

# **An Independent Review of the History and Surface Archaeology of a forgotten Medieval Estate** (*& additional notes and images*)

By A.J.MORTON

*With responses from the*  
**West of Scotland Archaeology Service, Scottish National Trust, North  
Ayrshire Council, North Ayrshire Library  
and Historic Scotland**

*A VENTURE into the local woodlands on top of a previously isolated hilltop in Irvine, Ayrshire, led to the discovery of a 13<sup>th</sup> century estate owned by Kings and Grand Masters. The first record, a charter issued by Robert the Bruce shortly after 1314, indicates that some form of structure existed on the site in the early 14<sup>th</sup> century. The second was issued by Bruce's grandson in 1363 before his own crowning in 1371. This second charter refers to events of the late 13<sup>th</sup> century (sometime between 1292 and 1296) and it's possible a Manor House, similar to that at nearby Perceton, stood here sometime before this. The Blairs of Blair (Dalry) were the occupants throughout the 14<sup>th</sup> and possibly 15<sup>th</sup> centuries. Timothy Pont surveyed the area (c.1590) and confirmed that it was a landed estate. It appears as such on maps dated 1654. The last major building erected at Bourtreehill was in 1682.*

In 2008, I petitioned the Scottish Parliament to do all it could to help protect Bourtreehill Estate in Irvine, Ayrshire (NS 3435 3950). There were many reasons for bringing it to their attention.

In response, they kindly offered to contact several historical organisations with a request for information by January 2009. In the meantime, the Scottish Sunday Express took an interest in the story and asked for an interview. The final article was better than I could have hoped and ended with a statement from an MSP that my claims would be investigated. At the time of writing, I have not yet been approached for comment.

Though I am preparing a book which touches on the matter and am self-bound by a certain degree of temporary confidentiality, the most significant history of the estate *was* supposed to appear in the original petition. Indeed I had prepared a more in-depth report for the Parliament but due to constraints on space (on the official petition form) almost everything has been omitted. Indeed, I was forced to select one aspect of Bourtreehill's history that might get heads turning. I chose Bruce's Bourtreehill Charter.

I have been gathering information and evidence on the estate for more than fifteen years and I can easily account for people and events that took place between 1292 and 1682.<sup>1</sup> This, as you will see, is an important achievement in light of the responses from Scotland's historical organisations,

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<sup>1</sup> This is the gap encountered by all contacted historical organisations so far.

who, without exception have uncovered nothing prior to the late 17<sup>th</sup> century. Three of the four bodies have even expressed more than a little doubt concerning the proposed Brucean overlordship despite the earliest charters having been issued by that Monarch and his grandson.

Truth be told, the Brucean connection forms only a small part of this surprisingly well-connected estate and though it is the result of an authentic study, it is by no means the most remarkable aspect of Bourtreehill.

This report contains the seeds of the original version I prepared prior to the appeal, but has been updated to include and give commentary on the replies so far received from the **West of Scotland Archaeology Service, the National Trust for Scotland, North Ayrshire Council, the Parks and Gardens Data Services (Archaeology dept. York Uni.) and Irvine Public Library.**

The books and documents I consulted are either unavailable to buy, impossible to borrow or obstructively expensive. Indeed, some appear only to be available in Ayrshire and/or dedicated Ayrshire archives. A good portion of my notes are comprised of small excerpts from larger volumes.

That the petition has so far received a mixed response is no surprise. Details on Bourtreehill are thin on the ground and the above organisations conducted their research without viewing my own formidable notes on the estate. The house, for example, built in 1682, is incorrectly given a 19<sup>th</sup> century foundation date by Historic Scotland despite being the last major structure constructed on the site.

*Bourtreehill consists of the remnants of a late 18<sup>th</sup> early or 19<sup>th</sup> century designed landscape. The house which seems to have formed the 18<sup>th</sup> century centrepiece of the estate is no longer standing and the only upstanding remains appear to be one or two arches from some related outbuildings, possibly dating to the 18<sup>th</sup> or 19<sup>th</sup> century. The remainder of the 18<sup>th</sup> and 19<sup>th</sup> century estate of Bourtreehill probably now sits under modern housing development. At the moment, there is no physical evidence to suggest that the area in question was the site of an earlier castle or medieval garden...*

**Historic Scotland, 2008**

A few points raised by the consulted organisations deserve some serious attention. The following errors require immediate comments:

- 1. Bourtreehill House was built in the 18<sup>th</sup> century.**
- 2. The area in question had nothing to do with Robert the Bruce.**
- 3. There was no building prior to the 1682 Bourtreehill House.**
- 4. Most of the estate has been destroyed and currently sits under modern housing.**
- 5. It is not significant enough to warrant an entry in the Inventory of Designed Gardens and Landscapes.**
- 6. There are no other significant features of special historical interest.**

## **PE1209/D**

In an effort to address these points, I freely present my own research for expert analysis. Until now, most of the information contained within this review has been kept private. This is the first time a compilation of Bourtreehill history has been condensed into one body of text.

