

The history of Edinburgh : from its foundation to the present time. Containing a faithful relation of the publick transactions of the citizens; accounts of the several parishes; its governments, civil, ecclesiastical, and military; incorporations of trades and manufactures; courts of justice; state of learning; charitable foundations, &c.; With the several accounts of the parishes of the Canongate, St. Cuthbert, and other districts within the suburbs of Edinburgh. Together with the antient and present state of the town of Leith, and a perambulation of divers miles round the city. With an alphabetical index. In nine books / By William Maitland. The whole illustrated with a plan of the town, and a great variety of other fine cuts of the principal buildings within the city and suburbs.

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Publication/Creation

Edinburgh : Printed by Hamilton, Balfour and Neil, for the author, 1753.

Persistent URL

<https://wellcomecollection.org/works/zdkaetau>

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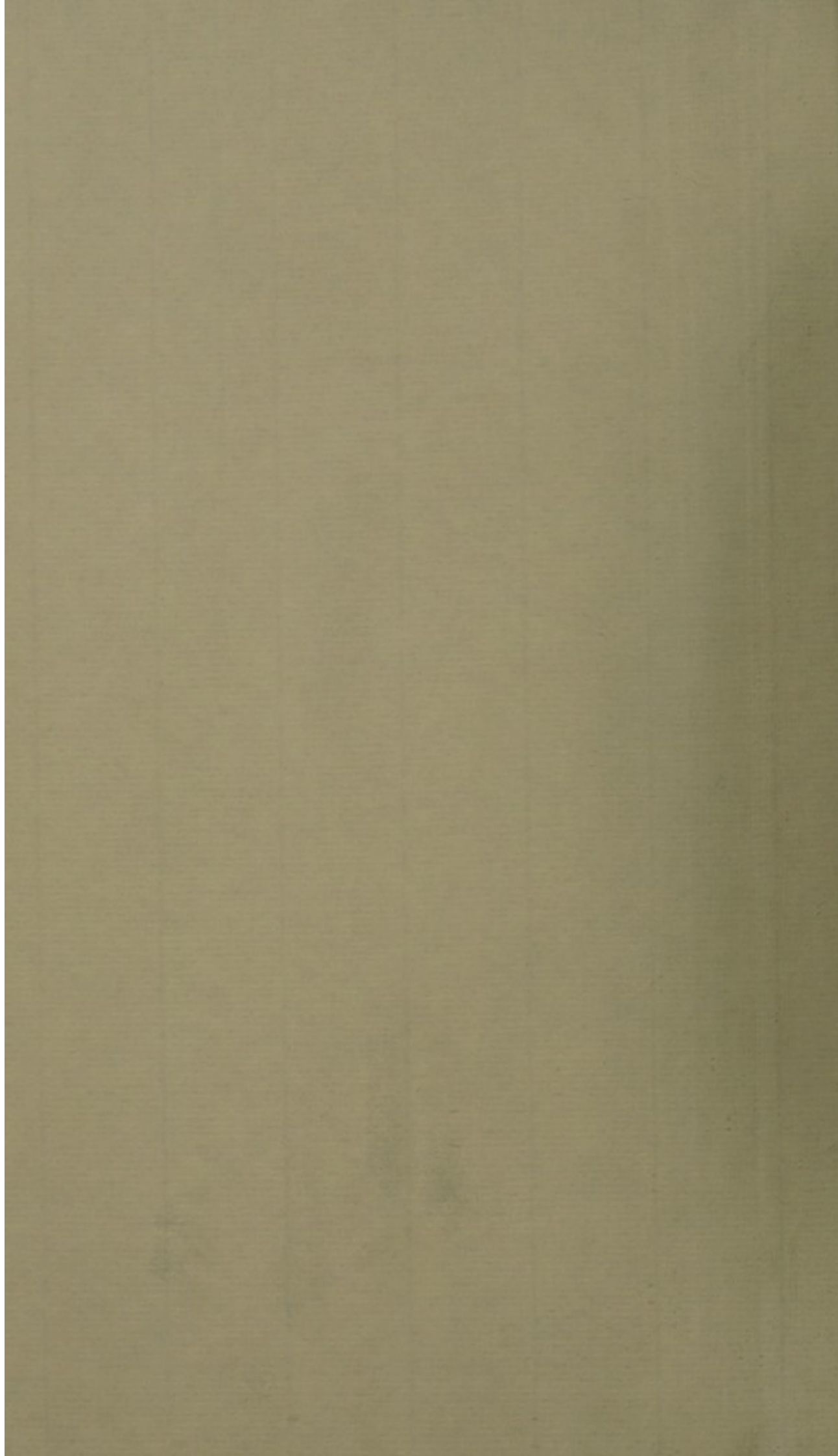


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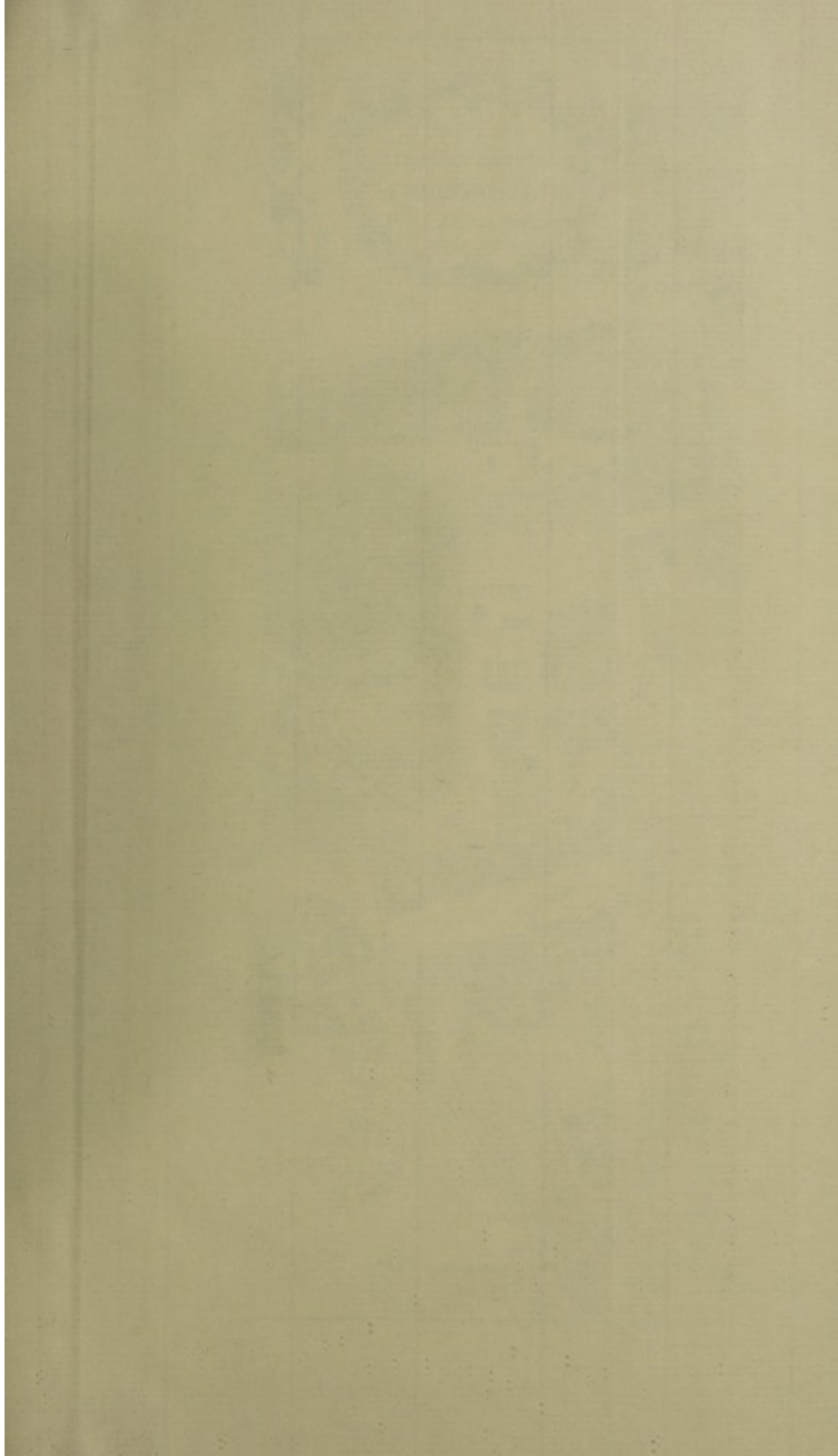
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FROM ITS
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PRESENT TIME.

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A faithful Relation of the publick Transactions of the Citizens; Accounts of the several Parishes; its Governments, Civil, Ecclesiastical, and Military; Incorporations of Trades and Manufactures; Courts of Justice; State of Learning; Charitable Foundations, &c.

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The Parishes of the *Canongate*, *St. Cuthbert*, and other Districts within the Suburbs of *Edinburgh*.

Together with the antient and present State of the Town of *Leith*, and a Perambulation of divers Miles round the City.

With an ALPHABETICAL INDEX.

IN NINE BOOKS.

By *WILLIAM MAITLAND*, F. R. S. Author of the History of LONDON.

The whole illustrated with a Plan of the Town, and a great Variety of other fine Cuts of the principal Buildings within the City and Suburbs.

EDINBURGH:

Printed by HAMILTON, BALFOUR and NEILL, for the AUTHOR.

MDCCCLIII.

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City; Accounts of the several Churches; the Govern-
ment, Civil, Ecclesiastical, and Military; Inhabitants;
Trades and Manufactures; Courts of Justice;
and of Learning; Consular Residencies, &c.

WITH AN ENGRAVED MAP OF THE CITY
AND A PLAN OF THE TOWN OF EDINBURGH
AND A PLAN OF THE TOWN OF GLASGOW
AND A PLAN OF THE TOWN OF DUNDEE
AND A PLAN OF THE TOWN OF ABERDEEN
AND A PLAN OF THE TOWN OF INVERNESS
AND A PLAN OF THE TOWN OF GLASGOW
AND A PLAN OF THE TOWN OF DUNDEE
AND A PLAN OF THE TOWN OF ABERDEEN
AND A PLAN OF THE TOWN OF INVERNESS



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The Most High, Most Potent, and Most Illustrious,
GEORGE WILLIAM FREDERICK,

Prince of *Great Britain*, Electoral Prince of *Brunswick-Lunenbourg*, Prince of *Wales*, Duke of *Rothfey*, Duke of *Edinburgh*, Marquis of the Isle of *Ely*, Earl of *Eltham*, Earl of *Chester*, Earl of *Carrick*, Viscount *Launceston*, Baron of *Renfrew*, Baron of *Snawdon*, Lord of the *Isles*, Steward of *Scotland*, Knight of the Most Noble Order of the Garter, and One of his Majesty's Most Honourable Privy Council.

S I R,

AS His Majesty, your Royal Highness's Royal Grandfather, was most graciously pleased, to do me the Honour to accept of the Dedication of my History of *London*, the capital City of the Southern Part of *Britain* ;

To whom can I address my History of *Edinburgh*, but to your Royal Highness, to whose Patronage it seems to have a double Claim? The first, by its having the Honour of giving the Title of DUKE to your Royal Highness; and the last, by its being the chief City in the Northern Part of *Britain*, and second Town in this Island in respect to the Number of its Inhabitants; which your Royal Highness, no doubt, as second Man of the Kingdom, has benignly considered, by your graciously vouchsafing to take it into your Protection, by doing me the Honour to accept of the Dedication; whereby I am encouraged most humbly to lay the History of *Edinburgh* at your Royal Feet.

In

In this Work, the first of its kind concerning *Edinburgh*, your Royal Highness may please to behold the Origin both of the Castle and City, the numerous Transactions of the Citizens with their Kings, Accounts of the several Parishes, and Things contained therein; its Government, Ecclesiastical, Civil and Military, in all their Branches; Incorporations of Arts, Manufactures and Commerce; Courts of Justice; College, and other Seminaries of Learning; with Accounts of the several Hospitals, and other charitable Foundations; which Benefactions, together with His Majesty's Royal Bounty for the Incouragement and Propagation of Knowledge in the Highlands and Islands of *Scotland*, and the Premiums given by Parliament for the Incouragement of Manufactures and Commerce, seem to preface its happy future State.

That these, and many other Blessings, have not only been confirmed to us, but greatly augmented, by the Accession of his Majesty's illustrious Family to the Throne of these Kingdoms, is universally acknowledged by all loyal and grateful *Britons*; and as your Royal Highness is Heir apparent to the Crown of these Kingdoms, whenever it shall please the Almighty to remove his Majesty from an earthly to an everlasting Crown of Glory, may your Royal Highness succeed him to the Joy and Delight of a grateful and obedient People; and that your Posterity may never fail to possess the Crown of these Kingdoms, is the fervent Desire and sincere Prayer of,

May it please your Royal Highness,

Your Royal Highness's

most humble,

most dutiful,

and most obedient Servant,

WILLIAM MAITLAND.

