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to the extent of 36,750 feet,[1] and this explains the present shape of Bruntsfield Terrace and Bruntsfield Crescent. The pieces of ground affected by the excambion are clearly marked out on the accompanying plan. Mention has been made of the recent addition to the Links of the narrow strip with the old trees growing thereon on the north-west side of the lands of Bruntisfield, in return for the right to form the access to these lands now known as Meadow Place.[2]

But, even since these comparatively recent times, a change has come over the spirit of the famous home of golf. The erection of numberless streets and tenements on the east, south, and west made the exercise of golf on the Links a source of danger to the lieges, and the Town Council found it necessary to transfer to the Braid Hills the practice of the game which the citizens had enjoyed for centuries. The ancient cry of 'fore' is now no longer heard on the Links, although two short hole courses have been provided for the valetudinarian, as well as gymnasia for the children. In the absence of bushes, the right of drying clothes is still carried on by the aid of iron poles; while during the awful war of 1914-18, history has repeated itself. The Bruntsfield Links have again been utilised as a place for the training of our heroic soldiers, as they were during the Napoleonic wars, and in the days of yore when Scotland was an independent kingdom, and when the Links formed a component part of the Burgh Muir.

XVII. The South or Burgh Loch

With the Bruntsfield Links our story of the Burgh Muir terminates, but it is thought advisable to include in our notice a brief account of the South or Burgh Loch. In the

[1] 20 May 1845. Sasine, Sir John Stuart Forbes. *P. R. of S. Edin.*, vol. 1748, f. 150.
3 June 1845. Resig. ad rem. in favour of the Magistrates. *Ibid.*, vol. 1750, f. 75.
[2] *Supra*, p. 34.

course of time the Loch was drained and, generally speaking, is now represented by the area designated the Meadows. The Loch, however, occupied originally a slightly larger area than the present Meadows, which are stated to extend to 63 acres. At the eastern end, which was the deepest part, the Loch included the ground bounded on the north by Meadow Lane and on the east by Buccleuch Street and Hope Park Crescent, on which the Archers' Hall, Melvin's Brewery, and some wretched tenements have subsequently been built. During the Plague of 1645 the magistrates erected lodges for the infected on this piece of recovered ground, but by an Act dated in July of the same year, they were taken down and burned. It was also ordained that 'na housses be built there in that pairt yreftir in na tyme comeing.'[1] The ground recovered from the Loch was, at first, set in lease, the principal tackholder being Andrew Gairdner, the brewer, of whom mention has already been made, and in 1765 the Council paid him the sum of £22 for 'filling up the Loch at his house and making a ditch with stone and lime walls.'[2] By charter dated 11th December 1771,[3] his holding was converted into a feu right in favour of himself in liferent and his son John Gairdner, also a brewer, in fee; and in this writ the subjects are described as consisting of three pieces of ground extending respectively to (1) 1 rood 38 falls 31 ells, (2) 3 falls and 3 ells, and (3) 29 falls and 16 ells. The Royal Company of Archers also feued from the city, by charter dated 18th February 1789, two pieces of ground situated to the west of Gairdner's feu, and extending in all to 1 acre 5 falls 19⅔ ells. On this site the Archers have erected a handsome hall, which has been ornamented with valuable paintings, and in their charter provision is made for a public road to the Meadows of a breadth of at least 20 feet between their feu and that of George Gairdner. The present narrow

[1] *MS. T. C. M.*, xvi. 56.
[2] *Ibid.*, lxxxi. 17.
[3] *City Chart.*, iv. 360, *N.S.*

winding roadway is the result of this arrangement. The opposite, or southern shore was very shallow, and in summer the water receded and laid bare a long strip of ground facing the lands of Sciennes, on which grass, called in the record 'gyrs,' grew, and wild birds made their nests. It became the practice of certain poor women, described as 'gyrs women,' to cut this grass for the use of their cattle, and to harry the birds' nests; but on 19th April 1581, the Council issued a proclamation 'that na gyrs women nor utheris pas within the South Loch to cheir the gyrs thairof, hary the burd nestis, tak away the eggis of the saming before Midsymmer nixt, under the payne of skurgein (scourging).'[1] This is surely the earliest 'wild birds' protection act' on record. The west end was known as the head of the Loch, and here, in 1700, there was a stank or ditch 'at the Fleck Yett at the head of the Loch.' The outlet of the Loch was at the north-western corner, and is marked on Kirkwood's map. It was provided with a 'clowse' or sluice for the regulation of the outflow of the water; while the stream itself was known as the Lochrin —that is, the rin or run of the Loch.

