

## The earliest tolbooths: a preliminary account

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In May 1975 the burgh and the county ceased to serve as the main agencies of local government in Scotland, and, with their passing, architectural historians can usefully begin to take full stock of the buildings that were designed or adapted to meet the needs of these long-established local authorities. Municipal architecture is best represented by the tolbooth or town house which, being at the hub of the public life of the burgh, tended to epitomise the wealth, the self-esteem and the organisation of the community that it served. The vast majority of town houses in Scottish burghs are of 18th century and later date, and there are now only just over 20 surviving tolbooths that date either wholly or in part from the period prior to the Union of Parliaments in 1707. The limited aim of this brief account is to present their general historical and architectural background as an aid to the further study of this small but important group of early public buildings<sup>1</sup>.

Tolbooth or *tolloneum* literally means the booth, stall or office at which the tolls, duties and customs were collected; it was, in other words, the office of the tax- or customs-collector. The vernacular term first seems to appear in the later medieval period, and by the 16th century the tolbooth had also absorbed the meaning of the term *pretorium*, a council chamber or justice-seat<sup>2</sup>. Whatever its title, the building had by this time become in fact the usual meeting-place of the burgh council, the seat of the burgh court, as well as doing service as the burgh prison.

The construction and maintenance of the tolbooth was the responsibility of the burgh magistrates; expenditure on the building generally came out of the Common Good or from stents, and usually appears in the 'common works' section of the burgh accounts. It was not unknown for burgesses to carry out common works in person, and in early 15th-century Aberdeen, for example, the town council resolved that every man in rotation should give a day's labour for the construction of the *pretorium* or should commute his services to a payment of 4d<sup>3</sup>. The standard method of performing these works, however, was by the burgh treasurer making direct payment from his general revenues for materials, equipment and craftsmen's wages. The burgh treasurer's accounts can thus furnish details about the building or repair of the tolbooth, and the council minutes might include reference to tenders for building-contracts<sup>4</sup>. Like the burgh court books, they might also contain other indirect mention of the tolbooth, the very building in which the records were being compiled and kept.

In accordance with its importance in municipal government, the tolbooth usually occupied a central position in the layout of the burgh, often in the principal street and adjacent to the market-place. The external appearance of the building was also a matter of civic pride and prestige, and among the richer and more pretentious burghs there was a natural desire to possess a building that was up to the minute in the architectural fashions of the day. The earliest surviving tolbooths which, with the possible earlier exception of a portion of the building in Crail, date from the second half of the 16th century, are akin to contemporary tower houses in their general

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character and proportions. During the following century tolbooths gradually assumed a more formal and carefully architected Classical appearance, hence the quality and dignity of the successive town-houses designed for Linlithgow, Stirling and Dumfries. So far as sheer architectural splendour was concerned, however, the earlier and perhaps trend-setting tolbooth in Glasgow seems to have had the edge on its rivals. In the eyes of one traveller this was 'a very sumptuous, regulated, uniform fabrick, large and lofty, most industriously and artificially carved from the very foundation to the superstructure, to the great admiration of strangers and travellers . . . this state-house, or tolbooth, is their western prodigy, infinitely excelling the model and usual built [*sic*] of town-halls; and is, without exception, the paragon of beauty in the west; whose compeer is no where to be found in the north, should you rally the rarities of all the corporations in Scotland'<sup>5</sup>. Of the object of this lavish praise only the lofty seven-storeyed steeple now remains, bereft of the main block which was demolished in 1921.

Whatever its outward appearance and decorative trappings, the tolbooth was essentially a functional building, and specific public requirements governed its design and layout. Whilst accommodating various public utilities such as the town guard-house and weigh-house, the tolbooth's principal functions were expressed architecturally by three major components: the tower or steeple; the council chamber block; and the common prison.

Apart from serving as a conspicuous symbol of municipal authority, the tower or steeple normally housed the town's bell and sometimes a clock; and a proportion of the earlier tolbooths, as well as some later town houses, still retain their 16th- and 17th-century civic bells, either re-cast or in their original form. The idea of a civic bell-house and the use of a bell in the organisation of the affairs of the merchant guild in Scottish Berwick went back at least to 1284 when it was ordained among their statutes that the guild brethren be summoned together by the ringing of a bell 'in Berefredo' (the bell-house); similarly, in 1424 the provost and bailies of Aberdeen mentioned the custom of convening meetings in the town house at the sound of a bell<sup>6</sup>.

Although the towers of the earliest tolbooths share some of the characteristically massive and apparently defensive features of contemporary tower houses, it is difficult to know whether this was a deliberate attempt to create a municipal place of strength, or was, as seems more likely, just simply an all-pervading form of prestigious building in the 16th century. Moreover, it is not always clear whether these towers were originally conceived as self-contained, free-standing units. But, whatever its origins, by the later years of the same century the tolbooth tower had generally become an integral part of a larger design, attached to a lower, horizontally-planned council chamber block.

This main block, or 'council house', contained the main public meeting-rooms and offices: the council chamber itself, the burgh court room, the clerk's offices, and the strong-room. It was generally two or three storeys in height, although Glasgow's rose to no less than five. The principal rooms were usually on the first floor, where they might be reached directly by an external forestair. This tolbooth stair was, like the mercat cross, a venue for general proclamations, and subjects that were being disputed within were sometimes brought and tethered to the stair or tolbooth door until the issue was settled<sup>7</sup>. The forestair appears to have been most commonly of stone construction, and in one recorded commotion in Paisley in 1605 'sundrie stanes of the Tolbuithe stair were dung doune' when some recalcitrant criminals fiercely resisted arrest<sup>8</sup>.

The interiors of the main public rooms were usually well appointed, being decorated in fashionable style with painted ceilings or later with panelling and plaster ceilings. Some provision was also made for the storage and display of civic plate and ceremonial insignia. In the absence of a consistent series of detailed measured drawings, however, there is still much to be learnt about the disposition and relative sizes of the various rooms. The council chamber would

customarily be relatively large and spacious, but some court rooms were of much more modest dimensions. A specimen examined in South Queensferry, for instance, was found to be only about 10–12 feet (3.0–3.6 m) square on plan and contained an open balustraded screen<sup>9</sup>.

The court room in the tolbooth of the chief burgh of the shire also came to serve as the meeting-place of the county sheriff courts as well as of the burgh courts. By the early 16th century the sheriff court of Fife was being held regularly in the tolbooth of Cupar, but not all county towns possessed a tolbooth at this date<sup>10</sup>. In Edinburgh the old tolbooth was pressed into service for the nation, not only for the burgh and shire, and was a meeting-place of the Lords of Session and the Scottish Parliament. In 1560 the provost and bailies recorded their 'gret inquietatioun that thai haif had in tymes past within the tolbuith of this burgh for laik of room to minister justice and to do thair other effairs at all sic tymes quhen the sessioun did sit, or quhen other courttis and convocationis war in the samyn'<sup>11</sup>. They accordingly partitioned off the interior of the nearby church of St Giles to provide room for a school and municipal offices, including a prison-house, until such time as new accommodation could be provided.