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## Earliest Records

The first recorded reference to Bourtreehill is in two 14<sup>th</sup> century charters. The first, which I call Bourtreehill Charter #1, was issued by Robert the Bruce sometime after 1314. The second, called Bourtreehill Charter #2, was issued by his Grandson in 1363.

Bruce and his descendants were in fact intimately involved in the area, if 'area' can be taken to mean the district in which Bourtreehill is situated. Bruce and Wishart were present on the fields at the Capitulation of Irvine. The traditional site of this early display of rebellion is near the slopes of Bourtree Hill. Bruce's traditional birthplace at Turnberry Castle, is in neighbouring South Ayrshire. His grandson was based at Dundonald, visible from the Summit of Bourtreehill.

Bruce, and the kings on either side of him, granted numerous privileges and charters for Irvine and the surrounding estates. Bourtreehill wasn't the only site to benefit from their personal involvement. Indeed, the Ancient Royal Burgh of Irvine has had a unique relationship with the crown since the 12<sup>th</sup> century.



Unfortunately, all written evidence concerning Bourtreehill prior to the late 13<sup>th</sup> century has been lost. **Bourtreehill Charter #1**, issued by Robert the Bruce, is the earliest surviving record of the estate. It states that '*Roger de Blair, of that Ilk, adhered fidelity to Robert Bruce, from whom he obtained a charter [...] out of the lands of Bourtrees, in Ayrshire.*'<sup>3</sup> The date of issue is unknown but it may have been written shortly after 1314, since it awards the loyal Blair family who were conspicuous at Bannockburn and resembles other charters released at that time.

**Bourtreehill Charter #2**, issued by Bruce's grandson Robert the Steward in 1363, refers to events which predate Charter #1. A mere reference to the previous tenants allows us to extrapolate enough information to make one sound conclusion; Bourtreehill also belonged to King John Balliol.

This has since been found to be true. The de Morville line became extinct and was passed to the Lords of Galloway. Devorguilla, a daughter of that house and mother of King John Balliol, inherited it all. In time, her son would

<sup>2</sup> O.S. 1911.

<sup>3</sup> A Genealogical and Heraldic History of the Commoners of Great Britain, 1838 - Page 392

succeed to the Lordship of Cunninghame - years before he was crowned King.

It's hard to conceive of an estate of this size and importance being neglected by local kings, let alone local magnates.

Alan de la Zouche and William de Ferrars received an annual-rent from an un-named tenant - a tenant who paid oatmeal, pepper, twelve silver pennies or a pair of gilt spurs every Whitsunday. The rent resembles that taken from other medieval manor houses in the district (it is actually higher) and is evidence of an earlier structure. It seems unlikely that such a rent would be paid if the lands were empty, or devoid of structures and shelter.

Visible from Bourtree Hill is Dundonald Hill, the early home of the High Stewards of Scotland and King Robert II. Bourtree Hill is the most significant mount to the north and it overlooked the King's own Cunninghame lands. So prominent is Bourtree Hill, that it is one of the few possible locations for the original castle. If so, the proximity to the palace of Dundonald can't be overlooked. After all, the royal resident of one was the owner of the other. They were both situated on prominent hills. Bourtreehill is the highest elevation in the western Irvine Parish.



Despite the rather negative outlook of the National Trust for Scotland (*the Trust does not have any direct interest in the area, it is highly unlikely that we would wish to become involved in this*) there seems to be several good reasons to investigate the entire district, not just Bourtreehill.

Neighbouring Dundonald was a Royal Palace and home of the High Stewards of Scotland (12-13<sup>th</sup> century). The Stonemasons lodge in Kilwinning was the Head Lodge of Scotland (1599). Irvine Castle was the H.Q. of the Constable of Scotland (12<sup>th</sup> century). Bruce was the Earl of Carrick (modern South Ayrshire) while his grandson was Lord of Cunninghame (the district in which Bourtreehill is situated). Irvine was one of the most important port towns in Scotland and would soon be the largest and most powerful in Ayrshire. It served Glasgow as chief port for centuries before the Clyde was dredged. As has been said, Bourtreehill was the largest and most valuable Barony in the Irvine Parish.

And yet, according to the response received from the National Trust for Scotland, none of this information is being explored, nor is there any intention to explore it in the future.

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<sup>4</sup> James Dorret, 18<sup>th</sup> century Map of Bourtreehill.

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The response from Historic Scotland is only a little more positive. They say that while *'there is no physical evidence to suggest that the area in question was the site of an earlier castle or medieval garden'* they acknowledge that *'further research may show otherwise.'*

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## Earliest Structures

It seems there is some doubt that a building existed on the site prior to 1682 despite the fact that a charter from c.1314, and another from 1363, has survived and that the estate policies were considered to be *'of old extent'* as early as 1505.

Historic Scotland concluded that Bourtreehill is an 18<sup>th</sup> or 19<sup>th</sup> century estate with a mansion house at the heart. Since the house dates to the late 1600s, and the earliest documents (all of which outline land rents for Bourtreehill) are from the early 14<sup>th</sup> century, it seems her biography has been considerably underestimated by both the National Trust for Scotland and Historic Scotland. The latter organisation doesn't think Bourtreehill *'fulfils the criteria for inclusion in the Inventory of Gardens and Designed Landscapes'*.