In 1842 Hugh Miller wrote a delightful sketch of the South or Burgh Loch mainly from a geological point of view, but, alas, thanks to the destructive hands of our 'auld enemies of England,' our municipal records, so far as they relate to the Loch, date only from the year 1500. It was, as usual, a time[2] when the Plague hung over the city, and the Council issued regulations to the cleansers forbidding the washing of infected clothes at the South Loch and certain other places.

During the sixteenth century the Loch became the main source of the supply of water for the burgh, and many regulations were issued for the shutting of the clowse in the Lochrin in view of the prevailing scarcity of that commodity. Notices in the extant Burgh Records for reinforcing 'the dike made for

[1] *Burgh Records*, iv. 557. [2] 19th February 1499-1500, *Burgh Records*, i. 77.

inhalding the South Loch,' appear in the year 1553;[1] and on 10th November 1568 John Lawson of Hieriggs complained to the Council that the building of a 'heid dike' upon his ground had 'thairthrough stoppit the watter passage of their South Loch through his landis in all times past.'[2] The Council maintained that the dike was built on their own lands of the Loch for the purpose of holding in the water for the use of the city wells of the Cowgate. Four days later, it appears, Lawson 'and his complices, upoun Sounday at evin last, within silence of nycht,' pulled down the dike, so as to permit the water to overflow his lands. The magistrates thereupon issued a proclamation charging 'all the inhabitants of this burgh, merchants, craftsmen, and all utheris without exceptioun,' each armed with 'schole and mattock and spaid,' to pass with the bailies to the South Loch 'for reformyng of the said wrang, the occasioun thairof, and all uther wrangis within thair boundis and fredome.' Measures had also to be taken in the year 1570, and again in 1581, to prevent the escape of the water 'to the hurt of the toun in this tyme of drowth'; while, three years later, the Treasurer received instructions to enclose sufficiently and substantially the 'ryn of the South Loch, that the water become nocht scant in tyme of drowth.' In the years 1575 and 1582, the water became so scarce that the brewers were prohibited from using water from the town's wells, 'but to fetch what they had occasion for from the South Loch.'[3] Behind the clowse at the 'ryn,' a man named Edward Galbrayth had a house—'laitlie biggit be him at the clous and ryn of the Burrow Loch'—in which he carried on the business of skinner or tanner. This house and the stone wall round it were destroyed in 1582 'be certane wickit persones,' and the merchants and crafts generously contributed the sum of 50 merks each towards his loss. Instructions were con-

[1] *Burgh Records*, ii. 283, 287, 289. [2] *Ibid.*, iii. 257.
[3] *Maitland*, 34.

stantly being issued regarding the retention of the water in the Loch, and by an Act, dated 1st September 1598, the Council found it 'bayt (both) necessar and proffitabill for the weill of the toun that the watter be brocht in fra the South Loch to the toun, to ryn at four fontaynes for serwins the toun, ane at Libertons wynd heid, ane at the Croce, the thrid at the Salt Trone, and fourt at the Freir Wynd, and the meynis be prosequat for effectuating thairof.'[1] The conveyance of the Loch in 1596 to the 'Fellowship and Society of Brewers' had the ultimate effect of arresting to a large extent the use of its water for drinking purposes; and at the dissolution of the Society in 1619, it was found that the Loch had become considerably reduced in area, and its waters muddy. The citizens, therefore, formed a design, in 1621, to 'bring sweet water from the country to supply themselves in the City with that precious element.'[2] Parliamentary sanction was obtained, but it was not until the year 1672 that the scheme was realised by the introduction in leaden pipes of water from the springs at Comiston. Even in 1619 the magistrates ordered the *run* of the Loch to be closed to 'supply the scarcity of the water,' while John Maxwell was imprisoned for 'casting down the march dyke.'[3] The water of the Loch continued to recede, and a large extent of ground was laid bare, which, under the name of the grass of the Loch, was let annually to tacksmen, provided they did not alter the course of the water.[4] In 1637, Samuel Johnstoune of Curriehall, the laird of the lands of Sciennes, undertook under a bond dated 6th September of that year, to leave a common walk on the south side of the south ditch of the Loch, and thereby originated what is now known as the South Meadow Walk. The tacksman for 1650, the year of the Cromwellian campaign, was relieved to the extent of 150 merks of his rent of 200 merks, 'seeing the grasse was

