The Good Man's Croft

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ABSTRACT. The 'croft' of the title is a piece of cultivable land which is left untilled in order to devote it to a supernatural being, one name for whom is the 'good man'. The practice is documented in Scotland in the sixteenth and seventeenth centuries through official and kirk records concerned with stamping out the practice and in the eighteenth and nineteenth centuries through accounts which see it as an interesting survival from the past. The setting aside of the piece of land had a definite purpose and was designed to keep the livestock, especially cattle, healthy. The croft could be an old one, or it could be freshly established, and there is one detailed description of how a croft could be made by placing stones at the four corners and charming them.

The word 'croft' in the title has the sense of 'a patch of ground', as also does the word 'fold/fauld/faulie', which is another of the terms found in use. 'The good man' who owns the croft is an ambiguous figure. He is an imagined source of magical power, and, in the context of the Christian church, could only be understood as the devil – an instance of the process of demonisation of the gods and spirits of the pagan past. He is sometimes simply called Clootie (a familiar name for the devil), but is sometimes given indirect appellations like 'the halyman', meaning the holy man, and 'the hynd knycht', meaning the kind, gentle or courteous knight (*DSL* s.v. 'hynd' and 'hende' a.), which could either have been direct expressions of positive feeling, perhaps intended to disguise, or reverse, a socially current identification with the devil, or have been euphemisms designed to avert possible danger from the being spoken of. 'The good man' is a term of this type, corresponding linguistically to the term 'the good people' used of the fairies (*DSL* s.v. 'guid', a. 7: 14, 22). It is, of course, quite likely that the term was sometimes understood by users as 'the goodman' meaning husband or tenant, but this would be a secondary sense.

Our early evidence of the 'good man's croft' is from the sixteenth and seventeenth centuries, when we hear about it almost entirely through the records of those who condemned it. There is a pre-Reformation record of a 'Cluttis Croft' in Dunfermline in 1539,¹ but the initiative that gives us our first information about official notice being taken of such a croft stemmed from the General Assembly of the Kirk of Scotland held in Edinburgh in May 1586, when commissioners were appointed by King James VI to visit parishes throughout much of the country and report on the conditions in each. Documents relating to these visits are extant only for Lothian and Dunblane, but it seems that they are representative and give us a window through which to see what was going on in many parts of Scotland at this time. In Lothian, the instruction to the commissioner includes the command 'that he inquyre the names of certane croftis or peicis of ground superstitiouslyie reportit to be consecratit to the devill under the name of the gud mane or hynd knycht',² and the briefer statement available for Dunblane says that enquiry should be made about 'peces off grond dedicat to Satan onder the name off hynd knycht'.³

Although there are no positive responses in the extant records, the 1586 survey probably did turn up evidence of the practice and was very likely the basis for the 1594 recommendation which pinpoints the Garioch as a black spot. The General Assembly called upon Parliament to enact a law making it illegal to leave pieces of land 'dedicate to the Devill' untilled, and proposed that any land that was left untilled in this way should be forfeit to the king and given by him to those who were prepared to till it. This recommendation was made in the following terms at the General Assembly convened at Edinburgh on 7 May 1594 in Session 11, held on 13 May:

Anent the horrible superstitioun vsed in Garioch and diverse parts of the countrey, in not labouring ane parcell of ground dedicate to the Devill, vnder the name of the Goodmans Craft: The Kirk, for remedie therof, hes found meitt that ane article be formed to the Parliament, that ane act may proceid from the Estates therof, ordaining all persons, possessours of the saids lands, to cause labour the samein betuixt and ane certane day appointit therto; vtherwayes, in cace of dissobedience, the saids lands to fall in the Kings hands, to be disponit to such persons as pleases his Majestie, quho will labour the samein.⁴

Parliament did not take the action requested by the General Assembly and the possession of a good man's croft in itself was never declared illegal. We might expect that possession of land considered to be dedicated to the devil would have made the owner or tenant concerned vulnerable to accusations connected with superstitious practices in general, and might conceivably have been construed as involving the crime of witchcraft, which carried the death penalty. However, no legal proceedings are known that included possession of a good man's croft in a criminal accusation. The only known case of a criminal accusation where land devoted to the devil is mentioned⁵ is that relating to witchcraft made against Andro Man, of Tarbruich in the parish of Rathven (Presbytery of Fordyce), and Man was accused, not of being an owner or tenant, but of being the creator through his charms of pieces of land devoted in this way. This emphasis gives us a fuller picture of the act of establishment than any other source. The details are given in the fourth point in the dittay against Man recorded at Aberdeen in 1598 which runs (*Miscellany* 1841: 120):

Thou hes mett and messurit dyvers peces of land, callit wardis, to the hynd knicht quhom thow confessis to be a spreit, and puttis four stanis in the four nokis of the ward, and charmes the samen, and theirby haillis the guidis, and preservis thame fra the lunsaucht and all vther diseasis, and thow forbiddis to cast faill or divett theron, or put plewis therin; and this thow did in the Manis of Innes, in the Manis of Caddell, and in dyvers vtheris places, quhilkis thow confessis thy self, and can nocht deny the same.

All the specific cases of leaving pieces of land untilled for 'superstitious' purposes that were identified through the Kirk's enquiries (that we know of from the surviving records) are in North-East Scotland, where there are a dozen reported instances of the practice in the presbyteries of Elgin, Ellon, Fordyce, Garioch, Strathbogie and Turriff between 1602 and 1690. In addition to the statements that the practice was being carried on, there are records of the denial of the practice which are also of some interest. Several records of this sort that have come to light in the records of the Presbytery of Fordyce give negative responses to queries about the existence of: 'any plot of land unlabored dedicated to the devill caled ye gudmans croft' (Banff, 12 December 1649), or 'any Land unlabored, dedicat to superstitious uses' (Mortlach, 2 July 1651) (CH2/158/2: ff. 45r, 69v; Cramond 1886: 12–13). The report on the queries addressed to Alexander Seaton, minister of Banff, on 25 June 1651, demonstrates the care that was taken to return an accurate reply.

