

IV.

NOTES ON THE CHAPEL YARD, INVERNESS, AND SOME OF ITS OLD MONUMENTS; WITH A NOTICE OF HERALDIC DEVICES ON TOMBSTONES AT KILMUN. BY F. T. MACLEOD, F.S.A. Scot.

The Chapel Yard of Inverness is one of three old burying-grounds each of whose gates are occasionally opened to admit of the burials of those families who possess the right of sepulture therein. The other two are the High Church burial-ground and the Grey Friars or, accurately speaking, Black Friars, burial-ground.

All authorities are agreed that the order of the Black Friars was founded at Inverness in 1233, and it is safe to conclude that their burial-ground did not exist prior to that date. The ascertainment of the respective ages of the High Church and the Chapel Yard burial-grounds is, however, a complex, though interesting, problem, the determination of which involves careful examination of numerous charters and other deeds. At the present moment there is a diversity of opinion among members of the Inverness Field Club upon the subject of which of two churches that existed in Inverness in early days—each bearing the same name, St Mary's—is the elder, and until this point is satisfactorily disposed of the question of the relative ages of the two burial-grounds must remain a matter of doubt.

In common with all others who at various times have entered into a consideration of this matter, I have to acknowledge my indebtedness to the services which the late Charles Fraser Mackintosh rendered to all persons interested in old Inverness. His *Invernessiana* groups together practically all the information we have upon this subject, in the form of translations of early charters and other documents. I have endeavoured, from a careful examination of this work, to piece together a correct statement of the references to the churches of Inverness in those early times; and while the inferences

drawn by me may not coincide with those drawn by others, I desire to state that the facts upon which my inferences are based (which necessarily must be very briefly referred to in an article of this kind) have been most carefully verified.

I also desire to state that in differing from the views expressed by Dr Alexander Ross on the one hand and Mr Wallace on the other, I do so with full appreciation and acknowledgment of the many valuable services these gentlemen have rendered in their pursuit of matters of local antiquarian interest.

The earliest reference to Inverness ecclesiastically occurs in a charter dated about 1164–1171, by William the Lion, which states: “I have given and granted to God and the Church of St Mary of Inuurnys and Thomas, Priest and Parson of the said Church, one plough of land in perpetual mortification.”

In 1189 King William gives and grants to God and the Church of St Thomas of Aberbrothick, and to the monks serving God in that place, the Church of Inverness with the Chaplainry lands and teinds and offerings of every kind, and with common pasture and other easements and all the other things justly pertaining to the said church.¹ Questions having arisen between the Vicar of Inverness and St Thomas' Church of Arbroath, the matter was referred by the Pope to the amicable decision of the Bishop of Moray, who, in 1248, issued and promulgated a foundation endowment of the vicarages of Inverness and Aberchirder, in which reference is made to the Vicar of the Church of Inverness and to the Vicar's house adjoining the church, showing clearly that an actual building and not an ecclesiastical system is referred to.

The two main points to be kept in view in considering these references are, first, that one church only is mentioned, it being

¹ There is a clerical slip in Mr Wallace's reference to this deed on page 88 of vol. vi. of the *Field Club Transactions*, which is not unimportant. Mr Wallace's quotation is—“The Churches of Inverness.”

apparently the only church in Inverness at these dates, and, second, that so far there is no reference, in terms, to the parochial or parish church of Inverness.

It is not necessary, and it is not my intention, to refer to the various deeds affecting the order of Black Friars except so far as their contents throw any light upon the question immediately under discussion.

The first actual reference by name to the Parish Church of Inverness is in a charter by Alexander in 1240 in which a grant of land is given to the order of Black Friars. The charter bears to have given "Our Royal Highway lying in length from the water of Ness as far as that land which the Abbot and Convent of Aberbrothock gave to them for ever, and in breadth between the burying-ground of the Parish Church and the wall of the said Friars." The Parish Church here referred to is, in my view, the church previously referred to, the site of which from the above description was approximately that of the site of the present High Church.

In 1363 Nicholaus de fforays confirms to God and to the Altar of the Holy Cross in the Parochial Church of Inverness and for the Maintenance of a chaplain there to worship for ever, one acre of arable land.

It is a significant fact that from this date forward when what I believe to be the church to which I have hitherto referred is mentioned, the expression "Parochial" or "Parish" is almost invariably introduced in a qualifying form, and that when the "Chapel of the Blessed Virgin Mary of Inverness," which I hold was situated where the Chapel Yard now is, is referred to, there is no such qualifying word. References to both these buildings frequently occur in these early charters in the same deed, and I conclude that the word "Parochial" or "Parish" was introduced of set purpose to avoid confusing two churches each bearing the same name, St Mary.