[1] *MS. T. C. M.*, xviii. 200.
[2] *Maitland*, 205.
[3] *MS. T. C. M.*, x. 60, 89.
[4] *Ibid.*, xiii. 94.

destroyed that year be our awen armie.'[1] Despite the efforts of the Council the water of the Loch continued to decrease in extent, and under an Act of 26th June 1657, the Council finally agreed that the Loch be drained, and for that purpose that stanks or ditches be dug round the entire Loch 'and through the same for making of four divisions yrof.'[2] In November of that year it was also agreed to maintain a 'watter pond at the east end of the Loch for wattering of horses, and that the auld Loch rin be made sufficient for letting out or holding in of the water as neid requires.'[3] A patriotic citizen, John Straiton, merchant burgess, boldly took over the Loch and Bruntsfield Links—the former designed as 'that lairge parcell of ground commonlie callit the Burrow Loche or South Loche,' and the latter as 'the Societie Muire . . . commonlie callit Bruntfield Lynks'—in 1658, under a nineteen years' lease for a tack duty of £1000 Scots.[4] Straiton was also given 'the benefite of the fishing within the said loche and stanks thairof'; but the fish in the muddy waters of the Loch—perch and eels—were of the kind seldom seen on a Scottish dinner-table. Straiton did much towards improving the amenity of the *Loch*, which then became known as *Straiton's Park*, but his venture, financially, was not a success, and even after his death his son lodged a claim against the Council for the return of, at least, a portion of his father's losses. William Carfrae and five others took a lease of both the Loch and the Links in 1695, for twenty-seven years, at a yearly rent of £100 sterling;[5] and under an arrangement with the Council they agreed to leave a walk 20 feet broad, together with an inside ditch round the whole Loch. They were also bound to plant ash, plane, or fir-trees round this walk. In 1722, when this lease was nearing expiry, there was evidently considerable controversy regarding the improvement of the Loch, and orders were issued to the

[1] *MS. T. C. M.*, xvii. 371.
[2] *Ibid.*, xix. 218.
[3] *Ibid.*, xix. 260.
[4] *Ibid.*, xix. 306.
[5] *Ibid.*, xxxv. 221.

Treasurer to deepen 'the levell for conveying the water to the bridge at Bailie Gray's, commonly called Lochrin bridge.'[1] But at this juncture another patriotic citizen, in the person of the well-known Mr. Thomas Hope of Rankeillor, appeared, and under a fifty-seven years' lease,[2] dated 7th September 1722, he generously relieved our civic rulers from the difficult task of converting the muddy bottom of an ancient loch into an ornamental park for the use of the citizens. To attain this purpose, Hope stipulated that the citizens should be denied access to the Loch for a period of seven years. He was bound to leave a walk all round 'the Meadow' 33 feet broad, and to complete it with an inner ditch 5 feet broad; while each side of the walk was to be provided with a hedge and rows of trees. Across the middle of the Meadow was to be another walk likewise provided with ditches and trees on either side. The town also arranged that, 'in case the toun purchase from Heriot's Hospital room for a walk cross the feilds north of the Meaddow for a common entry yrto and plant the same with hedges and trees,' the duty of the maintenance of these trees should fall upon the tacksmen. The ground for this 'walk cross the feilds'—now represented by the portion of the Middle Meadow Walk commencing at the 'meadow poles' at Lauriston and extending southward to the Meadows—formed part of the lands called Heriot's Croft, and was feued by the Hospital to the magistrates on 18th November 1737.[3] At this point, in Hope's day, a bridge was placed over the ditch, while the same provision existed at the south end of the Middle Meadow Walk. A leading feature among the improvements was the provision of a large summer-house that figured prominently at that period under the name of 'The Cage,' which was situated at the south end of the Middle Meadow Walk. Of course, the building occasionally suffered at the hands of the unruly elements

[1] *MS. T. C. M.*, xlix. 288.
[2] *Ibid.*, xlix. 322.
[3] Roll of Superiorities—Heriot's Hospital.

of the city, and ultimately the magistrates found it necessary to remove the leaden roof entirely. 'The Cage' was finally removed some time between the years 1821-8. The ground occupied by the ancient loch was then known by the name of the 'Hope Park,' and it was in answer to a petition to the Council in 1743 that the new entry through Heriot's Croft was thrown open to the public. In the petition it is stated that there was 'a universal complaint that this metropolis was destitute of any public walk reckoned in other parts as so necessary to the policy of a great town, and so conducive to the health and pleasure of its inhabitants.' The petitioners, therefore, beg the Council to 'make a gateway[1] through the Town Wall corresponding to the avenue leading directly to the Meadow.'

