

TORTHORWALD CASTLE

(NY033782)

by

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Early History

The earliest known possessors of the lands of Torthorwald were the family of "de Torthorwald", who took their name from the place. They were evidently a family of some consequence, and it was presumably they who raised the first, motte-and-bailey, castle on the site some time during the 12th century. It is from this period that the extensive earthworks surrounding the site would seem largely to date, although the name Torthorwald, meaning "hill of Thorold",¹ suggests that they may well incorporate earthworks of an even earlier, pre-mediaeval settlement.

David de Torthorwald was witness to a Bruce charter c.1218;² and around the same date Bruce confirmed to David that no fine for straying animals would be exacted within the barony of Annandale and the tenement of Torthorwald except 1d for 10 cattle, 1d for 10 sheep, etc.³ Some of the family later supported the English during the Wars of Independence, and forfeited their lands.⁴ It was presumably then that Bruce granted the barony of Torthorwald to Sir John de Soulis,⁵ although the de Soulis did not long enjoy the property before they too suffered forfeiture. Another of the family was Sir David de Torthorwald, who swore fealty to Edward I in 1291.⁶ On his death in 1296, he was succeeded by his only daughter, Isobel, who, according to some accounts, is said to have married Sir Humphrey de Kirkpatrick, eldest son and heir of Sir Roger Kirkpatrick of that Ilk.⁷ It was to this Sir Humphrey in 1321 that Bruce granted the whole lands and town of Torthorwald, with the 3 husbandland of Roucan, in free warren as a reward for his services and in part compensation for the destruction of Auchencass, the family's former stronghold.⁸ This grant was confirmed in 1326.⁹ Thereafter Humphrey and his successors were designated "of Torthorwald", which presumably became their new seat.

1 Johnson-Ferguson, Sir E. *The Place Names of Dumfriesshire* (1935), 120.

2 Bain, J. et al. (eds.), *Calendar of Documents relating to Scotland, 1108-1516* (1881-1970), I, No.706.

3 Ibid, No.1683.

4 Ibid, II, No.1437; IV, 386; RCAHMS, *Inventory of the County of Dumfries* (1920), xxvi. In 1330/1 Edward III granted a pension to John de Torthorwald, as his father had lost his lands in Scotland for supporting Edward II (Bain, *op. cit.*, III, No.1020).

5 *Registrum Magni Sigilli*, I, App.2, No.143.

6 Black, G. F. *The Surnames of Scotland* (1946), 776.

7 Black, *op. cit.*, 776; Grose, F. *The Antiquities of Scotland* (1797), I, 154. In 1332, Humphrey's wife is on record as "Idonia", who may be the same lady or a later wife (Bain, *op. cit.*, III, No.1067). Other accounts say Isobel married Duncan Kirkpatrick, a younger son of Sir Stephen Kirkpatrick of Closeburn.

8 Hist. MSS. Comm., *Buccleuch MSS.*, 42 (No.75); RMS I, App.1, No.58 and App.2, Nos.305, 354; Reid, R. C. 'The Early Kirkpatricks', TDGAS, 3rd Ser., XXX, 71-2. Auchencass had been destroyed by Bruce while occupied by an English garrison. It was later repaired, and again destroyed c.1332. Some lands adjoining Torthorwald were granted by David II to the daughter and heiress of Thomas de Torthorwald (RCAHMS Dumfries, *op. cit.*, xxvii).

9 Ramage, C. T. *Drumlanrig Castle and the Douglasses*, 389.

When Edward Balliol invaded Scotland in 1332, Humphrey and his wife fled with his parents to England.¹⁰ They returned some time later, but in 1357 Humphrey returned to England again as a hostage for the release of David II, and there he died. He was succeeded in Torthorwald by Roger Kirkpatrick, who is thought to have been his younger brother.¹¹ Roger's tenure was very brief, for after taking Caerlaverock Castle and being appointed its captain, he was murdered there later the same year.¹² The next laird was Roger's son, Sir Duncan Kirkpatrick, who was granted a new infeftment in the barony of Torthorwald in 1398.¹³ Leaving no male issue, his estates devolved upon his three daughters, the eldest of whom, Elizabeth, inherited Torthorwald, while the next daughter, Janet, received part of the lands of Kirkpatrick with Auchencass.¹⁴

Elizabeth Kirkpatrick married William Carlyle, son and heir of Sir John Carlyle, the representative of the ancient family of Carlyle from the city of that name.¹⁵ Elizabeth's father died before June 1425, after which time William is designated "of Torthorwald".¹⁶ In 1436 he agreed with Thomas Graham of Auchencass to exchange that part of the lands of Kirkpatrick that he had inherited through his late wife for half the lands of Roucan, in the barony of Torthorwald, which Graham had inherited through his late wife, Janet Kirkpatrick, Elizabeth's sister.¹⁷ By 1443 William had also acquired the lands of Kinmount.¹⁸ He died in 1463.