P R E F A C E.

THE History of *Edinburgh* being hitherto unattempted, has probably deterred Men of Genius and Learning from engaging in so laborious an Undertaking; for, by entering on an untrodden Path, might be apprehensive of being bewildered, for want of proper Guides to direct them in an Affair of this kind. Not discouraged at this, I sat about the Work, by applying to Men of Learning for Assistance: And judging that, on this Occasion, the greatest Help was to be expected from the Magistrates and Town Council of *Edinburgh*, I addressed myself to them, for Leave to inspect the City's Records, and to extract from them whatever I should judge necessary for the intended Work; which being readily granted, they gave Orders to their respective Town Clerks, to assist me with every thing in their Power, to enable me to write a full and faithful History of the Transactions of the Citizens; which they willingly and readily performed, by letting me have the Use of the Council's Registers, and other Records, as often as called for, whereby I was enabled to write the following History; for which Favour I return my sincere and most grateful Acknowledgments for giving me an Opportunity of serving the Citizens.

Although the Author has, in the Prosecution of this Work, met with many undeserved Discouragements, he presumes, that nevertheless he has performed it with the strictest Regard to Justice, Honour and Truth: And though there is too much room to charge the Historians of this Island with Partiality, by their Attachment to Parties; yet as, on the Perusal of this History, it will be found, that the said Author has screened no Man, or concealed any unjustifiable Action, whether in Kings, Princes, Lords, Commons, Churchmen, Dissenters, or others, but has made them all answerable for their several Deeds, and rewarded them accordingly; he thinks he may defy the greatest of his Enemies justly to charge him with Partiality; more especially considering he has made it his chief Care and Study, by Justice and Candour, to promote the Welfare of Mankind in general, and that of the *Edinburghers* in particular, by exposing to the View of the Publick both the good and bad Actions of Men; whereby it is hoped, that Men of Probity will be encouraged to persevere in doing Good, and wicked Men restrained from doing Evil; the latter whereof may in a great measure be said to be owing to mercenary and partial Historians, who, either out of a dastardly Spirit, or View to Interest, sooth the Vices of their Patrons, and, by concealing their Crimes, indulge them in their wicked Practices; whereas, had they had Candour enough to expose their Wickedness, Honour and Honesty, Truth and Justice would be restored, none daring to offend for fear of being rendered infamous to Posterity.

Whatever the Fate of this Work may be amongst Persons in high Stations, by the Author's lashing Vice in all its Appearances, he knows not; but that it will be approved of by the Generality of the People, he does not in the least doubt.

For the better Illustration of this Work, I have divided it into nine Books or Parts.

1. In the first whereof, you have an Account of the Origin of the Castle of *Edinburgh*, the Time when and by whom it was founded, with the Etymology of the Appellation *Edinburgh*; that it is not the Name of the City, but of the Castle; shewing how it came to be applied to the Town, as if the Castle owed its Origin to the City, and not the Town its Name to it: With an historical Account of the publick Transactions and memorable Events that occurred to the *Edinburghers*, from the Foundation of their Castle and City to the Year 1748, among which their Affairs with the Kings of *Scotland* appear to have been very great and memorable. And, amongst other Things, there is shewn, the great Share the Citizens had in the Reformation of Religion in *Scotland*, and Civil War in the Reign of King *Charles I.* insomuch, it may not be improperly said, that to them in a great measure are owing those two great Events; which will much illustrate the publick Transactions of those Times, by shewing many of the secret Springs of Action hitherto unknown, which were some of the principal Motives that occasioned those memorable Occurrences.

2. The antient and present State of the several Churches, Parishes, Liberties and Precincts; with the most curious sepulchral Inscriptions in the respective Cemiteries; Accounts of the Religious Foundations within the City and Suburbs before the Reformation of Religion in *Scotland*, together with the most remarkable since that Time; the Names of all the Streets, Squares, Wynds, &c. within *Edinburgh*, and Parts contiguous; the amazing Altitude and Magnificence of the Buildings, Manner of Construction, and Reason of their vast Height; together with certain Calculations touching the Number of Inhabitants, and Parallels between them and those of divers Cities and large Towns in *England*.

3. Historical and particular Accounts of the City-Governments, Ecclesiastical, Civil and Military, in all their Branches; with the Town's Golden Charter by King *James VI.* rendered into *English* for the greater Ease of Readers; wherein are set forth the many great and valuable Liberties, Immunities and numerous Benefactions, for charitable Uses, granted to the *Edinburghers* by the Kings and Queens of *Scotland*.

4. Accounts of the several Incorporations of Merchants and Trades, shewing the Institution of their respective Companies, with their antient Rights and Privileges; the Origin of the Guild and Conveeny, with the Time when and Reason of the Deacon-Conveener's being at first appointed.

5. Descriptions

5. Descriptions of the several Offices and Societies within *Edinburgh*.

6. The present State of Learning, and Seminaries thereof; Courts antiently and at present held in *Edinburgh*, whether of Parliament, Session, Royal Boroughs, &c. with Descriptions of the said Courts respectively.

7. Full and particular Accounts of all the Hospitals, Societies, and other charitable Foundations within the City and Suburbs of *Edinburgh*.

8. The antient and present State of the Town and Port of *Leith*; the Names and Tunnage of the several Ships and Vessels thereunto belonging; with every thing remarkable within the said Town, whether Churches, Companies of Arts or Trades, Hospitals, &c.

9. A Perambulation of divers Miles round *Edinburgh*, setting forth the several *Scotish*, *Pictish*, *Roman* and *Danish* Antiquities contained therein; Places where Battles have been fought, and by whom; with the Description of divers Curiosities, both natural and artificial, within the Compass of the said Perambulation.

Notwithstanding all my Care and Caution, it cannot be expected, that a Work which consists of such a Diversity of Subjects, composed of so great a Variety of Materials, should be free from Errors and Omissions; I shall only say, that I have, to the utmost of my Power, indeavoured to follow the strictest Rules of Sincerity and Judgment, and to make Truth my Standard throughout the whole; and as Sincerity implies Impartiality, I think I may safely declare, that I am not in the least conscious of any Deviation from Fact; but if any such be found, I desire it may be charged upon Judgment, Ignorance or Inadvertency, and not upon Design; and that the Reader, before he pass Sentence, may be pleased to consider, that as I have all along faithfully quoted my several Authorities, my Authors are answerable for their respective Errors, Misrepresentations and Defects.

By this Method of quoting Authorities, the Readers are not obliged (as they are in other Works of this kind) to depend upon the Integrity and Faith of the Author for the Truth of the Things related, seeing they are all attested by such who either lived at or near the Time when they were severally transacted; and as to Affairs of a later Date, *viz.* the Transactions of the Common Council, Parishes, &c. they are taken from the respective Records; and as to the Calculations, Tables, &c. the Reader will be able to judge of those Performances by his own Researches and Experience.

And if it should be alledged, that my Expressions in some Places are too warm, the Reader, upon Reflexion, will discover, that they are only so, where Vice, Immorality and Injustice flagrantly appear; for which the wicked Authors justly deserve to be reprehended, and not screened, as many are, by the most servile Adulators,

tors, as Numbers of Authors have shewn themselves to have been, by soothing the Vices of many Persons in exalted Stations; whereas, had they faithfully and honestly discharged their respective Duties, by lashing their wicked and detestable Crimes, it would not only have been a Means to deter Persons of Distinction from the like iniquitous Practices, but likewise had a good Effect upon Posterity in general, when they know the commemorating their wicked Actions, would render them odious both to God and Men, their Memory stink, and be rendered infamous to future Ages, as already hinted.

Now, as Injustice is the greatest Crime Men can be guilty of, being a Compound of all sorts of Wickedness, it behoves every one concerned in the Administration of Justice, not only, not to be guilty of this shocking Sin himself, but, to the utmost of his Power, endeavour to discourage and prevent others from being guilty of that most flagitious and iniquitous Practice; for the Almighty, who is Justice itself, will not suffer Men to go on in Impunity, but make them answerable for all their Actions; and, being the tremendous, omniscient and impartial Judge, when the Secrets of all Hearts come to be laid open, as this is the greatest Crime can be committed, their Punishment will be accordingly.

And as to any Faults or Imperfections that may be found in this Work, while they are not contrary to Truth, I shall have no great Concern, but leave them to the Judgment of the candid Reader; of whom I shall only beg, not to judge of the Whole by a Part, but to consider the Nature and Series of the Work altogether, before he give Judgment; when, I flatter myself, he will be of opinion, that such Defects rather deserve a private Admonition, than a publick Animadversion.

To what has been said, I shall only add, that this is a Work of much greater Labour than most Readers can imagine; for having had no Assistance from printed Books, was obliged to compile it intirely from Manuscripts; many of which being badly wrote with Abbreviations and decayed Letters, which, together with a great Number of Calculations, Tables and Prints, has rendered the Work much more tedious and expensive, both in respect to Labour and Money, as the Reader, on Examination, will easily discover. But as the Work is designed for the Honour of our capital City, the Author has spared no Cost to make it acceptable to the Publick.

T H E

THE HISTORY OF EDINBURGH.

BOOK I.

*From its Foundation, about the Year, according to the Christian
Æra, 626.*

CHAP. I.

*Shewing the Origin of Edinburgh, Etymology of its Name, and Transactions of its
Inhabitants to the Reformation of Religion in the Year 1556.*

Buchan. Hist.
Scot. lib. 6.

THE Origin of *Edinburgh*, like that of other antient Cities, is variously accounted for. By fabulous writers, it is called *Vallis Dolorosa*, that is, the *Sorrowful Vale*; and sometimes *Castrum Puellarum*, the *Maiden Castle*, from the Daughters of *Pictish* Kings said to have been educated therein. But these idle Stories, being devised by Romantic *French* Writers, about Five hundred Years ago, deserve not the least Credit.

Id. ibid.

By *Buchanan*, we are told, that *Edinburgh* is denominated *Dun-Edin*; but he thinks it ought rather to be called *Edinum*; and tho' he says that neither of these Appellations is hard to be understood, yet has not thought fit to give us the Meaning of either. However, *Dun-Edin* is generally understood to signify *Edin's Castle*, and so denominated from its being founded by *Aidan*, one of our Kings, who came to the Crown in the Year 570.

Ford. Scoti-
chron. lib. 4.
cap. 4.
Hest. Boët.
Hist. Scot. lib.
10. f. 203.

That this is a Mistake, is evident; for it appears to a Demonstration, by all our own, and other Historians, that our *Scotish* Ancestors never were in Possession of the Country of *Lothian*, wherein *Edinburgh* is situa-

ted, till the Year 839, when *Kenneth Mac-* Boët. Hist. lib.
alpine subdued the *Pictish* Nation, to whom^{10.}
it then, and antiently, belonged, before the
Arrival of the *Saxons* or *English* in *Britain*; Buchan. Hist.
lib. 5. cap. 69.
whereby it is manifest, beyond dispute, that
the Origin of *Edinburgh* cannot be owing to
the *Scots* or a *Scotish* King; which is con-
firmed by Sir *James Dalrymple*, one of our
greatest Antiquaries. Dalrymp. Col-
lect. p. 273.

Now, as the Origin of *Edinburgh* cannot be deduced from King *Aidan*; it must be fetched from the *Gaelick*, or antient *Scotish* Compound, *Dun-Edin*; *Dun*, the former Part, signifying a *Hill* or *Castle*, and *Edin*, the latter, a *Face*; wherefore, in *English*, it must either be called *Hill Castle*, or *Face Castle*; which will by no means answer, seeing the *Castle*, which is the real *Edinburgh*, and from which the Town has received its Name, is built on the Top or upper Part of the Hill instead of the Face of it; so, in lieu of the Appellation of *Face Castle*, it would more properly be denominated *Top Castle*: Whereby, we see, that all who deduce the Origin of this *Castle* or City, from either of the above mentioned Names, have

but

but a forry Foundation to build their *Dun-Edin* on.

Camd. Brit. in
Com. Laud.

Camden, having learn'd, that the Castle and City of *Edinburgh*, are, by the *Scotish* Highlanders, denominated *Dun-Edin*, and that *Aidan*, in the *Welsh* or *British* Tongue, signifies a *Wing*, has spared no Pains to make them the *Castrum Alatum* or *Winged Castle* of *Ptolomy*; and, to that end, has converted *Edinburgh*, which is situated near the Southern Confines of *Scotland*, into the *Castrum Alatum*, which the said *Ptolomy* has placed almost at the Northern Extremity of the Kingdom; as may be observed by inspecting his Map of *Albion* or *Britain*: And that nothing might be wanting to ascertain their being the *Castrum Alatum*, assures us, that *Edinburgh* is a *British* and *Saxon* Compound; *Edin*, the former Part, signifying a *Wing*, and *Burgh*, the latter, a *Castle*; wherefore it is undoubtedly the *Winged Castle* of *Ptolomy* as aforesaid.