It was demandit, if ther ^ were ^ any superstitious dayes kept her, or burialls within the kirk, answerd negative, it was lykwyss demand if ther any plot of land in his paroshe unlabored dedicated to superstitious uses, the minister answered he knew none, Thomas Meldrum & Thomas Ross elders wer ordained to try theranent & to report yair diligence. (CH2/158/2: f. 68r)

It was as a result of a search like this, involving the minister as well as two elders, that the specific Inverurie pieces of land were identified and their owners and possessors warned to till them (case 11 of Table 1).

Details of the twelve cases of the practice of 'superstitiously' leaving land untilled that are found in the Kirk records are transcribed in chronological order in the listing in Table 1.⁷ References are to be found in both presbytery (P) and kirk session (KS) records; generally only one of the records is extant, but in the two instances where both records are available, at Forgue and Inverurie (cases 7 and 11), the case is reported in both. In the summary in Table 2 (where modern spelling is adopted) the presbyteries are given in alphabetical order and the parishes in alphabetical order under the presbytery headings, and, where possible, the pieces of land referred to and their owners or tenants are listed.

The records of condemnation of the good man's croft by the Kirk authorities in North-East Scotland cease before the end of the seventeenth century, the last one identified being dated 1690, and the next we hear of the custom of leaving a piece of land untilled in this area is found a century later in the *Statistical Account*, where there are two references to it, both from the presbytery of Turriff. The Reverend Alexander Johnston in Monquhitter listed a number of outmoded superstitions and contrasted them with the contemporary situation. His sentences on land use run (Sinclair, ed.: 11.346–47),

Fairies held from time immemorial certain fields, which could not be taken away without gratifying these merry spirits by a piece of money. The old man's fold, where the druid sacrificed to the demon for his corn and cattle, could not be violated by the ploughshare. ... But now ... Fairies, without requiring compensation, have renounced their possessions. The old man's fold is reduced to tillage.

Alexander Simpson, schoolmaster of the parish of King-Edward, included the following information in a note concerning the farm of Strathairy (Sinclair, ed.: 11.264):

On the same farm there is a small spot, called GIVEN GROUND, which, till lately, it was thought sacrilege to break with spade or plough. It is now converted into a corn field, nor has any interruption been given by the ancient proprietors. This is mentioned as one instance, among many, of the decline of superstition.

Writing late in the nineteenth century, but referring back to an event of the eighteenth, the Maud antiquary, John Milne (McKean), pinpointed another location in the presbytery of Turriff, the farm of West Affleck in the parish of New Deer, when he spoke of the rite of 'lowsin' a gaun (going) plough' which, it was believed, 'would take all the luck away from the farm on which the ceremony was performed' (1891: 31).

It was said to have been gone through on the farm of Honeynook in the latter half of the last century. A tenant of that farm was being put away against his will; and, to be revenged on the incoming and after tenants, the last time he had his twelve-oxen plough yoked he took it, with all the earth it would hold, off the farm and unyoked it on a part of the neighbouring farm of West Affleck called 'the Guid Man's faul.' I have been unable to ascertain fully all the particular ceremonies and incantations connected with taking a working plough off a farm, as old people always spoke about it with a good deal of awe and reserve. They would give no explanation for doing it farther than that it was the same as shaking the dust off one's feet, and that another tenant would never thrive nor sit a whole lease on a

farm where the 'plough lowsin' was once performed. I have never seen this rite mentioned by any writer on superstitions. Perhaps it is indigenous to the Buchan district. Many old people have assured me that it was sometimes done. In regard to the instance referred to it may be mentioned that Honeynook happened to change a good many tenants during the first half of the present century; and I remember old people shaking their heads and saying nobody would ever sit a whole lease there. The latter half of the century, however, has proved their prediction to be incorrect.

Milne mentioned in an enquiry he sent at this time to *Scottish Notes and Queries*, that the farm he was speaking about was in his own neighbourhood (his farm of Atherb actually bordered on Honeynook on the opposite side from West Affleck), and so he was in a good position to ascertain the facts. He also defined the custom more generally in this enquiry, saying (1890–91: 160):

When a tenant was being put out of his farm against his will, the last time he was ploughing, he drove his plough with all the earth it would hold or carry off the farm, and unyoked it on some neighbouring farm. Certain spots were supposed to be preferable, such as a 'Gweed man's croft.'

He makes it clear here that the custom could be carried on independently of a good man's croft, but implies that the existence of such a piece of land could be looked for. The concept was clearly quite familiar in the district and his definition (1891: 31) appears to give the explanation that was current in the community: 'The Guid Man thus referred to was understood to be the Spirit of Evil, and the "faul" – fold or field – was a piece of ground allowed to lie uncultivated for his use.'

J. M. McPherson, drawing on a manuscript study of the presbytery of Turriff by James Brebner, ⁸ describes a 'deevil's faulie' in the parish of Forgue, a parish that we have already found represented in the Kirk records (case 7), and gives details about how it was brought under cultivation (136–37):

There was a piece of land in Forgue known till quite lately as 'the deevil's faulie' or 'the black faulie.' It is now embraced in the farm of Boginspro, on the slope of the Flourmanhill, about four and a half miles from Huntly. The field extended to three or four acres. For long it lay untilled, but at the beginning of the nineteenth century a man from the neighbourhood of Bognie said 'the deil had had lang eneuch o't and he wud hae a turn o't neist.' He took his turn, cultivated it, and no evil befell him.

The Reverend Walter Gregor (Olson), in a presentation he gave at a meeting of the Banffshire Field Club held on 16 October 1884, identifies two cases including this Forgue parish instance, which he describes first (Gregor 1884: 99):

One is on the farm of Boginspro, on the estate of the Duke of Richmond and Gordon, and still goes by the name of 'The Deevil's Craft.' It lies on the slope of the Fourmanhill contiguous to the Cobairdy estate about 4½ miles from Huntly. It has a south-westerly exposure, and has an area of between 3 and 4 acres. About 40 years ago it was brought under cultivation from a state of heath, broom, and other wild plants, at which time [it] was looked upon with much awe by the people.