It is impossible to fix the date when the Chapel of the Blessed Virgin Mary was first built. As early as 1359, in a royal gift by David II., there occurs the following passage: "The larger and more

discreet part of the Community of the said Burgh having been formerly assembled . . . in the cemetery of the chapel of the Blessed Virgin Mary of Inverness." I hold this to be a reference to the church of the Chapel Yard because of the absence of the qualifying word "Parochial" or "Parish." I at once recognise that I am confronted with the necessity of explaining why the Chapel Yard should have been selected as the place of assembly of a concourse of people in preference to the burial-ground of the Parish Church. I think it extremely probable that the present Chapel Yard was at that time of larger area and situated in a relatively less congested district than the burial-ground of the Parish Church, which of itself would be a sufficient answer. There is, however, this additional fact to be borne in mind, that throughout the following centuries and until very recently the Chapel Yard was the place invariably selected for assemblies of the burghers.

In 1361 John Scott, Burgess of Inverness, acknowledges his obligation to Sir Ade de Narryn Chaplain, and to the chaplains his successors who may for the time be in the Chapel of the Blessed Virgin Mary of Inverness. He also confesses his obligation to build for the said Sir Ade and his chaplains "a sufficient dwelling house upon the two roods of land lying contiguous to the wall of the burying ground of the foresaid Chapel on the eastern side thereof." This, in my view, for the reason above stated, is a reference not to St Mary's Parochial Church previously referred to, but to St Mary's Chapel in the Chapel Yard.

In 1362 Sir Robert Chisholm grants six acres of land "to the Altar of the Holy Rood of the Church of Inverness." This is a clear reference to the Parochial Church, because later on there are distinct references to the "Altar of the Holy Cross in the Parochial Church of Inverness," rood being synonymous with cross.

Going back three years, we find a very clear example of a reference in one deed to the two St Marys. In that year the community of

the burgh resigned to the King in the churchyard of the Chapel of St Mary a certain piece of land "containing 18 acres lying next to the land of St Mary's Parochial Church of said Burgh." Two similar instances occurred in 1361. In 1361 John Bishop of Moray grants a feu of certain lands "belonging to the Chapel of St Mary's of Inverness namely one piece of the Crasse containing 18 acres lying next to the land of St Mary's Parochial Church of Inverness."

At this point the questions naturally arise, Who were the authorities who regulated the affairs of the two churches, and what was the ecclesiastical denomination of St Mary's of the Chapel Yard? I think the correct view is that both churches were under the control of one administrator, viz. the Bishop of Moray, and that in the sense that a parish seems anciently to have signified the diocese of a bishop, though latterly it signified the territorial bounds connected with a particular church of the established religion. St Mary's of the Chapel Yard was also a parish church, but not *the* parish church. This view is, I think, strongly supported by the fact that in 1371 an appeal to the Pope on the part of the Abbot of Aberbrothock was made regarding the tithes of the "Church of Inverness," a full narrative of which is quoted in *Invernessiana*. Although there is no doubt that at that date the two St Mary's were in existence, only one, the more important, is referred to, and the reference again is at one part to the Parish Church of Inverness. My view, therefore, is that St Mary's of the Chapel Yard, although not unimportant and capable of sustaining chaplaincies of its own, was nevertheless always the less important of the two.

In the Bishop's letter to Pope Gregory, which forms part of the above proceedings, there is an exceedingly interesting account of the fabric of the church. I extract the following: "A noble, strong and distinguished place and abounds in fruits and has a concourse of many noble Knights and other powerful men." On the other hand, there is a pregnant passage which bears evidence to the deprivations

the building was subjected to in the way of ordinary repair, in which the Bishop complains that "there is not a single garment fit for the Abbot or part of him, and so that a small missal which may be worth twopence, will not be found therein, let alone for me when performing my yearly visitations to foresaid church, for the reforming of foresaid defects, and for covering and protecting it, whose roof does not in any degree shelter either the greater altar or the wardrobe from being befouled, or rather jumbled together by the rains as often as they fall."