The Archaeological Dept. of York University currently runs the Parks and Gardens Data Services. Bourtreehill has been included in the inventory of notable sites for, I believe, two years. I recently took it upon myself to enquire about up-dating the entry - an offer they graciously accepted. The original entry indicated that the gardens were valuable as an example of 18<sup>th</sup> century landscape design. They made no mention of the more illustrious aspects of its history, and yet found the presence of an 18<sup>th</sup> century garden estate reason enough to include it.

The 18<sup>th</sup> century landscaping which took place in Bourtreehill has led some commentators to declare that the estate itself, and any structures found within it, must also date from this period. Prior documentation, though scarce, does exist. Bourtreehill appears (as Bourtreen) on the Blaeu map of 1654. Parts of the map are thought to be based on surveys conducted by Timothy Pont sometime between 1580 and 1600.

To this fact alone, the West of Scotland Archaeology Service, responded that it is *'therefore a reasonable assumption to make that there may have been an earlier house in the area...'*

The W.S.A.S. has *'three records, one to the house, one to its designed landscape, known as the policies of the house, and one to a set of buildings around a courtyard within the policies.'*

These three records, and the subsequent analysis of Blaeu's Atlas, indicated to the W.S.A.S. that:

*...the house was built in 1682, but was demolished several years before 1982. However the earliest mapped evidence for a house in this general area is the Blaeu atlas dating to the early 17<sup>th</sup> century, which has the placename Bourtreen.*

*The Blaeu atlas is thought to have been based on the Timothy Pont maps dating to the 1590s, which have not survived for Ayrshire.*

*It is therefore a reasonable assumption to make that there may have been an earlier house in the area, but this was not necessarily on the same site as the 1682 Bourtreehill House, nor was it necessarily a high status house site, as appears to be the case for the 1682 house.*



A consultation of the works of John Strawhorn, Dane Love, Thorbjorn Campbell and the resources of the Scottish National Archives and North Ayrshire Archives, gives us the names of no less than ten different overlords and occupants prior to 1682.

By the time Pont viewed the house (c.1590) the estate had already served (somehow) the families of Francis, de la Zouche, Ferrars, Bruce, Blair, Stewart (all prior to 1363) and Lynn (1507-1608). It seems unlikely that these nobles would pay the unusually high rent (it was the highest in the district) if the land had little value.

There is a tantalising reference to a medieval chapel nearby. This may be St. Bryde's (or Bridget's) Kirk near Stane.

However, another chapel may have stood somewhere within the policies of Bourtreehill. In 1982, my father discovered a gravestone within the overgrown woodland deep inside the estate. I myself have found what appears to be the terminal arm of a stone cross.

The stone arches which the W.S.A.A correctly identify as those listed in *The Castles and Mansions of Ayrshire*, by M.C.Davis, are not allocated a definitive foundation date by any of the organisations so far contacted. Nor is the incongruously tall structure (which greatly resembles the husk of a Newcomen Steam Engine) which lays buried within the eastern woodland.

At no time should the current ruins, or the foundations of the 17<sup>th</sup> century mansion be confused with earlier buildings. It is public knowledge that Bourtreehill Mansion house was a fairly grand structure of the late 1600s. The present ruins are a bit of enigma. None of the organisations so far contacted can shed any light on their age or original function. Davis describes them as part of a coach-house but gives no indication as to when they were built or how long they were used.

If they date from the time of the building of the Mansion, then they represent the last vestiges of a 17<sup>th</sup> century coach-house. Surviving structures from this period are rare in the Irvine district.

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<sup>5</sup> Blaeu's Atlas of Scotland, Cunninghame detail. 1653. Based on survey by Pont c.1590.





*The first edition Ordnance Survey map depicts another set of buildings to the north of Bourtreehill House, which are arranged around three sides of a courtyard, and may represent the coach-house recorded by Davis (Davis, M.C., 'The Castles and Mansions of Ayrshire', 1991) as fragmentary remains which still exist within what is now Bourtreehill Park. A fourth, smaller, building is depicted about 45m east of the open side of the courtyard on the first edition map. This structure, now unroofed, is still depicted on current Ordnance Survey maps.<sup>6</sup>*

At the summit of the hill, a circular clearing bordered by a ring of trees marks the possible spot of a medieval structure. Unlike the later mansion house, which occupies a position on the lower slopes of the hill, the summit appears to be marked by a circular enclosure.

To the south, west and north of the estate are to be found three separate gateways. Each possibly represents different periods. Two are guarded by old stone gateposts and the other is completely overgrown.

All that remains of the third is a thick beech hedge avenue, the old carriageway and the outline of a garden path. The western entrance is possibly the oldest, since it terminates an ancient pathway direct to Kilwinning Abbey.

The view has been expressed that Bourtreehill is largely built over by modern urban development, that much of it is buried under the roads and houses. This isn't strictly true. The enclosed estate, first surveyed and mapped between 1590 and 1654, has been practically untouched, having only been encroached upon in the south west corner. Within that area, the land has been thoughtfully preserved so even in the urbanised section (which is almost

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<sup>6</sup> West of Scotland Archaeology Service.