Mr Gurnell, Huntly, from whom I have this information, writes me that not far from 'The Deevil's Craft' are the remains of a circular structure called 'The Deevil's Faul.' Mr Gurnell, however, thinks that this name is an afterthought to correspond to the 'Craft.'

Gregor had first-hand acquaintance with the other case, which was in his native parish of Keith. Speaking of this case (1884: 99), he comments that 'the one I know personally is not the best land' (by contrast with what George Henderson had asserted [111]). Gregor evidently derived background information from the two land-holders he mentions, Mr Scott, tenant of Auchairn, and James Watt, tenant of Fieldhead, and was able to recount in vivid detail how the land was brought under cultivation. The first attempt was aborted when one of the oxen of the plough-team died and the next attempt was made by hand-digging the land (1884: 99–100):

Another piece of ground dedicated to the Power of Evil, and called 'The Helliman's Rig', lies in the parish of Keith, about 2½ miles from Keith, on the south slope of the high ground called Killishment. The spot commands a most extensive, as well as a very striking, view of the surrounding country. At the north end of the 'Rig', the rock came in one part almost to the surface, and from this rock the 'Rig' lay in a southerly direction for about 200 yards, with a breadth of about 12 yards. On the rock at the north end, which forms the highest part of the rising ground, were cut nine cup-holes, arranged in three rows of three each, each hole about nine inches apart from the other. The rock when struck, or when the plough went over it after the 'Rig' was brought under cultivation, gave forth a hollow, rumbling sound, and the tradition was that there was below it a treasure of gold wrapped in a bull's skin. That gold, when hid, was rolled in a bull's hide was the common belief.

Tradition has it that James Scott, the great grandfather of Mr Scott, the present tenant of Auchairn, resolved to bring the 'Rig' under cultivation; but the moment the plough touched the forbidden ground one of the oxen fell dead, killed by a 'fairy dairt,' or, as the folk sometimes said, the animal was 'shot-a-dead'.

Robert Watt, the grandfather of James Watt, the present tenant of Fieldhead, the farm in which the most of the 'Rig' is now included, resolved, about seventy years ago, to cultivate the dreaded piece of ground. But in doing so, he risked his own life, and trenched it. His work was regarded with dread by some of his neighbours, and it was expected every moment he would fall dead. Three women – Maggie Barber, Jane Turner, and Janet Maconachie – set themselves to watch – each taking the watch in turn – when the fatal arrow would be shot. So the 'Rig' yielded to cultivation. About twenty-three years ago, James Watt, the present tenant of Fieldhead, and his father, removed the rock. Unfortunately, the piece with the cup-holes was not preserved. The rock was about 6 yards square.

In connection with the places he describes in Forgue and Keith, Gregor comments: 'Up to this time [1884], I have not been able to identify but two such 'Crafts,' 'Rigs,' or 'Fields.'' He was clearly interested in going on looking, and had an opportunity at a later date to extend his search to the South-West of the country when he was employed to produce a study of Galloway for the Ethnographical Survey of the United Kingdom. Here he found one case where bringing the land into cultivation was attended by disaster and another where the land was still untilled (1894: 494–95):

There was a time not long ago when a field on the farm of Dullarg, parish of Parton, lay unploughed. The saying was: 'The man that ploughed the ley would never cut the crop.' Peter McCutcheon the farmer ploughed the field and sowed it. He died before the crop was reaped. The field has been cropped since. (Told in Kells by an old man.)

On the farm of Balannan, Tungland, there are two fields adjoining each other, the one called The Drum, and the other The Croft, which have never been cultivated. The belief is that if cultivated, the death either of proprietor or tenant will be the consequence. Both fields were reserved during the last lease. They are not now reserved, but they still lie untilled.

It is very valuable to have these specific cases recorded for the South-West of Scotland. The Reverend James Napier, also dealing with this part of the country, speaks broadly of the custom and tells how one particular piece of land that had been deliberately neglected was brought under cultivation (140):

It was customary for farmers to leave a portion of their fields uncropped, which was a dedication to the evil spirit, and called good man's croft. The Church exerted itself for a long time to abolish this practice, but farmers, who are generally very superstitious, were afraid to discontinue the practice for fear of ill luck. I remember a farmer as late as 1825 always leaving a small piece of field uncropped, but then did not know why. At length he gave the right of working these bits to a poor labourer, who did well with it, and in a few years the farmer cultivated the whole himself.

But for these notes by Gregor and Napier on three specific instances, we would, so far as I am aware, have no accounts of the practice from the South-West, but it may have been generally known there and also in other parts of the country, where the only references we have are vague ones. A late instance of the fresh establishment of a good man's croft, for which we have good evidence, comes from Central Scotland. James Young Simpson spoke of it when he delivered his vice-presidential address to the Society of Antiquaries of Scotland on 28 January 1861 (Simpson: 33–34):

In the same district [Torphichen in West Lothian] a relative of mine bought a farm not very many years ago. Among his first acts, after taking possession, was the inclosing a small triangular corner of one of the fields within a stone wall. The corner cut off – and which still remains cut off – was the 'Goodman's Croft' – an offering to the Spirit of Evil, in order that he might abstain from ever blighting or damaging the rest of the farm. The clergyman of the parish, in lately telling me the circumstance, added, that my kinsman had been, he feared, far from acting honestly with Lucifer, after all, as the corner which he had cut off for the 'Goodman's' share was perhaps the most worthless and sterile spot on the whole property.

The relative was Thomas Simpson, an uncle of James Young Simpson's, and his farm was called Gormyre (Duns: 3–8).