Remark. As by Distance it is plain, that the City and Castle of *Edinburgh* cannot be the *Castrum Alatum* of *Ptolomy*; so it is evident, that, instead of any Part of *Edinburgh* or *Edwinburgh*, being *British*, it is purely a *Saxon* or *English* Compound, without the least Affinity, either to the *Gaelick*, the antient *Scotish*, or the *Welsh* Languages; for *Edin*, the former Part, being the Diminutive of *Edwin*, and *Burgh* or *Burgh*, the latter, implying a *Castle*, it is thereby shewn to signify *Edwin's Castle*; as hereafter more fully will appear. Wherefore it is manifest, that *Camden's Welsh Aidan*, a *Wing*, has not the least Relation to *Edinburgh*, no more than *Ptolomy's Castrum Alatum* has.

As by what has been said, I think it plainly appears, that the Origin of *Edinburgh* is not owing to the *Scots*. I shall now, as Conjectures are free, attempt to shew, That the Origin of this City and Castle may be deduced from another Source; previous to which, it will be necessary to premise a few Things concerning the antient Inhabitants of the Country wherein *Edinburgh* is situate.

By the best and most antient Historians, it appears, that the large Country in the Northern Part of *Britain* (bounded, on the North, by *Antoninus Pius's* Wall, commonly called *Grabam's Dike*, and the Friths of *Clyde* and *Forth*, and, on the South, by the Wall of *Severus*, vulgarly called the *Piſts* Wall from its Vicinity to that People, and the Frith of *Solway*, and Æstuary of the River *Tine*, containing, viz. the Countries of *East-Lothian*, *Edinburgh*, *Linlithgow*, *March* or *Merse*, almost all the Country of *Northumberland*, and Part of *Cumberland*, *Teviotdale*, *Tweeddale*, *Amundale*, *Niddale*, *Galloway*, *Kircudbright*, *Wigton*, *Kyle*, *Cunningham*, *Aire*, *Renfrew*, *Clydesdale*, and Part of *Lenox* and *Stirling* Shires), was inhabited by the *Gaels* before the Arrival either of the

Romans or *Saxons* in this Island (to whom the *Romans* gave the Appellation of *Piſts*); which, in another Work of mine, shall be more fully demonstrated; and that the said large Country first came into Possession of the *Scots*, after the Conquest of the *Piſts* by *Kenneth Macalpine* in the Year 839, as aforesaid.

The *Gaels* or *Piſts*, the antient Inhabitants of the said large District, for aught appears, were first subdued by *Agricola* the Roman General, about the Year 58; who, for its Security, formed a *Præentura* or Barrier, consisting of a Chain of Fortresses or Castles erected on the Isthmus between the Æstuaries of *Glotta* and *Bodotria* (Friths of *Clyde* and *Forth*); which Country was recovered from the *Romans* by the *Piſts* and *Caledonians*, is evident, by *Adrian* the Emperor's having withdrawn the Barrier to the Counties of *Northumberland* and *Cumberland* in the Northern Parts of *England*, where he erected an earthen Rampart across the Island, as a Boundary to the Roman Province in *Britain*. But the Country betwixt the old and new Barriers being regained by *Lollius Urbicus* the Roman Lieutenant in this Island, he replaced the Barrier on the Isthmus aforesaid, and, instead of a *Præentura*, erected the Wall above mentioned called *Grabam's Dike*; through which the *Scots* and *Piſts* having soon after forced a Passage, not only recovered the Country, but, breaking through the Wall of *Adrian*, committed great Ravages in the Roman Province; and, having possessed themselves of some Countries therein, they were afterwards restored by Treaty to the Emperor *Severus*, and not Part of the Country between the said Walls, as some Writers have vainly imagined; which is manifest by *Severus's* having erected a new Wall almost contiguous to that of *Adrian* aforesaid: The Vestigia of both are still to be seen in the Counties of *Northumberland* and *Cumberland* aforesaid.

The *Scots* and *Piſts*, it seems, not satisfied with this Addition of Country, recommenced Hostilities; and committing great Depredations in the Province, occasioned the Emperor *Valentinian* the First, to send that consummate General *Theodosius* with a gallant Army to repress the fierce Invaders; which he effectually did, by expelling them the Roman Dominions, and recovering the Country between the Walls aforesaid, erected it into a Province, and, in honour of the Emperor, called it *Valentia*; which, for aught I can learn, remained in Possession of the *Romans*, till they left *Britain*, about the Year 445; when the *Scots* and *Piſts* renewing their Incurſions, not only repossessed themselves of the said new Province, but committed great Ravages and Devastations in other Parts of the *British* Dominions.

Tacit. in vit.
Agricol.

Spart. in vit.
Anton. Pi. Aug.
Script. p. 151.

Capitol. in vit.
Anton. Pi.
Aug. Script.
p. 132.

Æl. Spart. in
vit. Sever.

Am. Marcel.
Hist. Rom. lib.
27.

Now,

Now, the distressed Britons, who could expect no further Assistance from their old Friends the Romans, and being unable to defend themselves against the furious Attacks of their fierce Northern Foes the Scots and Picts, called over the Saxons from the Country of *Holftein*, in the lower Parts of Germany, to their Assistance; who arriving in Britain in the Year 449, under the Conduct of *Hengist*, and *Horfa* his Brother, joined the Britons, and, with their united Powers, marched against the Scots and Picts, who were advanced into the Southern Part of the Island, as far as *Stamford* in *Lincolnshire*; where a Battle ensuing, the Saxons and Britons defeated their Enemies.

Bed. Hist. Eccl. Angl. lib. 15.

Hen. Hunt. in Rer. Angl. Script. p. 309.

Hen. Hist. Brit. cap. 37.

Malmf. de gest. Reg. Angl. lib. 1. p. 9. Mat. West. Flor. Hist. ad an. 454. p. 157.

Hengist, who was so highly pleased and greatly encouraged by this Victory, having learn'd that there were divers strong Walls or Fences in the Northern Parts of Britain, erected by the Romans to restrain the Scottish and Pictish Invasions, about the Year 452, he advised *Vortigern* King of the Britons to send for *Occta* and *Abisa* his Son and Nephew from the Country of Saxony aforesaid, who being well versed in the Art of War, would fight against his Enemies the Scots and Picts, in the Northern Parts of Britain, provided he would bestow on them the Countries in those Parts adjacent to the *Gaelick Wall*. *Vortigern*, agreeing to *Hengist's* Proposal, forthwith sent for the said *Occta* and *Abisa*; who arriving in the Northern Parts of this Isle, and, with Forty Keels or Ships, subdued divers Countries, and settled themselves and Followers therein; which is confirmed by *William of Malmfbury* and *Matthew of Westminster*, two celebrated antient English Historians; the latter of whom tells us, that they arrived in Britain with a numerous Fleet of Ships full of armed Men.

Remark. That the *Gaelick Wall* above mentioned, is that of *Antoninus Pius*, erected by *Lollius Urbicus*, as aforesaid, at present denominated *Grabam's Dike*, I think is beyond Contradiction, by its running through the Lands of the Gael; and that the Countries in the Northern Parts of Britain, said to be subdued by the said *Occta* and *Abisa*, were in the Neighbourhood of the said *Gaelick Wall*, cannot be justly controverted.

Nor that the Scottish Nation is highly obliged to *Nennius* for this great Discovery; for, by his calling *Antoninus Pius's Fence* or *Grabam's Dike* by the Appellation of the *Gaelick Wall*, it is manifest, it could only have that Name from the People the Gael (by the Romans called Picts) amongst whom it was erected, as *Severus's Fence* in the Northern Parts of England, from its Vicinity to the Pictish Nation (by the Britons denominated Gael) was called the Picts Wall; whereby is discovered the great Secret which has lyen hid for so many Ages, viz. That our Ancestors, by Foreigners, denominated Scots and Picts, called themselves Gael or Gauls;

which, till this Time, seems to have been unknown to all Foreigners, nay, to ourselves: For although our Highlanders, the Descendants of the first Inhabitants of *Albion* or *Britain* (which I hope elsewhere to make appear they are) still call themselves Gael; yet to them it seems to be unknown, that their Predecessors, by the Romans, English, and other foreign Invaders, called Scots and Picts as aforesaid, that their proper Appellations were Gael, by which they must have called themselves, as is apparent by the Name of the said Wall, and our Highlanders still calling themselves Gael; and regarding the Appellations of Scots and Picts as a foreign Imposition, justly despised the same, as the said Highlanders, their Posterity, still do.

By this valuable, and never to be forgotten Discovery, an End is put to the great Dispute of the Scots and Picts being different Nations; and by which is refuted the idle Tales and Dreams of our own Historians, who fetch the Scots from the Egyptians and Scythians, and the Picts from the *Agathirfy*.

That the Country, wherein *Occta* and *Abisa* landed, was that of *Lothian* on the Southern Side of the Frith of *Forth*, in the Neighbourhood of the said *Gaelick Wall*, and to which they were invited by the aforesaid *Vortigern*, appears to me beyond Dispute: For, in the Seventh Century, it seems to have been fully occupied by the English; for we are told, by *Bede*, that *Ecgfried*, King of *Northumberland*, in the Year 685, invaded *Pictland*; and a Battle ensuing, he with the greatest Part of his Army were cut off; by virtue whereof, the Picts repossessed themselves of that Part of their antient Dominions which composed the Northern Part of the said Kingdom of *Northumberland*. And that we may not mistake the Country here mentioned, our Author tells us, that amongst the great Number of English who left the Country on this melancholy Occasion, the Reverend *Trumwin*, with his People, withdrew from the Monastery of *Ebbercornig*, situate in the Country of the English, on the Arm of the Sea which separates the Lands of the English from those of the Picts. This Place is at present denominated *Abercorn*, standing on the Southern Bank of the Frith of *Forth*, and Eastern side of the *Curnig Burn*, about Eight Miles to the Westward of *Edinburgh*.

And, to put it beyond Dispute, that the above named Countries, or Part of them, between the Walls aforesaid, belonged to the English, in the Eighth Century, anno 734, *Bede*, in his State of the *Northumbrian Church*, tells us, that there were then, in the Kingdom of *Northumberland*, Four Bishopricks, viz. at *Eboracum* or *York*, *Lindisfarn* or *Holy Island*, *Hagulfstad* or *Hexham*, and *Candida Casa* or *Whitebearn* in *Galloway*; which manifestly shews, that the Countries befouth the Frith of *Forth* and *Clyde*, now belonging

Ford. Scotichron. lib. 3. Buchan. Hist. Scot. lib. 2.

Hector. Boët. Hist. Scot. lib. 1.

Bed. Hist. Eccl. lib. 4. cap. 26.

Ibid. lib. 5. cap. 24.

Malsin. de gest.
Reg. Angl. lib.
3. p. 272.

belonging to *Scotland*, at that time belonged to *England*; which is confirmed by a celebrated Historian, who tells us, that *Candida Casa* was situated in the *English* Border near the Confines of *Scotland*.

And, as a farther Proof, to shew that the Country adjoining to the Southern Side of the Frith of *Forth* must have early been possessed and inhabited by the *English*, is the Names of the numerous Districts, Towns, and Places therein; which being chiefly *English*, are as different from the Appellations of those on the Northern Side of the said Frith, as the Difference is between the *English* and *Gaelick* Languages, as proper Judges may easily perceive. But, for the Information of such of my Readers as are not well versed in the Etymology of the Names of the said Places, it is necessary to acquaint them, that the Names of all Towns and Places which end in *Burg* or *Burgh*, *Kirk*, *House*, *Mill*, *Side*, *Mund*, or *Mond*, *Burn*, *Dam*, *Hall*, *Ham*, *Home*, *Rig*, *Foord*, *Field*, *Yard*, *Land*, *Cot*, *Ness*, *Bank*, *Stat*, *Stead*, *Stream*, *Brig*, *Bottle*, *Dike*, *Dale*, &c. are all of a *Saxon* or *English* Origin. Whereby is shewn that the great Number of Places in the Country aforesaid, of the above Terminations, could not be so denominated from casual or adventitious Settlements in an Enemy's Country; which could have been but very inconsiderable, or next to none, considering the incessant Wars between the *English* and *Picts*, and since betwixt the *Scots* and *English*; wherefore the Settlements in these parts by the *English* must have been made by Conquest and Colonies, like those of the *American* Plantations, where the Names of Places are imposed at once from those in the Mother-Countries the People came from; as is manifest from the vast Number of Places of the above Terminations in the ancient *Saxony* or *Lower Germany* at this Time; a large Collection whereof I made when in that Country many Years ago.

