ALLAN MASSIE

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THE HANGING TREE

A Romance of the Fifteenth Century

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Mandarin

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For George and Elspeth

'Mr McCunn sought in literature for one thing only. Sir Walter Scott had been his first guide, but he read the novels not for their insight into human character or for their historical pageantry, but because they gave him material wherewith to construct fantastic journeys.'

Buchan

'Certain dank gardens cry aloud for a murder; certain old houses demand to be haunted; certain coasts are set aside for shipwreck.'

Stevenson

BOOK ONE

I

The wind, blowing in squalls from the south-west, had thrown up heavy clouds laden with rain, and the pony, a hairy-heeled sorrel, limping down the old Roman road with its tail to England, had cast a shoe an hour back. They had come through broken hill-country, dun-grey in the cold October. Once a skein of geese flew over, heading for the stubble fields or water meadows by Kelso where Tweed and Teviot meet. There were few other signs of life in that empty land. A blue hare sprang up a braeside and twice the pony's clip-clop startled a brace of grouse. A couple of times too the rider had seen a flock of sheep drawing up to the high tops, but gave their herds no wave. It was country a man was wise to pass through without drawing heed to himself. He saw a burnt peel-tower and farm buildings still reeking smoke across his way; and shivered.

The pony was tired and near done, and it was darkening to dusk before the Abbey tower of Jedburgh came into view. He had hoped for better time, but now he must lie at the inn there and find a smith in the morning to shoe his beast. He was worn out himself and had no wish to lame the pony. The realization of his fatigue was sudden. His shoulders ached and his head swam so that for a moment he had to take a grip of the rough mane to steady himself. It was no wonder he was in such a state, for it was only last evening he had been fit to rise from his fever-bed. The old herd's wife had urged him to bide another night, but he had been firm. He was eager to be gone, even more eager to be home, for it puzzled him to know why Clym had left him there with only one man to care for him, and why that man had deserted him almost as soon as his brother's back was safely turned. Or so the old wife had told him, but he could not know who the man was from her description; 'he was a middling chiel,' she had said, in an abrupt clackety voice, 'and he made off with never a goodbye or God bless you'.

It was the fever making him weak and nervous. He told himself that more than once. The wife had been right. He shouldn't have ridden that day. And yet he couldn't have borne to bide there, though he had no way of accounting for what perturbed him. So he had mounted the pony, and the wife had stuffed the end of a loaf of bread in his saddle-bag, saying that he maun eat sometime before he travelled far, though he had been too weak to do so when he rose, and she had seen him on his way with many a shake of her head. He had ridden warily, for a solitary rider had to keep an eye open for danger. You never knew when you might not fall in with a party of forayers spurring back to their Northumbrian bolt-holes. But the road had been as quiet as the grave or the long nights of Lent.

It wasn't, though, the same prudent wariness that his brothers would display which now formed bushes into threatening shapes and made him see movement on the hillsides that was only a trick of the failing light and gathering mirk. These were child's fancies or fever nerves. Telling himself that didn't disperse them however, and other fantasies invaded his mind, memories of winter tales by the fireside, of how the Queen of Elfland rade through the same hills in the same mirk night with Thomas of Ercildoune, the pair of them wading in blood to their horses' knee. It was the hour and place of enchantment; the great wizard Michael Scott might still lurk in the Eildon Hills that he had cut in three, those hills where Arthur rested with his knights waiting the hour of recall. And there were other spirits abroad, goblins and brownies and the ghosts of those killed in unjust quarrels.

He shivered and shook himself. He was too old for such fancies, no bairn but a man now and riding out with his father and brothers this past year, riding this last foray with Clym and five men under them in search of their reived cattle, and not knowing why they had left him in the herd's hut, wondering which it was who had deserted him, not maybe caring if he did indeed die of the fever. That was a matter to chew on rather than tales of that other world which marched beside theirs.