Returning to the North East, we find mention of milk-offering in association with the good man's croft in an account by the Reverend William Cramond written in 1894. He was able to give details concerning two crofts at Corgarff in the presbytery of Alford in western

Aberdeenshire, deriving some at least of his information from a memory of the past (Banks: 2.196–97):

In a good many parts of the country there were pieces of land left uncultivated, though there was no natural obstacle to their being so. They were dedicated to the Devil, and went by the name of 'The Devil's Craft' or 'The Gueedman's Craft'. In Corgarff there were two such spots. They had a rampart of stones round them to prevent any man or beast from going over them. They had also to be some distance from water. (Told to my informant by an old man of 83 years of age, who died about 21 years ago (1894).) They were sprinkled yearly with milk on the first of April (O.S.). (My informant was not exactly certain of the day and hour.) This oblation was to keep the evil one out of 'the hoose, the milk-hoose, the byre an' the barn'. If the guidman crossed the forbidden ground, he lost the best tooth in his head; if the gueedwife did so, she lost a moggan [stocking]; if a horse, a shoe came off; and if a cow, a hoof fell off.

One of the places was at Delnadamph (Stag-haugh) on the south side of a hillock called Tornashaltic (Fire-hillock), and the other at Tornahaish (Cheese-hillock).

This is the only mention we have of a milk-offering at the good man's croft and we just cannot say on the evidence we have whether this practice was carried out in these crofts more generally. Milk-offerings were familiar, though, in a parallel practice. An eighteenth-century description of the island of St Kilda by the Reverend Kenneth Macaulay¹⁰ includes accounts of both untilled land and of a stone where milk was offered to Gruagach (cf. Black 2005: 85, 98–100). I shall give both passages, quoting first the one on the Gruagach stone (Macaulay: 86-87):

In the face of another hill that lies directly in the road, from the *St. Kilda* village to the valley on the north-west side, there is a very large stone, white and square, on which they formerly poured, on the Sundays, *libations of milk*, to a subordinate Divinity, whose name was *Gruagach*. According to the belief of some weak, superstitiously inclined persons in the islands, this *Gruagach* was a good humoured, sportive and placable Deity. He was likewise very moderate in his demands; a small tribute of milk, when easily spared, the milk of a single cow in Summer or Autumn, was enough to conciliate his friendship. The name of this God signifies, in the *Galic* tongue, one with fine hair or long tresses.

Macaulay adds that 'there was a *Grugach* stone, in almost every village throughout the western isles'. James Robertson toured the western isles in 1768 shortly after Macaulay's publication, and reports from a location in Skye that 'a flat stone a little hollowed in the middle, called Clach Ghruagaich' had been taken out of use four or five years previously by being built into a dyke (Mitchell: 17–18). He recounts more generally that 'the milk-maids had a superstitious custom of making a libation of their milk every Saturday night to Gruagach, ... uttering a sort of prayer beseeching he would take under his protection for the ensuing week all their cows, milk, etc.'. The milk-maids felt obliged to make this offering and 'if any accident happened to them or to their cattle at any time, when they omitted to perform this piece of worship, they imputed their misfortune wholly to this neglect'.

It is interesting to have mention here of a prayer for the protection of the cows and milk by Gruagach in the previous quotation for the Corgarff account, that appears to include part of the words of a prayer begging protection for 'the hoose, the milk-hoose, the byre an' the

barn' although in this case it takes the form of requesting that 'the evil one' should not come into these buildings.

Although no offering of milk is mentioned in connection with the untilled land in any other instance besides Corgarff, Gregor makes a general remark about making a gift to the good man of part of a crop which should be taken into account as another form of offering. Speaking of the good man's croft, he says (1884: 98): 'It may be mentioned in connection with this subject that a corner of the field last reaped was left unreaped for "the guidman." Instead of the land being left untilled, it was left unreaped so that, in both scenarios, humans did not receive any produce from the land.

Macaulay goes on to give an account of a piece of ground in St Kilda that his parishioners insisted should remain untilled despite his attempts to argue them out of their belief that bad fortune would follow if they tilled it (90–91):

[In the same vicinity there is a] beautiful spot, tolerably extensive, and in appearance fertile. The people are obstinately averse to turn it up for corn, being possessed with a strong belief, that the spot ought to be kept inviolably sacred, and that such a bold incroachment on it would be infallibly attended with the loss of their boat, or some other public calamity. They have forgotten the name of the Divinity to whom this ground belongs; but like the old *Athenians*, and some other nations, they are determined at all adventures to worship their *unknown God*.

I was at some pains to reason and ridicule them out of this absurd fancy, but to little purpose. They appealed first to the sad experience of their predecessors, and afterwards eluded my arguments, by maintaining, with a violent obstinacy, that the produce of this spot, if tilled, could never balance the expence. In short, if any one excepting the Steward, should presume to turn this sacred plot, I am persuaded that the *St. Kildians*, would, with a much more honest zeal, seek their revenge on so impious a person, than *Philip of Macedon* and his confederates, did on the irreligious or greedy *Phocœans*, for their sacrilegious encroachments on the *Delphic God* in his holy-land.

This eighteenth-century representative of the Kirk has moved away from anathemas on devil worship to the recognition of an affinity with ancient pagan ideas familiar to him through his classical education. He finds the belief not evil but absurd, and attempts to eliminate it through rational argument. His classical reference is to 'the plain near Cirrha on the Corinthian Gulf consecrated to Apollo of Delphi and so not supposed to be cultivated'. The Council of the Amphictyonic League, which had the care of the temple of Delphi, fined the Phocians 'for having cultivated a large portion of the consecrated territory named Cirrhaean'. The Phocians protested that the judgements of the Amphictyons were unjust 'since they had inflicted huge fines for the cultivation of what was a very small parcel of land'. They refused to pay and the incident was said in some sources to have been the cause of the Second Sacred War (357–346 BCE) which left Phocis devastated. It was forbidden to till this *temenos* at Delphi, dedicated to Apollo, and one at Eleusis, dedicated to Demeter, although elsewhere in Greece the *temenos* could be cultivated to sustain the temple (Malkin: 1481). Walter Scott picked up on the Greek connection when he discussed the good man's croft and called it a *temenos*. 12

