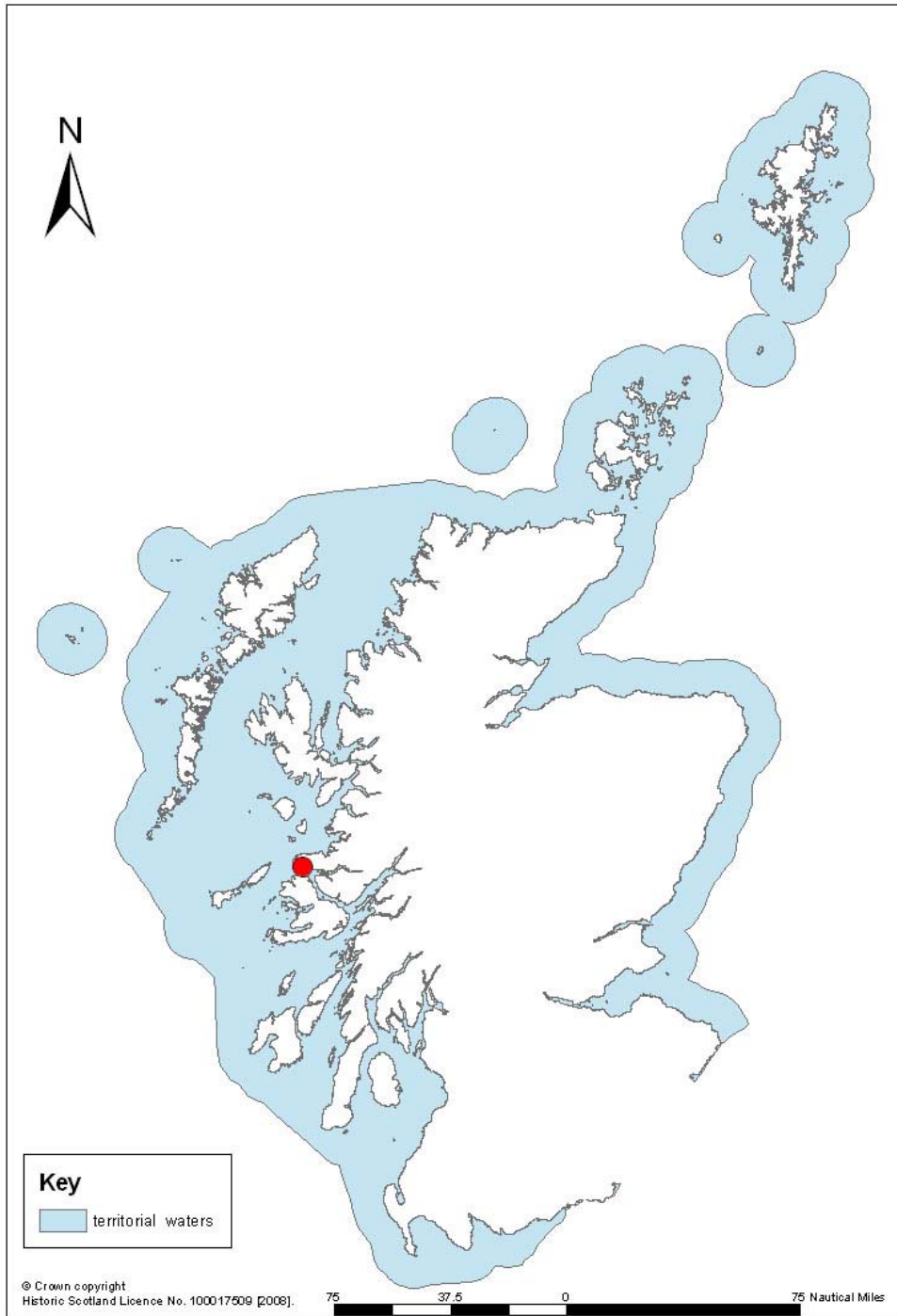


## Scotland's designated wreck sites (Protection of Wrecks Act 1973)

The wreck off Mingary Castle, Ardnamurchan, Lochaber, Highland



8 May 2008

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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