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insignificantly sized) there are open areas, trackways and ancient trees established centuries before the developments of the late 1970s.

Below are two maps of Bourtreehill. The first is taken from the 1911. O.S map of Irvine. The second is taken from Google-Earth and is hopefully only a few months old. The only purpose of this is to allow you to see just how much of the estate has been lost, and how much has been incidentally retained. They're fairly sketchy but you can see that the area now covered with housing was a traditional clearing. The trees which border the southern bounds still survive as do the old tracks in and out of the estate.



A carriageway leading to Eglinton and Kilwinning has survived as a modern road throughout the housing estate. If this is traced, other older landmarks can be discerned among the houses and streets. Ancient hedgerows, which once enclosed fields, now sit purposeless alongside houses in the region of Drumelzier Way and Fencedyke Way. A woodland of Hawthorn still survives in the north west as does the entire northern boundary of the estate.

Each of the four boundaries of the compass are intact. The interior is almost totally intact, having lost a clearing in the south-west.

### The 1698/9 Bridge

There is also the question of the fine mock-gothic 17<sup>th</sup> century stone bridge spanning the Annick. Though the walkway has been replaced, there two pillars (pictured above) dating from 1698/9 are still in use to the east of estate. Constructed out of surprisingly large blocks of stone, they are peppered with legible mason's marks. These have not yet been properly explored.

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## **NOTABILITY IN THE 18<sup>TH</sup> CENTURY**

The history of Bourtreehill, though shifted from Royal Hands, was still fairly spectacular during the 18<sup>th</sup> century. Though it was lorded over by the Montgomeries of Skelmorlie at the turn of the century, it was purchased by a cousin of that family, Peter (or Patrick) Montgomerie and thrust into some fairly secret affairs involving Freemasonry.

### **Freemasonry**

P. Montgomerie of Bourtreehill was Master of Kilwinning Masonic lodge in 1735-1737. This makes him the first and last genuine Grand Master of Scotland since Scotland had just one Masonic Headquarters prior to 1736. Kilwinning Lodge is said to predate all others. Whether or not this is true, remains to be seen. Nevertheless, surviving documents refer to Kilwinning as the Head Lodge of Scotland, the earliest bearing the date 1599 - almost a century and a half before the foundation of Grand Lodge.

The authenticity of this document is not in dispute. But when all the myths and legends are stripped down, we are left with a simple list of rules and regulations peculiar to early stonemasons. That it should also refer to Kilwinning as the 'Heid Lodge of Scotland' is a matter which I explore more fully in an up and coming book.

Montgomerie of Bourtreehill introduced many of the objects and systems which characterise modern Freemasonry. The oldest Masonic Regalia (or 'Jewel') in the world may come from Bourtreehill. If not, the 'Master's Old Jewel' of Bourtreehill is among the oldest three.

James Montgomerie, son of Heid-Master Peter Montgomerie, sold the estate to Robert Hamilton.

### **Robert Burns**

Though Robert Hamilton, Laird of Bourtreehill, made his fame and fortune in Jamaica using the lucrative and easily accessed slave-trade, his contribution to this history has far less impact than those around him. His gardener, for example, was largely responsible for the current ornamental landscaping within modern Bourtreehill.

Though the land is greatly overgrown, there is little doubt that his work is still causing ripples and bringing pleasure to those lucky enough to visit it.



There is a reference to this gardener in the Letters of Gilbert Burns, brother of Robert Burns. Gilbert tells us that William Burness, the father of both boys, borrowed a book on British history from 'Mr. Hamilton of Bourtree-hill's Gardener'. The Gardener's gravestone can be viewed in Irvine Kirk-yard.<sup>7</sup>

Robert Burns was living in nearby Irvine, within view of Bourtreehill, in 1782 and would undoubtedly have been aware of the "most important seat in the district".

### **The Countesses of Crawford & Eglinton**

Hamilton's daughters married into the local nobility. One became the Countess of Eglinton. The other became Countess of Crawford. The Crawfords and Eglintons are amongst the oldest and most illustrious families in Britain. Both families produced powerful Masonic Grand Masters. The Earl of Crawford had served as Grand Master of England, despite having come from Kilbirnie in Ayrshire. The Earl of Eglinton was Grand Master of Scotland in 1750.

A fire at Kilbirnie Mansion, led to the removal of the Earl of Crawford and his family, to Bourtreehill House.

It passed, temporarily to the Countess of Crawford, before being passed to Dame Cathcart in 1809 or 1810. It passed to the Earl Eglinton in 1817.

### **Baron Oranmore & Browne**

From Eglinton it was purchased in 1847 by Baron Oranmore & Browne, a notorious member of the House of Lords and great-great-grandfather of Hon. Tara Browne, a hereditary peer of the 1960s and a friend of John Lennon.