Charles Rogers in 1884 for the first time related the good man's croft, not to the Greek *temenos* of classical antiquity, but to the sanctuaries mentioned in the listing of heathen practices in the so-called 'Canons of Edgar' by Wulfstan dated 1005 x 1008, which is a geographically closer parallel (Rogers: 1.22, 2.204–05). In a modern edition (Whitelock *et al.*: 319–20, No. 16) this item runs as follows in translation from the Old English source:

And it is right that every priest zealously teach the Christian faith and entirely extinguish every heathen practice; and forbid worship of wells, and necromancy, and auguries and incantations, and worship of trees and worship of stones, and that devil's craft which is performed when children are drawn through the earth, and the nonsense which is performed on New Year's day in various kinds of sorcery, and in heathen sanctuaries [on friðsplottum] and elder-trees, and in many various delusions in which men carry on much that they should not.

There is rather more detail at the beginning of a similar instruction that occurs in 'The Northumbrian Priests' Law' dated 1008 x 1023 (Whitelock *et al.*: 463, No. 54; cf. Lieberman: 1.383, 2.290–92):

If there is on anyone's land a sanctuary [friðgeard] round a stone or a tree or a well or any such nonsense, he who made it is then to pay lahslit [i.e. a fine], half to Christ, half to the lord of the estate.

The term frið-geard is equivalent to frið-splot, and the 'splot' or 'geard' part of the word means a plot of land. Frið means peace or sanctuary and is often paired with grið in expressions such as, for example, a guarantee of keeping frið ond grið, and the Scots 'girth' meaning sanctuary is the metathesised form of grið (OED, DSL). The 'girth' associated with some ecclesiastical buildings and generally marked by stone crosses was an area where certain types of criminal were safe from pursuit, and one, at Holyrood in Edinburgh, was in active use as an asylum for debtors up to the late nineteenth century (MacQueen: passim; Ewan: passim). It seems that the pre-Christian notion of a sanctuary lived on as the piece of land that had the church's blessing and protection, and also lingered on in the mode that the church condemned as a place connected with posited supernatural power that the church opposed. The good man's croft is the subject of a split perception, with certain people creating and using these set-apart pieces of land with positive ends in view, while others utterly condemned them as evil.

It is interesting to find a mention in 'The Northumbrian Priests' Law' of the point that 'he who made it' is liable to a fine. Here is evidence that the *frithgeard*, like the good man's croft, could be established afresh. No doubt many such places were inherited, but it was not a necessary part of their identity that the land had been 'sacred' from an earlier time. The *concept* of the croft in post-Reformation Scotland seems to stem from a remote past, but the actual croft could be a contemporary creation, and we have some details of how it could be established in case 7 (Table 1) and in the accounts of the actions of Andro Man in the sixteenth century and Thomas Simpson in the nineteenth.

When we hear of the use of a good man's croft, the intention is always to keep cattle healthy. In Elgin (case 1) the offenders were asked explicitly 'to gif a ressoun quhy they reseruit a peix land to ye deuill callit ye gudman' and so we have their explanation that it was 'for ye noltis caus' (for the sake of the cattle). As for the means, there is always a supernatural being envisaged with whom a transaction takes place.

As regards the piece of untilled land itself, we are apparently in the presence of a very widespread phenomenon, but it is difficult to find discussion with just this focus since the topic can be approached through such wide terms as 'sacrifice', 'tithe', 'taboo', 'sanctuary', 'sacred place' and 'land ownership'. We can say, however, that an important point to be borne in mind is that the land is considered capable of cultivation. There are many wild places that have associations with supernatural beings, but that is a different matter.

The 'good man's croft' in Scotland is an instance of what could be defined more generally as 'a piece of cultivable land that is deliberately left untilled for a purpose connected with a supernatural being'. This definition applies to what George Scott Robertson found in the late nineteenth century in a valley in the Himalyas where the Nuristanis were particularly devoted to the practice of their indigenous religion. He observes (380): 'Large tracts of fertile lands lie undisturbed by the plough, because they are consecrated to Imrá [the chief god of the pantheon].'

Although we may wish to look for the explanation of some customs in terms of human universals, it remains the case that a specific cultural impress that we know was available was the Indo-European one, and N. J. Allen has written valuably on the religion of the Nuristanis in the Indo-European context. He notes that 'we may think of the speakers of proto-Indo-Iranian (PII) as separating into three branches, ancestral respectively to the Iranian languages, to those of Nuristan, and to Sanskrit' (145) and that the religion expressed in the Nuristani branch was retained in an oral context. He notes (142): 'Before they were forcibly Islamised at the end of the last century [i.e. the nineteenth century], the Nuristanis of North-east Afghanistan worshipped their own local pantheon.' The comparable situation in Scotland is that the inhabitants had the languages, and potentially the cultures, of the Germanic and Celtic branches of the Indo-European family. The name of a member of the indigenous pantheon is not found in association with the good man's croft, but it is likely that the interface between the human and the divine expressed in this custom is at root an Indo-European one.

Gods can be best identified by their functions rather than by their names, and we can probably hope soon to arrive at an accepted overall view of the Indo-European gods and to have a good sense of their various attributes (Lyle *passim*). As work progresses on the level of Indo-European comparison, it becomes increasingly vital that we should interrogate the customs of the various countries that share the Indo-European inheritance as witnesses to the unwritten part of our history. In the case of the good man's croft, Scotland is able to offer information on a custom that was exceptionally well documented over several centuries and this may perhaps be found a useful base for reviewing the comparable traditions in other countries, as well as offering a resource for increased understanding of one strand within Scottish culture.