Under date 11th October 1380, there is a declarator by a notary narrating certain disputes, which mentions, *inter alia*, that the King dispensed justice in the Church of St Mary. This may refer to either of the churches, the lack of exact expression being less necessary in a mere narrative by a notary than in a formal charter. On the assumption that the Parish Church was in the dilapidated condition just referred to, it is not likely that the King would be asked to dispense justice under its roof.

There are various documents between 1380 and 1530 which, in my view, bear out the opinions which so far I have expressed, and which, to save repetition, I pass over. In 1530 a charter of Confirmation was granted to the Friars of Inverness confirming the previous charters of Alexander II. and Robert the Bruce. This charter is of value as showing fairly conclusively that what up to that date had been defined as the Parish or Parochial Church of Inverness was in juxtaposition with the buildings of the Black Friars and on the same side of Kirk-gate. If my reading of the language of this charter is accurate, I think there cannot be the least doubt that the site of the Parish Church at that date and for several centuries prior thereto was the site upon which the present High Church is built. I have already given the reference from the early charters confirmed at this date, and I do not again repeat it. Mr Wallace's remark upon this passage is as follows: "The Ness herein mentioned must have been the branch that flowed to the east of the Maggot and the King's Highway; an open space

that led to the river at that place. The Parish Church must have been St Mary's of the Chapel Yard." With the greatest deference I differ from Mr Wallace's view.

Again, in 1538, there is a reference to "all and whole the water of Ness with its fishing from the road intervening between the place of the Preaching Friars and the Parish Church on the South Side, even to le Churry on the North."

MINOR CHAPELS, CHAPLAINCIES, AND ALTARAGES.

When we come to the question of minor chapels and chaplaincies, we find ourselves confronted with a less difficult problem. Mr Wallace's view is that "in the Burgh, besides six chaplaincies, there were at least five and probably six chapels." Dr Ross's view, on the other hand, is that, "most of these churches might be found located within the walls of St Mary's Parish Church." There is undoubtedly considerable force in Dr Ross's remark that "the idea of seven separate chapels in the town of Inverness, with a population of 2000 or 3000, seems rather over-doing it, when the poor vicar could not keep the main building in repair nor the rain off the altar." It is necessary, I think, in approaching this matter not to lose sight of the exact meanings of the words "chapels" and "altarages." If we bear in mind that the word "chapel" is the strictly accurate word to use as describing a recess in the aisle of a church used for public worship, and generally devoted to the name of some saint, the view of Dr Ross is strongly supported. Altarages, being merely small endowments for the maintenance of a priest to perform divine service at an altar on behalf of the soul of the founder or some of his deceased friends, can never be construed into meaning a separate building outside of the particular church which contains them. In considering the chapels and chaplaincies in Inverness, I therefore eliminate all altarages. I do not think we can safely conclude that any of the chaplaincies referred to as existing in Inverness at the time in question

were buildings situated outside the precincts of a particular church, unless we find in the references to these chaplaincies qualifying words capable of carrying a different construction.

I purpose, in view of the above remarks, merely to itemise the various altarages referred to in the old documents. There are many references to them not without interest. They are as follows :—

- (1) The Altar of the Holy Rood, afterwards referred to as “the Altar of the Holy Cross.”
- (2) The Altar of St Catherine.
- (3) The Altar of St Michael the Archangel.
- (4) The Altar of the Blessed Virgin Mary.
- (5) The Altarage of St John the Baptist, and
- (6) The Altar of St Peter.

The chaplaincies referred to are as follows :—

- (1) Chaplaincy of the Holy Cross.
- (2) Chaplaincy to the Altar of St Michael the Archangel.
- (3) Chaplaincy to St Peter.
- (4) Chaplaincy of St Catherine.
- (5) Chaplaincy of St Mary of the Green, and
- (6) Chaplaincy of the Choir of the Parish Church.

All the altarages and three of the chaplaincies, viz. St Michael's, St Peter's, and St Catherine's are specifically referred to as within the Parish Church.