In 1852, it passed to the Baron's daughter. I can't find any details on when it was abandoned and by whom. The 17<sup>th</sup> century house was destroyed in the late 1960s. The ground has been totally levelled, though in winter the snow forms faint lines which are repeated in spring with linear growth of daisies. These correspond with the mapped outline of the mansion on O.S. sheets and can probably be taken as markers for any potential excavation.

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<sup>7</sup> Burns himself writes about the 'Boortrees' in his *Address to the Deil*.

**Statement**

If the estate was to receive protection, the chances that all or most could be retained for excavation or analysis is extremely likely at this stage. Though it has never been given any type of protection, there are thankfully no plans to develop the area and all records confirm that there has been no major developments within the estate since the 17<sup>th</sup> century. Of course, this doesn't rule out the possibility of future development.

In this event, the West of Scotland Archaeology Service have advised that they be consulted beforehand.

Let's hope it doesn't get to that stage.



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## Additional Notes

### Useful Quotes

Information about Bourtreehill is widely dispersed. No single archive holds the scattered data and so I have gathered a rare compilation of relevant quotes to save massive efforts later on. The most useful are supplied here. Most of these are now available on-line.

*This estate, which is situated in the parish of Irvine, now belongs to Miss Guthrie, daughter and heir of the late Alexander Guthrie of the Mount near Kilmarnock. There is a respectable old mansion house at Bourtreehill, surrounded by some fine old timber.*

**History of the County of Ayr: & Genealogical Account.  
James Paterson, 1847**

*The greater portion of this valuable barony – about 800 acres – lies in the parish of Irvine, the remainder in that of Dreghorn. It formed of old part of the large possessions of the Morville family, and in the " time of the Brucean contest, it was possessed, through marriage of two ladies of that house, by William de Ferrare and Alan la Suche." The lands were afterwards confiscated by Robert the Bruce for their adherence to the party of the Balliols, their kinsmen, and conferred on Roger de Blair of that ilk, " or rather an annuity of four chalders of meal out of their lands ; for one should suppose that the rent would have been much more, even though the territory should not have been so extensive as at present."\* In 1685, and 1696, Bourtreeliill belonged to the Skel- inorlie family, from whom it was purchased by Peter Montgomerie, merchant in Glasgow, whose son (probably) James Montgomerie, sold the property to Robert Hamilton, prior to 1748.*

**History of Ayrshire, James Paterson, 1852**

*ROBERT HAMILTON of Bourtreehill, born 5th January, 1698, was the eldest son of Hugh Hamilton of Clongall, merchant in Ayr. He and his younger brother, John, ancestor of the Hamiltons of Sundrum, were long resident in Jamaica, where they possessed the estate of Pemberton Valley, and acquired very considerable wealth. He married, and had several daughters : 1 . Jane, married to the Earl of Craufurd and Lindsay. 2. Frances, died unmarried, in 1798. 3. Elinora, married to Hugh, 12th Earl of Eglintoun. 4. Margaret, married to Sir John Cathcart of Carleton, without issue. Robert Hamilton of Bourtreeliill died*

*4th June, 1773, aged 75. He was succeeded in Bourtreiliill by his eldest daughter, the Countess of Craufurd, who died October 6, 1809. The Countess was succeeded, as heir of entail, by her sister, Dame Margaret Hamilton Cathcart, widow of Sir John Cathcart of Carlton, who died in 1785. She died April 25, 1817, aged 73, when the property devolved upon her nephew, the present Earl of Eglintoun.*

**History of Ayrshire, James Paterson, 1852**

*Charter by Robert, Steward of Scotland, Earl of Stratherne and Lord of Conynghame, to Alexander of Blare, his heirs or assignees, of the annualrent of four chalders of oatmeal and one pound of pepper, which Alan le Suche and William of Ferrare, Knights, were accustomed to receive from the lands of Stane and Buretres in Conynghame, then belonging to Andrew Fraunceys : To be held of the Steward and his heirs for giving a pair of gilt spurs, or twelve silver pennies, at Whitsunday yearly, if asked.*

*Dated at the monastery of Inchafll'ray, 10th December 1363*

**Memorials of the Eglintons, William Frazer, 1859**

*The lands of stane and buretres in Conynghame, then belonging to Andrew Fraunceys: to be held of the Steward and his heirs...*

**Report 1. By Royal commission on historical manuscripts, 1885.**

*Probably the most important single item in the history of the Lodge during this exciting period was the arrangement (by invitation, no doubt), which brought Patrick Montgomery, the Laird of Bourtreehill, to the Chair of the Mother Lodge, on 27 March 1735.*

**Harry Carr's World of Freemasonry, Harry Carr. 1974**

*The story of Bourtreehill is a complex one. While the lands were granted to and sometimes occupied by certain persons, the superiority seems to have been held by others. In 1363, Robert the Steward granted to Alan of Blair the annual rent in return for a pair of gilt spurs or twelve silver pennies at Whitsunday yearly, if asked.*

*In 1817 the twelfth Earl of Eglinton inherited Bourtreehill, but his successor sold it.*

**John Strawhorn, History of Irvine, 1985.**



## Natural Heritage

The dual nature of Bourtreehill, being both a residential estate and landscaped garden, requires that the wildlife of the estate should be subjected to a new series of surveys. Apart from the ornamental and exotic plants introduced between the 18<sup>th</sup> and 19<sup>th</sup> centuries, there is a thriving ecology within the ancient woodland. Full details will be made available soon. In the meantime, a list of tree species is supplied.

