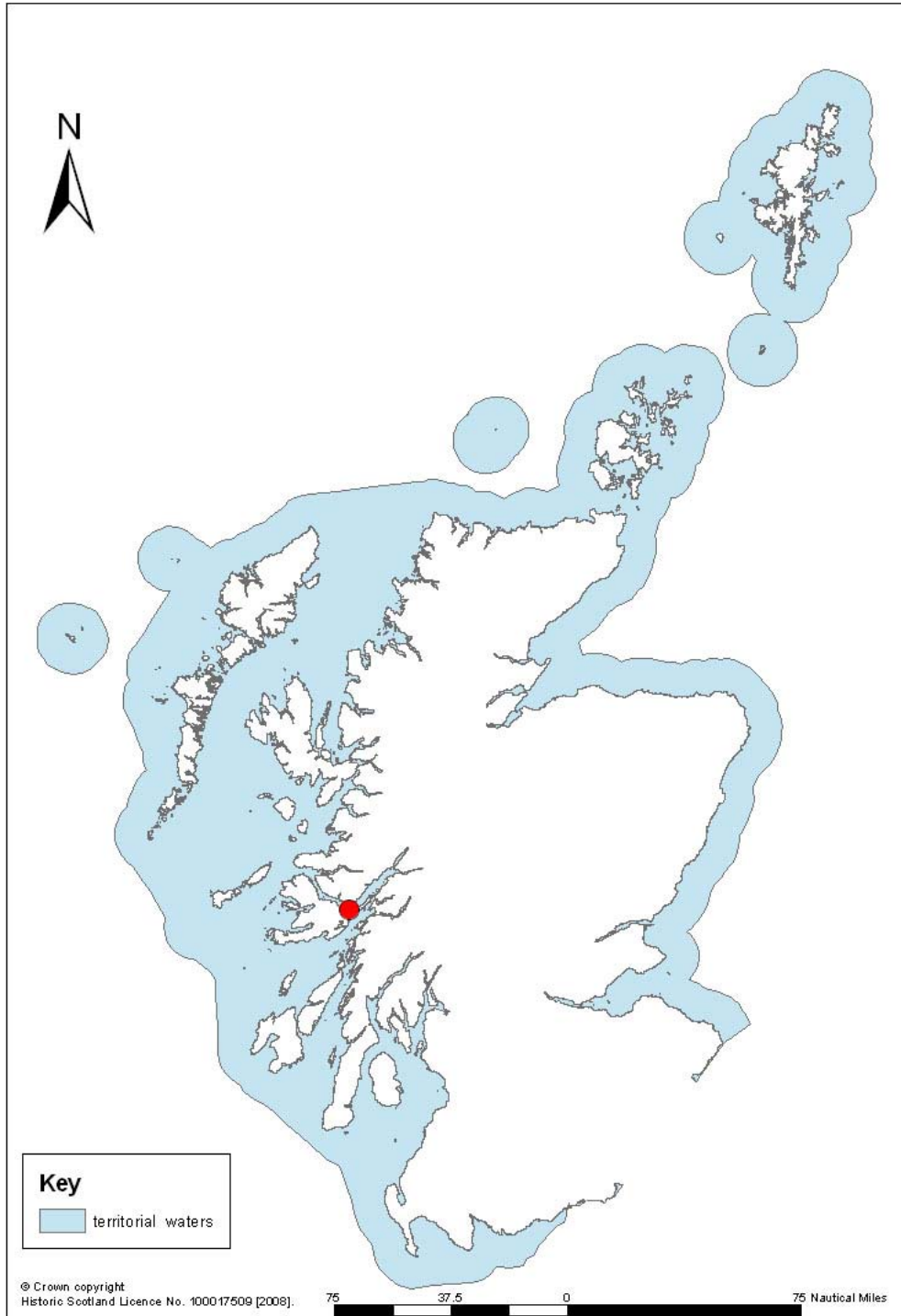


Scotland's designated wreck sites (Protection of Wrecks act 1973)

Duart Point, Sound of Mull, Argyll and Bute



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1. Introduction

1.1. This document provides information relating to an historic wreck that has been afforded statutory protection under Section 1 of the Protection of Wrecks Act 1973.

1.2. This wreck has been designated under the 1973 Act on the basis that it is or may prove to be the site of a vessel lying wrecked on or in the sea bed; and (b) on account of the historical, archaeological or artistic importance of the vessel, or of any objects contained or formerly contained in it which may be lying on the sea bed in or near the wreck, the site ought to be protected from unauthorised interference.