From their earliest association with the administration of justice, tolbooths had probably always included some arrangements for imprisonment or warding, and a record of 1480–1 relates to the fact that one of the 'booths' or shops on the S side of Edinburgh Tolbooth had been converted into a prison<sup>12</sup>. Two of the earliest parliamentary statutes concerning prisons date from 1487 and 1528, but refer only to the custody of criminal prisoners who were awaiting trial by the Crown<sup>13</sup>; these persons were detained either in royal castles or in the ward of the sheriff, probably sometimes in his own house at the Crown's expense. It is reasonable to infer that the place of imprisonment would tend to follow the location of the sheriff court which, as we have already noted, had by this time moved into the tolbooth of some county burghs. Common or burgh prisons are, however given special prominence in a series of Acts, culminating in that of 1597 which placed the responsibility for the erection and maintenance of prisons throughout the kingdom in the hands of the burghs, more especially the royal burghs<sup>14</sup>. The 1597 Act ordained that 'within the space of thre yeiris in all brughis within this Realme thair be sufficient and sure iailles and wardhouses begged uphaldin and mantenit be the proveist bailieis counsall and communities of the saidis burrovvis vpoun thair awin commoun gude or vthairwyis vpoun chairgeis of the brught'. The costs of detaining all persons were to be borne by the burghs; the burghs were also obliged to receive those malefactors presented to them by the sheriff of the shire or by the stewards or bailies of the regalities within which the burghs were situated, and to receive other persons who presented themselves for ward. The burghs also became responsible for the safe custody of debtors, and, in the event of a debtor escaping, became liable for the debts for which he had been imprisoned.

In the light of these measures, the tolbooth prison, the principal gaol within the burgh, came to assume considerable importance from the later 16th century onwards, and the problems of burgh prison accommodation became increasingly acute. In Edinburgh much of the old tolbooth was given over to use as a common prison from after 1560 until its demolition in 1817, the municipal offices having meanwhile moved to another tolbooth before finally finishing up in the present City Chambers, which had been originally designed as the Royal Exchange<sup>15</sup>.

For reasons of security the prison cells in many of the tolbooths were ranged along the top floors, sometimes immediately above the municipal council chambers and offices. Prison accommodation might also be provided in the steeple, and somewhere in or near the darkest recesses of its basement was the dreaded condemned cell, the 'nether hole' or 'black hole', which had only the minimum of light, ventilation and sanitation. In some cases cells were disposed on the ground floor of the council chamber block, each having separate external access. But the

disadvantages of ground-floor cells were pointed out by the magistrates of Dumfries when extending their tolbooth prison in 1579; they preferred the general prison to be in the middle or upper part of the building 'considering that the ground quhairon the hail hous sould be biggit is sandy and sternerie, quhair the prissoneris may werk under the wall and undermyne the samyn, and sa eschaip'. It was also easier for the prisoners to obtain effective assistance from outside<sup>16</sup>. Other shortcomings in the security arrangements of the multi-purpose tolbooth were summed up in the complaint of the councillors of Inverkeithing in about 1695: 'the outer room of the Tolbooth is now frequently taken up with prisoners so that the door cannot be opened to meetings of Counsell or other publick occasions without the hazard of prisoners escape(*sic*) or some other inconvenience'<sup>17</sup>. Escapes were not uncommon<sup>18</sup>, and problems of overcrowding and expense brought to light other extraordinary facets of tolbooth prison life. On 31 December 1695 the magistrates of Ayr seemingly found it necessary to enact that 'prisoners within the Tolbuith [be] dischargit from holding any feasting, treat or banquet within the prison; and that no persons above the number of one shall be allowed to dine or sup with any such prisoner'<sup>19</sup>.

The inadequacies of the burgh tolbooth prisons provided much of the impetus for the later attempts at prison reform, mainly from the later 18th century onwards. From 1661 the County Commissioners of Supply had been empowered to erect county prisons under local Acts and out of county funds, but the burghs were not finally relieved of their major share of responsibility until the Prisons Act of 1839, which vested powers and duties in a General Board of Directors of Prisons in Scotland with the assistance of local County Boards<sup>20</sup>.

## NOTES

- 1 General architectural accounts are contained in D MacGibbon & T Ross, *The Castellated and Domestic Architecture of Scotland*, v (1892), 98–129; I G Lindsay in G Scott-Moncrieff (ed), *The Stones of Scotland* (1938), 78–82; and J G Dunbar, *The Historic Architecture of Scotland* (1966 edn), 200–2. Other published descriptions of individual buildings are listed in an appendix to this article.
- 2 *Aberdeen Burgh Recs*, cxxiv–cxxv and refs cited.
- 3 *Ibid*, 238.
- 4 *Ayr Burgh Accts*, liv–lvii, xci–xcvi. For other funding operations and contracts see eg *Lanark Recs*, 49–50, 62, 64–5, 67, 69–70 (Lanark Tolbooth, 1570–6), and *Glasgow Burgh Recs* (1573–1642), 8, where reference is made to the £20 'entres siluer for ane lyferent tak' payable by lessees of the booths to the burgh treasurer, the sum to be 'bestowit vpon the mendyng and reparying of the tolbuyth and to na vther vse'.
- 5 P H Brown, *Early Travellers in Scotland* (1891), 191 (Richard Franck, c 1656).
- 6 *Acts Parl Scot*, i (1124–1423), 434 (red), c 17; 436 (red), c 32; & 437 (red), c 47 (dated 1284); *Aberdeen Burgh Chrs*, 318 '... ad sonum campane ut moris est in domo communi.'
- 7 *Fife Court Bk*, xix–xx, 37, 56, 209 & 217 (cf also *ibid* 62, 191, 222).
- 8 *Paisley Burgh Chrs*, 282. *Ayr Burgh Accts*, 261 refers to a payment of £9 2s made to Andrew Morris, mason, for rebuilding part of the tolbooth stair at Ayr 'blawin doun be storme of weddir' in 1615–16.
- 9 *Castellated and Domestic Architecture*, v, 112.
- 10 *Fife Court Bk*, xix, notes 4–5 and refs cited, especially *Annals of Banff*, 23 and note. The surviving tolbooths at Maybole and Stonehaven are known to have been adapted from other uses, and note also the circumstances that led to the construction of the tolbooth at Clackmannan, *Acts Parl Scot*, iii (1567–92), 582–3, c 83.
- 11 *Edinburgh Burgh Recs* (1557–71), 66.
- 12 *Edinburgh Burgh Recs* (1403–1528), 39 'The sext buith is maid a presoun'.
- 13 *Acts Parl Scot*, ii (1424–1567), 177, c 6, & 331, c 8.
- 14 *Ibid*, iii (1567–92), 86b (1574); 576, c 69 (1592); *ibid*, iv (1593–1625), 42b (1593); & 141, c 44 (1597). For commentary on these pieces of legislation see Sir George Mackenzie of Rosehaugh, Lord