### **Trees of Bourtreehill Woods:**

Sessile Oak – *Quercus petraea*  
Pedunculate Oak – *Quercus robur*  
Alder – *Alnus glutinosa*  
Hazel – *Corylus avellana*  
Beech – *Fagus sylvatica*  
Horse Chestnut – *Aesculus hippocastanum*  
Wych Elm – *Ulmus glabra*  
Sycamore – *Acer pseudoplatanus*  
Red Maple – *Acer rubrum*  
Japanese Maple – *Acer palmatum*  
Ash – *Fraxinus excelsior*  
Rowan – *Sorbus aucuparia*  
Whitebeam – *Sorbus aria*  
Holly – *Ilex aquifolium*  
Silver Birch – *Betula pendula*  
Small Leaved Lime – *Tilia cordata*  
Blackthorn – *Prunus spinosa*  
Wild Plum – *Prunus x spp*  
Cherry Laurel – *Prunus laurocerasus*  
Hawthorn – *Crataegus monogyna*  
Midland Hawthorn – *Crataegus oxyacanthoides*  
Rhododendron – *Rhododendron ponticum*  
Elder / Bour tree – *Sambucus nigra*  
European Larch – *Larix deciduas*  
Common Yew – *Taxus baccata*  
Scots Pine – *Pinus sylvestris*  
Wellingtonia – *Sequoiadendron giganteum*  
Apple – *Malus sp*

## Timeline

- 1292-96 John Balliol awards the estate to Alan de la Zouche and de Ferrars.
- 1314 Bruce awards the lands to Roger de Blair of Blair.
- 1363 Robert II received rent from Alan de Blair of Blair
- 1371 Robert of Dundonald & Bourtreehill is crowned King of Scots.
- 1505 First reference to the Lynns of Bourtreehill.
- 1682 Construction begins on Bourtreehill House, the last major residence.
- 1685 Skelmorlie Montgomeries are recorded owners.
- 1698/9 Bridge over the Annick Ater built.
- 1735 P. Montgomerie of Bourtreehill serves as Scotland's last genuine Grand Master at Kilwinning.
- 1754 Robert Hamilton is recorded owner.
- 1757 Earl of Crawford and family move to Bourtreehill.
- 1785 Dame Margaret Hamilton Cathcart inherited the lands.
- 1817 Land is passed to the Earl of Eglinton
- 1847 Alexander Guthrie purchases Bourtreehill
- 1852 Lands are passed to Christina Guthrie. Her marriage to Baron Oranmore & Browne would once again bring Bourtreehill under the auspices of an exotic overlord.

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## Royal Charters

**Bourtreehill Charter #1** was issued by Robert the Bruce sometime after 1314. It confirms Bruce's ownership and gives the name of the current tenant ('*Rogero de Blair, dilecto et fideli nostro*') and the peppercorn value of the rent.

**Bourtreehill Charter #2** was issued by Robert II in 1363 (prior to his coronation). It confirms Stewart ownership and gives the names of two 13<sup>th</sup> century tenants. It indirectly implicates King John Balliol prior to 1296. This in turn implicates his ancestors, the 12<sup>th</sup> century High Constables of Scotland.

*OMNIBUS hanc cartam visuris vel audituris, Robertus Senescallus Scocie, Comes de Stratherne. ac Dominus de Conynghame, Salutem : Sciatis nos dedisse, concessisse, et hac presenti carta nostra confirmasse Alexandro de Blare, dilecto et fideli nostro, illum annuum redditum quatuor celdrarum farrine auene, et vnius libre piperis, quem Alanus le Suche, et Willelmus de Ferrariis, milites, recipere consueuerunt **de terra del Stane et de Buretres**, que nunc sunt Andree Fraunceys, in Conynghame*

Charter by Robert, Steward of Scotland, Earl of Stratherne and Lord of Conynghame, to Alexander of Blare, his heirs or assignees, of the annualrent of four chalders of oatmeal and one pound of pepper, which Alan le Suche and William of Ferrars, Knights, were accustomed to receive from **the lands of Stane and Buretres**, then belonging to Andrew Fraunceys, in Conynghame.

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## Statements of External Organisations

(Prior to the release of this review)

As of January 7<sup>th</sup>, the West of Scotland Archaeology Service, National Trust for Scotland and Historic Scotland have all sent their initial responses based on their own available evidence.

Historic Scotland conducted '*a rapid desk-based assessment*' and concluded that Bourtreehill may be of late 18<sup>th</sup> century, early 19<sup>th</sup> century origin.

When W.S.A.S. realised that maps based on surveys conducted around 1590 included Bourtreehill, they reconsidered their previous stance.