Ford. Scoti-
chron. lib. 4.
cap. 8.
Buchan. Hist.
in vit. Donald.

The *Picts*, after the Expulsion of the *English* as above mentioned, quietly possessed their newly recovered Country till the Year 839; when the whole *Pictish* Nation was entirely conquered by *Kenneth Macalpine* King of *Scotland*; but, by the great Indolence and Indiscretion of *Donald* his Successor, the aforesaid Countries were soon after recovered by *Osbert* and *Ella* Kings of *Northumberland*; in the Possession of whose Successors they were anno 854; as is evident by an ancient Writer, who tells us, That besides the Town of *Edwinsturh* in *Lothian*, all the Lands belonging to the Monastery of *Balthere* or *Tiningham* in the same Country, extending from *Lambornmore* or *Lammermuir* to *Esmuth* or *Inveresk*, belonged to the Church of *Lindisfarn* or *Holy Island* in *Northumberland*; together with all the Lands on the Northern Side of the River *Tweed*, from

Sim. Danel. in
vit. St. Cuthb.
in decem scrip.
Col. 69.

Ibid. de gest.
Reg. Angl.
Col. 139.

the Source of the River *Edra* to its Influx to the said River *Tweed*, with all the Lands lying between the said River *Edra* and the River *Lader* in the Shire of *Berwick*; as did also the Town of *Melrofs* and *Coldingham* in the said Country. Which puts it beyond Dispute, that those Lands and Towns at that Time belonged to *England*; for had they been then in *Scotland*, it is not to be presumed, that they could have appertained to a Church in a Kingdom with which we were continually at War.

Hoved. An-
nal. pars. 1.
p. 418.
Mat. Westm.
ad an. 870.

Some Time after, King *Gregory*, by his gallant Exploits, justly called the *Great*, reduced the Countries aforesaid in the Year 880; of which we kept Possession till the unlucky War with *Athelstan* King of *England*, who, in the Year 938, recovered the same, together with the Counties of *Cumberland* and *Westmoreland*. But, after the Demise of *Athelstan*, the *Danes* renewing their Attempts against *England*, *Edmund* his Successor restored *Cumberland* to *Malcolm* I. for his Assistance against the said *Danes* both by Sea and Land.

Ford. Scoti-
chron. lib. 4.
cap. 23.

Chr. Sax. ad
an. 945.

And as we are told in an Abstract from old *Scotish* Histories, quoted by *Camden*, and published by *Innes*, that in the Reign of *Indulfus*, the Town of *Edinburgh* was given up to the *Scots*. Now as the said *Indulfus* came to the Crown anno 952, which was the sixth Year of *Edred* King of *England*, and was killed in the fourth Year of King *Edgar* anno 961; and as *Edwi's* short Reign of two Years was between those of *Edred* and *Edgar*, *Edinburgh* must have been delivered up to *Indulf* by one of the said three Kings about the Year 956, which is near 800 Years ago. Now as there does not appear to have been any War between *Scotland* and *England* since the Reigns of *Constantine* and *Athelstan*, *Edinburgh* was probably taken by the latter, and continued in Possession of the *English* till given up to *Indulf*.

Append. In-
nes Crit. Ess.
p. 787.

And as *Edinburgh* was delivered up at this Time by the *English* to the *Scots*, so I think must the Country of *Lothian* wherein it is situated; for to give up a Castle or Town without the Country wherein it stands, would have been of no Service to the People to whom it was given; for, being surrounded by an Enemy's Country in Time of War, it could have been of no Advantage to the *Scots*; for by Want of Communication with it, would have become an easy Prey to the *English*.

Wherefore I think this plainly refutes the Story of *Matthew of Westminster*, who tells us, that *Edgar* King of *England*, in the Year 975, gave to *Kenneth* King of *Scotland* the Country of *Lothian*, together with many other valuable Gifts; among which was 100 Ounces of pure Gold, many precious Stones, Rings, and silken Garments, to induce him and his Successors to honour *Edgar* with his and their Presence at his and their Royal Banquets

Mat. West.
Flor. Hist. 192.

Banquets or great Festivals, when the King of England sits in State with the Crown on his Head.

Chron. Mel-
ros. ad an.
973.

Remark. As this Story, with that of *Edgar's* being rowed in a Boat on the River *Dee*, near the City of *Chester* in England by eight Kings his Vassals, seem to be of a piece; they must have been devised by the mercenary Monks in Honour of their Patron and great Benefactor: for this bigotted Prince spoiled his Successors to enrich those idle Drones; for he is said to have founded no less than forty Monasteries, and repaired and beautified many more! And such was his Profuseness, and that of others to those Hives, that we are told by *Ingulphus*, in his History of *Croyland*, that the Treasure of that Monastery in *Edgar's* Reign, amounted to no less a Sum than 10,000 Pounds Sterling, besides holy Vessels, Shrines, &c. Hence we may guess at the immense Riches of the Convents in those Days!

Ingulph. Hist.
Croyland.

Ibid. p. 883.

Now as the Monks who were the Historians of those Times, and to *Edgar* greatly indebted, who on their account expelled the secular Priests from the several Monasteries of the Kingdom to make room for them; it is not to be wondered at, that they stuck at nothing to aggrandize their great Benefactor: Wherefore, I think it is much to be questioned, whether a Man who suffered himself to be thus duped by the insatiable Monks, at the Expence of Justice, and that of the secular Priests, could be a Person of a sound Judgment, or be endued with generous Sentiments or Greatness of Soul.

Although I have from the best Historians shewn, that *Ocbta* and *Abisa* above mentioned, were invited from *Saxony* in the lower Parts of *Germany*, by *Vortigern* King of the *Britons*, to assist him against his fierce Enemies the *Scots* and *Picts* in the Northern Parts of *Britain*, and set forth the Terms on which they came hither; which were to have the Lands and Countries in the Neighbourhood of the *Gaelick* Wall conferred on them as aforesaid; and from the said Historians proved, that *Ocbta* and *Abisa* landed in, subdued and possessed themselves of the said Northern Parts of *Britain*: Yet such is the Obstinacy of some malevolent self-conceited Men, and their natural Propensity to Cavil and Contradiction, that, without the least Authority, other than their own weak Imaginations, are vainly led to declare, tho' they have not the Assurance to publish it, that the first Invasion and Conquest of the Countries near the *Gaelick* Wall, on the Southern Side of the Frith of *Forth* by the *Saxons* or *Englifs*, was by *Ofwi* King of *Northumberland*; of whom *Bede*, in the Year 616, in reciting the Exploits performed by certain of the *Englifs* Kings, tells us, that the said *Ofwi* subdued the greatest Part of the *Scots* and *Picts*

who inhabited *Britain*, that is, the Northern Borders or Boundary of the *Britons* or *Welsh*.

Remark. As the greatest Part here mentioned by our Author, cannot imply the whole; I am of opinion, the *Pictish* Country subdued by *Ofwi*, was the Western Part of the controverted District, lying between the Friths of *Clyde* and *Solway*, then denominated *Galloway*, in Latin *Galevidia* or *Gallowalia*, at present *Galloway*; for this Country being at a great Distance from *Lothian*, where the aforesaid *Ocbta* and *Abisa* are thought to have landed, it may be presumed that the former was not so easily subdued as the latter, more especially if we consider, that, by its natural Sterility, mountainous and craggy Nature, it was not so inviting to an Enemy, as the fertile and delightful Eastern Parts of *Lothian* were. Besides, we must consider that *Ocbta* and *Abisa* were by Contract obliged to settle alongst the *Gaelick* Wall, to defend the *Britons* or *Welsh* in the Southern Parts of the Island from *Scotish* and *Pictish* Incursions.

Add to this, that the Names of the Towns and Places in this Country being almost all *Gaelick*, shew that it was not so early conquered, or so long in Possession of the *Englifs* as the Countries in the Eastern Part of the said District were, where the Appellations of the Towns and Places are generally *Englifs* as already hinted; which is in a great measure corroborated by *Ofwi's* having about the same time subdued Part of the *Scotish* Territories, which then lay on the Northern Side of the Frith of *Clyde*, opposite to the said *Pictish* Country of *Galloway*, on the Southern Side of the said Frith.

Having paved the Way to come at the Origin of *Edinburgh*, by shewing, that the Country of *Lothian* wherein it is situated was subdued by the *Englifs* *Saxon* above thirteen hundred Years ago; and that the Origin of *Edinburgh* is not owing to the *Scots*; I shall now endeavour to discover the Time when and by whom it was founded.

As I have above attempted to shew, that the Country of *Lothian* wherein *Edinburgh* is situated, was Part of the *Northumbrian* Kingdom of *Barnicia* inhabited by the *Englifs*, to which the celebrated King *Edwin* not only added the *Dierian* Kingdom of *Northumberland*, but brought the other *Saxon* Nations in *Britain* under his Dominion, that of *Kent*, in Respect to King *Eadbald* his Brother-in-law only excepted.

Now as *Edwin* had so greatly increased his Power, it was necessary to provide for his Security against Insurrections, Rebellions, and Attacks from without; the most effectual Method for preventing of which, being by Strong-holds; he, no doubt, caused many Fortresses or Castles to be erected throughout his large Dominions. And, as no Place was fitter for a Work of this Kind than

than the high and inaccessible Rock whereon the Castle of *Edinburgh* stands, in the dangerous Neighbourhood of the *Scots* and *Picts*; I am therefore of opinion, that the said *Edwin* bids the fairest for Founder of the said Castle of *Edinburgh*; which, if allowed, we may reasonably suppose it to have been founded by him about the Year six hundred and twenty six, which was the Middle of his Reign. And that the said *Edwin* did erect a Fortrefs in this Place, I think, does in some measure appear [by *Simeon of Durban*, about the Middle of the ninth Century, calling it *Edwinesburgh*; this literally rendered into modern *English*, is *Edwin his Castle*; and the said *Edwin* being the only Prince of that Name who was King of *Northumberland*, I think it could only be so denominated from him. And if we may believe *John of Walsingham* an *English* Historian, *Edinburgh* belonged to *England* in the Year 936; by telling us, that King *Atelstan*, on the Marriage of his Sister to *Sietric*, or *Sibtric* a *Dane*, that his Sister might not stoop so low as to the Title of Countess, he conferred on *Sietric* that of King, who had for his Kingdom all the Country (then called *Northumberland*) from the River *Thyes* (which at present divides the Countries of *York* and *Durham*) as far as *Edinburgh*; that is, to the Frith of *Forth*.

And as a farther Proof that this Castle and City antiently went by the Appellation of *Edwinesburg*, King *David I.* in his Charter of Foundation of the *Abbey of Holyrood-House*, in the Year 1128, gave to the Abbot and Monks of his new Erection, a Spot or Piece of Ground in his Town of *Edwinesburg*, the Church or Chapel of its Castle, the Tiends or Tithes of its Mills, half the Hides and Tallow of his Beasts killed therein, and an Annuity of forty Shillings out of his said Town of *Edwinesburg*.

By what has been said concerning the Origin of *Edinburgh*, it will be a very difficult Matter to deduce it from another Source. However, as the Truth thereof cannot be positively ascertained, it must be left to the Judgment of the judicious, unprejudiced, and impartial Reader to determine as he shall judge proper.

As many of our Countrymen are of opinion, that it is a Dishonour to our Nation to ascribe the Origin of our Metropolis to the *English*, that plainly appears to be the Effect of Incogitancy; for it is much more honourable for us to attribute the Foundation of *Edinburgh* to the *English* than to our Ancestors; seeing 'tis thereby shewn that we either took it from them by Force, or compelled them to give it up by Treaty. And no doubt it will be readily acknowledged by all, that it would have been a much greater Honour to us to have taken the City of *London*, and converted it into the capital City of our own Kingdom; whereby is

shewn the fallacious Way of some Mens judging.

Now as the Appellation *Edinburgh* appears to be the Name of the Castle, deduce it from what Origin you will, the Town has spoiled the Fortrefs of its Name; which must have happened on this Occasion. The Country wherein it is situated, after it came into Possession of the *Scots*, was for many Years exposed to the Ravages of the *English* and *Danes*; wherefore 'tis not to be doubted but the neighbouring Inhabitants erected Houses near it for its Protection (the like whereof we have many Instances in other Places); which at last becoming a considerable Place, the Name of the Castle was applied to the Town, and the Fortrefs, as if it owed its Origin to the City, is called the *Castle of Edinburgh*, as if the Town had been erected before it.