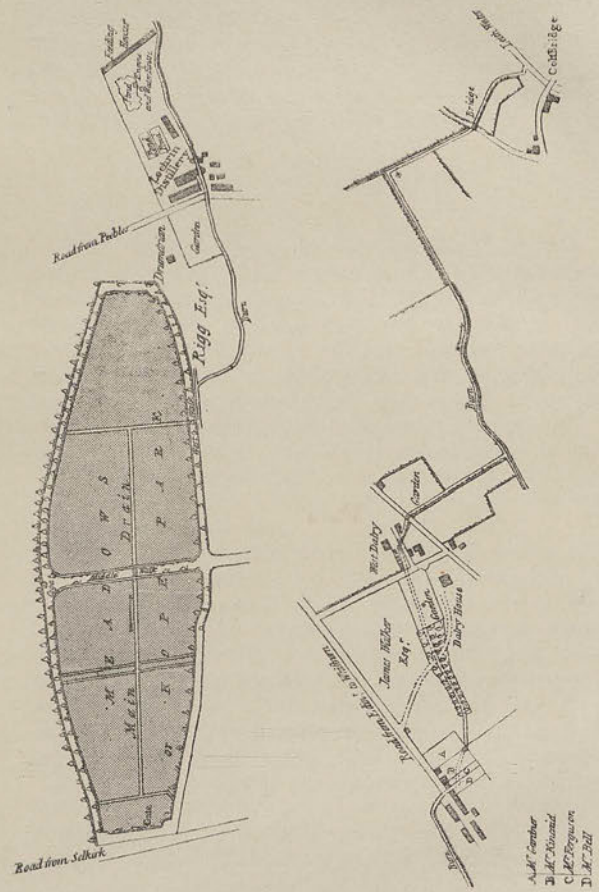
Robert Chambers tells us that William Burnes, the father of Robert Burns, our great poet, 'took part in laying out the Hope Park'—*i.e.* the Meadows—'in the south side of Edinburgh. This was probably about 1749. Next year he migrated to Ayrshire, having accepted the post of gardener on the estate of Fairlie, in the Parish of Alloway.'[2] That the poet's father came to Edinburgh, 'where he wrought hard when he could get work, passing through a variety of difficulties,' is vouched for by Gilbert Burns, the poet's younger brother.

In spite of all Mr. Hope's efforts, the work of draining the Meadows failed to attain the complete success he so much desired, and various notices, subsequent to the expiry of his lease, show the activity of the city fathers in this direction. In 1804 the Council, acting under the City Improvement Acts of 1785 to 1787, agreed to advance the Trustees for the South Bridge the sum of £1500 for draining the Meadows by means of a covered drain running eastward

[1] See illustration of this gateway in *Book of the Old Edinburgh Club*, vol. ii. p. 84.
[2] Chambers's *Life and Works of Robert Burns*, N.E., vol. i. p. 27.

to the King's Park.[1] During the currency of his lease Hope of Rankeillor had cast a drain from the east end of the Loch, which, in the course of time, became choked. By the end of the eighteenth century the sewage from Buccleuch Place, George Square, and neighbouring buildings, was carried into the central drain in the Loch, and in 1804, as above mentioned, the Council commenced the work of carrying off the polluted water. Two years later Mr. James Haig of Lochrin Distillery contested the right of the magistrates to withdraw any water, whether pure or foul, by means of drainage from the east. This distillery, which was supplied by water from the Meadows by means of the Lochrin Burn, stood on some eight acres of the lands of Wright's Houses, now partly covered by tenements at the corner of Home Street and Gilmour Place; and Mr. Haig declared that the carrying out of this new work by the magistrates would 'totally destroy my distillery by taking away the water necessary for cooling my worms, etc., unless another supply of water was given to me.'[2] The litigation dragged its weary length until the year 1812, when the Court decided that the magistrates were entitled 'to carry off by drains the foul or other water which has been artificially conducted into the Meadows, eastward of the Middle Walk in the direction proposed by them'; but, as the natural outlet of the Meadows was by Lochrin, they were 'not entitled to divert from that natural course the spring or other water flowing into or rising in the Meadows, and rain water falling into the same.' The Lochrin Burn, it may be explained, flowed partly under ground in a north-westerly direction, until it joined the Water of Leith near Coltbridge.[3] Hugh Miller, in his brochure, tells us of the nature of the drainage operations conducted in the Meadows in the year 1842, of the smashing of the huge boulder stones,

[1] *MS. T. C. M.*, cxl. 378.
[2] Bill of Suspension, *Haig* v. *Magistrates*, 14th Jan. 1806.
[3] *See* accompanying plan.