GLOSSARY

als, as ane, a, an anent, concerning auneris, owners av and quhill, until be, by beasts, cattle betuixt and ane certane day appointit therto, between the date of the ordinance and a future date to be fixed byre, cattle-shed cast, cut (turf); throw censor, censure citatione, summons **Clootie**, familiar name for the devil compeir, compear, present oneself, appear contumaces, contumacious

conveinit, convened

decreit, decree

dedicat, dedicated, dedicated

delatis, accuses; delatit, delated, dilat, accused

deponed, declared, swore

divett, deawet, divot, thin piece of turf

dyet, church meeting

dyk, wall

dyvers, various

eneuch, enough

exautorate of, deposed from

faching = fauching; [land] for faching, [fallow land] due to be ploughed or harrowed

fact, deed

faill, thick piece of turf

fairy dairt, dart or arrow said to be used by fairies, sometimes identified with a neolithic arrowhead

falling, dying

fold, fald, fauld, piece of ground

folkis, people

gie'n, given, dedicated

goodis, guidis, livestock, cattle

guid, gweed, good

gueedwife, woman of the house, wife

guidman, man of the house, husband, tenant

haillis, heals

halie man, hellyman, holy man

heretaris, proprietors of land in a parish with responsibilities for church matters

hiest, highest

ingenuitie, nobility of character

intimat, announced, notified

keiparis, keepers

lattine, let, allowed to

ley, lye, untilled land, pasture

lowsin', unyoking

lunsaucht, lung disease

maines, Manis, home farm

meitt, appropriate

mett, measured

micht, might

moggan, woollen stocking

neist, nixt, next

nixttocum, next

nocht, not

nokis, corners

nolt; for ye noltis caus, cattle; for the sake of the cattle

ordained, ordeined, ordered

ower, over

parochin, parochine, parish

peice, peic, peix, peece land, piece of land

plewis, ploughs

pro 2do (*pro secundo*, Latin) for the second time pro tertio (Latin) for the third time process, bring to trial quhairfor, wherefore, why quhairupon, whereupon quhat, what quhen, when quhilk, quhilkis, which quhom, whom quhy, why rig, strip of land rowme, possession samen, same seik. such shot-a-dead, killed by magic spreit, spirit stand, endure without succumbing, survive stanis, steinis, stones summondit, summoned tak, tack, leased land testificatione, testimony, witness the, they theranent, about this, concerning this matter toune, farm trenched, dug a series of contiguous ditches try, investigate vas, was ver, were vt supra (Latin), as above witsonday, Whitsunday, seventh Sunday after Easter wynt, went yair, there, their yairof, thereof vat, that ye, the

TABLES

Case 1 Elgin (Presbytery of Elgin)

27 August 1602

glakmarres

It is appoyntit that on Sonday nixttocum yat the men of glakmarres be summondit to compeir instantlie befoir ye sessioun to gif a ressoun quhy they reseruit a peix land to ye deuill callit ye gudman (KS)

16 August 1603

Robert keyth elder delatis baith blakhillis & glakmarres ill keiparis of ye kirk, seik folkis yair Iohn man Iames broun, alexander sandison elspet talzeour

forther ye said robert delatis ye tenne<u>ntis</u> of glakmarres to haue left a peice land to the gudmane (deuill) for ye noltis caus (KS; CH2/145/2 ff. 108r, 132v; Cramond 1897–1908: 2.105, 145)

Case 2 Rothiemay (Presbytery of Strathbogie)

28 July 1631

The land in turterie dedicat to ye guidman ordaned to be ma nured (P;

CH2/342/2 f. 10v)

Case 3 Glass (Presbytery of Strathbogie)

25 November 1646

The said day compeired William seifvright & georg<e> stronah in Glas & seifvreight being accused of sorcerie In a loting & giueing over some land to the old & stronah

goodman (as they call it) denyed the same & becaus it v<as> so alledgit they promised to manure said land / the bretheren taking the mater to yair consideratioun contino<wed> ther censure till the performance of this yair

promis (P) 4 August 1647

Compeired William seifvright & george stronah in glas ordained to satisfie seifvright

& according to the former ordinance for ther sorcere vt supra (P)

<s>tronah 18 August 1647

seifvright mr george Meldrum reported that William seifvreight & george stronah had

not obeyed the decreit of ye presbytrie vt supra &

ver ordained to be summondit to ye nixt day to heir themselfs declared stronah

contumaces & ye censures of ye churche to proceid a ganist them. (P)

10 November 1647

seifwright mr george meldrum reported he vas at ye 2 admoni tion with William sronah seifvright george stronah george robertsone for yair contumacie to ye

decreit of ye presbytrie vt supra (P)

5 January 1648

mr george Meldrum reported yat William seifvright george stronah & seifwright george robertsone had satisfied the de creit of ye presbytrie & now ver stronah

absolued (P; CH2/342/2 ff. 70v, 76v, 78v, 79v; Stuart 1843: 71, for 25

November 1646)

Case 4 **Boyndie (Presbytery of Fordyce)**

29 August 1649

It was lykwys demandet if yair war any superstitious dayes vsed heir, or superstitious dayes

burialis within the kirk ansuered negative alwayes It is wes found yat ther wes some peice of land in this parochine wnlabored [called the halie man's ley deleted | dedicated to superstitious vses the minister ordeined to sie it

labored (P; CH2/158/2 f.42v; Cramond 1886: 12)

Slains (Presbytery of Ellon) Case 5

18 November 1649

Inquisitione The said day the Minister requyrit of the elderis if they knew aney peices of for land calit

ye goodmanes land

yat lyis wnlabourit

land with in the Paroche that was calit the goodmanes land or fauld or dedicatit To satane or lattine ly wnlabourit they said yair was ane peic land in brogane calit the garlet ^ or guidmans fauld ^ within andro robes tak that was not labourit this manie yeires for quhat respect the knew not the Minister desyrit them to try quhairfor it lay wnlabourit (KS; CH2/480/1 p.