By *Simeon of Durban*'s mentioning *Edinburgh* to have been either a Town or Village in the Year 854, its Foundation probably may be near coeval with that of its Castle. Be that as it will, *Edinburgh* seems to have been but of little Note till about the Middle of the fourteenth Century; at which Time it was one of the four Boroughs which composed the *Chalmerlain's Air* or Court held yearly at *Haddington*, the County-Town of *East-Lothian*. And by what *Walsingham* says of *Edinburgh*, about forty Years

after, it appears to have consisted of mean Houses covered with Straw. But, about the same Time we are told by *Froissart*, that *Edinburgh* was a large Town, the chief of the Kingdom, and Residence of the King. In the last Year of King *James I.* 1436, a Parliament being held here for the first Time, it began to be better looked on. And after the Year 1456, when Parliaments continued to be held therein, we may from that Period date the Time of its Beginning to flourish, and of its justly being reckoned the Capital of the Kingdom.

The Reason of *Edinburgh*'s having no sooner attained to the Honour of being the chief Town of the Kingdom, and of its not having been in a more flourishing Condition before the fourteenth Century, I take to be owing to its Situation on the Southern Side of the Frith of *Forth*, where it was greatly exposed to the Depredations of the *English*; who, in all their Invasions of *Scotland*, if they were not overcome in their March thither, never stopped till they came to this City, which they frequently pillaged and burnt: Those Ravages occasioned the Countries besouth the said Frith to be but thinly inhabited, whereas those benorth that strong Barrier abounded with People, especially the County of *Fife*; the Southern Side whereof, on the Northern Bank of the said Frith, was, and is still so crowded with Towns and Villages, that at a Distance they appear on the Coast for divers Miles like

one

Sim. de gest.
Reg. Angl. ad
an. 854.

Cart. in Arch.
Edin.

Ibid.

Dunel. de gest.
Reg. Angl. ad
an. 854.

Leg. Burg.
cap. 128.

Walsing. Hist.
Angl. p. 308.
Hist. Frois.
vol. 2. p. 145.
& 300.

one continued Town. And, till about the Middle of the fifteenth Century, our Kings generally resided on the Northern Side of that Æstuary.

Voyage Dec
du Rohan.

We are told by the Duke of *Roban* in his Travels, that *Edinburgh*, which in the Year 1600, was the chief Town in *Scotland*, and Residence of the King, was about one thousand Paces in Length, and four or five hundred in Breadth; adding, there was nothing remarkable in it, but the great Street, which was very long and broad, extending from one End of the Town to the other; that the Houses were not sumptuous, being almost built of Wood; but to make amends, are so full of Inhabitants, that probably there is no Town elsewhere of its Dimensions so populous.

Now considering how late it was before *Edinburgh* began to make a Figure, and the Ravages it underwent by the *English*, who not only frequently spoiled it of every thing of Value, but carried off its Records and burnt the Town, as already hinted; it is therefore not to be wondered at, that there are in the City-Archives so few and late Accounts of the Transactions of the Citizens, which reach no higher than a Charter of King *Robert I.* of the 28th May, anno 1329; and from that Time to the Year 1551, there are only a few Scraps which seem to have been casually picked up; but since that Period, a Series of the publick Transactions are fully and clearly recorded in the City Registers.

Cart. Rob. I.
an. 1329.

Although, by the want of Records, as aforesaid, I cannot ascertain by which of our Kings *Edinburgh* was constituted a Burgh Royal: Yet that it was one of the first in *Scotland*, is evident, by its having been one of the Four Boroughs which composed the Chamberlain's Air or Court, which was annually held by the King's Chamberlain at *Haddington*, the County-Town of *East-Lothian*. And that it was a Royal Burgh in King *David I.*'s Time, is evident, by his calling it *meo Burgo*, that is, *my Burgh*; a Phrase used by our Kings before they spoke of themselves in the plural Number. And as for aught appears, *David* was the first of our Kings who constituted Royal Burghs, and made Laws at his Town of *Newcastle* upon *Tine* in *Northumberland*, for their better Government; and as divers of his Charters are still extant in several of the said Burghs, it is not to be doubted, but *Edinburgh* was by him likewise erected into a Royal Burgh.

And as it was the Custom of our Kings, when they made Royal Burghs, to grant to the Community of each of the said Burghs, a large Territory or District of Ground, consisting of Pasturage, Woods and Mosses, for feeding their Cattle, building their Houses, and supplying the Inhabitants with Fuel; and the other Profits arising thereby, to be

laid out in the publick Works belonging to the Burgh. Besides, some of our Kings granted to the Burghs of their Erection, certain Lands called *Borough Roods and Acres*, which were distributed amongst the Burghers, and held by them of the Corporation in Burgage. Wherefore, I am of opinion, that the large District of Land, lying on the Southern Side of *Edinburgh* (the Boundaries whereof I have elsewhere set forth) called the *Borough Moor and Myre*, was given to the Magistrates, Council and Community of this City by the said King *David*; which, had it not been feued, would at this Time have brought in a very great yearly Revenue to the Town; for some Part thereof is said to be let at above a hundred times the Sum it is feued at.

John, Earl of *Carriek*, and eldest Son of King *Robert II.* and Lord High Steward of *Scotland*, by his Charter of the 4th of July, in the Year, 1385, granted to the *Edinburghers* a Power to erect Houses within the Castle of *Edinburgh*, with a Right of Egress and Regress to them and their Servants; which plainly shews, that this Fortrefs must then have been the Property of the Prince conferred on him by his Father. But though the Use the Citizens intended those Houses for be unknown, yet that it was a very great Favour to be allowed to erect Buildings within a Royal Castle and Palace, is without Dispute.

Cart. Arch.
Edin. 1385.

King *Robert II.* by his Charter of the 25th July, in the Year 1388, granted to the *Edinburghers*, a Spot of Ground on the Northern Side of the Market-Street, (I take it to be the Place whereon *Mill's-Square* is situate), of the Length of 60 Feet, and Breadth of 30, called the *Bell-House*, towards beautifying the Town; which shews, that the High-Street was antiently denominated the *Market-Street*; which probably, after erecting the *Cowgate*, or Street in the Bottom, was changed to the Name of the *High-Street*. At this Time a very amazing and remarkable Event happened in *Edinburgh* on the following Occasion.

Invent. Rec.
in Arch. Edin.
1388.

Walter, Earl of *Atbol*, Uncle to the King, being, by certain Women called *Witches*, told that he should be crowned King of *Scotland*; a great Multitude of People, blinded with Ambition, readily gave credit to this fatal Prediction; for the accomplishing of which, the only thing to be done was to dispatch the best of Princes, King *James I.* who, according to the horrid Conspiracy, was murdered by *Robert*, Grandson to the said *Walter*, *Robert Graham* his Kinsman, and other execrable Villains; whereby the Prophecy was in some measure fulfilled or eluded by the following shocking, though just and exemplary Punishments which were inflicted on the wickedly abandoned Murderers and their Accomplices for three Days successively.

1437. Bechan.
Hist. Scot.
lib. 10.
Boet. Hist.
lib. 17.

Id. ibid.

The first Day *Walter* was put into a Cart, wherein an Engine with a Pulley was erected; to which being bound, was divers Times hoisted up to a great height, and the Rope let go at once, dropt almost to the Ground, and, by the sudden Check, suffered exquisite Torment, by the Relaxation of his Joints; then being placed on a Scaffold, in view of the People, a red-hot or glowing Iron Crown was put on his Head, with this Inscription, *The King of Traitors*. The second Day he was fixed on a Hurdle, and drawn by Horses through the principal Streets of the City; and on the third Day was exposed on a Scaffold, cut open alive, his Heart and Bowels pulled out and thrown into the Fire before his Face; his Head cut off and exposed on a high Pole erected in the most publick Place in the City, and his Body quartered, and sent to be put up in the chief Towns of the Kingdom. *Robert* his Grandson, on account of his Age, and being only an Accomplice, was hanged and quartered. *Graham* the Murderer was carried in a Cart through the Town, with his Right-Hand (which committed the horrible Crime) nailed to a Gibbet erected therein, whilst the Executioner incessantly ran red-hot Irons into his Shoulders, Thighs, Legs, and Parts of the Body remotest from the Vitals; then quartered him alive as they had done *Walter*.

1447.
Cart. in Arch.
Edin.

On the 24th Day of *November*, King *James II.* granted to the *Edinburghers* the *Trinity-Fair*, with all the Rights and Privileges thereunto belonging.

1461.

The unhappy *Henry VI.* King of *England*, after the unfortunate Defeat of his Army at *Towton* in *Yorkshire*, in the Year 1461, fled with *Margaret* his Queen, and *Edward* his Son Prince of *Wales*, to *Scotland* for Refuge; where, during his Residence in *Edinburgh*, was honourably entertained by the Citizens; the Consideration whereof induced him, by his Letters patent, dated at *Edinburgh* the 2d of *January*, in the 41st Year of his Reign, to grant to the said Citizens and their Successors, as full and free Liberty to traffick in *England* as the Natives thereof, and to pay no other Duties for their Merchandize, than his Subjects the Citizens of *London*. But this unhappy Prince not being restored to the Crown, his Grant was of no Effect. However, the Reasons set forth in the Letters patent, for granting this ample Privilege to the *Edinburghers*, are, That the said King *Henry* his Royal Consort *Margaret*, and his Son *Edward*, Prince of *Wales*, with divers of his Nobility, being expelled his Kingdom of *England* by certain rebellious Traitors; at his Arrival, and during his long Residence in *Edinburgh*, was honourably received, and with great Humanity, favourably entertained by the Provost and Citizens of *Edinburgh*.

1463.
Cart. in Arch.
Edin.

The Markets for Provisions &c. in *Edinburgh*, having hitherto had no certain Places assigned them by Royal Authority to be held in, were in a fluctuating Condition, till King *James III.* by his Letters patent of this Time, granted the *Edinburghers* a Charter, ratifying and confirming the several Places appointed by the Magistrates and Town-Council for the respective Markets to be held in: Whereof the following is a Copy.

1477.

"*James*, be the Grace of God, King of
" *Scottis*, to all and findrie oure Lieges and
" Subdits quham it efferis to quhais Knau-
" lage thir oure Letters sal cum greting.
" Forfamekle as it is, be oure speciale
" Charge; statute, and ordaint be the Pro-
" vost, Bailzeis, and Counsaile of oure
" Burgh of *Edinburgh*, for the Honoure,
" Proffit and Honestee of oure said Burgh,
" and Plennesing of voide Places within the
" samyn, that the Markets to be holden
" in Tyme coming in the samyn, upon the
" Market-Days, Fair-Days, and all o-
" ther Days needful, fall be haldin and
" set on this wise, as eftir folowis. That
" is to say, in the first plaice, the Market
" of Hay, Stro, Garis and Horse Mete, to
" be usit and haldin in the *Cowgate*, fra
" *Forster's Wynd* down to *Pebblis Wynde*;
" alsa, the Fish Market, fra the *Frere*
" Wynde to the *Netherbow*, on baith the
" Sids of our common Strete; alsa, the Salt-
" Market to be haldin in *Nudreis Wynde*;
" alsa, the Cramys of Chapmen to be set
" fra the *Belbouse* down to the *Trone*, on the
" North Side of oure said Strete; alsa, the
" Hatmakars and Skynnars fornent thame
" on the South Side of the samyn; alsa,
" the Wod and Tymber Market, fra *Dal-*
" *rimpill Zarde* to the *Gray-Frers* and West-
" erwart; alsa, the Scho-Market of *Cordo-*
" nars, frae *Forestar's Wynde* End, West-
" wart to *Dalrimpill* West Zarde-Dike;
" alsa, the rede barkit Leddir with thame;
" alsa, the Nolt-Market of Carcages and
" Mutone, about the *Trone*, and sa doun-
" throuch to the *Frere Wynde*, alsa, all
" Partricks, Pluvars, Capones, Conyngs,
" Chekins, and all other wyld Foulis
" tame to be usit and sald about the
" Market Croce, and in na othir Place;
" alsa, all qwyck Bestis, Ky, Oxon, not
" to be brought in the Town, bot under
" the Wall, fer West at oure Stable;
" alsa, the Mele-Market of all Graine
" and Cornes, fra the *Tolbuth* up to
" *Libertones Wynde*; alsa, fra thince up-
" wart to the *Trevest*, the Market of all
" Cottone, Claith, quhite, gray, and all
" uthir Claith quhitis within six Quarters;
" and all Lynnyng Claith to be sald thare,
" and in na other Place; alsa, all Butter,
" Cheise, Woll, and sicklike Gudis yat
" suld be weyt, to be usit at the *Over-*
" *bow*, and a *Trone* set thare, and not to
" be opinnyt quhil the Hour of Nyne Fo-
" rownoon;

Cart. in Arch.
Edin.

" rownoone; alsa, all Trone Work belong-
 " ing (to) Cutlors, Smetlys, Lorymars,
 " Lokmakars, and all sic Werkmen, to
 " be usit beneth the *Neyrbow*, before and
 " about *Sant Mary Wynde*; alsa, all ald
 " Graith and Ger, to be usit and sald in
 " the *Friday Market* before the *Gray-Frers*,
 " like as is usit in uther Countreis.