In 1481 we find the following statement : “ Of new have erected a perpetual chaplaincy in the Parish Church of Inverness to the Altar of St Catherine in the same.” Similarly in 1461 we have a reference to “ a perpetual chaplaincy in the Parochial Church of Inverness to the Altar of St Michael the Archangel.” It is therefore clear, I think, that the above-mentioned altarages and chaplaincies are not separate

subjects. The "Chaplaincy" is merely a reference to a position or office. I mention this in view of Mr Wallace's remark dealing with St Catherine's Chapel: "But it is not an uncommon thing to have a Chapel and a Chaplaincy in a parish church." As regards St Catherine's Chaplainship, I quote but a single reference among many supporting the view I advance. As late as 4th December 1543 there was an induction to the office of St Catherine's Chaplainship and investment with all the pertinents thereof, and the further statement is added: "These things were done within the Parish Church of Inverness," in presence of certain persons whose names are given. Had there been a separate Chapel of St Catherine, I doubt not that the above induction would have taken place within the building in which the chaplain was to officiate. I cannot find a single reference in terms to the "Chapel" of St Catherine. A reference to "the land of St Catherines" or "the land of the Chaplaincy of the Holy Cross" does not in the least help to expiscate a doubtful site. The land was merely the holding, no matter where situated, from which the necessary funds were derived to found and continue a service within the parish church.

My endeavour throughout has been honestly to search for and welcome whatever may throw light upon a difficult question, and I therefore include the following, although apparently, but not really, antagonistic to the position I have taken up. In 1523 the Bishop of Moray prescribed to the ecclesiastics their various duties and offices. He states: "Moreover the said Chaplains of the Altars of the Holy Cross, the Blessed Virgin Mary, and of St Peter, St John, St Catherine and St Michael, each and all shall be bound for himself and his successors, to reside personally in their chaplaincies in foresaid church." I need hardly say that the words "reside personally" are used in the ecclesiastical sense of personally officiating.

There still remain for consideration the Chapel of St Mary of the Green, the Chapel of St Thomas, and the Chapel of St Giles.

The Chapel of St Giles is outwith the scope of *Invernessiana*, and I do not venture to express any opinion.

I entirely agree with the views Mr Wallace has expressed as regards the undoubted existence and approximate site of St Thomas' Chapel.

As regards the Chapel of St Mary of the Green,¹ I believe this to be another name for what we now know as St Mary's of the Chapel Yard, and that the Chaplaincy of St Mary of the Green was a foundation within St Mary's of the Chapel Yard, there being no qualifying words thirling this chaplaincy to the Parish Church. This view certainly gets over an undoubted difficulty, viz. that, to use Dr Ross's words, "some of the lands of the Virgin Mary le Green are described as on the east side of the Ness between the Scatgate and the river; others as on the west side."

THE BURIAL-GROUND.

It is somewhat surprising that in a burial-ground of such undoubted antiquity as the Chapel Yard, the earliest extant decipherable monument, which takes the form of a plain recumbent slab, dates no further back than 1604. The inscription is as follows: "Here lies the bodie of a pious and vertuous gentlewoman called Hester Eliot spouse to Master Alexander Clerk, minister of Inverness, and second lawful daughter to the verie honourable Robert Eliot of Lauristown in Liddesdale, and Lady Jean Stuart, third lawful daughter to Francis, Earle of Bothwell. She departed this life upon the 3rd September in the year of God 1604 years. Now she is with her

¹ Since the reading of this Paper the "Burgh Records of Inverness" have been published. I find that the joint Editors have reached the conclusion, in regard to the Chapel of the Green, advanced by me. The Records mention also the "Chapel of the Brig End," which is not referred to in any of the documents here examined. Mr William Mackay in his Introduction to the Burgh Records has, by wrongly inserting a comma, misread one of the old minutes and has added another chapel to the long list already enumerated. The "Ravelstrie" which he classifies as an additional chapel was simply the vestry, or a similar building, connected with the Parish Church.

Saviour at peace, who is the Resurrection and the Life with whom she is to appear in glory. Here lies Alexander Clerk some time minister in Inverness who departed the 13th September 1635."

To use the words of Charles Fraser Mackintosh, few in Inverness are aware that a great grandniece of Queen Mary, and of the blood royal through her great grandmother Lady Jane Hepburn, lies buried in the Chapel Yard.

Many of the mural monuments are so defaced as to be utterly irrecongnisable, and those that have escaped natural decay and the vandalism of a former day are shorn of much of their original beauty.

In comparison with many of our southern churchyards the Chapel Yard contains singularly few examples of rhyming epitaphs. I have noted the following:—

(1) "Here lyes an honest woman Anna Cox sometye spouse to James Ritchie burgess of Inverness—she departed January 22nd 1673.

"Aske thou who lies beneath this space so narrow
I'm here to-day,—you may be here to-morrow.
Dust as to dust—our mother earth must have it.
The soul again returns to God who gave it."

(2)

"Mourn not for me my children dear.
I am not dead but sleeping here.
My debts are paid ; my grave you see,
Wait for a while, you'll follow me."