193; Rust 1871: 41–42)

Case 6 Slains (Presbytery of Ellon)

25 November 1649

The said day the Minister did Intimat out of <ye> pulpet yat if aney mane Intimat to ye parochineris to within the paroche k<new> aney peice of land or parcell of grownd within delatit to ve session the paroche that was calit the goodmanes land or the goodmanes fauld and for land calit ye lattine ly <wn> labourit yat they would delatit to ye sessione that the auneris goodmane his fauld

yairof micht be summondit befor ye sessione

<de>latit ane p>eic of land belscamphie calit ye good manes fauld I>ames to be <> de The <u>said</u> day Iames wilkeine elder delatit to ye sessione that thomas patersone tenent in bescamphie told him that <u>yair</u> was ane peice of land in his tak calit the goodmanes land and fauld quhilk was not labourit thes maney yeires the said thomas patersone to summondit to ye nixt sessione

9 December 1649

Thomas patersone to be summondit pro 2 (KS)

16 December 1649

Patersone to be Summondit

Thomas patersone to be summondit to ye nixt lordis day (KS)

23 December 1649

Patersone to be summondit pro 3

The <u>said</u> day the Minister and elderis being conveinit in sess<ione> and efter Invocatione on the name of god Thomas pater sone being sumoned and calit compeirit not ordanit to be summondit pro tertio (KS)

30 December 1649

<t>homas Patersone ordinance & promise The said day the Minister and elderis being conveinit in sessione and efter Invocatione on the name of god compeirit thomas patersone and confessit that yair was peice land in his rowne calit the goodmanes fauld quhilk was this long tyme wnlabourit he is ordanit to labourit and promist to do so efter witsonday quhen it was for faching (KS)

(KS; CH2/480/1 pp. 194–197; Rust 1871: 42–43)

Case 7 Forgue (Presbytery of Turriff)

3 March 1650

This day normond Leslie & Iames tuickis in ye martenine hawing bein dilat to hawe gewin away a fauld to ye guidman as they call him to mak yair catell stand vpon citatione Compeired & both of them con fessid yat they wynt to a fald & promisit to lett it ly on laboured als long as they possessit yair takis & In testificatione yair of they did cast sum steinis in ower ye dyk of ye fald quhairvpon ye sessione Iudging it to be a most Impious & superstitious fact referit them both to ye presbeterie & ordered them to labour ye said fald vnder all hiest censor & lykwayes recomendit to ye elderis to mak Inquyrwies gif yair war any such landis within ye parish (KS; CH2/539/1 p. 93)

21 March 1650

Toux

Compeared Iames Towx in forgue and being accuised for dedicating some land to the gudman (as they speake) confessed that he and his nighbour Nor mond Irving in respect there good<u>is</u> war falling resolued to lay out a peece land vnlaboured to essay if that might be a meanes to caus there beast<u>is</u> to stand the assemblie to be consulted what shall be the censure of those who does the lyke (P; CH2/1120/1 p. 92)

Case 8 Oyne (Presbytery of Garioch)

8 August 1650

Ther ar Three peices of land commonlie called the guidmans fold not laboured The minister ordayned to process them ay and quhill they labour the same, William law in ardyne, williame & Iames andersons elders and labourers of the ground ordayned to labour the pairtis of that land in yair posession & If not they to be exautorate of ther eldership disgracefullie, (P; CH2/166/1 p. 65; Davidson 1878: 308)

Case 9 Rathven (Presbytery of Fordyce)

26 September 1650

Lykwys it was demandit if yair wer any superstitious dayes keipt her, or burialis within the kirk, or any plot of land, whalbored dedicat to the deuill caled the gud manis croft. it was ansuered yair was no such thing her. but yair wes a litle peice of land about nether bukie not labored but men vsed to cast faillis & deawetis on it. The presbiterie ordeinis yat it be labored (P;

CH2/158/2 f. 57r; Cramond 1885: 20)

Case 10

Rhynie (Presbytery of Strathbogie)

13 August 1651

The minister and rest of the Elders being remoued Sir William Gordoune of Lesmore declared as followeth ... Lastly being asked whither or no ther was any land in that parisch that was giuen away (as is commonly said) to the goodman & used not to be laboured ansuered it was reported to him that ther some of that In his owne maines, bot that he had a mynd be the assi stance of god to cause laboure the samen / quhairupon he was commended for his Ingenui tie in declareing it and exhorted to take paines shortly to haue it laboured. (P; CH2/342/2 f. 10v; Stuart 1843: 207–09)

Case 11

Inverurie (Presbytery of Garioch)

10 July 1656

Ther is land vithin the parochin dedicat to the deuill commonlie called the guidmanis fald.

It is ordayned that the minister & elders mak Inquirie throughout the vhole parochin quhat land is dedicate to this purpose and ordayne the heretaris to quhom the said lands belongs to labour the samen othervise to process them (P; CH2/166/1 page marked X; Davidson 1878: 311)

8 March 1657

The ministeris report of obedience to the ordina<nce> of the / presbetrie anent sea / rching the parish<e> concerning some parcil<is> of land cald the goodmanis land.

The minister reports that according to the ordinance of the Presbetrie he with tuo elders viz androw watt and watt duncan had gone throw the parishe for searching if ther wer anie such land as the goodmans fold & he reports that after search having fund such that it was recommended be him & the tuo elders with him to the owners & possessors therof to labour these portions of land (KS; CH2/196/1 page marked X)

Case 12 Rothiemay (Presbytery of Strathbogie)

9 February 1690

Clark John Clerk delated guilty in geiveing over a peice off land as hellymans lye

ordained to be summoned (KS)

23 February 1690

Clark Conveined Minister and Elders in session after Prayer

sumoned calt, and compeired not Iohn Clerk apointed to be <su>monded

pro 2do (KS) 2 March 1690

Summoned, calt, and compeired Iohn Clerk questioned iff he had given

over a peice off land as helly mans lye denyed

Andrew Wattsone, James Mill, John Stewart, and Thomas Hendersone appointed to be somonded against the next dyet to prove the forsaid scandall

