay to the west of Edzell (*RRS* iv, part 1: no. 164). Buzzart Dikes is a small enclosure in Clunie forest measuring 1.5km by 0.75km and it is detached from its associated lordly residence at Clunie Castle like the Dormount Hope enclosure.

While small chases and drives could have taken place within it, it seems more likely to have been a holding pen into which deer could have been driven over the pale on the south side or possibly through a gap in the west side. It was noticed by its excavators that the post holes on top of the bank on the north side of the park sloped inwards at an angle of roughly 65° to 75°, which would have made it easier for deer to jump into the park but would still have prevented them jumping out (RCAHMS 1990: 93–4; Hall et al 2011: 62–4; Hall & Malloy 2015–16: 28; Malloy & Hall 2019: 367, 375, 379–80). Deer could have been sheltered there and then killed for the larder or released into the forest to be hunted as required.

In upper Liddesdale there is what has been identified as a deer trap at Hermitage Castle (Dixon 2002: 43–4; Canmore ID 67913), where there are also the remains of a park pale called the White Dyke. In places the park pale is stone-built, still standing up to 1.5m in height, and in others it is an earthen bank 1.2m broad and has a ditch on the inner side. The earliest record of this park is in 1376 in an extent of the area in Liddesdale called the Forest (*Morton Reg* i: lxxiii; Oram 2014: 327–30). The deer trap lies on either side of Lady's Syke in the south-western area of the park. The trap comprises two curving banks which start 600m apart and which converge at right angles close to the castle. This feature appears to pre-date the park, since the west side of the park pale overlies it and closes the open end of the trap. It would have been used to drive deer from the hills to the west towards the narrow killing ground where they could have been killed or chased as they came through the narrow gap. The end of the south arm of the trap rests on the moated homestead enclosure by Hermitage Chapel, which appears to be a fore-runner of Hermitage Castle, possibly a hunting lodge of the De Soulis lords, dating from the 12th and 13th centuries. Hermitage lies in an area of the lordship of Liddesdale that was still maintained as forest in 1376 and therefore reserved for hunting (Dixon 1997: 352–4). The trap appears to have gone out of use with the construction of the park and so this places the construction and

use of the trap in the period from the mid-12th to the mid-14th century, by which time the lordship was in the hands of the Douglas family.

#### HAY?

Hay is used here as a heading to cover a variety of terms, Old English (OE) *haga*, Latin *haia* and Middle English (ME) *hay*, which can describe various different features but which nonetheless can all relate to structures built to assist hunts where deer were driven to a set point where they were either trapped or killed. Although these terms have not previously been associated with Scotland, the incomplete nature of the bank at Dormount Hope suggesting a deer trap does bring these features to mind and raises the distinct possibility that the Dormount Hope earthwork was created by its Anglian lords prior to the 12th century. Hooke has argued convincingly that OE *haga* was not just another form of OE *hege*, hedge or fence, but was, in fact, usually associated with enclosures around wooded areas, the most striking example of which in this context is the 11th-century *derhage*, deer enclosure or park, at Ongar in Essex (Hooke 1989: 123–7; Fletcher 2011: 56–60; Hooke 2011: 153–5). These *haga* features were usually partial enclosures with gaps so that they could be used as hunting traps. There are various other words related to *haga* which are relevant here, such as OE *deorfald*, a fold for game/deer, and OE *deorhege*, animal or deer fences whose maintenance was a recognised part of a landholder's duties at royal residences. Such fences may have formed enclosures but they could also have served to guide game to waiting hunters (Hooke 1989: 125). The Anglo-Saxon sources also refer to deer being captured in nets which were spread across gaps in a fence and to dogs driving deer towards these nets. The nets were called *hay* (ME) and eventually *hay* was also used to describe the fence and so came to mean the enclosure itself (Hooke 1989: 123–5). Liddiard has established that in Domesday Book *haga* was latinised as *haia*, a place where game was captured or confined (Liddiard 2003: 12–18). One in Worcestershire was a place where wild animals used to be captured and others in

Herefordshire, Cheshire and Shropshire were places where roe deer were taken (Hooke 1989: 126; Liddiard 2003: 12). The work of Hooke identifies early hays as structures of hedges and nets which by the 9th century were being replaced by more permanent enclosures and were the forerunners of parks (Hooke 1998: 20–1). It was, however, in only a minority of cases that parks actually developed on the same site as a hay (Milesen 2009: 134 n 44).