By this time the present castle of Torthorwald had been built, though who first built it, and when, is not known. As the ruins now stand, they represent no less than four phases of building, the earliest of which undoubtedly dates from the 14th century. Cruden has suggested a date early in the century, pointing out that the masonry incorporates checked or rebated joints, a rare feature found elsewhere in SW Scotland at the castles of Lochmaben and Loch Doon,¹⁹ while Stell is inclined to a date somewhat later.²⁰ A further problem is that the rebated joints referred to by Cruden belong, not to the first, but to the second phase of building. It is not until much later that the castle itself is first mentioned. Standing on a rocky outcrop, some 250ft up the western slopes of the hills that divide Nithsdale from Annandale, it had a commanding view over the Lochar Moss and Lower Nithsdale to the S and W.

The site

The site of the tower is a platform, roughly L-shaped and measuring some 185ft by 130ft, with the two arms extending to the S and W. Beyond this to the N and E are elaborate earthworks, with high ramparts and wet and dry ditches up to 20ft deep; and although the earthworks on the other sides have largely been levelled by modern cultivation, the outline

10 Reid, *op.cit.*, 71.

11 *Ibid.*, 72.

12 *Ibid.*, 73-5.

13 *Ibid.*, 76: RMS 1, App.2, No. 1764.

14 Reid, *op.cit.*, 76-7.

15 *The Scots Peerage* (1904-14), II, 369-80.

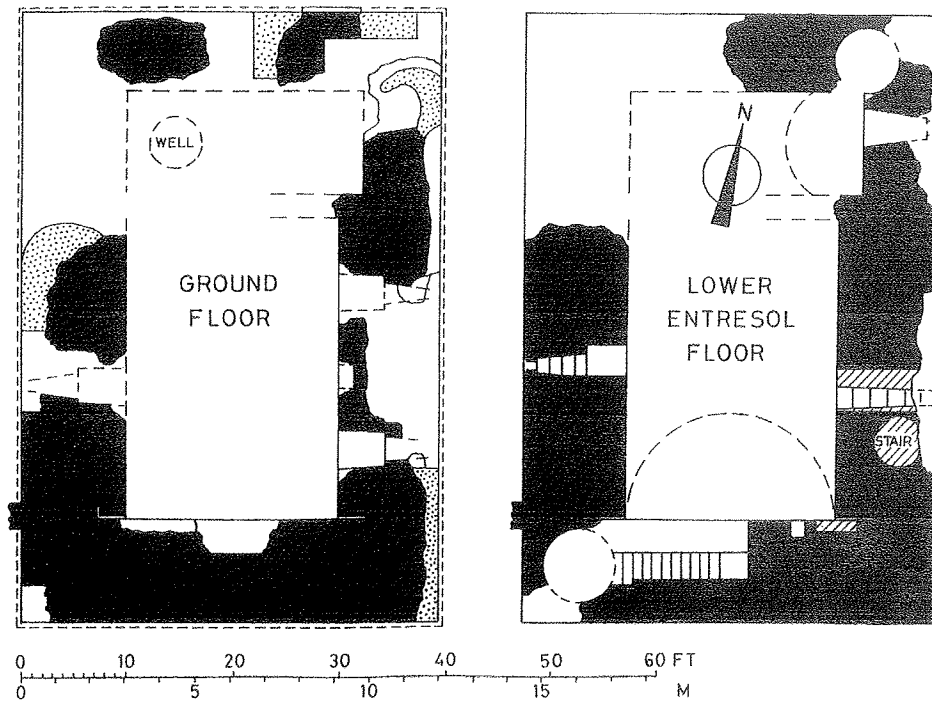
16 *Ibid.*, 380.

17 *Ibid.*, 381.