" The quhilk Statuts and Ordinance and
 " settling of Markets as is above writen,
 " for the Causes foresaide, we ratify and ap-
 " pruvise be thir oure Lettirs, chargeing
 " herefore straitlie, and commandis all and
 " findrie oure Liegis and Subdits foresaids,
 " and in speciale Comunite and Inha-
 " bitants of oure said Burgh, quham it ef-
 " fers, that ze and ilk ane of zow observe
 " and kepe the said Statuts, and redily in-
 " tend, answer and obey our said Proveft
 " and Bailzies, yat now are, and yat sal hap-
 " pin to be for the Tyme, in the settling and
 " halding of the saids Markets, and kepeing
 " thame in the Places before writen, efter
 " the Tennour of the said Statutes, and
 " nocht to cum in ony wise in contrar the
 " samyn, under all the hiest Paine and
 " Charge, yat ze and ilk ane of zow may
 " comitt and incurr againe us in yat Part;
 " and under the Pains fet and ordaint be
 " thame in thare common Buke upon the
 " Gainestandars and Brekars of said Statuts,
 " and settling of the Markets, and to be pu-
 " nyft tharefoir as effers. Gevin under oure
 " privie Sele, at *Edinburgh*, the third Day
 " of *October*, the Yere of oure Lord, a thou-
 " sand four hundreth sevinty and sevin Zers;
 " and of our Regne the aughtene Zere."

King *James III.* having highly disobliged his
 Brother *Alexander Duke of Albany*, and many
 of his Nobility, in suffering himself and Na-
 tion to be implicitly govern'd by a few
 mean Artificers, to his and their great Disho-
 nour, Prejudice to the Laws, and Hurt of
 the Kingdom! This preposterous Manage-
 ment occasioned diverse of the Nobility to
 enter into an Association to remove those
 pernicious Upstarts; which being soon ac-
 complish'd, *James* was so greatly intimidat-
 ed, that he retir'd to his Castle of *Edinburgh*
 for Safety. But the Confederates, by favour
 of the Nation, being soon after appointed
 Governors of the Kingdom; *James* was
 confin'd by them in his said Castle for the
 Space of nine Months.

The Duke of *Albany*, not finding himself
 so much respected by his Fellow Regents as
 his Birth and Merits deserved; and the
 Queen, out of conjugal Affection, daily im-
 portuning him, with her Prayers and Tears,
 for her Lord's Liberty; which at last pre-
 vailing on the Duke, he appointed some of
 his Friends to meet him at a certain Time
 at *Edinburgh*; which being perform'd un-
 known to the rest of the Regents, they, in
 Conjunction with the loyal Citizens of *Edin-*

burgh, suddenly assaulted the said Castle and
 took it by Surprize.

By this great Success, *James* was happily
 restor'd both to his regal Power and Palace,
 whither many of the Nobility and Gentry
 from all Parts resorted to attend him; when
 the King, in return for the great Service
 done him by his truly loyal and brave *Edin-*
burghers, by two of his Charters of the sixth
 of *November* in this Year, granted to them
 divers great and valuable Privileges; a-
 mongst which was that of the hereditary
 Office of Sheriff, with a Power to hold
 Courts for trying of Criminals, with Escheats
 and Fines belonging to the said Office; with
 a Right to make By-laws and Statutes for
 the good Government of their City; toge-
 ther with an Exemption not only from the
 Payment of Duties on Salt, and divers other
 Commodities, but a Grant to take Custom
 of the several Sorts of Merchandize at their
 Port of *Leith*, as specified in the following
 Table.

DUTIES payable by the *Edin-* *burghers* at *Leith*.

<i>Duties inward.</i>		s.	d.	Coun. Regist. vol. I. f. 20.
For a Last of barell'd Goods, viz.				
Meal, Pitch, Tar, &c.	-	1	4	
For a Tun of Wine	-	1	4	
For a Butt of Malmsey-wine	-	1	0	
For a Quarter 1000 Weight of Iron	-	2	0	
For One hundred Ells of Sail-cloth	-	0	2	
For Gretare of the Trone	-	0	2	
For a Barrel of Oil, Soap, Butter, &c.	-	0	6	
For a Barrel of Onions or Apples	-	0	4	
For a Last of Lint or Flax	-	5	4	
For One hundred of Timber, great and small	-	1	4	
For One hundred of Bowstrings	-	1	4	
For one Tun of Wad	-	13	4	
For a Pack of Wad	-	1	0	
For a Girdel of Corn, Two Bags, one before, and another behind the Mast; and the same from all girdel'd Goods, to be paid to <i>St. Giles's Church-work</i>	-	0	0	
<i>Duties outward.</i>		s.	d.	Conven. Ac. Blue Blanket.
For a Chalder of Salt	-	0	8	
For a Chalder of Smithy Coals	-	0	8	
For a Last of Hides	-	2	8	
For a Sack of Wool and Skins	-	1	4	
For a Pack of Cloth	-	0	8	
For a Pack of Rabbits Skins, Lambs, Otters, &c.	-	0	8	

And, as a perpetual Remembrance of the
 Loyalty and Bravery of the *Edinburghers* on
 the afore said Occasion, the King granted
 them a Banner or Standard, with a Power
 to display the same in Defence of their King,
 Country, and their own Rights. This Flag,
 at present denominated the *Blue Blanket*, is
 kept

1482.

Cart. Ja. III.
in Arch. Edin.Bochan. Hist.
Scot. in vit.
Ja. III.Drum. Hist.
Ja. III.

1481.

Id. ibid.

kept by the Conveener of the Trades; at whose Appearance therewith, 'tis said, that not only the Artificers of *Edinburgh* are obliged to repair to it, but all the Artisans or Craftsmen within *Scotland* are bound to follow it, and fight under the Conveener of *Edinburgh*, as aforesaid.

Having given an Account of the Duties of Import and Export, I think it will not be amiss to shew the Reader the annual Amount of the petty Customs, common Mills, and Rents of certain Shops in *Edinburgh*; whereby he will be enabled to judge of the great Disparity between the Rates of Things then and at present.

Coun. Regist. vol. I. f. 31. The petty Customs of *Edinburgh*, were at this time let for the Sum of Twenty seven Merks; the petty Customs and Haven Silver at *Leith*, for the Sum of One hundred and ten Merks; the wild Adventors, Twelve hundred and ten Merks; the common Mills, at Four hundred and eighty Merks; eight Booths or Shops under the Northern Side of the old Tolbooth, at Four Pounds *per annum*, each; five Shops under the Southern Side of the said Tolbooth, viz. one at Five Pounds, three at Two Pounds ten Shillings each, and one at Two Pounds; four Shops above the Booth-house Stair, (this I take to be the Place at present called the *Lucken-booths*) viz. one at Four Pounds ten Shillings, another at Two Pounds ten Shillings, the third at One Pound ten, and the fourth at Twenty Shillings; and the Skinners Booths, six in Number, One Pound ten Shillings of yearly Rent each. All the above, both Merks and Pounds, is *Scotish* Money.

Ibid. f. 32. It being observ'd, that considerable Sums of Money accrued to the Bailiffs of *Edinburgh* by Escheats; they were now taken from them, and applied to the Use of the Town.

1485. Ibid. f. 19. 20. The *Edinburghers* resolving to deprive the Inhabitants of *Leith* of certain Advantages, the Common Council ordain'd, That no Merchant of *Edinburgh* take into Partnership with him any *Leither*, under the Penalty of Forty Shillings to the Church Work, and to be deprived of his Freedom of the Town for the Space of one Year. And to render the unhappy *Leithers* still more miserable, it was by the said Council enacted, That none of the Town's Revenues be let to an Inhabitant of *Leith*; nor any of the Farmers of the said Revenues take a *Leither* as a Partner in any Contract relating to the same; nay, not to take any Person of *Leith* into his Service in that respect, under the Penalties aforesaid.

1496. Coun. Regist. f. 36. At this Time, when the best Wheat was sold at Eleven Shillings *Scotish* the Boll, the Penny Loaf weighed thirteen Ounces and three Quarters. This seems to have been a Time of Dearth; for, some time before, Wheat appears to have been sold at Six Shillings and eight Pence of the same Money.

It being at this Time believed, that the

Distemper at present called the *French-pox*; was infectious, therefore, to prevent the bad Consequences that might attend the supposed Contagion, the Privy Council sent a Letter to the Magistrates of *Edinburgh*; of which the following is a Copy.

"It is oure soverane Lordis Will, and the Command of the Lordis of his Coun^{ty} fall, sent to the Provest and Bailies with- in this Burgh, that this Proclamation fol- lowand be put to Execution for the ef- chewing of the greit apperand Danger of the Infectioun of his Lieges fra a contagi- ous Siknes callit the *Grandgore*, and the greit other Skayth that may occure to his Lieges and Inhabitons within this Burgh. 22d September 1497.

"That is to say, We charge straitlie and command, be the Authoritie above writtin, that all Maner of Personis be- ing within the Fredome of this Burgh, quhilk are infectit, or has bene infectit and uncurit of this said contagious Plage callit the *Grandgore*, devoyd, red, and pass furth of this Toun, and com- pair upoun the Sandis of *Leith*, at ten Houris before None, and thair fall have and fynd Botis reddie in the Havin or- dainit to thame be the Officaris of this Burgh, reddelie furneist with Victualls, to have thame to the Inch, and thair to remane quhill God provyde for thair Health; and that all uther Personis, the quhilk taks upoun thame to hale the said contagious Infirmitie, and taks the Cure thair of, that thay devoyd and pass with thame, sua that nane of their Personis quhill taks the Cure upoun thame, use the samyn Cure within this Burgh, in Presence or in Peirt any maner of Way; and quha so be is fundin infectit, and not passand to the Inche as said is, be *Monday* at the Sone ganging to; and in lykwayis, the said Persons that have the said Cure of Sanitie upoun thame, give thay will use the samyn, thay and ilk of thame fall be brynt on the Cheike with the marking Irne, that they may be kennit in Tyme to cum; and thairefter, give ony of thame re- mains, thay fall be banist but Fa- your."

At this Time the Revenues of the Ho- spital of *St. Mary Wynd* being very small, the Town-Council, for Maintenance of the Bead-People, ordered all the Alms, Oblations, &c. to be appropriated to their Re- lief; and for their better Support, ordained the most considerable Citizens to collect daily throughout the Town, the Charity of well disposed Persons, out of which the Chaplain to have a Salary of Ten Pounds *Scotish* Money yearly; and every Citizen refusing to collect the said Charity, to be liable to a Fine of Forty Pence of the same Money, for the Use of the said Poor.

1500.
Ibid. f. 36.

I think it will not be amiss to shew the Wages of Masons at this Time, whereby the Hire of other Workmen may be guessed at. The Common Council of the City having resolved to rebuild the Tower or Steeple of the old Tolbooth, the Wages of *John Marser*, Master-Mason, was Ten Shillings, and the Journeymen each Nine Shillings *Scotish* Money weekly.

1503. 1504.
Ibid. f. 30.

At this Time the Common Council ordered the Penny Loaf of Wheat Bread to weigh one Pound; and the Penny Cake one Pound eight Ounces, both *Scotish* Weight and Money; and Ale to be sold at Sixteen Pence the Gallon, both the same Money and Measure.

King *James IV.* having, by his Charter of 6th October anno 1508, impowered the *Edinburghers* to set or lett in Fee-farm their common Lands called the *Borough-Moor*, and their common Marsh denominated the *Common Myre*; the Citizens were no sooner in Possession of this Grant, than they sat about clearing the Ground, by cutting down a vast Number of large Trees; whereby the Quantity of Wood in their Hands on that Occasion was so very great, that they could not dispose of it: Wherefore, to encourage the Inhabitants to purchase the said Wood, the Town-Council enacted, That whoever should buy a Quantity thereof sufficient to newfront the Tenement he, she, or they dwelt in, should be allowed to extend the said new Front, the Space of seven Feet into the Street; whereby the High-Street was reduced fourteen Feet in its Breadth; and the Buildings which before had Stonen Fronts, were now converted into Wood, and the Burgh into a wooden City.

1508.
Ibid. f. 26.

In this Year divers of the Arts or Crafts in Town, petitioned the Common Council to have six or eight of their Number taken into the said Council; and that they might be eligible to be chosen Bailies and other Officers of the City: To which Answer was returned, That they would make no Innovation in the Government of the Town without the Consent of Parliament. This I take to be the first Time of the Trades applying to be admitted into the Town-Council.

1513.
Ibid. f. 4.

A great and dreadful Plague raging in *Edinburgh*, the Town-Council to prevent its Progress, ordered all Shops to be shut up, during the Space of fifteen Days, and neither Doors or Windows to be opened within that Time, but on extraordinary Occasions; and nothing to be dealt in but Necessaries for the immediate Support of Life.