1.3. The 'Statutory Instrument' in Annex A identifies the location of this designated wreck site and the extent of the restricted area used to protect the site (see also section 4).

1.4. The 1973 Act controls activities by a licensing regime, so that these important historic wrecks are not put at risk from undisciplined activities or investigation. It is a criminal offence to do any of the following in a designated area without a licence issued by Scottish Ministers:

- tamper with, damage or remove any part of a vessel lying wrecked on or in the seabed or any object formerly contained in such a vessel;
- carry out diving or salvage operations directed to the exploration of any wreck or to removing objects from it or from the seabed, or use of equipment constructed or adapted for any purpose of diving or salvage operations. This includes deployment of remotely operated vehicles;
- deposit anything including anchors and fishing gear which, if it were to fall on the site, would obliterate, obstruct access to, or damage any part of the site; and
- to cause or permit any of the above activities to be carried out by others, without a licence, in a restricted area.

1.5. Where a person is authorised by a licence, it is an offence for any other person to obstruct them, or cause or permit them to be obstructed, in doing anything which is authorised by the licence.

1.6. Bathing, angling and navigation are permitted within a restricted area provided there is no likelihood of, or intention to, damage the wreck or obstruct work on it. Anchoring on the site is only permitted for licensed activities or in cases of maritime distress.

2. Further guidance

2.1. Licence application forms and guidance for divers and archaeologists in relation to the Protection of Wrecks Act 1973 are available online at <http://www.historic-scotland.gov.uk/index/heritage/wrecksites.htm>

3. Summary

Site name		Duart Point	
RCAHMS Reference number		NM73NW 8005	
General information			
<i>Location</i>	<i>Year of discovery</i>	<i>Discovered by</i>	<i>Date of sinking</i>
Duart Point, Sound of Mull, Argyll and Bute	1979	John Dadd	September 1653
Description of wreck site			
<p>The remains of a small warship, probably the <i>Swan</i>, part of a six-strong Commonwealth flotilla sent by Cromwell to capture Duart Castle and subdue the Maclean of Duart, a supporter of the Royalist cause. The Duart Point wreck has been the subject of detailed survey, rescue excavation and site stabilisation work during the period 1991-2003.</p>			
Description of site environment			
<p>The site lies at a depth of 10-12m off the rocky promontory of Duart Point, beneath Duart Castle at the southern entrance to the Sound of Mull. This location is exposed from the northwest through north to south-east and the site is subject to significant current during the ebb tide. The seabed comprises boulders interspersed with sand and gravel but there is a thick covering of kelp over the site, particularly during the summer months.</p>			
Designation summary (see annex for statutory Instrument)			
<i>Designation order</i>	<i>Latitude (OSGB 36 datum)</i>	<i>Longitude (OSGB 36 datum)</i>	
The Protection of Wrecks (Designation No.3) Order 1992	56 27.45N	05 39.32W	
<i>Site marker(s)</i>	<i>Date designated</i>	<i>Exclusion zone radius (m)</i>	
Wreck warning sign (c.1995) ; interpretation board (c.1995 - replaced 2008)	15 May 1992	75	
Further information			
<i>Published references</i>			
<p>Martin, C J M 1995, 'A Cromwellian shipwreck off Duart Point, Mull: an interim report', <i>International Journal of Nautical Archaeology</i> (IJNA) 24:1, 15-32.</p> <p>Martin, C J M 1998, 'A Caroline merchants' weight from the wreck of the <i>Swan</i>, 1690', <i>IJNA</i> 27:2, 166-168.</p> <p>Martin, C J M 1999, 'A binnacle and mariners' compasses from Duart Point, Mull,' <i>IJNA</i> 28:1, 60-69.</p> <p>Martin, C J M 2004, 'A Bastard Minion Drake Extraordinary by John Browne from the pinnace <i>Swan</i> (1641)', <i>IJNA</i> 33:1, 79-95.</p>			

4. Location and extent of protected area



5. Statement of significance

Period

This mid -17th century wreck of a small warship, possibly the *Swan*, relates to attempts by Oliver Cromwell to stamp out pockets of Royalist resistance to Parliamentary rule that continued throughout the Western Isles in the aftermath of the English Civil Wars (1642-1651).