- Advocate, *Observations on the Acts of Parliament* (1686), 302–3, and the *First Report of the General Board of Directors of Prisons in Scotland* (1840), 2–5.
- 15 There is an extensive literature on the history of the tolbooth of Edinburgh: P Miller, The origin and early history of the old Tolbuith of Edinburgh . . ., *Proc Soc Antiq Scot*, 20, 1885–6, 360–76; R Miller, *The Municipal Buildings of Edinburgh* (1895), 9–69; J A Fairley, The Old Tolbooth: with extracts from the original records, *Old Edinburgh Bk*, 4, 1911, 75–144; 5, 1912, 95–156; 6, 1913, 107–58; 8, 1915, 101–58; 9, 1916, 115–76; 11, 1922, 21–74; 12, 1923, 157–208; H F Kerr, The old tolbooth of Edinburgh, *Old Edinburgh Bk*, 14, 1925, 7–24; RCAMS, *Inventory of Edinburgh* (1951), no 80 (and for the City Chambers see *ibid*, no 23); J Neild, *State of the Prisons in England, Scotland and Wales* (1812), 187–96; and not forgetting Sir Walter Scott’s imaginative account of ‘The Heart of Midlothian’ and its inmates as it probably appeared in 1736 when the mob entered the building and extracted their hapless victim, Captain Porteous.
- 16 *Reg Privy Council*, iii (1578–85), 129.
- 17 Cited by W Stephen, *History of Inverkeithing and Rosyth* (1921), 26.
- 18 Eg *Aberdeen Council Register* (1643–1747), 285–6 (for a particularly spectacular escape in 1673); *Lanark Recs*, 258 (1695); and see above, note 16.
- 19 Cited by J Paterson, *History of the County of Ayr*, i (1847) 194.
- 20 *First Report of the General Board of Directors of Prisons in Scotland* (1840), 1–48. Descriptions of early 19th-century conditions in some of the outmoded tolbooth prisons are also included in Neild, *op cit*, at eg 1–3, 11, 175, 187–99, 202, 226–7, 238–41, 291–2, 299, 340, 384, 405 & 501.
- 21 This list includes only those tolbooths of which some recognisable and reasonably well authenticated portion of the architectural fabric still survives. It does not take account of the numerous municipal buildings whose claim to antiquity now rests mainly on tradition, or on the survival of architectural fragments (eg, Inverbervie, Fyvie, Kinross, Kirriemuir). Long-demolished examples, of which some reliable architectural and historical records have been made, have also been excluded here (eg, Edinburgh, Forres, Hamilton, Inverness, Irvine, Kinghorn, Leith, Nairn, Renfrew).

#### APPENDIX: a provisional list of extant tolbooths of pre-1707 origin<sup>21</sup>.

##### *Aberdeen* (NJ 943063)

Engulfed within the 19th-century municipal and county offices is a five-storeyed tower with battlemented and turreted parapet, the ‘warehouse’ built under contract by Thomas Watson, mason, 1615–16. Steeple above with balustraded parapet commenced 1622 utilising freestone from Dundee district; work on the spire was undertaken in 1629–30 (repaired 1648, and renewed after 1839).

*Aberdeen Council Register* (1570–1625), 320–1, 330, 331, 334, 338–44, 358, 376–7, 379; *ibid*, (1625–42), 24–5; *ibid*, (1643–1747), 227–8; Neild, *op cit*, 1–3; J Rettie, *Aberdeen Fifty Years Ago* (1868), 63–73.

##### *Canongate* (NT 267739) (pl 42a)

Four-storeyed, angle-turreted tower with panel dated 1591 containing the initials of the superior of the then newly-promoted burgh of regality. The smaller of the two bells in the bell-chamber is dated 1608, and until about 1880 the conical roofs of the tower and its turrets were covered with oak shingles. Adjoining to the E is the near-contemporary two-and-a-half-storeyed Council chamber block with oriel window and realigned forestair. Some clues to the earliest disposition of meeting-rooms, offices and cells, and original internal features include nail-studded door and sections of painted ceiling.

Neild, *op cit*, 197–9; J A Smith, Notice of the shingled roof of the tower of the Canongate Tolbooth, Edinburgh, *Proc Soc Antiq Scot*, 9, 1870–2, 162–7; J MacKay, *History of the Burgh of Canongate* (1891), 180–3; *Cast and Dom Archit*, v, 103–6; RCAMS, *Inventory of Edinburgh*, no 105; NMRS, measured drawings (dated 1874–5 ‘City Chambers, Edinburgh’), EDD/38/1–8.

##### *Clackmannan* (NS 911918)

Tolbooth constructed some time after 1591, and by 1795 had become what was described as ‘a heap of ruins’, although the sheriff still sometimes held his courts there at that time. Surviving remains comprise only the W tower and the gable of the adjacent hall-block.

*Acts Parl Scot*, iii (1567–92), 582–3, c 83; *Stat Acct*, xiv, 608 & note; RCAMS, *Inventory of Fife, Kinross and Clackmannan*, no 607; NMRS, measured drawings (1944), CLD/7/1–4.

*Crail* (NO 613078) (pl 42b)

An early date of 1517 has been claimed for the lower part of this sturdy, rubble-built tower but it may equally correspond with the tolbooth construction authorised in 1598. Burgh armorial panel dated 160(2) in re-use, and a bell dated 1520. The upper stages of the tower and the pagoda-like belfry date from 1776; the adjacent two-storeyed Council chamber block of 1814 probably replaces an earlier building of similar purpose.

*Cast and Dom Archit*, v, 117; E Beveridge, *The Churchyard Memorials of Crail* (1893), 270 & note; NMRS, measured drawing (copy of survey-drawing of 1950s), FID/72/1.

*Culross* (NS 985859) (pl 43a)

Of 17th-century origin, but transformed into a symmetrical two-storeyed block and central tower added 1782. Early details include a 1626 datestone in re-use, a hatchment dated 1637, and portions of two open-beam painted ceilings. Remodelled interior contains some evidence of earlier layout.

*Cast and Dom Archit*, v, 117–9; RCAMS, *Inventory of Fife*, no 158 (7); M R Apted, *Painting in Scotland from the 14th to the 17th centuries* (Unpubl Edinburgh Univ PhD thesis, 1964), ii, 278; plans of painted ceilings in NMRS, FID/81/1–2.

*Dalkeith* (NT 333674)

Oblong symmetrical-fronted building of two main storeys set above a range of subterranean cells. Pedimented doorway with Buccleuch armorial in tympanum and 1648 datestone above, but otherwise of later appearance.

RCAMS, *Inventory of Midlothian*, no 77; NMRS, measured survey-drawing (1958–9), MLD/26/1–2.

*Dingwall* (NH 549587)

Symmetrical two-storeyed oblong block which, like Culross, has centrally-placed tower flush with main frontage. Of 17th-century origin but substantially remodelled 1732–3, altered 1782, and gaol finally declared unfit to receive criminal prisoners in 1830.

*Cast and Dom Archit*, v, 102–3 (includes measured elevation); N MacRae, *Romance of a Royal Burgh: Dingwall's Thousand Years* (1923), 215, 247, 251–2.

*Dumfries* (NX 972761)

Stylish three-storeyed town house known as the Mid Steeple built by Tobias Bachop of Alloa, 1705–7. Upper three stages of the NE tower topped by a prominent flèche, and on the opposite end-wall there are carved panels and an external forestair with an attractive wrought-iron balustrade. The predecessor of this building was demolished in or after 1719, but at the end of the same century a prison, possibly the tolbooth annexe of 1579–83 (see above, note 16), still stood 'nearly adjoining' the town house.

W MacDowall, *History of Dumfries* (1867), 537–42; W R McDiarmid, Notes on the Old Town Hall of Dumfries, commonly called the Mid Steeple, *Proc Soc Antiq Scot*, 20, 1885–6, 186–90; *Cast and Dom Archit*, v, 127–8; R C Reid (ed) in R Edgar, *An Introduction to the History of Dumfries, c 1746* (1915), 42–4, 147–8; RCAMS, *Inventory of Dumfries*, no 127 (unpublished plans included among drawings in NMRS, DFD/61/1–2).