(3) "Here lies consuming in the peaceful dust all that is mortal of Margaret M'Grigor spouse to Finlay Campbell Deacon and Burgess of Inverness, who departed this life on 28th October 1817, aged 63 years. This stone is placed over her remains as a tribute due to his most dutiful stepmother by Donald Campbell," etc.

"If nature's charmes with virtue joyned
Could stop death's fatal blow,
She had not died whose body lies
Interred this stone below."

I did not come across a single Gaelic inscription or epitaph, and a Latin inscription appears only on one stone, a recumbent stone placed over the grave of George Forbes, Notary Public, Messenger in the Burgh, who died in 1721.

The Inverness Kirk-Session Records show that, on 26th November 1771, "An account was presented to the Session by the Kirk Officer amounting to five shillings sterling for levelling a part of the Chapel Yard for the Communion Tables,—for five days work to two men."

On 19th March 1792 the Session, considering that a new church was to be built, appointed intimation to be given that on the second Sabbath of April, the eighth day of the month, public worship was to be performed in the Chapel Yard.

Maclean, the Inverness nonagenarian, whose reminiscences (published in 1842) concerning events within the knowledge of those alive in his own day, are trustworthy, states that after the entry of the Duke of Cumberland into Inverness, the Chapel Yard was used by his troops as a place for enclosing the cattle which they drove away from Lord Lovat's estate in the Aird.

Provost Inglis, writing in 1795, states: "I remember an old arched gateway which led into the burying-ground called the Chapel Yard. On this old arch was inscribed *concordia res parvæ crescunt*." There is now no trace of any such archway.

In introducing the following examples of monumental art, I have endeavoured to make a selection of those only which I consider are of real interest. There are numerous stones of early eighteenth-century work bearing the well-known symbols of the skull, cross-bones, cross-spades, coffin, hour-glass, and bell; the not uncommon arrangement of a central heart flanked by initials and surmounted by a date; a few trade symbols such as the tailor's goose and scissors and the smith's hammer and anvil; a crown with crossed sword and scabbard; crude spelling and lettering, and the invariable legend *memento mori*. Fig. 1 is an interesting example in which the various emblems are carved in unusual positions. There are also numerous examples of heraldic work, but these latter have already been brought under the notice of this Society. (See *Proceedings*, vol. xxxvi. pp. 724-732.)

The stirring times of the "'Forty-five" are recalled by a simple mural

tablet on the south wall commemorating the death of Captain Jackson of Brigadier Houston's regiment, and by an interesting stone containing a heraldic design in addition to the usual mortuary emblems, commemorating the death of Captain Campbell of the Argyll Militia, who died of wounds received at Culloden. At a distance of a few feet on the same wall there is a monument of more than usual importance (fig. 2). Unfortunately identification is impossible, the



Fig. 1. Gravestone with Emblems arranged as a Border.

entire lettering, with the exception of a few of the letters of the words *memento mori* on the upper left-hand panel, being worn away. There are slight indications of a monogram on the upper left-hand panel, similar in character to the very distinct monogram within the ornamental triangle at the top. The lower right-hand panel appears to be divided into two portions, the upper of the two containing slight traces of lettering, and on the lower appear, with fair distinctness, the usual symbols of mortality. In the space between these

two panels again appear traces of the words *memento mori*. I was able to obtain no information of the person or persons in whose



Fig. 2. Mural Monument, unidentified.

memory this monument was erected. No date appears on any part of the structure; but as the carving, particularly the little figure in



Fig. 4. Monument of Alexander Monro, Smith.