*Hay*, *haga* and *haia*, therefore, were the forerunners in England of the idea of parks rather than features which were turned into parks. Graham Jones has suggested that in Anglo-Saxon England where netting and driving with a group of men occurred, the enclosure or hay, ie the *hay*, *haga* or *haia*, may have been the focus and destination of the hunt (Jones 2010: 54). In other words, the hunt did not take place in the enclosure but outside it. Deer would be driven into the hay and they could then be killed as desired. Clearly these hays used for capturing deer would have had openings through which deer could be driven. While these enclosures could have been constructed with strong fences or hedges Hooke found that well-defined earthen banks and ditches survive in areas where Anglo-Saxon charters refer to *haga* boundaries (Hooke 1989: 123). This all sounds quite like Dormount Hope, a permanent structure but not a complete enclosure. On the basis of documentary evidence this earthwork is potentially one of the oldest known baronial enclosures or rather partial enclosures recorded in Scotland and it is possible to hypothesise that one of the lords of Hownam, who were Anglian or of Anglian descent, to judge by their names, created a hay on the Anglo-Saxon model before the arrival of Anglo-French influence in the area in the 12th century. It must be stressed, however, that in England no example of such an incomplete enclosure has been located on the ground and also that the main distribution of *haia* in Domesday Book is on the Welsh borders and in the southern half of England (Liddiard 2003: 8).

However, while there are no Domesday records for the northern counties of England, evidence for the use of *haga* in the northern counties has been detected in place-name evidence.

Although the age of these place-names is hard to determine and while there is also an influence of Old Norse on some of the place-names, *haga* as a deer or animal enclosure does seem to have existed. Dyrah (NGR: NY 596 445), meaning deer fence or enclosure from OE *dyr* and *haga*, is recorded in 1332 in Cumberland (Smith 2008: 221), and *Bucklauhege*, which is recorded in 1138 near Flotterton (NGR: NU 001 024) in Northumberland, includes OE *hege*, fence, sounding suspiciously like the law or hill with a hedge or fence for bucks, male deer (*Newminster Cartulary*: 149). Both these places were in areas lying close to the forests of Inglewood in Cumbria and Rothbury in Northumberland, respectively.<sup>6</sup> Angus Winchester has found references to hays in Cumbria in the 13th century which he has suggested may refer to baronial hunting enclosures which pre-date parks (Winchester 2007: 171–2).

Examples of *haga* and *hege* place-names also occur in the Scottish Borders. In 1147 × 1151 David I granted Jedburgh Abbey the right to graze animals and take wood from his woods in the area except from the place called *Quikege* or *Quikhege* (Barrow 1999: nos 174 & 175), which must be referring to a managed wood in or around Jedburgh Forest surrounded by a quickset hedge. *Quikhege* is a version OE *cwichege*, a living or quickset hedge, but here it refers not to the hedge alone but to an area of enclosed woods. This is reminiscent of the behaviour of *haga*, which referred to a strong type of enclosure fence round a wooded area and was then applied to the enclosed area itself. With the arrival of Anglo-French settlers into the area in the 12th century, it seems likely that *Quikhege* was renamed and became the *Plessis* at Jedburgh from which the sheriff was collecting pasture dues in 1288 (*ER* i: 44). *Plessis* is the French for a plashed or quickset hedge and could be applied to the area enclosed as well as to the fence itself. This type of hedge was used to enclose both woodlands and parks in France from at least the early 11th century (Duceppe-Lamarre 2006: 240, 244; Casset 2007: 64) and similar examples can be found in England in the 14th century (Langton 2014: 13–14). A further intriguing possibility is raised by the mention in the sheriff's accounts of the

new park of Jedburgh (*ER* i: 43), which implies the existence of an old park, and one wonders if *Quikhege/Plessis* was in fact the old park that started life as a *deorhege* and was then referred to as the *Quikhege* when the new park was built. While this might be reading too much into the evidence, what is certain is that *hege* here does relate to an enclosed wood which may or may not have held deer.

In 1288–90 900 perticates,<sup>7</sup> around 3½ to 4 miles of *fosse et haye*, ditch and hedge, were constructed around the woodland and meadows of Jedburgh (*ER* i: 43). *Haye* looks like a version of the Latin *haia*, which could mean an enclosure but which in this instance must be referring to a hedge. Hawick, which occurs in both Northumberland (NGR: NY 962 826) and Roxburghshire (NGR: NT 505 149) in the early 13th century, comes from OE *wic*, a farm, and a word meaning or linked to fences and enclosure such as OE *haga* or (*ge*)*haeg*, both of which occur later as *haw* (Nicolaisen 2001: 5–6; *Melr Lib*: no. 196, date from POMS sub Gervase Avenel; *Newminster Cartulary*: 286–7, date from Diana Whaley, pers comm).