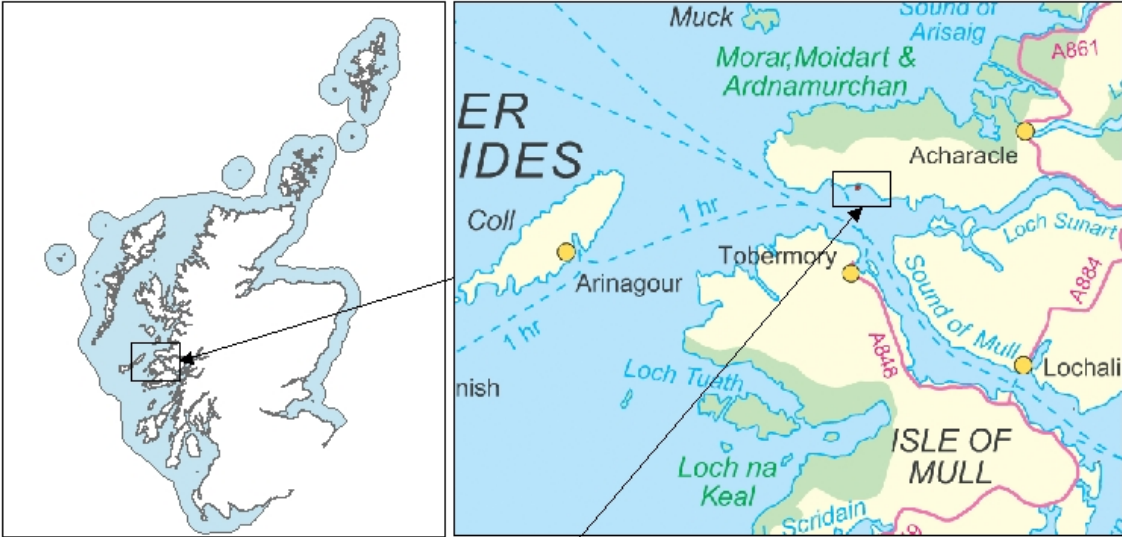
2.1. Licence application forms and guidance for divers and archaeologists in relation to the Protection of Wrecks Act 1973 are available online at <http://www.historic-scotland.gov.uk/index/heritage/wrecksites.htm>

### 3. Summary

<b>Site name</b>		Mingary Castle wreck	
<b>RCAHMS Reference number</b>		NM56SW 8001	
<b>General information</b>			
<i>Location</i>	<i>Year of discovery</i>	<i>Discovered by</i>	<i>Date of sinking</i>
Near Mingary Castle, Ardnamurchan, Lochaber, Highland	1999	Philip Richards	17 <sup>th</sup> century
<p><b>Description of wreck site</b> Remains are possibly related to a wrecking incident during a siege of Mingary castle by Lord of Argyll (former owner), recorded in a diary written by John Weir in 1644. Weir was a Puritan imprisoned in Mingary Castle by Major-General Alasdair MacDonald. Five guns have been found on the seabed in association with other scattered, wreck related material.</p> <p><b>Description of site environment</b> The site lies at a depth of 2-10m off a rocky shoreline, a short distance to the east of Mingary Castle. The site is generally well protected from north-west to east but otherwise exposed to winds from the south and westerly quarters. The variety of plant life on the seabed suggests a relatively dynamic environment although small finds have been recovered from silty-sand deposits.</p> <p><b>Designation summary</b> (see annex for statutory Instrument)</p>			
<i>Designation order</i>	<i>Latitude (OSGB 36 datum)</i>	<i>Longitude (OSGB 36 datum)</i>	
The Protection of Wrecks (Designation) (Scotland) Order 2000	56 41.500N	06 04.350W	
<i>Site marker(s)</i>	<i>Date designated</i>	<i>Exclusion zone radius (m)</i>	
None	19.08.00	250	
<p><b>Further information</b> <i>Published references</i> Byrne, K 1997, <i>Colkitto! A celebration of Clan Donald of Colonsay (1570-1647)</i>. Colonsay: House of Lochar.</p> <p>Wessex Archaeology 2007, Mingary Castle, Ardnamurchan, The Sound of Mull, Scotland, Designated Site Assessment (Ref: 53111.03n) – copy archived with the Royal Commission on the Ancient and Historical Monuments of Scotland, 16 Bernard Terrace, Edinburgh, EH8 9NX.</p>			

4. Location and extent of protected area

Mingary Castle wreck, Ardnamurchan, Lochaber, Highland



<p><b>Key</b></p> 	<p>Extent of protected area as defined in the Statutory Instrument</p>	<p>N</p> 	<p>This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. Historic Scotland Licence No. 100017509 [2008].</p>
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## 5. Statement of significance

### Period

As yet, investigations have not conclusively identified the origins of this wreck but clues are emerging. The finds suggest a probable mid-17<sup>th</sup>-century date for the wreck: a lead apron (a cover used to protect the vent of a gun when not in use) has an inscribed date of 1638 and a merchant's weight is stamped with the date 1636. A diary, written by John Weir in 1644 during imprisonment in Mingary Castle by Major-General Alasdair MacDonal, describes a siege of the castle by the Lord of Argyll and a wrecking incident that took place during the attack.