18 *Ibid.*

19 Cruden, S. *The Scottish Castle* (1960), 52.

20 Stell, G. *Exploring Scotland's Heritage: Dumfries & Galloway* (1986), 92.



TORTHORWALD CASTLE

Fig. 1 Plans of ground and lower entresol floors.

of an outer bailey can still be traced in the adjacent field to the S and W.²¹ Occupying the W arm of the platform is the outline of an irregular, quadrangular enclosure, averaging about 60ft by 50ft, while the tower itself stood in the re-entrant angle. From the SW corner of the tower an enclosing wall ran S to the SW corner of the site, where there is evidence of a circular corner tower.²² The wall then continued E and N around the edge of the platform to the NE corner, where there appears to have been a second corner tower, before continuing W to the NE corner of the quadrangular enclosure. A further section of the curtain, now no longer traceable, completed the enclosure on the W side, where tussing, 2ft 6in wide, may still be seen in the tower's W wall. Immediately S of the NE corner tower, and abutting the E curtain, there was a range of outbuildings whose foundations can still be traced; they were approximately 13ft wide inside walls 3ft thick. Access to the platform was from the outer bailey to the S, while on the E side the site of a later bridge across the wet ditch is marked by traces of the abutments.

²¹ It shows up as a crop mark in aerial photographs, and could still be discerned on the ground within living memory.

²² RCAHMS Dumfries, *op. cit.*, 201.

The tower

The tower itself, which is oblong in plan, is very ruinous, the whole of the NW corner and most of the vaulting having fallen prior to 1788.²³ It is only because of an extensive programme of propping and stabilization in the 19th century that the rest survived so well until early in 1993, when the whole NE corner finally collapsed. It remains an impressive edifice, rising to a height of some 60ft.²⁴ Originally, the tower measured about 47ft from N



Fig. 2 Torthorwald Castle from S.E.

to S by 39ft 3in from E to W over walls varying in thickness from 7ft on each side to about 9ft 6in at the ends. It was built of Silurian rubble with quoins and margins of dressed red sandstone, all bonded by a very strong mortar of shell lime. There was a splayed plinth course, now almost entirely below ground level, but there was evidently no vaulting. The basement presumably included the two slit-windows in the E wall, parts of which still exist, but the slit-window on the W side bears evidence, in the S jamb, of even earlier work; perhaps it was originally a secondary entrance to the basement. The large recess in the middle of the S wall is now so ruinous that its purpose is uncertain.

²³ Cardonnel, A. de *Picturesque Antiquities of Scotland* (1788). 'Torthorwald': Grose, *op. cit.*, I, 147.

²⁴ McGibbon & Ross (*The Castellated and Domestic Architecture of Scotland*, I, 175) compared it with the massive character of Dundonald, but on a smaller scale.

The original entrance to the tower was in the middle of the E wall at first floor level, where the dressed jambs and round-arched head of the doorway may still be seen partially built up in the outside wall (Fig. 3). Adjacent to this on the S side there was a wheel-stair leading to the basement. This was later filled in, and its existence only came to light recently when fallen masonry exposed parts of it in the body of the wall.²⁵ A small window in the middle of the W wall also appears to be an original feature. Although its recess has been altered on the inside, the external surround is original and the only one in the castle to survive intact; it has a hollow chamfer on the arrises - a feature also found at Threave - , and originally held an iron grille comprising one vertical and three horizontal bars. The only features in the S wall are two doorways: one at the E end, which is now blocked, probably gave access to a mural chamber in the SE corner, while the other admitted to a straight stair that rose within the thickness of the wall from this floor to the SW corner of the second floor.



Fig. 3 Tortorwald Castle.
Detail of window inserted in original entrance doorway of first floor.

At some later date the inside of the tower was transformed, and the floor levels changed, by the introduction of two vaults and the provision of a new entrance at ground level. At the same time the upper floors were largely reconstructed. This work, which brought the tower more into line with the tower-castles of the 15th century, is clearly distinguished from the earlier work by the well cut, sandstone ashlar used throughout most of its construction. It also necessitated an additional 2ft 6in thickness of walling inside the old side walls to support the vaults. The new basement thus formed beneath the lower barrel vault occupied the whole of the original two, lowest storeys. It appears to have been a single chamber, 15ft high, with no entresol floor.²⁶ As the vaulting and its supporting wall on the E side cut right

²⁵ This stair is not mentioned by either McGibbon & Ross or the RCAHMS.