Given these examples of *haga*, *hege* and *haye* as words and in place-names, it is not unreasonable to propose that the idea of hays or *haga* was current in the Anglian areas of the north of England and southern Scotland prior to the 12th century. These kind of hunting features constructed to assist the capture of game seem to have been universal, recalling the *haies* of France or the *elricks* of Gaelic-speaking areas of Scotland. What the sites at Hermitage and Dormount Hope represent are two aspects of this tradition of constructing barriers of some sort to assist the hunt. The Hermitage earthwork is a trap in the sense that it funnels deer to the kill zone, whereas the Dormount Hope earthwork is an enclosure with an open end into which deer could be driven.

## CONCLUSION

It is important to recognise the monument as one earthwork despite changes in construction along

its length. On both archaeological and documentary grounds it dates to the medieval period. The documentation, in particular, dates its construction before the end of the 12th century by Anglian lords of Hownam, which opens up a new area of interpretation as a hay in an Anglo-Saxon tradition of deer-hunting enclosures, which this paper has explored. This site developed out of the socio-economic landscape of the area before the arrival of Anglo-French settlers in the 12th century. At Dormount Hope it would seem that the creation of the earthwork preceded the grant of forest rights. One can postulate that Dormount Hope was an area where deer naturally gathered and where they were hunted. At some point in the 12th century or probably earlier the Anglian lords of the area decided to construct a hay round part of the valley to stop deer escaping when they tried to catch them. They then used it as a trap for deer at the end of a chase or a drive. With the forest grant in the late 12th century the lords would then have had their hunting rights and their control of hunting confirmed. They would have been able to hunt across the lands of Melrose Abbey with impunity and they could still have used the earthwork as a trap for deer at the end of a hunt. If it was a hope into which the deer moved naturally it could also have been used as a haven for deer where they could find shelter and where other economic activity was banned. Although the lord of the area would still have been involved in hunting deer into the trap, it was a working functional structure placed for practical hunting or larder-filling purposes. It was not placed to enhance the immediate environment of a lordly residence; the nuclear fort at Moat Knowe nearby (Illus 4) is thought to be Dark Age in date rather than 11th and 12th century (Canmore ID 58078). The trap was most likely in use prior to the 12th century and continued to function until parts of the pale were broken down by cross-border tracks in the 15th or 16th centuries if not before. How this enclosure or trap developed in subsequent centuries is not yet clear. At what date the importance of hunting rights in the area declined and the enclosure was exploited for pasture and grazing of domestic animals are as yet, and may remain, unanswered questions. It is, however, an

important and significant site since it represents a very early stage in park development in Scotland and survives in a remarkably intact condition.

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#### NOTES

- 1 The date for this charter is based on the consecration, return to Scotland and death of Jocelin, bishop of Glasgow, who is one of the witnesses to this charter (*Fasti Ecclesiae Scoticanæ Medii Aevi Ad Annum 1638*, eds D E R Watt and A L Murray, 188).
- 2 The royal confirmation does not give the full bounds but does spell the following names differently, Cuidenop, Raschahe and Cudbrihteshope (*RRS* ii: no. 382).
- 3 RCAHMS 1956: 185 no. 379: the third track mentioned up the north-east bank of the Bucht Burn.
- 4 Hope means a small enclosed upland valley (*DOST*). The name Dormount Hope is first given as Darments Hope in Roy's map of c. 1750 and in the *NSA* for Hownam (*NSA* 1845: 191 third note) it appears as Dormount Hope. Then in the 1st edition of the OS 6-inch map surveyed in 1861 and in the associated name book (*Ordnance Survey Name Book*: OS 1/29/17/119) it is given as Deermount Hope. In c. 1920 on Bartholomew's map of the counties of Roxburgh, Selkirk and Peebles it is called Cuthberthope, as in the 12th century. Finally in the 2nd edition of the OS 6-inch map surveyed in 1896 it returns to Dormount Hope.

- 5 Huntfold is so named in the 1st edition of the OS 6-inch map and in all subsequent OS maps until around 1970 when it becomes Huntford Hill in the OS map used as a base for the Canmore website maps. The Huntfold would be a very appropriate name for this earthwork.
- 6 The location of English hunting forests is taken from Langton & Jones 2010: 1, fig 1.
- 7 A perticate is a perch. It could vary from 16 to 25 feet and so the distance given is a guide rather than an exact length (Latham 1965: sub *pertic/a*). A perch is the same as a rood and was linked to the size of the furlong and the acre. *The Statutes of the Realm* (London, 1810) i, 207; *Walter of Henley's Husbandry together with an Anonumous Husbandry, Seneschaucie and Robert Grosseteste's rules*, ed Elizabeth Lamond (London and New York, 1890), 68–9; Ronald Edward Zupko, 'The Weights and Measures of Scotland', *Scottish Historical Review* vol 61:2 (1977): 119–45, at 130 sub furlong.

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