*Dunbar* (NT 679789) (pl 43b)

Three-storeyed oblong main block with gabled crowsteps on S gable; principal external feature is the extruded semi-hexagonal tower and spire. Externally the building retains much of an early 17th-

century character, and has been ascribed to c 1620. Inside, the ground floor is vaulted, and in the former Council chamber are a pair of painted wooden panels, the earlier of which is dated 1686. In the early 19th century Neild found two (unoccupied) cells here 'in the filthiest state imaginable'. Neild, *op cit*, 175; *Cast and Dom Archit*, v, 113; RCAMS, *Inventory of East Lothian*, no 24; H Mackay, 'The armorial panels of Dunbar town-house', *Trans E Lothian Antiq Soc*, 11, 1968, 12–16; NMRS, measured drawings (nd), ELD/39/1–4.

*Dysart* (NT 303932) (pl 44a)

Building of new tolbooth agreed upon 1575, and existing square tower dated 1576. Extruded angle-turret and forestair with 1617 armorial panel; 18th-century upperworks and later Council chamber block. (W Muir), *Notices from the local records of Dysart* (1853), 38; *Cast and Dom Archit*, v, 118; RCAMS, *Inventory of Fife*, no. 225.

*Glasgow* (NS 596649) (pl 44b)

Seven-stage steeple capped by turreted parapet, open crown and spirelet is all that now remains of the grandiose five-storeyed tolbooth that was erected 1625–7, extended in two stages between 1735 and 1760, redesigned in 1814, and finally removed in 1921.

*Glasgow Burgh Recs (1573–1642)*, 349, 351–3, 361–2, 366, 374; J M'Ure, *A view of the City of Glasgow* (1736), 255–6; J Denholm *The History of the City of Glasgow* (1804 edn), 187–8, 191–3; Neild, *op cit*, 238–41; G Neil, 'A few brief notices of the old Tolbooth at the Cross of Glasgow . . .', *Trans Glasgow Archaeol Soc*, 1 ser, 1, 1868, 8–28; *Cast and Dom Archit.*, v, 121; A Gomme & D M Walker, *Architecture of Glasgow* (1968), 43–4, 51–3.

*Inverkeithing* (NT 131829)

Lower stages of square pedimented tower contains prison-cell; it has been attributed to the 17th century, and a pre-1608 date has even been suggested. Thoroughly refaced in the 18th century, upper stages of tower with octagonal belfry 1754–5, and remainder rebuilt 1770.

W Stephen, *History of Inverkeithing and Rosyth* (1921), 25–7; RCAMS, *Inventory of Fife*, no 284.

*Kirkcudbright* (NX 680508) (pl 45a)

Rectangular hall block of three storeys with E tower and spire of impressive church-like appearance. External forestair to the tower but the principal rooms and offices were originally reached by an internal stair in the W half of the building. Market cross (1610) re-sited on the forestair landing; accoutrements include jousts and a pair of bells dated 1646 and 1724. The building was evidently erected during a two-year period after 30 March 1625 when the provost and magistrates of the burgh obtained a grant towards building a 3,000-mark tolbooth and strong prison-house 'within the hairt and bodie of thair toun'. The building was subsequently extended westwards, and it shows signs of other alterations and changes of use. A subvention towards works of repair was recorded in 1731. It probably served as the model for the fictional tolbooth-prison that provides the setting for Sir Walter Scott's *Guy Mannering* (1815), chapter 23. Documentary records show that its immediate predecessor as tolbooth was St Andrews' Church, which had been converted to this purpose by 1580 and later underwent further works of construction and repair.

*Reg Privy Council*, xiii (1622–25), 728; *Recs of the Convention of the Royal Burghs of Scotland*, v (1711–38), 525; *Cast and Dom Archit*, v, 114–5 (incorrectly entitled 'Sanquhar'); RCAMS, *Inventory of Kirkcudbright*, no 219 and plans, fig 79 (= NMRS, KBD/61/1; measured survey of 1943–4, KBD/61/2–8). For references to the two preceding tolbooths, see eg M B Johnston & C M Armet, *Kirkcudbright Town Council Records 1576–1604* (1939), 51–3, 106, 114–5, 216, 289, 382; and *Recs of the Convention of the Royal Burghs of Scotland*, i (1295–1597), 358. Neild's account of the town gaol in early 19th-century Kirkcudbright does not seemingly apply to this building, and at that date it was 'intended to convert part of the old castle into a prison', Neild, *op cit*, 318.

*Linlithgow* (NT 002772)

Imposing symmetrical frontal block of three storeys and a square centrally-placed tower at the rear make up the original 17th-century T-plan nucleus. A set of designs prepared by John Mylne, King's master mason, was aborted by his death in 1667, and the contract went to John Smith, a local master mason, 1668–70. After a fire in 1847 much of the damaged fabric, including the principal elevation, was restored in the spirit of the original (the present double forestairs being an early 20th-century effort of a similar kind), but the balustraded parapet and upperworks were not replaced.

R S Mylne, *The Master Masons to the Crown of Scotland* (1893), 158, 238–44, and facsimiles of drawings; RCAMS, *Inventory of West Lothian*, no 360; H M Colvin, *A Biographical Dictionary of British Architects 1600–1840* (1978), citing SRO, Linlithgow Town Council Minutes; M N Powell, *Linlithgow* (1974), 11; and for early illustrations see eg Capt J Slezzer, *Theatrum Scotiae* (1693), pl 10, and D Bruce, *Sun Pictures, the Hill-Adamson calotypes* (1973), 136–7 (a view of c 1845).

*Maybole* (NS 300098)

Projecting stair-tower and belfry attached to the SW limb of a three-storeyed main block, part of the former town residence of the lairds of Blairquhan that was converted into a tolbooth before the end of the 17th century. Tower has double arch-headed entry and arch-pointed traceried windows. North-eastern portion, which was rebuilt in Baronial style in 1887, incorporates a carved representation of its predecessor above a label inscribed 'The Tolbooth'.

A Abercrommie, *A Description of Carrick*, in W Macfarlane, *Geographical Coll*, ii, 17; F W Billings, *The Baronial and Ecclesiastical Antiquities of Scotland* (1845–52), iv, 1–2 & pl 4; *Cast and Dom Archit*, v, 115–6.

*Musselburgh* (NT 346727) (pl 45b)

Three-storeyed hall and W tower probably c 1590, tower possibly of earlier origin. Open parapet-walk with angle-round corbelled out between the second and third floors of the main block, all of which adds to the building's strong martial aspect. Inside, parts of all three storeys are vaulted. An octagonal belfry surmounts the splayed corners at the head of the square tower, and substantial repairs to the steeple were recorded in 1700 and 1744. An elegant two-storeyed Council chamber wing was added to the NE corner of the tolbooth in 1762, and shares an open forestairs to the first floor.

Neild, *op cit*, 384; J Paterson, *History of the Regality of Musselburgh* (1858), 83–6, 106; *Cast and Dom Archit*, v, 109–11; RCAMS, *Inventory of Midlothian*, no 114; NMRS, MLD/59/1 (published sketch, *Inventory*, *loc cit*, fig 105), 59/24 (measured drawings, 1942–3, & 1946).