Remark. This certainly was a very wrong Step; for by shutting up the People in their Houses, the Distemper, by Heat and want of Air, was thereby increased, and the verminous *Effluvia* nourished; which augmenting the Number of Atoms, the Pest was propagated; whereas cold Air destroyed them, and restored Health.

King *James IV.* by the Artifices of *Buchan. Hist.* *France*, being drawn into an unnecessary War against *England*, contrary to the Sen- *Ja. IV.* *Scot. in vit.*

1513.

timents of his principal Nobility, mustered his Army in the *Borough-Moor*, where he was joined by a Number of *Edinburghers*, under the Conduct of the Earl of *Angus* their Provost; thence marching into *England*, received by his Obstinacy the greatest Overthrow at the Village of *Flodun* in *Northumberland*, that the *Scots* ever received from the *English*, not so much in regard to the Number of the Slain, as the Quality of the Persons, the King and most of the Nobility being cut off.

Having had occasion just to mention this unfortunate Prince, as to whose Fate in the fore said Battle our Historians are all in the dark: Wherefore I think it will not be amiss to illustrate this Part of our History, by shewing what befel him at that unhappy Period.

In the Battle called *Flodunfield*, which happened on the 9th of September anno 1513, King *James IV.* was killed; and his Body being found, was carried to, and embalmed at *Berwick* upon *Tweed*, inclosed in Lead, and sent to *London*, and thence to the Monastery of *Shien* or *Richmond* in the County of *Surrey* in *England*; of which Queen *Katharine* advised her Husband, King *Henry VIII.* then in *France*, viz. "That for Hasty-
" nesse she could not send his Grace the Peece
" of the King of *Scots* Cote; but now I
" send you for your Beners a King's Cote:
" I thought to send himself unto you, but
" our *Englishe* Mens Harts wold not suffer
" it. My Lord of *Surrey* wold fayne knowe
" your Pleasure in buryeing of the King
" of *Scots* Body." But King *James* dying under the Sentence of Excommunication, (probably for his being engaged in the unnatural War against his Father, who was killed at the Battle of *Stirling*), King *Henry* could not bury his Corpse without the Pope's Licence, which was granted by *Leo X.* on the 9th of November following.

*Burnet. Col-
lect. Rec. Hist.
Reform.*

*Rym. Foed.
tom. 3. p. 385.*

However, it does not appear to have been buried; for, at the Dissolution of the said Monastery, which happened soon after, the Body was found wrapped in Lead, lying in a lumber Room belonging to the Convent; which being observed by certain Workmen, they cut off the Head; which emitting a fragrant Smell, *Lancelot Young*, the Queen's Glasier, carried it to his House in *Woodstreet*, in the City of *London*, where he kept it for some Time for its Fragrancy, and at length caused it to be buried amongst other Bones taken out of the Chancel of *St. Michael's Church* in the said *Woodstreet*.

*Stow. surv.
Lond.*

News of the great Disaster and unhappy Battle above mentioned no sooner arrived at *Edinburgh*, than the Citizens were thrown into the greatest Consternation and Confusion; for at this Time of imminent Danger a Proclamation was published, injoining

*Coun. Regist.
vol. I. f. 4. 5.*

all

all the Inhabitants capable of bearing Arms, forthwith to appear in their best military Accoutrements, to march and join their Provost, on the Forfeiture of Life and Goods. But, that they did not all march on this Occasion, is evident, by its being soon after ordered by the Town-Council, that the Citizens, at the tolling of the common Bell, should repair to the President's in their best military Drefs, to defend the Town against the Attempts of the Enemy; at the same time discharging all Women from crying and clamouring in the Streets, on the Pain of Banishment; and that they should repair to Church, and pray for Success to the Army; and at other Times should mind their Business at Home, and not incumber the Streets with their Presence.

¹⁵¹⁴⁻
^{Ibid. f. 5.} It was also by the Common Council farther ordained, That twenty four Men be raised and maintained as a constant Guard for the City. This, for aught I can learn, is the first regular Guard levy'd for the Security of the Town. It was also by the said Council enacted, That the Sum of Five hundred Pounds *Scotish* Money should be raised, to fortify the Town, and to purchase Artillery to resist the Enemy; and, for the more effectually strengthening the City, and preventing the Approach of the *English*, all Persons having Gardens were strictly enjoined to fortify the same with Walls.

^{Ibid. f. 4.} And, to add to the Misery of the Time, the Plague continued to rage in a horrible Manner; which occasioned the Common Council to forbid all Vagrants from walking the Streets after nine o' Clock in the Evening without a Light; which was laudably done to prevent the Propagation of the Pestilence.

^{1520.}
^{Ibid. f. 14.} At this Time, the Town-Council considering the great Pains taken by the Provost in this Time of great Tribulation by War and Pestilence, order'd to be paid to him, besides his usual Allowance, the Sum of One hundred Merks *Scotish* Money, with four Servants arm'd with Halberts to attend him for the Space of one Year; and obliged themselves by Oath, that the like should not be done in time coming, but on extraordinary Emergencies. This being the first Time I read of Halberdiers in *Edinburgh*, I take this to be the first Time of the Provost's being attended by Officers.

^{Ibid. f. 13.} Soon after, the Common Council ascertained the Prices of *French* Wine, both red and white, to be sold at Six Pence *Scotish* Money, or One Halfpenny *Sterling* the *Scotish* Pint, under the Penalty of having the Head of the Cask beat out; and Ale to be sold at Twenty Pence the Gallon of the same Money.

^{Ibid. f. 12.} The Plague still continuing to commit great Ravages in *Edinburgh*, and spreading in-

to the Neighbourhood; the Common Council imagined it to be owing to a Number of infected Persons taken into the Houses and Barns in the *Borough-Moor*; for preventing of which in time coming, it was by the said Council enacted, That the Proprietors of the said Houses and Barns should, within the Space of twenty Days after the approaching Feast of *Easter*, take down the Roofs thereof, and, within twenty Days thereafter, demolish the Walls; with Intimation, in case of Failure, to have them pulled down by the Citizens.

The Confraternity of *St. Anthony* (of what Place is not mentioned, though probably of ^{Ibid. f. 14.} *Leith*) appears to have had a considerable ^{18th Octob.} Privilege in *Edinburgh*; for, by an Act of the Town-Council and the said Brotherhood, it was ordained, That four of the Citizens therein named, with the Master of the Faculty, repair to the Town of *Leith*, to buy the Wines brought to that Port by Strangers, and to dispose of the same in certain Quantities to the Vintners of *Edinburgh* only.

Francis Botwell, Provost of *Edinburgh*, ^{1524.} having resigned his Office pursuant to the ^{Ibid. f. 16.} King's Command, protested, that his ^{18. Aug.} surrendering the same might be no ways derogatory or prejudicial to the Town's Rights or Privileges.

At this Time the Common Council agreed ^{1532.} with *John Mayser* and *Bartilme Foliot*, *French* ^{Ibid. f. 38.} Paviours, to make a Causeway, at the Rate of ^{18th June} Thirty Shillings *Scotish* Money the Road, ^{Id. ibid. 19th} the Town furnishing Carriage and Sand. ^{Sept.} And, were it not a prevailing Tradition, that the first Causeway in *Edinburgh* was made by one *Marlin a Frenchman*, I would declare for this being the first Time the High-Street of *Edinburgh* was paved. Soon after, *Edinburgh* seems to have been well inhabited; for the Council ordered three hundred of their Citizens compleatly arm'd, to join the King's Army when call'd for.

Just after, the Common Council feu'd the ^{Id. ibid. 25th} Lands of *Pittrevey* in the County of *Fife* to ^{Sept.} *Gilbert Lawder*, at the Sum of Twenty six Merks *Scotish* Money yearly.

Remark. This Method of feuing Lands for Money is no way commendable, for the Government of the City; as Trustees or Guardians for the Common-weal ought to do all they can to promote its Interest! Now, had they covenanted with *Lawder* for Twenty six Merks worth of Corn, in lieu of Money, when Wheat was sold at Six Shillings and eight Pence the Boll *Scotish* Money, and Silver at Eighteen Shillings and eight Pence the Ounce of the same Money; instead of receiving Twenty six Merks, or One Pound eight Shillings and ten Pence *Sterling* as at present, they would now receive about sixteen Bolls of Wheat yearly! Had this laudable Method been all along practised by the Council, their fine Lands in the

the *Borough-Moor*, and elsewhere, now let at such vast Rents, and for which they only receive a yearly Trifle in Acknowledgment of their Superiority, would probably have increased the City Revenues to some thousands a Year more than they are at present.

Now, as this impolitick and unjustifiable Method is still practised, I have judged it necessary to give a Hint of this disadvantageous Management, in order to prevail on those in Trust to alter the same: And if the City and Hospital Lands must be feu'd out, for which I can see no Reason, let it be done in the best Manner to increase the common Stock, which I conceive will be, by feuing the City Lands for Corn, instead of Money; for the Price of the former will always keep Pace with the Value of the latter.

But alas! Friends must be served at the Expence of the City, by continuing to convert the old Corn Feus into Money, to the Advantage of Feuers, and Prejudice of the injured Citizens.

At this Time the City Cash seems to have run low, when the Council mortgaged the Northern Vault of the Netherbow Port, for the Sum of One hundred Merks *Scotish Money* to repair the said Port or Gate withal.

The *Edinburghers* it seems being obliged to keep in Repair the King's Park-wall at *Holyrood-house* (probably for the Liberty of taking Stones out of the said Park to pave their Streets withal) they borrowed of the King, for that Purpose, the Sum of One thousand Merks *Scotish Money*.

Henry VIII. King of *England*, thinking, by the Terror of his Arms, to compel the *Scots* to agree to a Match between our Queen *Mary* and his Son Prince *Edward*, sent an Army into *Scotland*, under the Conduct of the Earl of *Hertford*; which landing at *Leith* without Opposition, took the Town; and there being no Army to oppose him, marched to *Edinburgh*, and possessed himself of it with the same Ease; and having sacked and burnt it, without attempting the Castle, returned to *Leith*, destroyed it, and marched back to *England*.

The Earl of *Hertford* having re-entered *Scotland* with a powerful *English* Army, to force the *Scots* to agree to the Match aforesaid, obtained a Victory over our Army at *Pinkie* in the County of *East-Lothian*; whence he marched to *Edinburgh*, and plundered it.

Great Abuses having been committed by Dealers in Provisions, by selling them at exorbitant Rates; the Parliament, for the better Regulation thereof, thought proper to ascertain the Prices as follows.

PRICES of PROVISIONS.

	<i>Scotish Money.</i>		
	<i>L.</i>	<i>s.</i>	<i>d.</i>
<i>Bordeaux</i> Wine the Pint	0	0	8
<i>Rochel</i> Wine the Pint	0	0	6
The best Crane	0	5	0
The best Swan	0	5	0
The best Wild-goose of the great kind	0	2	0
The best Claik	0	1	6
The best Quink	0	1	6
The best Rute	8	1	6
The best Plover	0	0	4
The best small Muirfowls, the Piece	0	0	4
The best Black-cock	0	0	6
The best Gray-hen	0	0	6
The best Powts, the Dozen	0	1	0
The best Whaap	0	0	6
The best Coney to Shrove-tide	0	2	0
The best Coney after Shrove-tide	0	1	0
The best Lapron	0	0	2
The best Wood-cock	0	0	4
The best Laverock or Lark, the Dozen	0	0	4
The best of other small Birds, the Dozen	0	0	4
The best Snipe	0	0	2
The best Quailzie or Quail	0	0	2
The best Tame-goose	0	1	4
The best Capon	0	1	0
The best Hen	0	0	8
The best Chicken	0	0	4
The best Gryse or Pig	0	1	6

1551.
Sken. act. 1. 2.
Parl. 5. Mary.

1539.
Ibid. f. 41.
26th May.

1541.
Ibid. f. 45.
9th July.

1544.
Buchan. Hist.
Scot. in vit.
Mary.

Herb. Hist.
Hen. VIII.

1547.
Buchan. Hist.
Scot. in vit.
Mary.

The *Flethers* or *Butchers* of *Edinburgh* having sold their Meat at unreasonable Prices, the Common Council, to ascertain the Rates thereof, made the following Regulations, viz. That the Carcase of the best Sheep be sold for Ten Shillings *Scotish Money*; the second Size at Eight; and the third at Six Shillings, under the Pain of Forfeiture.

Sometime after, the said Council ordain'd, That all Stable-keepers shall have secure Stables, sell their best Oats at Ten Pence the Peck *Scotish Money*, and the second Sort at Eight; Hay at Six Pence the Stone Weight; furnish their Stables with Hack and Manger; put sufficient Locks on the Doors; and to take no Stable Fee from those they serve with Corn and Hay, under the Penalty of Eighteen Shillings for the first Fault, for the second to escheat, and for the third to be rendered incapable of following the Occupation of a Stabler.