²⁶ McGibbon & Ross believed there was an entresol floor, unless they were referring solely to the extension.

across the former doorway in the SE corner, this had to be closed up, while the old entrance in the E wall was partly filled up and converted into a window, which, together with the one opposite to it in the W wall, were carried through the upper part of the vault to provide additional illumination for the basement. It was at this time that the wheel-stair adjacent to the original entrance was filled in. It was probably also at this time that the suggested early entrance to the basement was converted into a window recess.

Beneath the upper vault was the great hall, a vast chamber that apparently rose straight up to the pointed barrel vault some 25ft above. Again, there is no evidence of an entresol floor.²⁷ All that remains within the hall is one large window recess in each of the side walls at the S end and a fragment of another window recess further N in the W wall. From this level a wheel-stair, also built of ashlar, rose within the SW corner to serve the upper floors. No details of these floors remain, and the solitary pillar of rubble masonry that rises another 15ft at the SE corner is all that now remains of a still later period of construction.

The N end of the tower was a later addition. It appeared to have been contemporary with the second building phase, but not to have been added until after the upper vault was finished. The builder then seems to have decided that the tower was not large enough for his needs after all, so the N wall was removed in its entirety and an extension added to increase



Fig. 4 Torthorwald Castle from N.W., prior to collapse of N.E. corner in 1993.

27 The great hall at Borthwick, which is also 15th century work, is 29ft high.

the overall length of the tower to 56ft 6in. However, the new walls, which were of coursed sandstone ashlar, were not so massive, those on the N and E sides averaging only 7ft 3in in thickness. The additional accommodation thus provided was not integrated with the older work, from which it was separated by a new partition wall 2ft 4in thick, and the floor levels themselves were also different, the second floor of the extension being several feet above the level of the hall. It was not until one reached the upper vault that the building lines coincided, with the southern portion of the vault continuing into the extension, but not before a sharp dividing line, now collapsed, cut right across the vault to show where the old N wall was removed and the extension added. Below this level the extension's layout was much the same as if it were a wing to provide separate family accommodation, as at Cessford or Neidpath but on a smaller scale. There were four storeys below the upper vault. Over the lower two of these there was a segmental barrel-vault built transversely across the width of the tower. In the basement floor near the NW corner there is said to have been a well, while in the NE corner a mural stair rose to the third floor. No details of these chambers remained, except for one small window in the E wall at first floor level, a window recess in the E wall and a mural recess off the stair at second floor level, and the splayed right jamb of another window recess in the N wall at third floor level. Regrettably, these all disappeared in 1993.

Later history

William Carlyle was succeeded at Torthorwald by his eldest son, John, who had a distinguished career in the service of the crown. Among the many offices he held at various times were those of Keeper of Threave and Lochmaben castles and Justiciary of Annandale.²⁸ He was created Lord Carlyle of Torthorwald in 1473.²⁹ In the same year he changed the name of the castle to 'Carlyle', and received a crown charter erecting the town of Torthorwald into a free burgh of barony, to be called the "town of Cairleill".³⁰ Just before his death in 1500/1, his grandson and heir, Sir William Carlyle, received a crown charter of the lands and barony of Carlyle, with the castle and fortalice, and other lands.³¹ Thereafter the fortunes of the Carlyles went into decline.

In 1525 James, 3rd Lord Carlyle, had sasine of the barony of Carlyle as heir to his father, but he died the next year. Three years later, in 1529, his widow, Janet, was granted a crown charter of a liferent from the estate,³² while James's brother Michael, 4th Lord Carlyle, received a charter of all the lands and barony.³³ This led to a fierce argument years later, in 1544, when Lord Carlyle "violently evicted" Janet from "the place of Torthorwald", and the Crown had to intervene to resolve the issue.³⁴

In 1547 Lord Carlyle pledged 206 men to the service of England.³⁵ In the same year he surrendered the castle to the English, but it was recovered the following year by the Master

28 *The Scots Peerage*, II, 383.

29 *Ibid.*

30 *Ibid.*

31 RMS II, No.2564.

32 RMS III, No.868.

33 *Ibid.*, No. 871.