*Pittenweem* (NO 549025)

Four-storeyed church tower with vaulted ground floor and corbelled stair-turret; erected after 1588 and evidently designed to serve both civic and ecclesiastical purposes. Upper storey bell-chamber, balustraded parapet and stone spire added c 1630. Bell dated 1663. Council chamber probably accommodated somewhere within 'The Great House', the W range of the conventual buildings of Pittenweem Priory acquired by the burgh in 1588; the S end of this range was rebuilt as the Town Hall in 1821.

*Acts Parl Scot*, iii (1567–92), 552–3, c 25; D Cook, *Annals of Pittenweem 1526–1793* (1867), 15, 84, 104; RCAMS, *Inventory of Fife*, nos 444–5; cf also *Stat Acct*, iv, 376.

*South Queensferry* (NT 130783)

Probably of 17th-century origin, but remodelled and tower added c 1720. Bells dated 1694 and 1723. *Cast and Dom Archit*, v, 112; RCAMS, *Inventory of West Lothian*, no 375.

*Stirling* (NS 793936) (pl 46)

Handsome three-storeyed town house of Classical style built to the designs of Sir William Bruce, 1703–5, possibly incorporating earlier remains. W steeple with ogival-roofed belfry; forestairs to the



first floor housed within the tower, and small vaulted cell beneath. Some contemporary panelling and fireplaces have survived later alterations and extensions in 1785 and 1806–11. Bells of 1656, 1669 (copy) and a set of 16 chimes of 1729.

RCAMS, *Inventory of Stirling*, ii, no 232, including plans, fig 119; other drawings in NMRS collection, STD/157/1–32.

*Stonehaven* (NO 877855)

Late 16th-century warehouse of the earls Marischal, superiors of the burgh of barony (created 1587); evidently converted for use as a tolbooth and sheriff court house from about 1600 until 1767. Two-storeyed crowstepped building of L-plan form, occupying harbourside position on the old pier.

*Acts Parl Scot*, iv (1593–1625), 246, c 51; J Anderson, *The Black Book of Kincardineshire* (1844), 49–50, 60.

*Tain* (NH 780821)

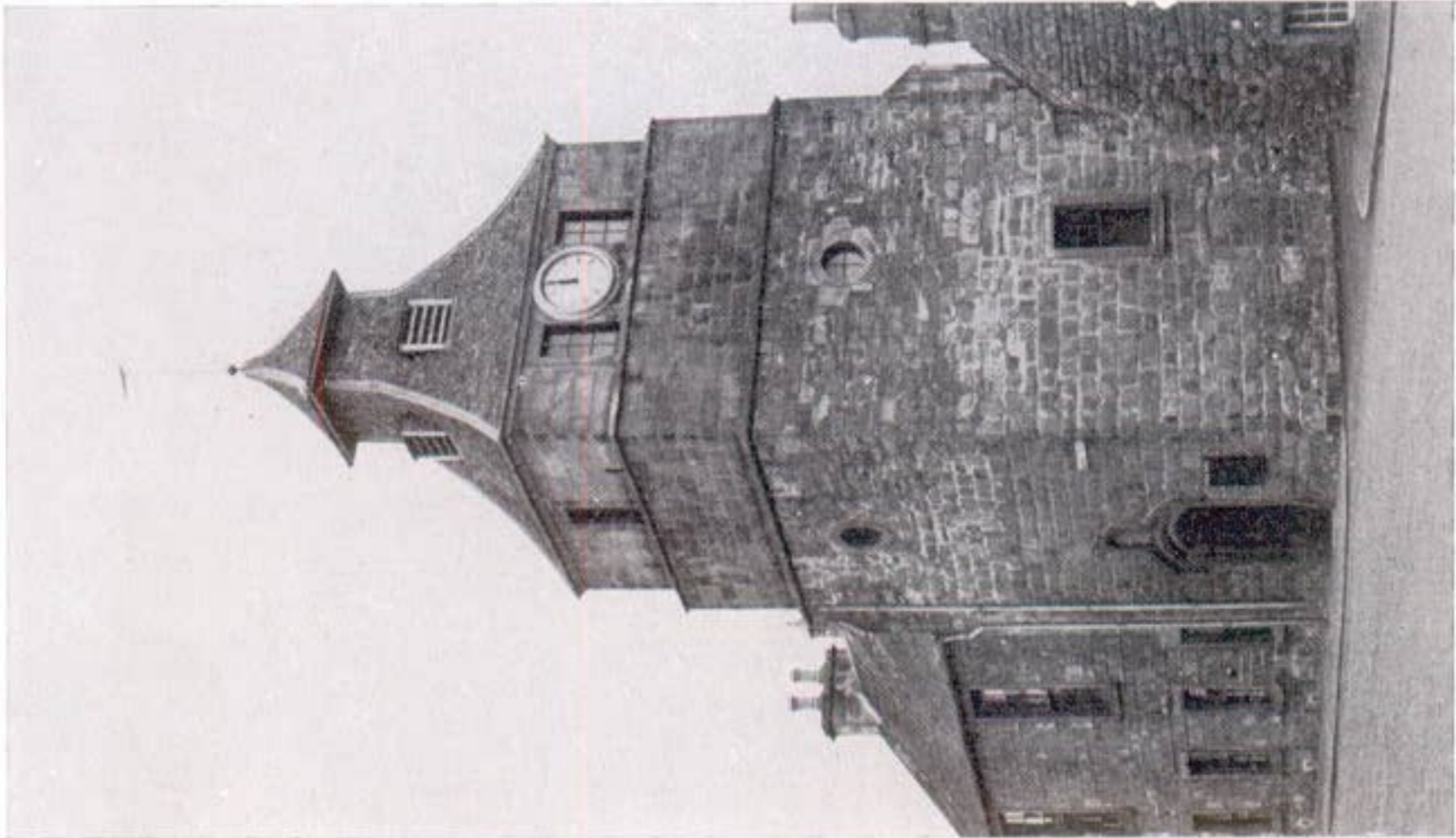
Dominant, strong-looking tower with conical stone-roofed spire and angle bartizans, erected mainly between 1706 and 1708 despite slightly archaic appearance; upperworks in progress 1712 and not finally completed until 1733. Houses a bell dated 1630 and incorporates an inscribed fragment (dated 1631) from its predecessor, which was demolished after serious storm damage in 1703.

*Recs of the Convention of Royal Burghs*, iv (1677–1711), 355, 454, 467–9; *Cast and Dom Archit*, v, 99–101 (gives date of bell as 1616); W MacGill, *Old Ross-shire and Scotland*, passim, esp ii (1911), 130–2 and refs cited; R W & J Munro, *Tain through the Centuries* (1966), 54–5, 73–4.