*This new information causes us to revisit our opinion on the likely archaeological potential of this area.*

The National Trust for Scotland replied that they have '*not found evidence of it having any particular significance.*'<sup>8</sup>

According to James Paterson's rare History of Ayrshire (1852), Bourtreehill, a '*valuable barony*' of about eight hundred acres, was '*part of the large possessions of the Morville family, and in the time of the Brucean contest, it was possessed, through marriage of two ladies of that house,*' and was '*confiscated by Robert the Bruce for their adherence to the party- of the Balliols,*'.

On the subject of the district of Irvine, the Topographical Dictionary of Scotland (1846), states that the '*only seat of importance is Bourtree Hill*'. This clashes somewhat with the conclusions of today, in which both Irvine and Bourtreehill play a less than minor role.

Despite such an illustrious history, the National Trust for Scotland has said, '*as far as we are aware the link between the area and Robert the Bruce is generally thought to be tenuous.*'

The West of Scotland Archaeology Service goes further and states that it knows of no evidence that the two are connected.

*This may be true, but the West of Scotland Archaeology Service has no evidence that Robert the Bruce ever had any personal connection with the lands of Bourtreehill.*

This appears to have been rather limited, since none can find evidence of Bourtreehill functioning as an estate prior to the construction of the last major building on the site in 1682 despite being depicted on a map made in 1654 using results gathered c.1590.

None appear to have any information on Balliol, Bruce and Robert II, without whom we wouldn't have 13<sup>th</sup> and 14<sup>th</sup> century records for the estate. Their contribution represents the first record in the known history.

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<sup>8</sup> At the time of writing, Jan. 2009, this is the current view of Bourtreehill.

The general consensus with regards to the surviving policies of the estate is that they have been largely built over. This simply isn't so.

Likewise there was no mention of the Countesses, Barons, Earls and Dames (not to mention Grand Masters) who resided there in the 18<sup>th</sup> century.

The estate doesn't appear on the Inventory of Designed Landscapes, despite having an entry in the Parks and Gardens Data service, run by the Archaeological Dept. of York University and in Davis' *Castles and Mansions of Ayrshire*.

There is no satisfactory explanation for the 'out-buildings' which make up the surviving ruins. While we can all agree that they are not part of an original medieval castle, the current hypothesis (they were built alongside the 18<sup>th</sup> century mansion) can't possibly stand when the mansion itself dates to 1682. That they were a coach-house is possibly indicated by the shape, but their age has not been pinpointed.

The council in charge of Bourtreehill denies all knowledge despite being in charge of the most useful texts concerning the estate.

The following responses were received before the current review was released. They are based on conclusions drawn prior to the publication and compilation of all points raised here. As such, the separate bodies were expected to gather evidence using their own resources. I felt obliged to maintain a distance and silence as they investigated my claims.

It's perhaps regrettable that I chose to do this, or that I was not consulted during those investigations, because the responses are - on the whole - quite disheartening.

My only hope is that this report makes up for lost time and for those huge historical gaps which have obstructed all investigation. My biggest concern is that the council in charge of the estate (North Ayrshire Council) has denied all knowledge of the estate, despite the fact that their own archives were particularly illuminating during the formulation of this project. Red highlighting is my own.

### West of Scotland Archaeology Service

We have looked at the SPICe briefing for this petition, as **we did not immediately recognise the site** which is the subject of the petition. In making our comments we have assumed that the petitioner is indeed referring to the grounds of Bourtreehill House in North Ayrshire. We note that the SPICe briefing makes reference to documentary evidence that the lands of Bourteehill were granted by Robert the Bruce to one of his followers. This may be true, but **the West of Scotland Archaeology Service has no evidence that Robert the Bruce ever had any personal connection with the lands of Bourtreehill.**

If Bourtreehill House is the site in question, we have three records, one to the house, one to its designed landscape, known as the policies of the house, and one to a set of buildings around a courtyard within the policies. Our information states that the house was built in 1682, but was demolished several years before 1982. However the earliest mapped evidence for a house in this general area is the Blaeu atlas dating to the early 17<sup>th</sup> century, which has the placename *Bourtreen*.

The Blaeu atlas is thought to have been based on the Timothy Pont maps dating to the 1590s, which have not survived for Ayrshire. It is therefore a reasonable assumption to make that there may have been an earlier house in the area, but this was not necessarily on the same site as the 1682 Bourtreehill House, nor was it necessarily a high status house site, as appears to be the case for the 1682 house. The Blaeu atlas is insufficiently detailed to georeference the site of the earlier house to the modern Ordnance Survey map, hence the uncertainty about its specific location.

Bourtreehill's policies were identified during a 2007 survey of the designed landscapes of Ayrshire commissioned by the Ayrshire Joint Structure Plan team, of which we have a copy. The policies are also depicted on the first edition Ordnance Survey map of the area. Our information indicates that the northern policies were built over by Irvine Development Corporation, leaving a wooded hill as open ground.

The first edition Ordnance Survey map depicts another set of buildings to the north of Bourtreehill House, which are arranged around three sides of a courtyard, and may represent the coach-house recorded by Davis (Davis, M.C., 'The Castles and Mansions of Ayrshire', 1991) as fragmentary remains which still exist within what is now Bourtreehill Park. A fourth, smaller, building is depicted about 45m east of the open side of the courtyard on the first edition map. This structure, now unroofed, is still depicted on current Ordnance Survey maps.