### Rarity

Known wrecks from the suggested period are comparatively rare in the UK although there are two other 17<sup>th</sup>-century wrecks in the Sound of Mull. As yet however, there is insufficient evidence from the archaeological record of the wreck off Mingary Castle to categorise the vessel type.

### Documentation

As indicated above, diary accounts relating to the loss of a vessel in 1644 may relate to this wreck and are summarised in secondary sources (see summary). The results of various investigations of the wreck site since its discovery in 1999 have resulted in a comprehensive survey of the visible seabed remains and a preliminary analysis of the evidence (see summary). However, further work remains to be completed both in terms of the recording of artefacts from the wreck and further analysis of contemporary documentary sources.

### Group Value

With the introduction of seaborne artillery, castles such as Mingary and Duart became vulnerable to attack from the sea. The wreck off Mingary Castle, if indeed it is associated with the castle, and the nearby Dartmouth and Duart Point 17<sup>th</sup>-century wrecks, provide a significant group of sites that illustrate this significant pattern of conflict in the Sound of Mull.

### Survival/condition

Although the most obvious indicators of the site are five large iron guns (the presence of a sixth gun has been reported but not confirmed), other less robust material has already been recovered and the presence of wooden fragments has been identified on the seabed, notably within a silty-sand layer within sediment-filled gullies. Although marine biologists have noted that the plant life indicates a relatively dynamic environment, these pockets of silty-sand and extensive areas of flat sand have the potential to contain and preserve further significant archaeological material and information.

### Fragility/vulnerability

This site has been vulnerable in the past to souvenir hunting, in an area where both sport diving and commercial scallop diving is popular.

### **Diversity**

The scope of investigations so far are insufficient to allow a detailed assessment of the diversity or representative aspects of the wrecked vessel.

### **Potential**

Pockets of silty-sand and extensive areas of flat sand have the potential to contain and preserve further significant archaeological material and information of this probable 17th century wreck. The evidence suggests that the wreck has not been subject to any salvage other than possible contemporary recoveries and the handful of items declared by the finders. The site appears not to have suffered from too much diver interference and so it retains its archaeological integrity. Such a relatively undisturbed wreck has the potential to provide important archaeological information about maritime activity in Scottish waters during the 17th century.

### **Summary and conclusions**

The wreck off Mingary Castle is worthy of protection under the Protection of Wrecks Act 1973 because it appears to be of significant historical and archaeological importance. The site retains the potential to add knowledge to our understanding of the design and operation of naval activity in the Western Isles during the 17th century. When considered in the context of Duart Castle and the two wrecks associated with attacks against it, the wreck off Mingary Castle 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

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SCOTTISH STATUTORY INSTRUMENTS

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2000 No. 287

### PROTECTION OF WRECKS

#### The Protection of Wrecks (Designation) (Scotland) Order 2000

*Made* 17th August 2000

*Laid before the Scottish Parliament* 18th August 2000

*Coming into force* 19th August 2000

The Scottish Ministers, being satisfied 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 and objects contained or formerly contained within it which may be lying on the sea bed in or near the wreck, the site ought to be protected from unauthorised interference and having dispensed with consultation in accordance with section 1(4) of the Protection of Wrecks Act 1973(a), the Scottish Ministers being satisfied that the case is one in which an order should be made as a matter of immediate urgency, in exercise of the powers conferred on them by section 1(1) and (2) of that Act and all other powers enabling them in that behalf, hereby make the following Order:

#### Citation, commencement and extent

1. This Order may be cited as the Protection of Wrecks (Designation) (Scotland) Order 2000 and shall come into force on 19th August 2000.

(2) This Order extends to Scotland only.

#### Identification of Site and Designation of Restricted Area

2.—(1) The site where a vessel lies, or is supposed to lie, wrecked on or in the sea bed is in position Latitude 56° 41.500' North, Longitude 06° 04.350' West.

(2) The area within a distance of 250 metres of the site identified in paragraph (1) above (but excluding any area above high water mark of ordinary spring tides) is designated as a restricted area.

St Andrew's House,  
Edinburgh  
17th August 2000

*RHONA BRANKIN*  
Authorised to sign by the Scottish Ministers

**EXPLANATORY NOTE**

*(This note is not part of the Order)*

This Order identifies the site in the Sound of Mull, near Mingary Castle of what is thought to be a wreck of a vessel and on account of the historical and archaeological importance of the vessel and its cargo the Order designates an area 250 metres around the site as a restricted area so as to protect the site from unauthorised interference.

The position given by the co-ordinates in article 2(1) of the Order is the position for use on Admiralty Charts 2392 and 2394 based on datum OSGB 36. The restricted area does not include any part of the designated area which is above the high water mark of ordinary spring tides.