He shook himself again and sat straight on the pony, a slim boy with a soft mouth which the thin line of blond moustache he had been trying to grow couldn't disguise. His hair, mostly

hidden under the blue bonnet, was fair too with that glint of red-gold you often find in the Borderland. It was recognized in the family that he took after his mother as she had been when Walter had first brought her down from an upland farm thirty years back. He took after her and her folk in more than looks, for like her brothers he was given to making verses, and only the week before had made a ballad on his grandfather's great raid into Redesdale and his deeds at Otterburn that were a legend in the family to make them glow with pride. He was eighteen and his name was Robin Laidlaw.

Jedburgh was in a clamour. It had been market day and crowds still tumbled round the stalls which merchants were now dismantling. Groups of men, in serge tunics with blue bonnets on their heads, spilled out of the alehouses, some clutching leather jacks of beer. They jostled and shouted abuse at a party of monks making their way back to Vespers. The monks kept their eyes lowered. The abbey might own lands up Teviot and down Tweed, but market day when men came in from the Merse or the Forest was no occasion to parade their piety. Too many of those made bold by liquor were the abbey's resentful tenants. So the monks hurried with what speed they could to the Abbey gates.

Rob dismounted and led the hirpling pony down the hill to the house where he hoped to find lodging for the pair of them. It was prudence made him dismount, though he couldn't account for it, except by thinking he was less like to be noticed if he wasn't perched up on the beast.

Despite the bustle round the alehouses there was no hilarity in the town. The mood was raw. It gave off the sense of men bound together by an experience that was out of the ordinary and which had excited them and made them feart at the same time; it would have shamed them had they not been in a crowd. It had something of the tremorous mood you find before a battle, though there was no anticipation in it. Rob kept his eyes alert but his head still, as if he wasn't looking about him. Then, as he pushed through the crowd, past the piles of dung outside the houses, it began to rain, heavy drenching drops, and the wind rose. A man swore at him as his pony bumped against his stall and Rob, saying nothing, hurried on. He had caught and recognized the mood.

Once, some three summers ago, his father and brothers had ridden home towards the evening milking with just that edge on them. They wouldn't speak of what they had done, and it wasn't for a year that he learned of what had happened, one summer night on the hill with his eldest brother Clym. All of a sudden, without warning or introduction, that dark silent man had burst out with the story of how they had been reiving sheep from the Abbey lands round Minto and how a monk had galloped up on a fat grey pony and cried on them to stop. Walter had sworn at him for a fool, but Maurie (the second brother and ever quick in tongue and deed), 'Maurie outs with his sword and rams it down the holy gullet before the monk can cry the name of Jesus. "That'll stop your prayers," he laughs. I can hear that laugh yet, Rob,' Clym said and looked away from the boy into the mist rising by the waterside. 'Aye, and the fat grey pony's hooves clipping off into the mirk, till we heard it slough its rider off in a ditch. And Maurie, you ken, was gleg to be after the pony, but Feyther would hae nane of it. He pulls round his horse's head and sets spurs tae its sides, and we a' made for the Forest as fast as our beasts would carry us. Leaving the sheep tae, so that Maurie had killed the man for naething. Aye, Rob, it behoves us to gang warily when we're free of the Forest now.' And that was why a few weeks after that night Maurie had risen before dawn and with a word only to their mother had made for England without a backward glance. Rob shook his head at the memory. They had not heard a word from Maurie since; though he couldn't tell. He jaloused their father knew fine how and where he was.

Rob found a stall in a shed behind the inn for his beast and a stable-lad to fetch him hay, and he flung his own cloak over the pony's back so that it wouldn't catch cold in the night after their long ride. He tossed a penny to the boy. 'You'll keep an eye on the beast,' he said, 'and there will be another for you,' and he went into the inn to ask for food and drink and a bed for the night.

'There's mutton and a bannock and ale', the old serving-man admitted, 'but for a bed,' he smiled, 'you'll hae to stretch yourself on the bench theer, or the floor itself if the bench is ower narrow. Not but what you're a narrow lad yoursel.' He squinted at Rob. 'Aye, narrow enough, I'm thinking, to be

riding the hills on your lane. And where do you come frae? Och, I ken fine what you're thinking, that it's nae business o' mine where you hail frae, but that's where you're wrang. Whae comes and gangs in this inn, and where they hail frae and whatlike's the purpose of their journey, is what I make my business. Precisely that, my mannie. We'll no hae just any folk here, you ken. And there's aye the Abbey guest-chamber for them my curiosity ill suits.' He leaned his beery breath into Rob's face. 'But maybe a spunky lad like you would no care for the Abbey and the monks. Aye, but you missed yourself here the day, lad. We've had a real auld-farrant Jeddart day the day. You'll no ken what that is, I'm thinking.'