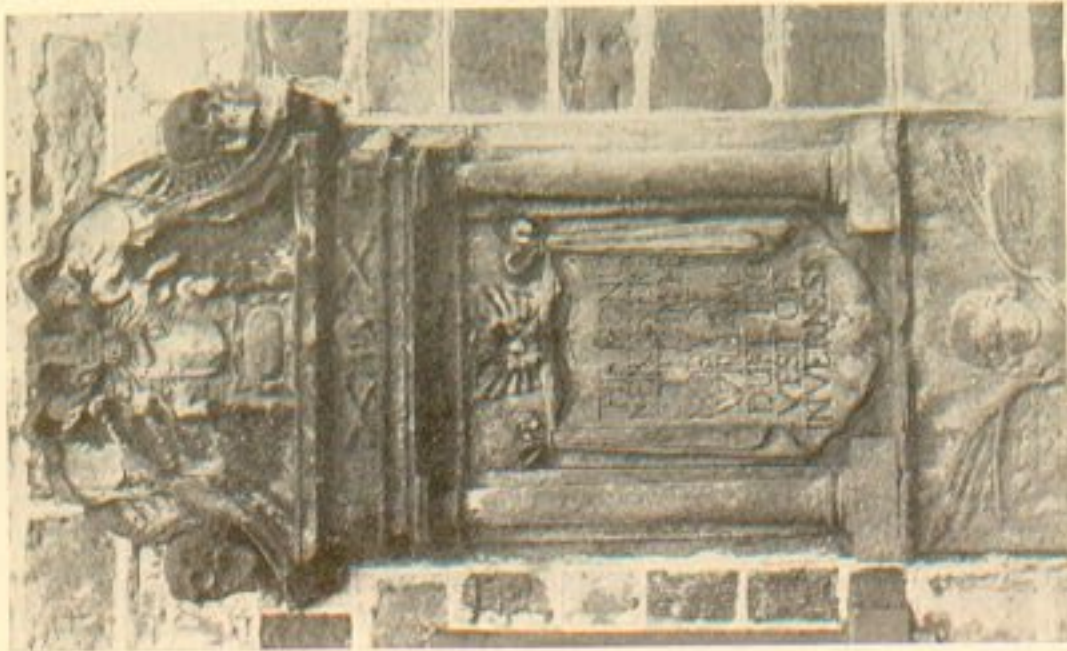


Fig. 3. Monument of Provost Duff.

the triangle at the top, bears a close resemblance to a monument on the east wall bearing the date 1674, we may fairly assign the one under consideration to about the same period.



Fig. 5. Doorway of the Macleod Tomb.

Still further along on the same wall is an interesting monument erected in memory of William Duff, Provost of Inverness, who held office about the end of the seventeenth and beginning of the eighteenth centuries (fig. 3).

On the east wall is the "Burial place appointed to Alexander

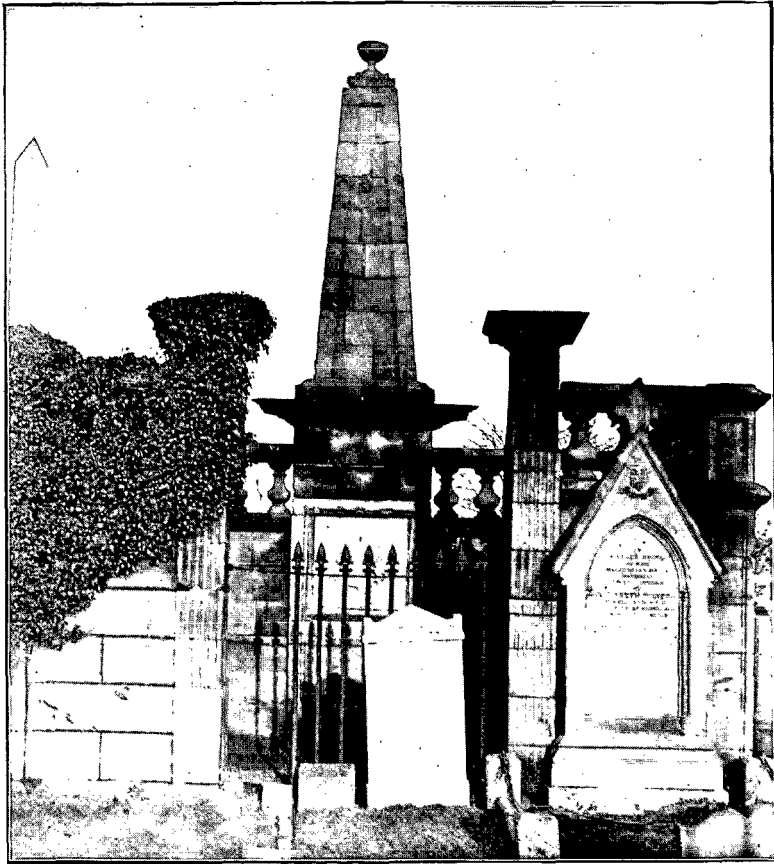


Fig. 6. The Macleod Burying-Ground.

Monro, Smith," containing the usual emblems of the trade of a smith (fig. 4).