34 RMS IV, No.75.

35 Armstrong, R. B. *The History of Liddesdale, Eskdale, Ewesdale, Wauchopedale and the Debateable Land* (1883), lxxiv.

of Maxwell.³⁶ Meanwhile Lord Carlyle's finances continued to deteriorate, so that by the time the English made a survey of the West March c.1563-6, he was reported to have only 10 horsemen left in his service.³⁷ Eventually, in 1573, he was forced to sell the lands and castle to his third, but eldest surviving son, Michael, reserving only free tenement to himself and an annualrent from the town of Torthorwald for his wife.³⁸

Following the death of the 4th Lord Carlyle two years later, the succession to the peerage, the lands and castle of Torthorwald and other family estates was bitterly contested between his eldest surviving son, Michael, and his second son's daughter, Elizabeth, the heir general. To further confuse matters, the changing fortunes of the Regency of the Kingdom came to have a direct bearing on the fortunes of Torthorwald itself. In 1575 the Regent Morton granted the ward of the lands and barony of Carlyle, including the castle of Torthorwald, to his half-brother, George Douglas of Parkhead, completely disregarding Michael Carlyle's purchase of the lands two years earlier.³⁹ Not surprisingly, Michael refused to vacate the lands, and in 1578 was put to the horn.⁴⁰

But with the fall of the Earl of Morton in 1580, Douglas of Parkhead lost his support. Michael Carlyle now sold most of the estate, except the lands and castle of Torthorwald, to Lord Maxwell, and this was confirmed by crown charter.⁴¹ Douglas, however, would not surrender the "toure, fortalice and castell of Torthorall", and so was put to the horn.⁴² If Carlyle had found favour again, it was short lived, for in 1583 James Douglas, apparent of Parkhead, was granted the mails and other dues of Torthorwald and other lands belonging to Michael Carlyle, "callit of Torthorwald", while his brother George was granted the escheat of Michael Carlyle's goods.⁴³ Later that year James VI revoked his previous gifts to Douglas of Parkhead, which had been made "against his highness own good will, liking and intention", and granted the mails, farms, profits and duties of Torthorwald and all the other lands of Michael Carlyle to John Johnston of that Ilk and his spouse for the lifetime of the said Michael.⁴⁴ A month later he confirmed that the safe keeping of "the hous, manis and landis of Torthorw[ald]" should be held by Sir John Johnston of that Ilk, Warden of the West March, and "remane in your handes for" the better sa[fetie] of the cuntrie in cais of ony incursionis be innemyis or thevis".⁴⁵

The next year Johnston imprisoned one Richard Graham, "callit Hutschoneis Reche", within "the towr and fortalice of Terthorwall". The incident is of interest because, to allow himself a certain amount of freedom, Graham was allowed to give Johnston a bond that he would "remain within the said fortalice and yards".⁴⁶ In 1585 Lord Maxwell took Johnston

36 Fraser, Sir W. *The Annandale Family Book of the Johnstones* (1894), I, lxiv; Fraser, (Sir) W. *The Book of Carlaverock* (1873), I, 501.

37 Armstrong, *op. cit.*, cxi.

38 RMS V, No.134.

39 *Registrum Secreti Sigilli*, VII, No.263. George Douglas of Parkhead was the natural son of Sir George Douglas of Pittendreich, and thus a half brother of Morton.

40 RSS VIII, Nos.1346, 1508.

41 RMS V, Nos.134, 136.

42 RSS VIII, No.340. It is not clear to whom Douglas should have surrendered the property.

43 *Ibid.*, Nos.1346, 1357.

44 *Ibid.*, No.1508.

45 Fraser (1894), *op. cit.*, II, 9.

46 *Ibid.*, I, 47; Hist. MSS. Comm., *Hope-Johnstone MSS.* 31 (No.57).

prisoner. It was probably then that he took possession of Torthorwald, for only days later Lord Scrope reported that Maxwell was planning to put forces of footmen in Caerlaverock, Threave, Lochmaben, Langholm and "Tortarrell" with a special person of trust at each as captain.⁴⁷