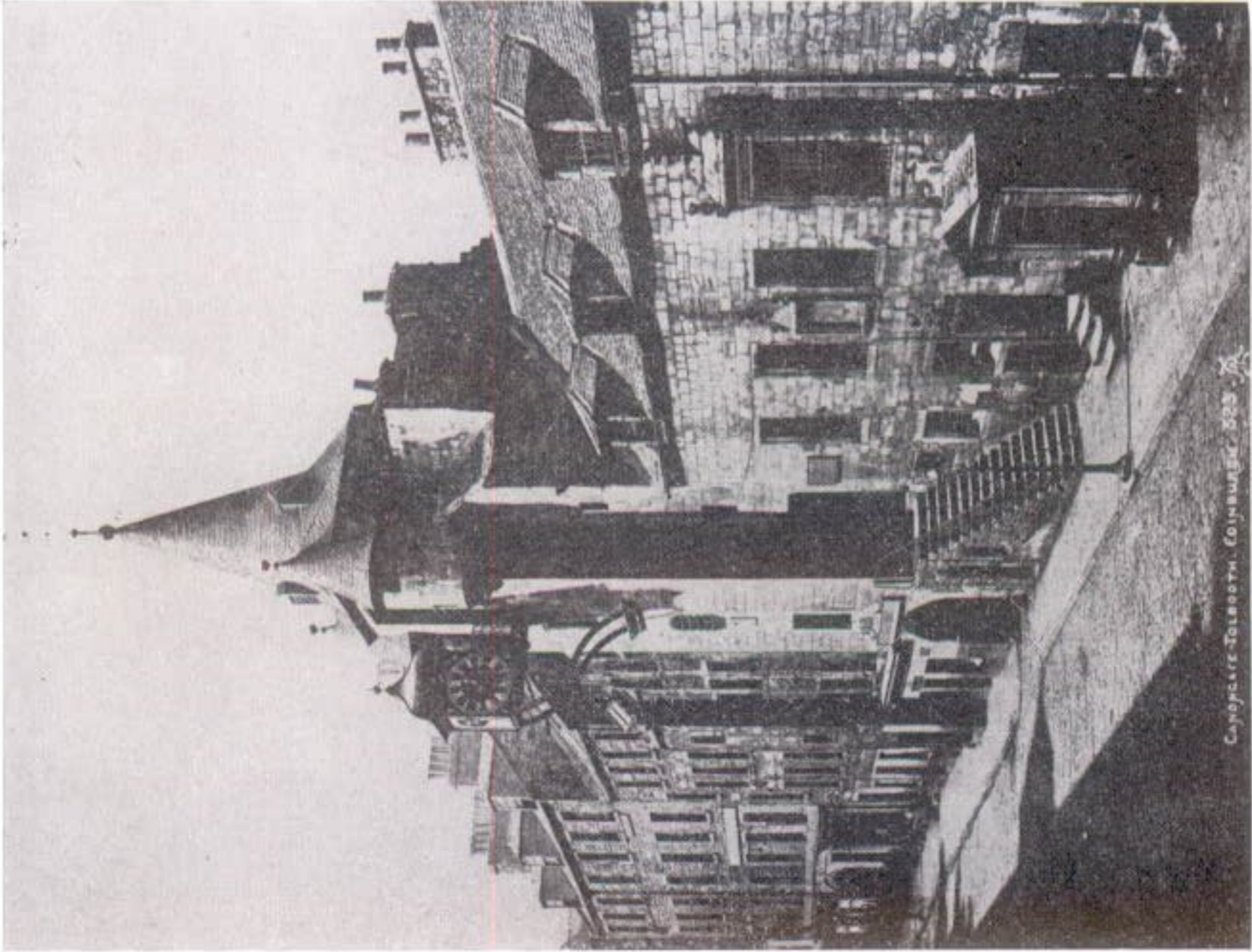
*West Wemyss* (NT 326946)

Simple two-storeyed building with arched pend and projecting lofty bell-tower. Two panels commemorating the builder, David, 4th earl of Wemyss (1678–1720). Probably of early 18th-century date.

RCAMS, *Inventory of Fife*, no 538.