The family of Macleod of Dunvegan was closely associated with

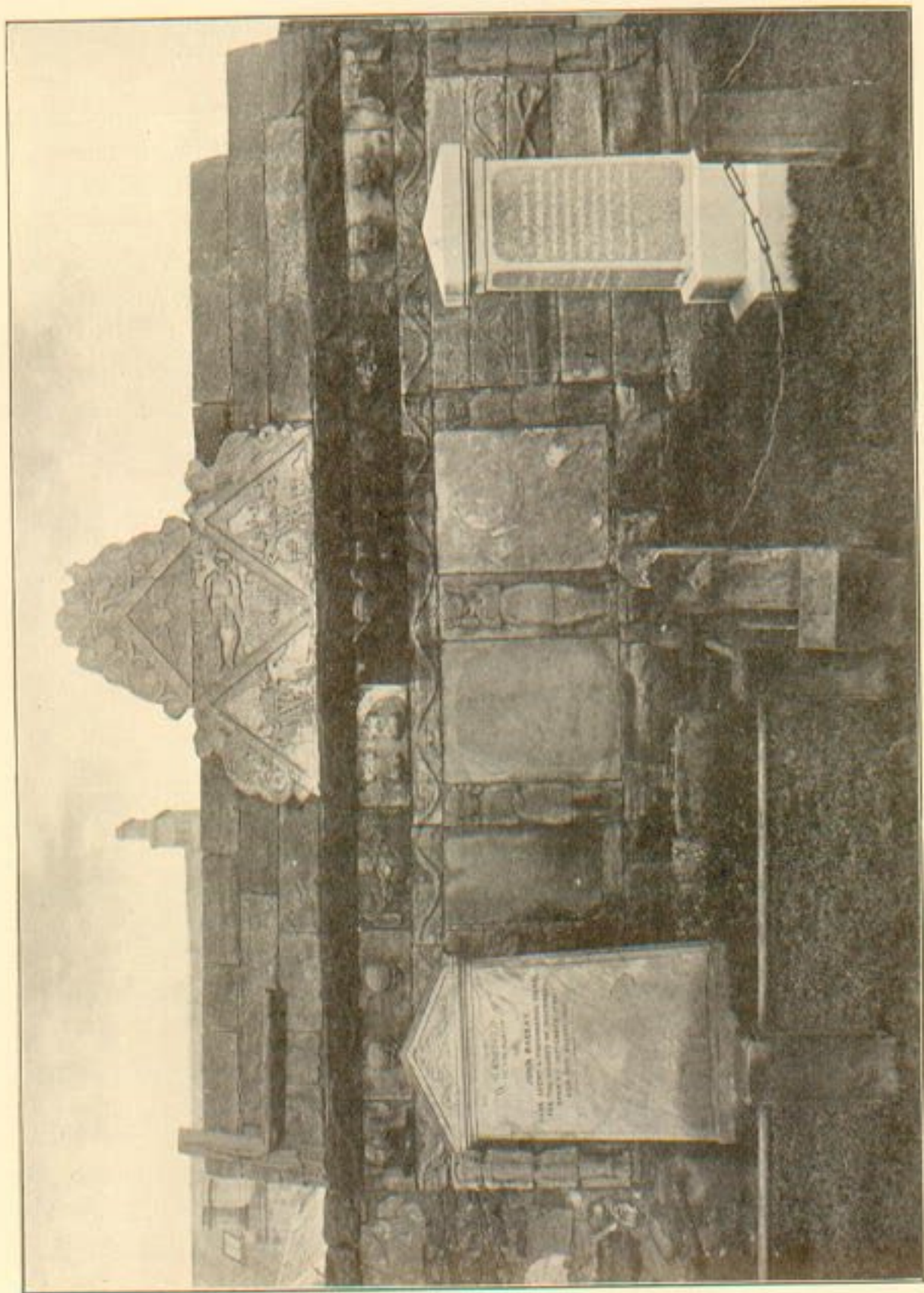


Fig. 7. Mural Monument, 1674.

the town of Inverness. When subscriptions were called for in order to erect the old stone bridge over the Ness in 1685, which was subsequently carried away by a great flood in 1849, the Chief of that day was one of the leading contributors. The Macleod burying-ground in the Chapel Yard is to-day an imposing structure, and in "Nonagenarian's" recollection it appears to have been a much more substantial and handsome building (figs. 5 and 6).

Curiously enough, within the Macleod enclosure there is a stone to the memory of a Macdonald, a member of a clan against whom in early days the family of Dunvegan waged perpetual warfare.