The West of Scotland Archaeology Service is unaware of any current proposed developments for the Bourtreehill area, which would require planning consent and which might threaten any archaeological remains in the area. Currently our Bourtreehill records are not identified as archaeological consultation triggers on the digital maps which we supply to the Council for development management purposes, as we were unaware that the area could potentially have had a predecessor to the 1682 house, as depicted on the Blaeu atlas, although its location is uncertain. This new information causes us to revisit our opinion on the likely archaeological potential of this area. We will

therefore include suitably buffered consultation zones for the area in our next download of archaeological consultation trigger data to the Council for its development management purposes.

Should there be a future planning application for any development within the remnant of the Bourtreehill policies, we would expect to be consulted for archaeological advice by the Council once they are in receipt of our new archaeological consultation trigger data for the area. Archaeological sites are a material consideration within the planning process and full information on how archaeological sites are treated in this process may be found in the Scottish Government's Statement of Planning Policy (SPP) 23 and Planning Advice Note (PAN) 42. In summary the national policy is that archaeological sites should be preserved *in situ*, and if this is not possible, a suitable archaeological record (normally excavation) should be made at the developer's expense. The Council has Local Plan archaeological policies covering these matters.

From my comparison of the modern Ordnance Survey map with the first edition map, it appears that all of the first edition map structures, including the 1682 house, are located within the remnant policies and have not been built over. The site of a preceding house may, or may not be, located within the remnant policies (see my comments above about uncertainty of location). I am aware that fragmentary buildings appear to be still visible within the remnant policies, as noted by Davis above, but should point out that these remains are likely to date no earlier than the date of the 1682 Bourtreehill House and may indeed be much later. They are not likely to be associated with any building dating to the time of Robert the Bruce, should there indeed ever have been a building in this area at this date. All of this would require to be archaeologically tested at any prospective developer's expense, should there ever be a future planning application for the area.

The West of Scotland Archaeology Service is unable of itself to take any action in respect of the conservation of the site of Bourtreehill House and its remnant policies, other than the provision of archaeological information and conservation advice to the Council as it may request from us. We would however be happy to assist the Council in any archaeological respect, and at the Council's instruction, we would also be happy to provide archaeological advice to any community group with an interest in conserving the woodlands and the structural remains, although I should point out we have no budget available to assist with any such conservation works, as

this type of work does not form part of our normal duties for our member Councils.

## National Trust for Scotland

Regarding this specific site **the Trust has no direct interests in the area** through ownership or a conservation agreement. Following internal consultation of our in-house specialist advisers, **we have not found evidence of it having any particular significance**. Furthermore, **it is not in the Inventory of Gardens and Designed Landscapes** and as far as we are aware **the link between the area and Robert the Bruce is generally thought to be tenuous**.

More generally, regarding the conservation of natural and cultural heritage, the Trust outlines its position in our 2003 Conservation Principles. Key steps of the conservation process relevant here are:

- Survey, research and understanding
- Analysis, evaluation and statement of significance

Conservation decisions are to be based on a full evaluation of the significance of the assets to be conserved, dependent upon comprehensive knowledge and understanding of all relevant cultural and historical aspects, as well as consideration of the place or feature in comparison to similar places.

As such, Mr Morton and the Secret History Project may want to commission a study of the site, looking at historical, archaeological and natural heritage features. However, **as the Trust does not have any direct interest in the area, it is highly unlikely that we would wish to become involved** in this and we do not intend to take any action ourselves. Sources of potential funding may be the local council or Heritage Lottery Fun.

## Historic Scotland

We understand that the location referred to in the petition, Robert the Bruce's Castle Gardens, lies in the former Bourtreehill estate, Irvine Parish, North Ayrshire (centred on NS 3435 3950). We have checked our records and although **the site has some historical interest, it is not nationally protected under**



ancient monuments legislation or as a site on the non-statutory Inventory of Gardens and Designed Landscapes.

Following the recent interest we have undertaken a rapid desk-based assessment of the site. This suggests that Bourtreehill consists of the remnants of a late 18<sup>th</sup> early or 19<sup>th</sup> century designed landscape. Survivals, like this, of parts of wider landscapes are fairly widespread. The house which seems to have formed the 18<sup>th</sup> century centrepiece of the estate is no longer standing and the only upstanding remains appear to be one or two arches from some related outbuildings, possibly dating to the 18<sup>th</sup> or 19<sup>th</sup> century. The remainder of the 18<sup>th</sup> and 19<sup>th</sup> century estate of Bourtreehill probably now sits under modern housing development. At the moment, there is no physical evidence to suggest that the area in question was the site of an earlier castle or medieval garden but further research may show otherwise.

On the basis of the currently available information we are currently of the view that the site of Bourtreehill would not fulfil the criteria for inclusion in the Inventory of Gardens and Designed Landscapes. The relative lack of physical archaeological remains also means that the site would not at present fulfil the criteria for scheduling as an ancient monument.

Should more information come to light in due course we would, of course, be happy to consider this case further.