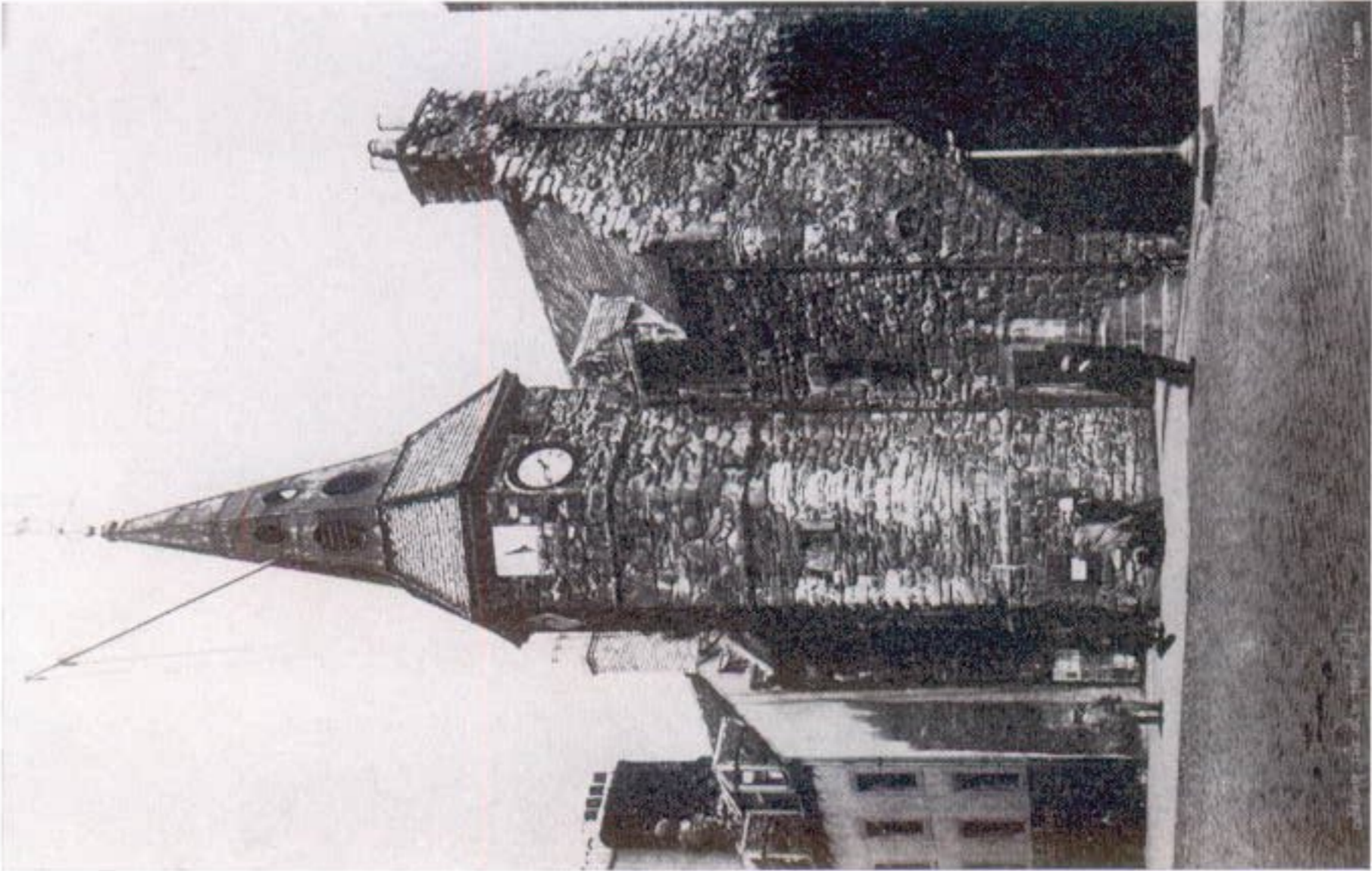


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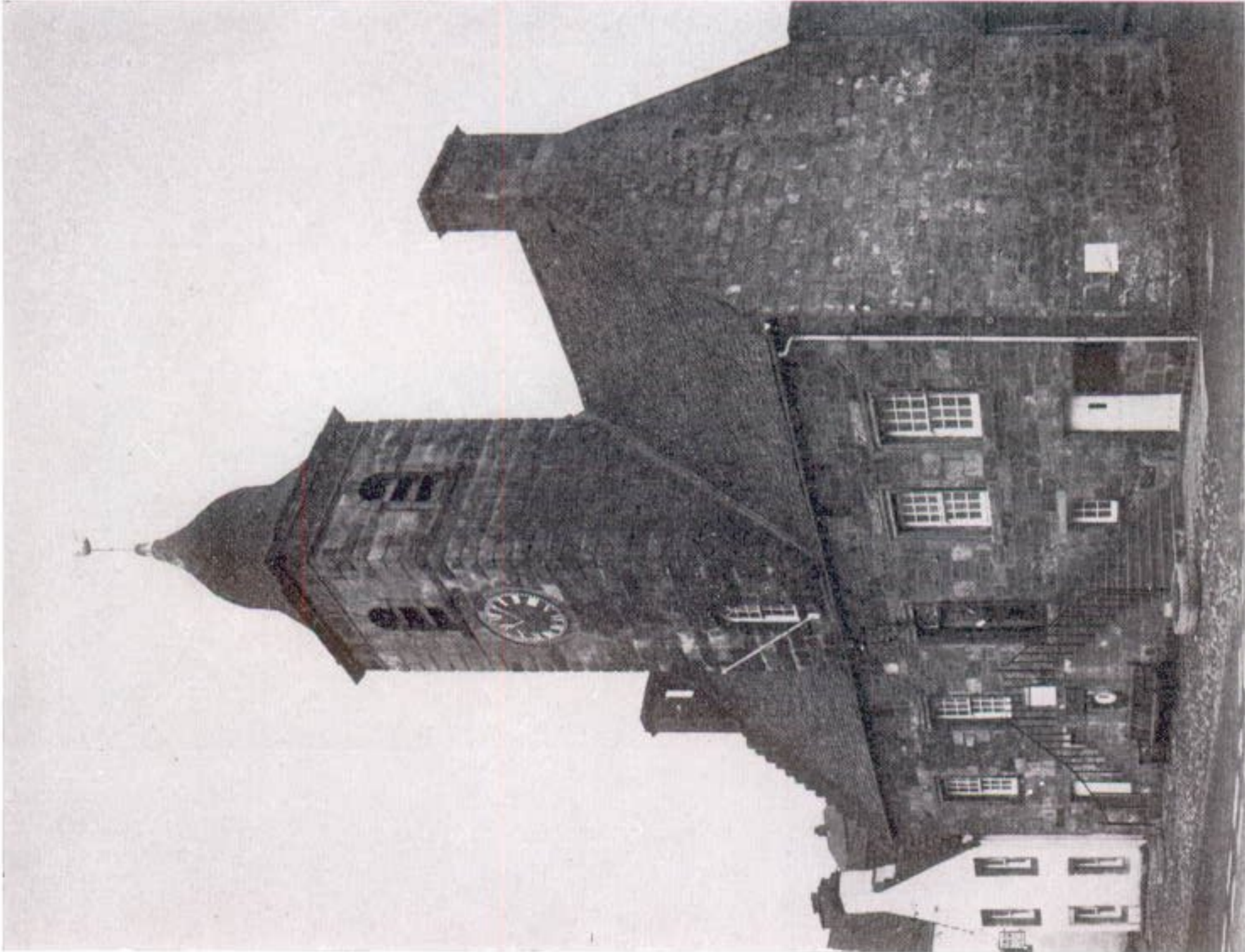


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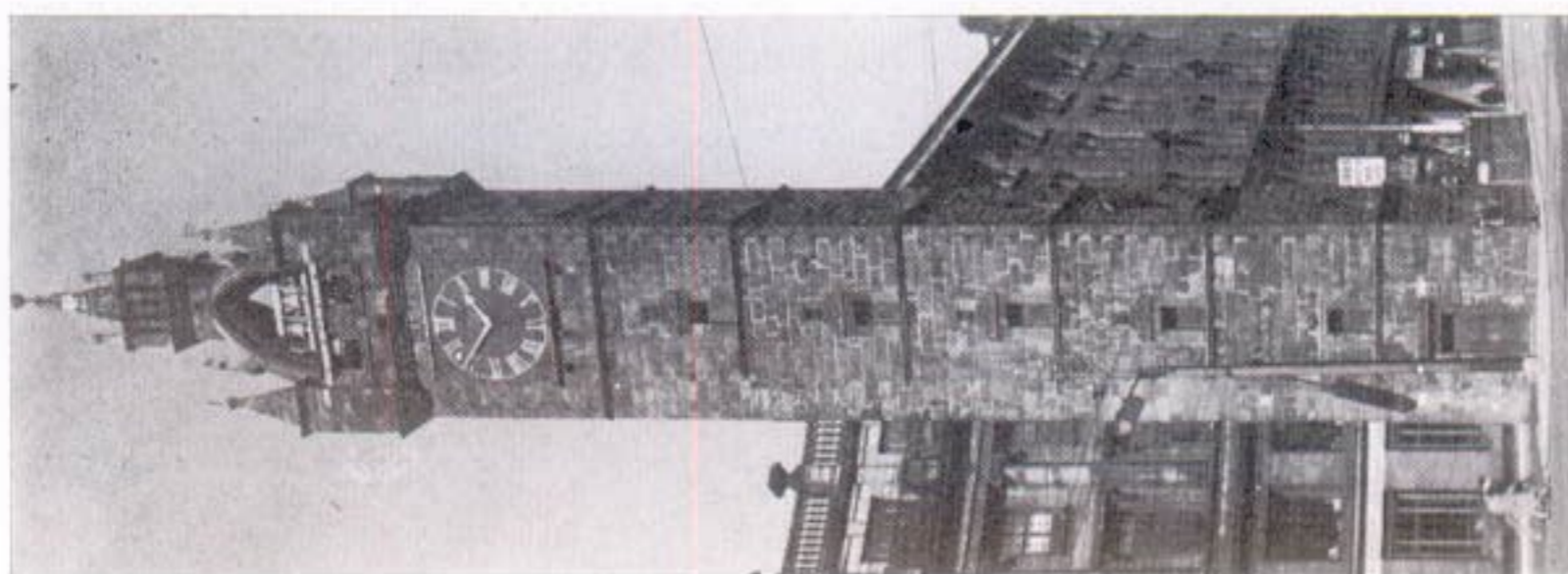