THE MEADOWS, WITH ITS OUTLET OF THE LOCHRIN BURN, AS IN 1812

and of the cutting of the peaty bottom of the Loch by Irish labourers. About twenty years later another series of operations for the same purpose was carried out, and the present-day citizens little realise the immense amount of money and labour that has been expended at the instigation of the magistrates in the formation of this useful lung of the city.

Now, the superiorities derived from the Burgh Muir form part of a municipal fund known as the Common Good, and of this fund an account, entitled 'Report of the Common Good of the City of Edinburgh,' was compiled in 1905 by Sir Thomas Hunter, the Town Clerk, and Mr. Robert Paton, the City Chamberlain. This work, with its accompanying maps, is of considerable value, and, because of its official character, the information it contains is likely to be accepted as historically correct. Hence it is necessary, before quitting the subject of the Burgh Muir, to examine, somewhat critically, a few points that undoubtedly impair the usefulness of this important document.

On turning, therefore, to page 18 of the Report, we find the following statement regarding the Warrender Estate: 'A considerable portion of the Warrender Estate included in the ground feued by the Corporation (and therefore properly forming part of the superiority belonging to them which has not been alienated) is now said by the owner to be held of the Crown under charters by progress. On that account he claims he has now extinguished the Corporation's superiority in these lands. This is a legal question not discussed here.' Under this statement Sir Thomas and his coadjutor lay claim to the sergeantry lands of Bruntisfield as forming part of the Burgh Muir; but they fail to furnish any evidence upon which their assertion is founded. In reply the

law-agents for Warrender confine their answer to the fact that they were now entered with the Crown, and thereby had extinguished any claim by the Corporation in these lands. 'And this,' continue the reporters, 'is a legal question which is not discussed here.' But it is also a question of considerable historical interest. Indeed, had history been consulted by either of the contending parties, it would have shown that it was not until the year 1508 that the city had the right to feu off any portion of the Burgh Muir, and that the Warrenders and their predecessors have held these sergeantry lands of Bruntisfield directly from the Crown back to the year 1381, a period of nearly five and a half centuries. It is quite apparent that a fallacy underlay the views of the learned compilers of the Report regarding the dimensions of the ancient Burgh Muir. They seem to have regarded the whole of the ground, without exception, situated to the south of the Burgh Loch, as falling within the area of the Muir, and that therefore these sergeantry lands must have been originally feued out by the city. In like manner they have also included the whole of the Estate of Grange, the boundaries of which are stated to be 'difficult to define, but may be stated approximately as follows:—On the North by Sciennes Road, on the South by the Jordan Burn, on the East by Causewayside and Mayfield Road, and on the West by the Blackford Avenue, Kilgraston Road, and the back greens of the houses in part of Marchmont Road and Marchmont Crescent.' In this description the reporters have included the ancient Grange of St. Giles which has been held for so many centuries directly from the Prince and Steward of Scotland, and which at no time formed part of the Burgh Muir. Further, both the sergeantry lands of Bruntisfield and the whole Estate of Grange are coloured dark red on their map, thereby implying that these lands are 'still held by the Corporation in Property or Superiority.' The lands of Whitehouse find no place in this Report, but they are tinted

light red on the map, indicating that the superiority has been sold by the city. The original lands of Whitehouse, being the northern and larger portion of the present estate, never formed part of the Burgh Muir, and ought, like the sergeantry lands of Bruntisfield and the Grange of St. Giles, to have been left uncoloured on the map.

It is remarkable how history succeeds in many cases in thrusting aside the mass of tradition that so often clogs its path. The belief that the Burgh Muir comprised the whole of the land situated between the South Loch—now the Meadows—and the Pow or Jordan Burn, has for many years been universal, and yet the materials for history are still extant. Had the sergeantry lands of Bruntisfield, the Grange of St. Giles, or the provostry lands of Whitehouse formed at any time part of the Burgh Muir, the titles of the respective proprietors would have duly appeared in the City Chartularies: they appear—and have always appeared—in the Register of the Great Seal, in which charters flowing from the Crown are alone recorded. This is an additional proof of the truth of the old adage that charters form the skeleton or dry bones of history. Hence, also, the reason for the plethora of references in the present work to the City Chartularies and other records which may, perhaps, disturb the lay mind, but will, it is to be hoped, prove of interest to the true lover of Old Edinburgh.