He bustled away in answer to a summons and Rob was left to feel the full weight of his fatigue till the old man hobbled back – his right knee sticking out at an odd angle – with the food and drink he had promised. The hunk of mutton was braxy, but Rob was seized with hunger and gnawed at it and tore at the bere bannock and slaked his dusty throat with the sweet dark ale. The old man hovered over him, as if admiring his appetite, till he judged the boy's first hunger was appeased.

'Aye,' he said, 'a real Jeddart day. Ye'll have heard of what we ca' Jeddart justice, maybe? Aye, I thocht you might have. Hang 'em first and speir the crime after. That's our way. It saves the expense of a trial, you see. No that there could have been any need for yin the day. Na, na. Aye,' he plucked at Robin's sleeve, 'that's what we've had here the day. A hanging. It aye sets us up, a gude hanging. Folk are aye drouthy when they've seen another neckit. It's a rare thing, for trade in a Public. And this was a rare yin indeed. Gin you tak a turn doon by the Tolbooth you'll no miss a' the play, for you'll see four of the malefactors hanging in chains as they'll be till our next hanging, and the heid yin, that auld beast of prey and rapine, auld in blood and sin, Walter Laidlaw of Clartyshaws himself, still dangling from the gibbet on a hempen tow. It's a grand . . . hey, what ails ye, laddie? Mercy on us . . . Maggie, here . . .'

Robin had never fainted before, and, when he opened his eyes, feeling a damp cloth on his forehead, and looked up into a brown face with soft brown eyes and a frame of brown ringlets that brushed his cheek, he couldn't immediately think what had happened to him.

'Lie still,' she said, 'you're white as the driven snow.'

He obeyed, taking some comfort from the soft voice.

'But what's happened?' he said, and all the time heard the old man's voice muttering and sounding in his recovering ears like the Ettrick Water tumbling in spate.

'The lad's ower fine,' the old man grumbled. 'Can he no hear talk of a hanging. I was just for telling him of the day's ploys.'

'The mair shame to you, Calum Nixon,' the girl said, 'to deeve a young lad with your gallows-talk. You're a ghoul, that's what you are, a richt crotchety auld ghoul . . .'

'Hech, hech, what a business,' the old man said. 'What was I doing but giving the young lad the crack of the day? Folks are fine indeed when they canna bide talk of a hanging. And it's no every day an auld tod like Laidlaw of Clartyshaws is neckit. You wouldna expect me to keep rare news like yon to masel. I'm just wondering what way it affected the young lad so . . .'

A trembling like the return of his fever ran through Robin. He clutched the girl's hand. 'I've been sick,' he said, 'I'm just up the day from a fever, and I've ridden far and all at once I felt me as weak as a kitten. Is there no bed I could maybe have?'

'I tellt you, there's no a bed to be had in the house. This is a tavern, nobbut a tavern. Gin it's a bed you seek, awa to the monks with you.'

'And why should the lad no have a corner of mine the now? With the house in the stoor it's in, nor Jean nor Elspit nor me'll be bedded till the heich o' night. Come awa wi you, lad . . .'

'Folks is fine indeed, ower fine, what are loons coming tae, when they canna thole talk of a gude hanging . . .'

Rob was indeed in no state to go on. That was all he could tell himself to his credit, for consolation. He had been sick twice in the wooden bucket the girl Maggie had supplied. ('I tellt them thon mutton was past being fit tae eat,' she said the first time.) When she left him he lay for hours rigid but for the intermittent trembling that attacked him. In spite of the rough woollen blankets with which she had covered him, he was nipped and pierced by cold. The damp chill crept up from the river, seeped in from the moorland, through the thick walls, through layers of blanket and stocking, so that his feet were like lumps of stinging ice. He hugged himself for warmth. The sense of loss had hardly hit him yet, but the wretchedness with which

