

**WRITTEN STATEMENT
OF INVESTIGATION**

In respect of

ARCHAEOLOGICAL
RECORDING

at

SPYNIE PALACE

BISHOP'S WELL INVESTIGATION

for

Historic Scotland

by

Kirkdale Archaeology



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11th April 2016

INTRODUCTION

OS Grid Reference: NJ 228 658 – NJ 232 659

HS Index Number: 90282

A programme of archaeological works conducted by Kirkdale Archaeology is required in order to monitor the work associated with the proposed work to make the Bishop's Well at Spynie Palace safe for the general public.

The Bishop's Well is situated on the north side of the path approaching Spynie Palace on what was formerly the edge of Spynie loch. It was investigated during excavations in the late 1980s and early 1990s at the Palace, but has since become overgrown and choked with mud and leaves. The well is currently roughly marked out with small posts, but is clearly a health and safety risk.



Plate 1: The Bishop's Well.

Although the primary intention is to make the well safe, a better understanding of how much survives, its relationships and importance would help us to interpret the development of the feature and the castle environs as a whole and to assess the impact of future planned works in this area.

HISTORICAL BACKGROUND

Spynie Palace/Castle was for five centuries the residence of the Bishops of Moray. The church of the Holy Trinity at Spynie was established as the cathedral church for Moray in 1207, although it is very likely that it served as the cathedral from the early 12th century. Archaeological excavation suggests that a ringwork castle was constructed during the late 12th or early 13th century, probably serving as the first episcopal palace. In 1224 the cathedral was translated to Elgin, where it gained protection from the royal castle and was served by the burgh market.

A castle at Spynie is first explicitly referred to in 1292 – 6, in a ‘Short Description of the Kingdom of Scotland’. This describes the castles of Elgin and Spynie (*castrum de Spynie*) as representing respectively the seats of civil and ecclesiastical authority. After the burning of the town and cathedral of Elgin in 1390 by Alexander Stewart, Earl of Buchan (known to history as the Wolf of Badenoch), Robert III ordered his brothers, the earls of Buchan and Moray, ‘*not to interfere in any part with the castle of Spynie by further pretext*’. It is not clear if Spynie had actually suffered damage. Between 1462-7, the great tower house, known as David’s Tower, was begun during the episcopacy of Bishop David Stewart, and was completed by his successor William Tulloch (1477-82). Between 1538 – 73 the palace served as residence for the last catholic bishop of Moray, Bishop Patrick Hepburn. After the defeat of the Marian party at Carberry Field on 15th June 1567, Queen Mary’s third husband, James Hepburn, Earl of Bothwell stayed at Spynie, house of his kinsman Bishop Patrick. During his stay, he killed one of the bishop’s sons and seized the castle. From Spynie he fled to Orkney and then to exile in Norway. The Palace played a role in the Wars of the 1640s. In 1640, a covenanting force seized the castle from Bishop Guthrie. The palace also briefly featured in Montrose’s rising in 1645 in support of Charles I. After Montrose’s victory at Auldearn, Elgin was occupied and the offices of Spynie were burnt. The palace itself was besieged, unsuccessfully, by Lord Lewis Gordon, acting for the earl of Huntly. A number of inventories of Spynie Palace survive from the first half of the 17th century when the castle was occupied by the Protestant Bishops of Moray. The inventories provide information concerning room use and the structure of the house hold in this period. With the abolition of the episcopacy in 1682, the palace was annexed to the Crown, which rented it out for £12 a year. From this time the palace appears to have been stripped of its iron-work and timber.

An engraving from the early 1800s shows a row of cottages on the edge of the loch to the west of the palace. The ‘Bishop’s Well’ may be a related feature, and thus possibly post-medieval in date. In 1920 the palace was scheduled as an Ancient Monument and was given into guardianship in 1973.

ARCHAEOLOGICAL BACKGROUND

It was noted in 1868 that the 'Bishop's Well' was a fairly recent name, and that the well was adapted for domestic use. The well appears on all editions of the OS maps. Investigations were undertaken in 1987, although recording was challenging because of dense mat of tree roots. The results are recorded in Lewis and Pringle's *Spynie Palace and the Bishops of Moray*.



Figure 1: Plan of the Bishop's Well, taken from '*Spynie Palace and the Bishop of Moray*', Lewis and Pringle 2002.

An 8m x 2m trench was opened around the well, prompted by damage done by cattle which had been using the well as a watering hole. The well had been demolished to ground level. Its shaft was 1m in diameter with clay bonded sandstone walls 0.3m thick. The area around the well was, and remains, boggy. To the north of the well was a floor of crude flags or cobbles overlain with a topsoil which contained 19th century pottery. North of the well was a crude rectangular trough, aligned E/W and built of planks which were kept in place by posts. The cobbles and flags continued beyond the trough where they were disturbed by a shallow E/W gully. In the north-east corner of the trench were the remains of upright posts, a post pit, a few large boulders and patches of burnt soil, none of which were investigated.

Although recorded on later maps with an apparent association with the 'fisherfolk' cottages, the antiquity of the well is unclear. Its use may in fact date back much further.

ARCHAEOLOGICAL MITIGATION



Plate 2: The Bishop's Well.

The requirement for some sort of barrier or cover to prevent access to the well is hard to dispute. Choked with leaves and hard to see, it is an obvious health and safety hazard. The well is on sloping ground, not visible from the shop, and most people would approach it from the road above, which increases the risk of an accident. The significance of the well, and therefore the impact of any intervention, is currently unknown. It is potentially associated with the palace, or nearby settlement, although no interpretation is provided for it at present.