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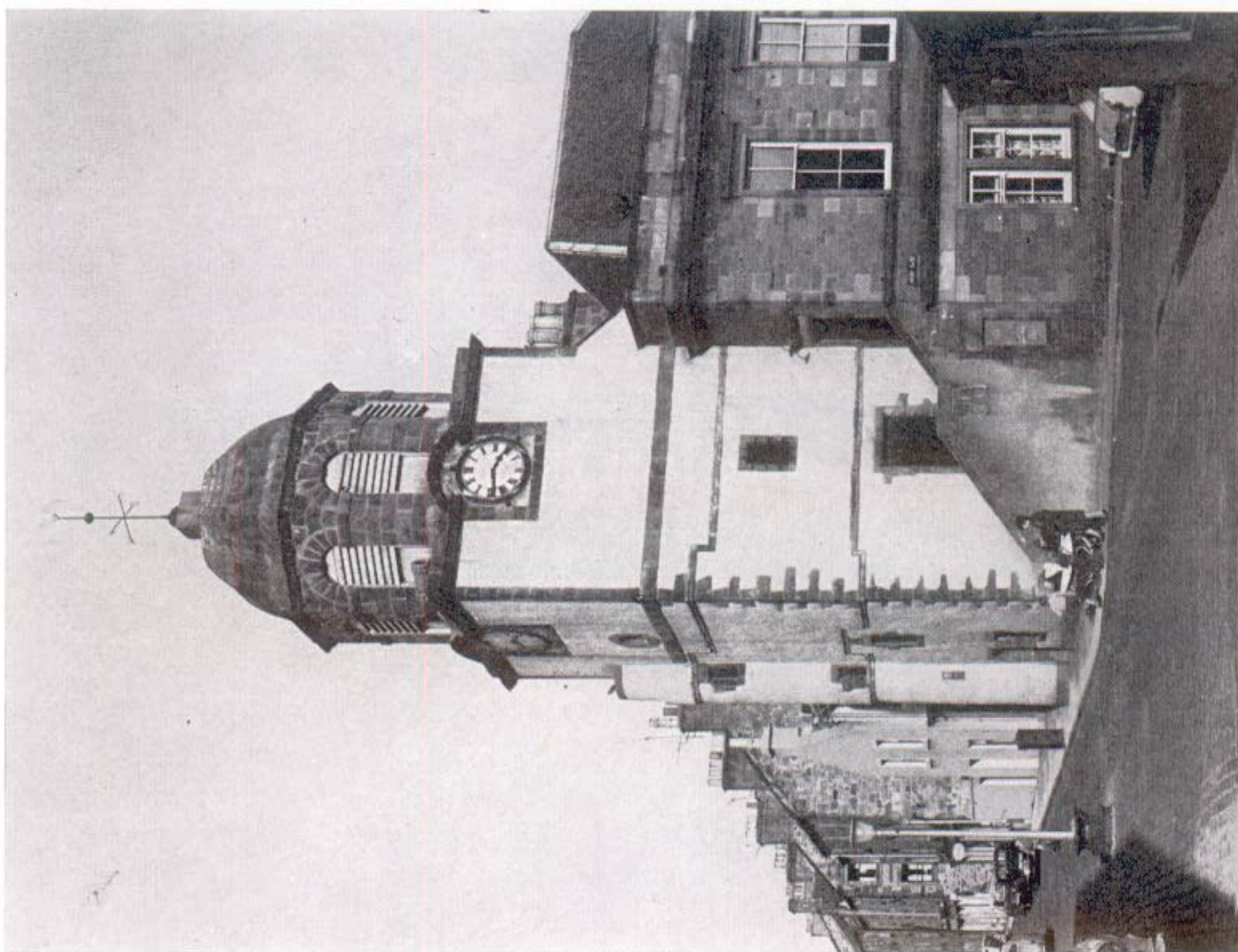


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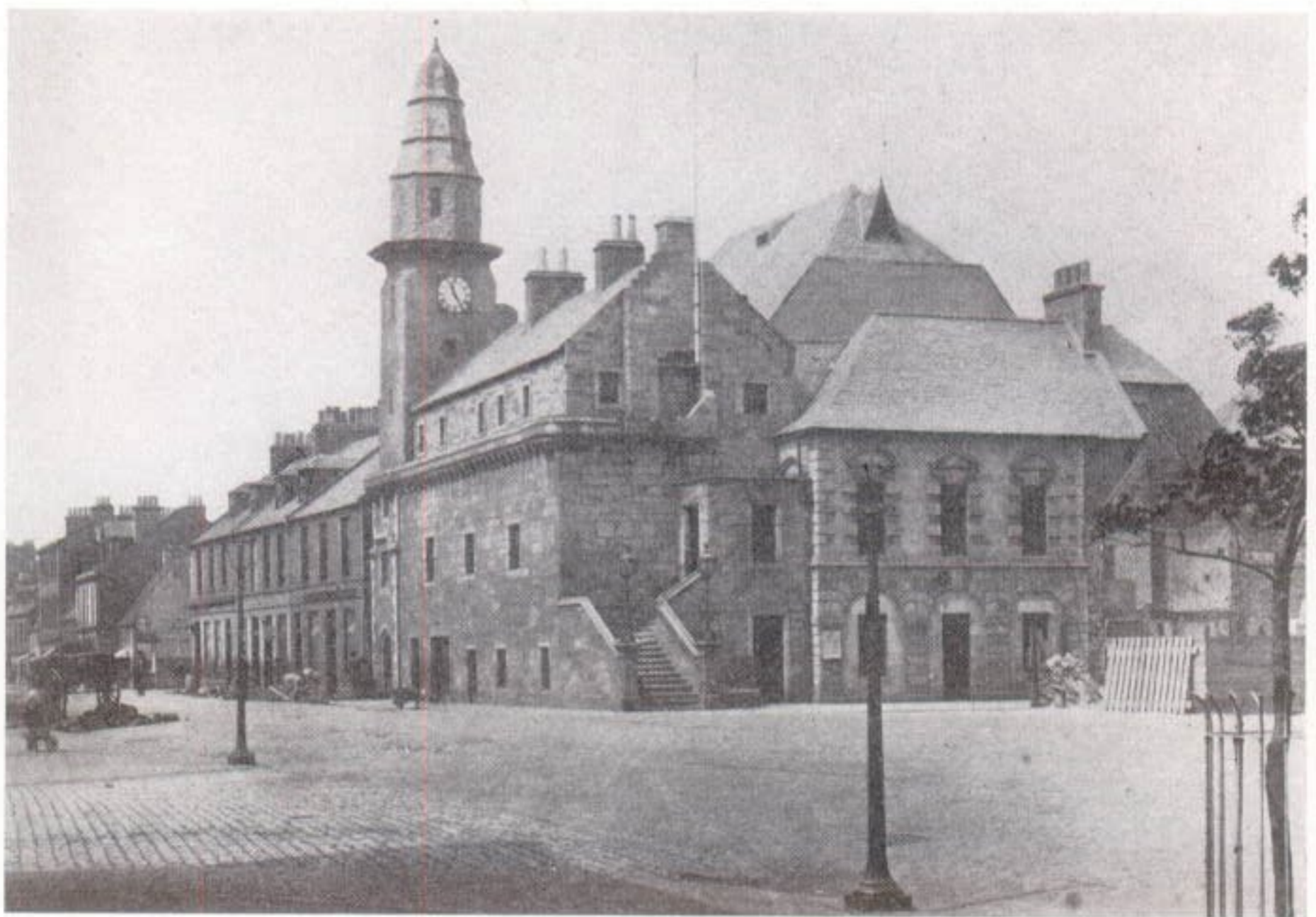


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