his mind formed pictures of his father, with his hands bound behind his back, being roughly urged towards the rope, brought on new nausea. His father would not have spoken a word, neither of protest nor penitence, he knew that. Would he have prayed? Would they have let him pray or would the monks, neglecting their Christian duty, have urged him to his death unshriven? He had no doubt that this was the revenge of the Abbey and its agents. They had waited three years to avenge their Brother, but they had done so. Rob had loved his father, loved him still, feared him and honoured him, and he felt shame to be lying in a girl's bed while, only a few hundred yards away or less, Walter's body swung from a rope's end in the night air. He tried to pray for his father's soul, but the words stuck. He felt something more shaming still, and this was fear for himself. He was never to forget the fear with which he had listened to every movement in the house.

At last he fell asleep. He was so weary he did not hear the three girls come in and was not aware of them joining him with many giggles and some horseplay. He didn't feel them draw the blankets back or see them hold their candle over him to admire his body. But towards morning, with the wind now shrieking round the close and through the rooftops, he dreamed and dreamed horribly. He saw his father on the gallows with his legs stiff, his tongue huge and blue, and one eyeball half detached from its socket. He woke in damp horror, and lay in this mad empty crowded world of death and grief and girls. Hands caressed him and explored him, he responded as a dog might, and slept again. He didn't even know which girl it was and when he woke it was near light and he was again alone.

The brown girl Maggie brought him ale and bannock. He thanked her and made to rise, but she told him he was not fit to travel. 'You've still the fever on you, and had better bide.'

He had no will to resist. While he lay there, tended by the girls, he was acquit of responsibility. Until he moved he did not have to confront his second fear, that the hanged men in chains might be his brothers.

They kept him there for two days. He did not know how they concealed his presence, but presumed they did, and when he asked them about Calum Nixon, they laughed and said they knew a way of stopping that black gob. They saw to the shoeing

of his pony, and no doubt told a tale to account for it. They took their rewards in the dark night, giggling and tumbling over each other so that he never knew with which he was engaged. It was as much relief as delight for him, for during the empty hours of day, memory, imagination and fear all tormented him.

On the second afternoon the girl Jean, pale and blonde as a lily by the water's edge, slipped into the room and let a wet cloak fall to the floor.

'Maggie says you'll be off the morn,' she said.

'Aye, I maun.'

'I'm wet through,' she said, and slipped out of her shift. 'It's daft,' she said, 'I've had you in me, but I dinna ken your name, though there's muckle I ken and mair I guess.'

'It's Rob,' he said, 'Robin.'

'I'm that sorry for you,' she said. She sat down beside him and put her fingers to his cheek, and with her other hand took his and laid it between her legs. 'You talk in your sleep,' she said. 'That's how we ken. We're a that sorry for you, but me maist, for I was there and saw it. The others thought I should say naething to you, but I thought maybe I should. Was I right?'

He felt life throb below his hand and throughout his body and nodded again.

'He died right bonny,' she said, 'lifting his face up to the sky as if he was gazing on our Lady. Yin of the others, a wee lad wi' yellow hair, died whining, but no your Daddy. He might have been gaeing to his wedding. I thought you'd like to ken that.'

'Aye.'

'I said a prayer for him.'

He let the prayer lie a minute between them, and then moved his fingers.

'Jean,' he said, 'was there a tall black man with a scar on his cheek?'

'No, they were a' wee fellows.'

'And no yin with ae shoulder raised abune the other.'

'I ken what you're feared of, but na. They werena your brothers.'

She leaned over him and kissed him on the lips and let her hair fall over his face.

'You're nae all alone,' she said.

Later, she moaned and they clung together and she sighed, and then said, in a low voice, 'He's aye hanging there. Will you be able to pass him in the morn?' She ran her fingers over his lips and kissed his eyelids.

It was still black night, thick as a coffin-pall, when the three girls escorted Rob down to the shed where the pony was stabled. He bridled the mare in silence while they pulled their cloaks tighter round their bodies against the cold. Then Maggie lifted a lantern and held it up so that she could look him in the face.

'Aye,' she said, 'you'll do. Gie's a kiss.'

He leaned over and kissed each in turn.

'May our Lady watch over you,' Jean whispered. 'You've got the knife.'