The least invasive solution, and the one that will be implemented during the current programme of work, is to cap the well. Whether or not this is possible will depend on its structural integrity, which will require further investigation of the feature and its immediate surroundings. It is possible that the northern part of the well has been lost. There are some detached stones downhill from the well which may have come from it.

The level of excavation required will be restricted to the clearance of soil down to the features exposed in 1987. Therefore, the archaeological impact of capping the well is potentially minimal.

Aesthetically this is also the most desirable solution to the problem, as the cap would be unobtrusive. It would require clearance of overlying topsoil and vegetation cover of the area

immediately around the well, up to 1m in all directions. The purpose of this is to expose the edges of the well and to determine whether the complete circuit of stones remains in place. Once cleared, the well and any surrounding features will be drawn and photographically recorded. This would need to be done in advance of the scheme for capping the well being worked up, as the presence or absence of the rest of the well structure will have an impact on the form which the cap takes, if it is possible to cap the well at all, and how it is fixed in place. The cap may have to extend beyond the sides of the well if it cannot be fixed into the sides, hence the need to re-expose the previously excavated surface beyond the sides of the structure.

If the state of the well is such that it is not possible to achieve this, work will stop and the significance of the findings assessed. Historic Environment Scotland (HES) CRT will be informed, who will discuss the findings with the HES Heritage Directorate before resumption of the work.

M O N I T O R I N G

This will entail:

- The presence on site of at least one site archaeologist during all ground breaking works.
- The archaeologist should be able to direct rate, location and method of excavation employed by contractor.
- The archaeologist should suspend excavation if necessary, in order to examine / clean / retrieve any archaeological features, surfaces, structures or artefacts that may be exposed during excavation.
- All spoil will be suitably stored for examination before backfill/reinstatement.

A R C H A E O L O G I C A L R E C O R D I N G & E X C A V A T I O N

This will entail:

Drawing

- Confirmation of site plan as supplied by the Client.
- Location plan of all interventions at a suitable scale, 1:50/1:100.
- Detailed, individual area plans of all interventions – at significant stages of excavation if appropriate and on completion of excavation, drawn at a scale of 1:20.
- All sections, or a representative selection, will be drawn in detail at a scale of 1:10.
- All drawing will be annotated with site feature numbers, site code, scale, date and name(s) of staff.

Photography

- Still photographs will be colour digital and will record general location of works, plus detailed coverage during, and on completion of, excavation.
- All photographs will have a suitable scale visible.
- All photographs will be listed in a full photo register (describing content, orientation and date).
- 'Documentary' photographs will also be taken in order to represent site conditions, constraints and resources.
- If appropriate, digital moving coverage will be taken for further illustration of site conditions, constraints and resources.

Site Recording: Buried Archaeology

- Description of all excavated material will be expressed in terms of archaeological features, each of which will be assigned a unique three-digit number. The numbering will also reference the site code and any individual trench number.
- Each discrete feature will be described on site *pro forma*, which will cover stratigraphic relationships, finds, physical description, location, drawing references and interpretation.
- Each feature will also be listed in a feature register – comprising a brief description, date, and feature number.

Sampling

When required, three levels of sampling are proposed for above and below ground investigations:

- **General:** Bulk sample per context removed.
- **Special:** Specific sample identified for later specialist study (charcoal, industrial waste, environmental, infestations, organics).
- **Specialist:** Monitoring of any independent sampling strategy from external specialists (dendrochronological, mortar, paint, *etc.*)

GENERAL ISSUES

In the event of the discovery of significant remains and/or artefacts, which may be impacted by the proposed works, excavation should be suspended until further instruction is received from relevant agencies. At this point the Historic Environment Scotland CRT and Heritage Directorate should also be informed and consulted.

All artefacts, faunal remains and samples will be processed off-site. Disposal and/or examination/conservation of this material will be assessed in the light of results of fieldwork. Any programme of specialist post-excavation work on finds, faunal remains and analysis of samples will be assessed on completion of the fieldwork

Any human remains revealed during the excavation will remain *in situ*. All discoveries of human remains will be reported to the local police and Historic Environment Scotland CRT.

If human remains are to be excavated during any subsequent work, this will be completed in line with Historic Scotland policy on the treatment of human remains.

REPORTING

The results of the Fieldwork and DBA will be presented in an illustrated Data Structures Report (DSR) with accompanying digital documentation as specified by the Historic Environment Scotland CRT.

Copies of the report and digital files will be produced as specified. Typically this comprises:

- Four bound paper copies.
- Two digital versions on CD including all photographs (the latter in tiff or jpeg format).

This will include an assessment of all assemblages and recommendations for any further specialist work.

A costed programme for the full sample analysis towards publication of the findings will be included if appropriate.

A short note will be submitted to 'Discovery and Excavation in Scotland' and OASIS

The position of all trenches, excavation areas *etc.*, will be supplied on CD disk, as a georeferenced .dxf file.

Reports will be submitted within 20 working days of completion of the fieldwork.

ARCHIVE

If there is no further requirement for reporting beyond the DSR and D&E entry, the report and site records will be compiled in a suitable archive comprising primary data and digital documentation as appropriate, suitable for submission to local and national archives.

The archive will follow current guidelines for archival standards set by the Archaeology Data Service and RCAHMS.

The project archive will be deposited with the NMRS within six months of completion of fieldwork and relevant post-excavation analyses. Finds will be subject to the Scots laws of Treasure Trove and *Bona Vacantia*, and will be reported to the Crown Agent for disposal. Appropriate conservation of finds will be conducted before disposal.

Gordon Ewart

11th April, 2016