The dispute within the Carlyle family was not finally resolved until 1587, when, following protracted litigation, Elizabeth was finally infeft in the lands and barony of Carlyle, with the castle, and many other of the family's lands.⁴⁸ Later that year she married Sir James Douglas of Parkhead, eldest son of Sir George Douglas of Parkhead, after which Sir James was recognized as Lord Carlyle of Torthorwald.⁴⁹ However, despite Elizabeth's infeftment in 1587, the lands of Torthorwald seem to have remained in the possession of Michael's family, and in 1592 his son John was infeft in Torthorwald as his heir.⁵⁰

In 1593/4 the Crown granted the lands and barony of Carlyle, with the castle of Torthorwald, to George Douglas, Lord Carlyle's younger brother.⁵¹ It is not known whether he ever took possession of the castle, but by 1596/7 it was again in the possession of the Maxwells and, together with Caerlaverock and Mouswald, held against the Crown. James VI demanded their delivery, failing which he would lay siege.⁵² Against such odds Lord Maxwell capitulated, and Torthorwald was handed over first to Lord Sanquhar,⁵³ and later that year to Lord Ochiltree, Warden and Lieutenant of the West March.⁵⁴ Five years later, in 1602, the keeping of the castle was handed to Sir James Johnston of that Ilk, who was commanded not to "reset therein James Dowglas of Torthorwald under pain of perjury and defamation".⁵⁵

In 1606, following the resignation by George Douglas of the lands and barony of Carlyle, with the castle, in favour of William Cunningham of Dolphinton, Cunningham received a crown charter of the lands,⁵⁶ but three years later he resigned them again in favour of James, 6th Lord Carlyle. This was confirmed by crown charter the same year.⁵⁷ Lord Carlyle was, however, no better at managing his affairs than his Carlyle forebears, and in 1613 he sold Sir Robert Douglas an annual rent from the lands,⁵⁸ and in 1617 granted him the lands, lordship and barony as well.⁵⁹ A few years later he sold or mortgaged all his estates, including Torthorwald, to Sir William Douglas of Drumlanrig, later 1st Earl of Queensberry, who, in 1622, received a crown charter granting him in liferent and his eldest son and heir, James, the lands, lordship and barony of Torthorwald, comprising the lands and barony of Carlyle, with the castle, and other lands.⁶⁰

47 *Calendar of Border Papers* (1894-6), I, No.334.

48 *Scots Peerage* II, 392.

49 *Ibid.*

50 *Ibid.*

51 RMS VI, No.70.

52 *Border Papers, op. cit.*, II, No.548; *Calendar of the State Papers relating to Scotland and Mary, Queen of Scots, 1547-1603* (1898-1969), XII, No.390.

53 *Cal. of State Papers, op. cit.*, XII, No.405.

54 *Border Papers, op. cit.*, II, No.864.

55 *The Register of the Privy Council of Scotland*, VI, 358.

56 RMS VI, No.1718.

57 RMS VII, No.48.

58 *Ibid.*, No.847.

59 *Ibid.*, No.1687.

60 RMS VIII, No.252.

It is said that the castle was last repaired as a residence in 1630.⁶¹ If this is correct, it must have been the work of James Douglas, who did not succeed to Drumlanrig until 1640. The last inhabitant is said to have been one of his younger brothers, Archibald Douglas, 1st of Dornock.⁶² Some time after that the castle was abandoned and fell into ruin. It does not feature in the Hearth Tax returns for 1690,⁶³ but at that time it must still have had a roof, as Grose mentions an old man alive in 1789 who remembered the roof being taken off for use elsewhere.⁶⁴ By 1788 it was very much as it remained until the NE corner collapsed in 1993.⁶⁵

The castle was retained by the Douglasses until c.1890, when it was sold by the 9th Marquess of Queensberry to James Jardine of Dryfeholm, brother of Sir Robert Jardine, 1st Baronet of Castle Milk.⁶⁶ It was apparently he who carried out the various works that have since helped to preserve the ruin.⁶⁷

61 'Torthorwald', *TDGAS*, 2nd Ser., XIX, 182.

62 Grose, *op. cit.*, I, 147.

63 Adamson, D. 'Hearth Tax of Dumfriesshire', *TDGAS*, 3rd Ser., XLVIII, 137.

64 Grose, *op. cit.*, I, 147.

65 Cardonnel, *op. cit.*, 'Torthorwald'; Grose, *op. cit.*, I, 147.

66 'Torthorwald', *op. cit.*, 183; *The Complete Peerage* (1910-59), X, 708.

67 'Torthorwald', *op. cit.*, 182.