Documentation

There are many contemporary documents relating to Scottish aspects of the English Civil wars and several that relate to the activities of Cromwell's New Model Army in Scotland during the 1650s. A letter from Robert Lilburne (the senior Commonwealth commander in Scotland) to Cromwell details Colonel Ralph Cobbett's expedition to Duart Castle and the loss in September 1653 of three ships: a small warship (*Swan*), the *Martha and Margrett* of Ipswich, and the *Speedwell of Lyn*. Archaeological analysis of the ship is still ongoing but interim results have been published in the *International Journal of Nautical Archaeology* (see summary)

Group Value

The remains of the other two vessels lost from Cobbett's squadron have not been identified but the Duart Point site should be considered alongside other designated wreck sites in the Sound of Mull (*Dartmouth*; Mingary Castle, Ardnamurchan). The wrecks of all of these vessels illustrate how, with the advent of seaborne artillery, coastal castles in the Sound of Mull such as Duart Castle became vulnerable to attack by sea.

Survival/condition

The guns and anchors of the Duart Point wreck are heavily corroded and the hull timbers have become heavily abraded where they have been exposed for any length of time. However, pockets of accumulated seabed sediment have provided outstanding preservation conditions for a wide range of buried organic and non-organic materials. Recovered finds are in the care of the National Museums of Scotland but much material remains in-situ.

Fragility/vulnerability

The Duart Point wreck is subject to moderate ebb tide currents. Rescue excavations and extensive sand-bagging have helped to stabilise the remaining material in-situ. However, occasional reports of exposed timber and loose finds suggest that continued monitoring is required. In this regard, the site is watched over by Duart Castle and a visitor scheme is in place to facilitate diving on a 'look but don't touch basis'.

Diversity

The excavated assemblage comprises substantial amount of ship structure and fittings (including carved ship decorations); armaments; navigational equipment; personal effects; human, plant, animal and fish remains. The analysis of the hull structure is still ongoing so it is not possible yet to state where this ship fits within the developmental sequence of warships of the 17th century. However, the Duart Point wreck represents one of the very few sites in Scotland's waters that have been investigated in a systematic way and that have been shown to display such a wide range of artefact types.

Potential

Excavations on this site have only been partial. The excellent degree of preservation combined with the range of archaeological material still buried on this site means that the site retains very significant potential to add knowledge in the future.

Summary and conclusions

The Duart Point wreck is worthy of protection under the Protection of Wrecks Act 1973 because it is of very significant historical and archaeological importance. Given the outstanding levels of preservation, the site retains the potential to add knowledge to our understanding of the design and operation of warships during the 17th century, and to inform our understanding of Commonwealth naval activity in Scotland in the aftermath of the English Civil War. When considered in the context of Duart Castle, this associated wreck site adds to our understanding of the coastal landscape of the Sound of Mull, and the growing vulnerability of its castles to attack by seaborne artillery.

Annex – Statutory instrument

S T A T U T O R Y I N S T R U M E N T S

1992 No. 1151 (S.104)

PROTECTION OF WRECKS

**The Protection of Wrecks (Designation No.3) Order
1992**

<i>Made</i>	<i>5th May 1992</i>
<i>Laid before Parliament</i>	<i>14th May 1992</i>
<i>Coming into force</i>	<i>15th May 1992</i>

The Secretary of State, in exercise of the powers conferred on him by section 1(1) and (2), as read with section 3(2), of the Protection of Wrecks Act 1973(a) and of all other powers enabling him in that behalf, being satisfied in accordance with section 1(1) of the said Act that the site identified in article 2 of this Order is, or may prove to be, the site of a vessel lying wrecked on or in the sea bed and that, on account of the historical and archaeological importance of the vessel, the site ought to be protected from unauthorised interference, having consulted with such persons as he considers appropriate in accordance with section 1(4) of the said Act, hereby makes the following Order:

1. This Order may be cited as the Protection of Wrecks (Designation No. 3) Order 1992 and shall come into force on 15th May 1992.

2.—(1) The area within a distance of 75 metres of the site identified in article 2(2) hereof, being the site where a vessel lies, or is supposed to lie, wrecked on or in the sea bed, is hereby designated as a restricted area.

(2) The site referred to in article 2(1) hereof is in position latitude 56° 27.45' north, longitude 05° 39.32' west.

St Andrew's House, Edinburgh 5th May 1992	<i>Hector Monro</i> Parliamentary Under Secretary of State, Scottish Office
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EXPLANATORY NOTE

(This note is not part of the Order)

This Order designates as a restricted area for the purposes of the Protection of Wrecks Act 1973 an area near the Isle of Mull round the site of what is thought to be the wreck of a vessel which is of historical and archaeological importance and by so doing protects the site from unauthorised interference.

No part of the site is above the high water mark of ordinary spring tide.