'That I have.' He swung himself on to the pony's bare back. 'I'll no forget what you've a' done for me. Never.'

The pony's hooves slithered in the mud going down the hill. Rob was alert for sound or movement but the town was silent. It was hard to see the way and he was glad to move slowly to let his eyes get their night sense. Then he could just make out the looming shape of the Tolbooth and the gallows beside it. He put his hand up and took hold of his father's boot like a child crawling on the floor beside his Daddy's chair. The ladder was just where Jean had said it would be. He rested it against the transverse of the gibbet, and either gibbet or ladder, or perhaps both, creaked as he mounted. He swayed on the uncertain support. Steadying himself, he drew the knife from his jerkin, and, leaning precariously to his left, attacked the rope with a violent sawing motion. For a moment it resisted and he leaned more dangerously still to be able to apply more weight. Then, like a breaking dam, the strands tore apart. The body's dead weight fell like a sack of meal out of the corn loft.

Robin descended the ladder and dragged his father's body towards the pony which shied and pranced a bit, not understanding what was happening, and not liking the clumsy movement in the dark. Rob steadied the beast, and heaved the corpse upright so that it was propped against the pony. Then he bent down and swung the legs up so violently that it was all he could do to stop the body sliding off the other side. He stood, listened, one hand resting on his father's back, heard no sound at all.

Then, instead of going on down the hill which led to the town

gate, he turned up an alley to the left. It was narrow and his feet slipped in the mire. He had to hold on to the wall to stop himself from falling. The next moment Jean caught his hand.

'I was that feart. I near came down . . .'

He held her hand tightly and allowed her to lead him up the alley. The buildings gave way to rough unfenced gardens and they stumbled through stony patches of kail.

They came to the wall surrounding the town and Jean led him along it, her fingers feeling the line of the masonry till they came to a wicket gate. She felt under her cloak and produced a key.

'It gives on to Calum Nixon's brither's field,' she whispered. 'He's lying fou as a puggy in the tavern. Beyond it you're on the town muir. They'll no look this way. Maist like, they'll scour the town first, for they'll ken naebody has passed through the town gate, and they'll no think that Dod Nixon would hae gied his key to a freend of your feyther. I'll hae the key back wi' Dod afore he wakes. But you'll no be safe till you win the Forest.'

She held up her face to be kissed. Rob pressed against her and their mouths sought each other. 'I'll no forget what you've done,' he said, and set his face to the east. As he marched by the pony's head, one thought hammered in his mind: 'How did my brothers let it happen?'

II

Clartyshaws at the back end of the year, in the rain and mirk, was a dour place. The mud that gave it the first half of its name came right up to the barred door under the peel-tower behind which the few thin shaggy cattle stood hock-deep in glaur and dung; and the shaws, woods of oak and hawthorn, birch alder and pine, tumbled down the precipitous slope behind the peel-tower that was indeed little more than a fortified farm. It stood in a little glen off the Ettrick Water, halfway up the hillside on a flat spur, the only level ground for miles but for the reedy marsh in the howe where building was impossible.

There had been Laidlaws in Clartyshaws for more than two hundred years now – a Laidlaw had ridden in to acclaim William Wallace as Lord Guardian of Scotland in Selkirk's Kirk o' the Forest, and another had been killed beside King David at Nevile's Cross, killed, some said, as he engaged himself in looting the English camp while the battle was still doubtful, before his king surrendered to be led into a long captivity in the South. The Laidlaws were most of them hard black surly men. Few would ride willingly with them, unless they had good cause, but even fewer chose to ride against them. They were thieves and killers, but not wanton killers for the most part, for some native decency kept them from the blacker and more cowardly crimes like rape and the killing of unarmed men. But they were ill to cross and no scruples would deter them from burning a poor man's house over his head, if they thought he had cause to spite them; and pity was an emotion few of them felt. Baptised Christians were rare among them, and their weddings were more like to be celebrated by the smith over his anvil than by the priest at his altar. For the parish priests though, mean peasants as most of them were, they seldom had more than an easy contempt. The abbey monks of Melrose and Jedburgh or even as far east as Kelso were another matter, fat chickens for