My last illustration, and the most interesting, is of a monument on the east wall, bearing the date 1674 (fig. 7). Time has dealt gently with this memorial, but not so the burghers of Inverness. As will be observed in the illustration, two modern tombstones have been erected in front of a portion of the ornamental work on both sides, one close up to the face of the monument. The tablets in the centre show signs of deliberate defacement, and on the centre tablet are incised the initials J. M. and the date 1833. A considerable portion of the lettering is readable to-day, and "Nonagenarian," who had been interested in the old monument, furnishes us with the missing links. Originally, one of the centre tablets bore the following inscription, "Here is the burying place of Thomas Watson Burgess of Inverness and Collector of the shire thereof and his spouse Anna Tayler with their children 1674." The following inscriptions appear on various portions of the structure :—

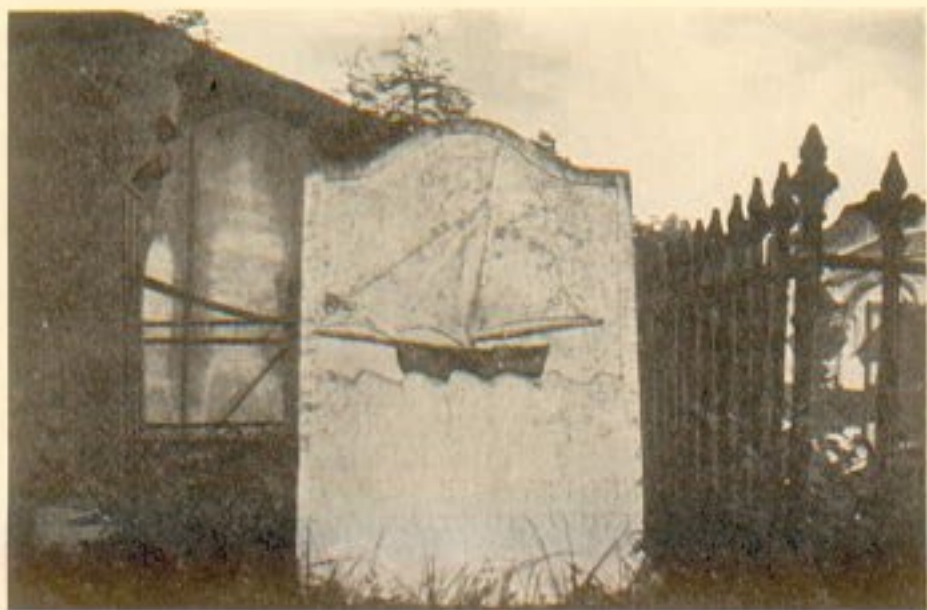
"True vertue doth mens praises sound
When they are lodged under ground."

"The saints shall shine as angels."

"Oh death where is they sting
O grave where is they victorie."



Figs. 8, 9, 10. In Kilmun Burying-Ground.



Figs. 11, 12, 13. In Kilmun Burying-Ground.

Hidden by the two modern stones are the following verses :—

“This emblem may to all disclose
Our beautie withers lyk the rose.
We live and die within ane hour
Lyfe quickly passes as a flower.”

“Un’neath this heap of carved stones
Lyes dust and ashes and dry bones
And when this monument is gone
True vertue will outlive alone.”

In close proximity to the north wall are the remains of two enclosures which have suffered considerable demolition since “Nonagenarian’s” day. These were erected in honour of two well-known families of Fraser. The date 1685 appears on each side of the entrance to one of these enclosures, and several of the small columns supporting what remains of the structure are elegantly carved, and, in addition, bear the usual symbols.

In closing these notes, it is a pleasure to add that the well-kept condition of the old Chapel Yard stands out in striking contrast to the ill-kept condition of many burial-grounds in other parts of the country.

KILMUN BURYING-GROUND.

This burying-ground, situated on the north shore of the Holy Loch, is well known as the place of sepulture of the Argyle family. According to Douglas, in his *Peerage of Scotland*, Sir Duncan Campbell, afterwards Lord Campbell, and grandfather of Colin, the first Earl of Argyle, is stated as the first of the family interred at Kilmun. The foregoing photographs (figs. 8–12) were taken by me on the occasion of a casual visit last autumn. No date appears on any of these stones. It is highly probable that they cover the remains of persons who could claim no right to use the devices represented. Their sole interest centres round the fact that they form a class of stones with “faked” heraldic designs. Fig. 13 is of a different order, and speaks for itself.