(KS)

16 March 1690

Session Conveined Minister and elders in session after prayer Watsone wit: sumoned, calt and compeired Andrew Watsone as witnes

deponed upon oath that he heard John Clerk say that he had given off a peice off his land, because that Robert Hendry (or Hendryis<on>) his predecessour who possesst his toune formerly had 13 heads off horse and

cattel that dyed

Mill wit sumoned, calt and compeired James Mill deponed that John Clerk had given

off a peice land (not mentioning to whom) and that his father had done so

formerly

Henderson wit sumoned, calt and compeired Thomas Hendersone denyed that he had given

ane (or anie?) part off his land as helly mans lye

Stewart wit: sumoned, calt, and compeired John stewart who deponed upon oath that

John Clerk had given off a peice off his land a<s> helly mans lye that his

beasts might thrive the better

said John Clerk was referred to the Presbitrie and the said depositions extracted so given to the Presbitrie (KS; CH2/416/3 pp. 36–38, 65–66)

Table 1

Case	Record	Place	Owner/Tenant
	Elgin		
1	Elgin, 27 Aug. 1602, 16 Aug.	a piece of land in	
	1603 (KS)	Clakmarres	
	Ellon		
5	Slains, 18 Nov.1649 (KS)	a piece of land in	Andrew Robb
		Brogan	
6	Slains, 25 Nov., 9, 16, 23, 30	Belscamphie	Thomas Paterson
	Dec. 1649 (KS)		
	Fordyce		
4	Boyndie, 29 Aug. 1649 (P)	some piece of land	
9	Rathven, 26 Sep. 1650 (P)	a little piece of land	
		in the vicinity of	
		Nether Buckie	
	Garioch		
11	Inverurie,10 July 1656 (P),	some parcels of land	
	8 Mar. 1657 (KS)		
8	Oyne, 8 Aug. 1650 (P)	three pieces of land	William Law
		located in Ardoyne	William Anderson
		and possibly	James Anderson
		elsewhere	
	Strathbogie		
3	Glass, 25 Nov. 1646, 18 Aug.,	some land	William Seifwright
	10 Nov. 1647, 5 Jan. 1648 (P)		George Stronach
			George Robertson
10	Rhynie, 13 Aug. 1651 (P)	some land in Mains	Sir William Gordon
		of Lesmore	
2	Rothiemay, 1631 (P)	land in Turterie	
12	Rothiemay, 9, 23 Feb., 2, 16	a piece of land	John Clark
	Mar. 1690 (KS)		
	Turriff		
7	Forgue, 3 Mar. 1650 (KS),	A piece of land (or a	James Toux
	21 Mar. 1650 (P)	fold) in the	Norman Leslie
		Martenine	(or Norman Irving)

Table 2

NOTES

- ⁴BUK 1845: part 3, p. 834. Michael F. Graham (146) mentions this attempt to bring about legislation on this matter in the context of discussion of the creation of the Presbyterian system. John Davidson says (1878: 152): 'The order of the Church [in 1594] must have got scant attention, for it had to be repeated a century afterwards.' I have not succeeded in locating such a repetition.
- ⁵ The claim that there was another case related to an accusation of witchcraft is the result of a misunderstanding. There is a mention of a croft in a dittay against Janet Wishart in Aberdeen in 1597 (*Miscellany*: 93), which has been taken by David W. Hood in the online 'North East Folklore Archive' to be an instance of untilled ground but the reference is to a piece of land belonging to Janet Wishart's husband identified as 'thi awin gudmannis's croft, callit Round About'. I am grateful to Dr Joyce Miller and Dr Lauren Martin for checking this item and confirming that there were no records of the untilled field called the good man's croft in the witchcraft database (Goodare *et al.*).
- ⁶ In the secular context, there is a mention in a contract dated 1633 of a place called 'the Gudeman's Croft' near the Bass of Invertie in the parish of Monkegy (later called Keithhall) in the presbytery of Garioch (Davidson 1878: 2, 152, 256–58; 1884: 8).
- ⁷ All of these cases were mentioned in McPherson: 134–41. I am extremely grateful to Dr Eila Williamson for her expert transcription of these passages from photostat copies which I obtained from the National Archives of Scotland (now National Records of Scotland). Expansion of abbreviations is indicated by underlining and insertion by carat marks. Presumed missing letters are indicated by <>.

¹ Webster and Duncan: 162, 164–65. I am indebted to Dr Simon Fraser for supplying this reference.

² Kirk, ed.: 94; the manuscript source is National Records of Scotland CH2/121/1, p. 16. Margo Todd (219) quotes part of the text from manuscript but misreads 'mane' as 'May' and suggests a connection with the fairies which appears to be based on the supposed connection with Beltane arising from this misreading. Goodare (34, 46–47) corrects this error but unfortunately misreads 'knycht' as 'king'. I have expanded the abbreviation 'knyt' which occurs in both manuscript records as 'knycht' in each case.

³ Kirk, ed..: 13. The word 'kynd' in the printed text has been corrected to 'hynd' by reference to the source, Edinburgh University Library MS La.II.14, p. 5 Logie.

 $^{^8}$ I have been unable to trace this manuscript which McPherson calls 'James Brebner's "In the Presbytery of Turriff 200 Years ago."'

⁹ This was evidently John Duns, minister of the Free Church at Torphichen from 1844 to 1864, who wrote a biography of James Young Simpson in which he mentions the incident (7).

¹⁰ Macaulay 1764. I owe this interesting reference to Dr Aude Le Borgne.

¹¹ Diodorus of Sicily, Book XVI.22–23 (tr. Sherman: 300–303, and n. 4).

¹² Scott 1830: 89. Scott had evidently received the idea from David Dalrymple, Lord Hailes, for, after quoting from the 1594 Assembly recommendation, he says: 'Lord Hailes conjectured this to have been the *temenos* adjoining to some ancient Pagan temple.' (Scott 1803: 2.229, n.).

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