By the above Regulations are shewn the Stables to have been very insecure, and that People might provide their own Hay and Corn, paying Stable Hire.

And the Council, by another Act of the same Day, order'd rag-wick'd Candles to be sold at Nine Pence the Pound *Scotish Money*, and those of the hard Wick at Eight Pence,

1552.
Coun. Regist.
vol. II. f. 7.
26th July.

Ibid. f. 2. 10th
O8ob.

Ibid. f. 3.

Pence, under the same Penalties with the Stablers above mentioned.

1553.
Ibid. f. 15.
20th May.

And, the more effectually to prevent the Citizens from being imposed on by Dealers in Provisions, the Council ordained, that a Bailiff, with two of the Town's Officers, attend the Markets weekly, to hinder Regraters, Forefallers and Hucksters, from using the Markets in the Forenoon, under the Pain of Banishment; and that all Persons bringing Butter or Cheese for Sale, to sell Butter at Eight Shillings the Stone, Trone Weight, *Scotish* Money, and the Stone Weight of Cheese for Four Shillings; and that no Person presume to give more, under the Penalty of Eighteen Shillings of the same Money: And, some time after, Eggs were ordered to be sold at three a Penny.

Id. Ibid. 9th
Octob.

At this Time, *Edinburgh* seems to have been greatly pestered with Filth and Dirt, by the Council's ordering all Dunghills to be removed from off the Streets, and Swine kept from coming thereon.

1554.
Ibid. f. 43.
15th Feb.

Timber at this Time seems to have been very scarce in *Edinburgh*, by the Council's Order to the Town-Treasurer to take Wood for the publick Works by Force from all Persons who refused to sell the same; and to give the Person or Persons an Obligation to return the like Quantity.

Coun. Regist.
vol. II. f. 36.
3d Nov.

Pursuant to an Order of the Exchequer, an Act was made by the Common Council of this City, injoining all Merchants, who exported Merchandize to the Amount of Twenty Pounds *Scotish* Money, to bring home, in Return, an Ounce Weight of Silver; for which, when coin'd, they were to receive at the Mint the Sum of Eighteen Shillings and eight Pence of the Money aforesaid.

Ibid. f. 38.
16th Novem.

The frequent Robberies and Disorders committed in the Streets of *Edinburgh* by Night, occasioned the Council to order Lanterns or Bowets to be hung out in the Streets and Clofes, by such Persons, and in such Places as the Magistrates should appoint, to continue burning for the Space of four Hours, viz. from Five o'Clock in the Evening till Nine, which was judged a proper Time for People to repair to their respective Habitations.

1555.
Coun. Regist.
vol. II. f. 56.
13th Septem.

At this Time the *Danish* Ambassador was sumptuously entertained by the *Edinburghers*, at the Expence of Twenty five Pounds seventeen Shillings and one Penny *Scotish* Money.

CHAP. II.

An Account of the Reformation of Religion in Edinburgh, the Share the Edinburghers bore therein, and their Transactions with the Queen and Nobility on that Occasion, till the Resignation of the Crown in favour of her Son, in the Year 1567.

THE Reformation of Religion being begun in *Scotland*, the Populace of *Edinburgh* destroyed the Statues of the Virgin *Mary*, *Trinity*, and *St. Francis*, in *St. Giles's Church*; which so enraged *Mary* the Queen-dowager and Regent of the Kingdom, and the Archbishop of *St. Andrew's*, that she sent the following Letter to the Common Council.

1556.
Ibid. f. 83.
24th Sept.

"Provest, Baillies and Counsaile of *Edinburgh*, wee greit zou weill. Forfamekle as wee are informit, that ther is certane odeous Ballots and Rymes, laitlie sett furth be sum ewill inclinit Personis of zoure Toun, quha hes alsfiwa tane down divers Images, and contempnandlie brokin the samyn, quhilk is ane Thing wer-ray sclanderous to the Pepile, and contrarious to the Ordinance and Statutis of Haly Kirk. And it is gewin us to understand, that the Maikaris of the said Misorder ar all Indwellaris and Inhabitaris of zoure said Toun; quhairfor, wee chairge zou, that incontinent efter the Sicht heir-of, ze deligentlie inquire forth and feik for thair Names, and delyver thame in Writ to oure Deir Cusing the Archbishop of *Sanct Androis*, to be vfit conforme to the Statutis of the Kirk; assuring zou, gif ze do nocht zoure extreme devoir thairin, to bring the samyn to lycht, that ze sal be na uther wayis estemit be us, more as Favoraris and Manteinaris of sic Personis, and fall underly the samyn Punishment that thay aucht to sustene, in cause we get knowlege heirof by zou."

Subscrivit with oure Hand, and under oure Signet, at *Aberdene*, the 21st Day of September 1556.

The Council, soon after, in consideration of the Provost's great Assiduity in the Town's Affairs, increased his yearly Allowance to the Sum of One hundred Pounds *Scotish* Money, for Clothing and Spicery, with two Hogheads of Wine: And for his greater State, they soon after ordered the Servants of all the Inhabitants to attend him with lighted Torches from the Vespers, or Evening Prayers, to his House.

Ibid. f. 89.
4th Decem.

By an Act of the Common Council, in the Year 1477, the Market for Linnen and Woollen Cloth was appointed to be held between *Liberton's Wynd* Head on the East, and the *Traveis* be-west the Tolbooth of this City. But, in the Year 1555, certain of the Citizens dwelling be-east the said Tolbooth, applied to the Council to have the said Market removed to the Eastern Part of the Town; which being granted, it was ordered to be held betwixt the *Black-Friers Wynd* on the West, and the *Netherbow* on the East; which not only proved very detrimental to the People in the Parts whence it was brought, but to many other of the Citizens,

1557.
Ibid. f. 117.
118. 9th Feb.

and

1557.

and of great Service to the Inhabitants of the *Canongate*: Wherefore the said Market was ordered back to the Place from which it was taken in the *Land-Market*, where it still continues to be held weekly on *Wednesday*.

Id. ibid. 11th Feb.

Soon after, the Hide and Skin Market which was held above the Tolbooth, at the upper End of the *Land-Market*, was, by an Act of Council, ordered to be held betwixt the Salt Trone on the West, and *Niedry's Wynd* on the East.

1558.

Ibid. f. 126. 3th June.

At this Time there being great Apprehensions of an Invasion from *England*, the Merchants of *Edinburgh* on that Occasion, by a voluntary Subscription, agreed to raise and maintain Seven hundred and thirty six men, well furnished with all Sorts of military Accoutrements.

And that the Crafts or Incorporations of Trades in *Edinburgh* might not be outdone in Love to their Country by their fellow Citizens the Merchants, in this Time of imminent Danger; they convened in the Tolbooth, and voluntarily agreed to furnish the following Numbers of Men out of their respective Companies to defend the City.

1558. Ibid. f. 132. &c. 10th June.

	Masters.	Men.
Skinners - - -	42	21
Furriers - - -	6	3
Weavers - - -	13	13
Tailors - - -	81	97
Bonnet-makers - - -	14	39
Barbers - - -	13	12
Hammermen - - -	66	85
Goldsmiths - - -	14	6
Walkers - - -	28	15
Bakers - - -	45	55
Cordiners or Shoemakers	21	28
Number Total	343	374

The above Numbers of Masters and Servants amounting to Seven hundred and seventeen, the Number of Citizens who offered themselves in Defence of the Town on this Occasion, amount to Fourteen hundred and fifty three.

Coun. Regist. vol. III. f. 1. 15th Decem.

The Common Council at this Time presented the Queen-Regent with three Tuns or twelve Hogsheads of the best Wine, and Twenty Pounds Weight of Wax.

Buchan. Hist. Scot. in vit. Mary.

The Reformation of Religion in *Scotland* being greatly encouraged by People of all Ranks; the Populace, out of a furious Zeal, destroyed the Monasteries and Images in all Parts; and the first of *September* which was approaching, being *St. Giles's Day*, the tutelary Saint of *Edinburgh*, the Popish Priests and Monks, according to Custom, made great Preparations to celebrate that Anniversary in Honour of their Patron; and, lest the new Converts should disturb the Procession, they humbly intreated the

Queen-Regent to honour the Solemnity with her Presence, which they imagined would prevent the Insults of the Populace; which *Mary* agreeing to, they prepared a magnificent Pageant whereon the Statue of *St. Giles* was to be placed and carried in Triumph through the City.

All things being ready for the sumptuous Id. ibid.

Procession, both Regulars and Seculars repaired in great State to the Shrine of *St. Giles*, to fetch his Statue to be carried in Triumph; but, as ill Luck would have it, it was carried off the Night before, by some mischievous Enemy; which had like to have put an End to the whole Affair. But, that *St. Giles* might not lose the Honour of a Triumph, a small Statue was borrowed from the *Gray-Friers*, which the People, in derision, called *Young St. Giles*; which being attended by a great Number both of Priests and Monks, and fine Bands of Musick, marched in great Pomp through the chief Streets of *Edinburgh*. But the Regent withdrawing a little before the Procession was over, the Mob dismounted *Young St. Giles* from his Throne, and tore him in pieces; which so intimidated his Attendants, that, happy was he that could secure himself from the Fury of the enraged Multitude. But, by the prudent Management of the Magistrates, none suffered but *Young St. Giles*, who was entirely demolished.

Lord *Seaton*, the Provost, having committed *Alexander Brown*, one of the Bailiffs, and *Alexander Guthrie* the Town-Clerk, to Prison, they applied to the Common Council for Redress, who sent divers of their Members to learn the Cause of their Imprisonment; which *Seaton* refusing to satisfy them in, the Council discharged them, on giving Security for their Appearance.

1559. Coun. Regist. vol. III. f. 11. 20th April.

Seaton, the Provost, being to leave *Edinburgh* for some Time, on an extraordinary Occasion, acquainted the Bailiffs by a Message, that he would have certain Persons committed to Prison, and secured in Fetters during his Absence; threatening, in case of Disobedience, to inflict the same Punishment on them at his Return. These arbitrary Proceedings of *Seaton's* were owing to the great Power given him by the Regent, to curb the Citizens who opposed her arbitrary Government.

Ibid. f. 12. 22d April.

The Populace having destroyed divers Monasteries in the Town of *Pertb*, the Regent sent the following Letter to the Magistrates of *Edinburgh*, to prevent the like Mischief in their City.

Provest and Ballies of Edinburgh, we greit zow weill.

"We traist it be nocht unknowin to zow, Ibid. f. 14. 14th May.
"the greit Mysfreull latlie maid within the
"Burgh of *Pertb*, be certane seditious and
"evill

" evill gevin Personis, quha hes spulzeit
 " and distroyit the religious Places off the
 " samyn; and, fering that some rasche
 " and insolent People fall attempt to do
 " the semblable in uthir Townis, giff Re-
 " meid be nocht haistlie providit; hes
 " thocht expedient to mak zow warnyng
 " heiroff in Tyme.

" Quheirfoir we charge zow, that ze,
 " fra this Tyme furthe, giff gude heid
 " and Attendance, that na sic Uproir nor
 " Seditioun ryse within zowre Toun; bot,
 " that the religious Places be fuerlie kepit,
 " and gude Ordor observit as accords.
 " Certesying zow, giff ony Mysreull hap-
 " pins hieretter, in sic Behalfis, that we
 " fall nocht fail to lay the Deid and Wyt
 " thairof to zoure Charge."

At Strivling, the 13th Day of
 May 1559.

MARIA R.

The Town Council, in Obedience to the
 Regent's Command, having exerted them-
 selves to keep Peace in the City, all riotous
 Assemblies were prevented; wherewith Ma-
 ry was so well pleased, that she sent them
 the following Letter of Thanks.

Counsaile of Edinburgh, we greit zow weill.

1559.
 Ibid. f. 15.
 28th May.

" Foramekle as we understand be ane
 " Writing of our Cousing the Lord Sey-
 " ton's, zoure Provest, the gude Will and
 " Mynd ze beir to us, in assisting him at
 " this trubulous Tyme, in setting fordwart
 " of oure Service, quhairof we thank zow
 " hartlie; praying zow to continew thair-
 " intill, as ze and ilk ane of zow fall fynd
 " us willing for Defence of zoure Liberties
 " of zoure said Toun, or in ony uthir
 " Case as ze fall happin till have ado with
 " us, as we find zow applicabill in setting
 " fordwart of oure Service at this Tyme.
 " And sa fair ze weill."

At Strivling the Twentie sixt May 1559.

MARIA R.

Affairs being now in the greatest Confu-
 sion; for, by the indiscreet and fiery Zeal of
 our Reformers, Churches, Monasteries and
 Hospitals being deemed profane, and
 Nurseries of Popery, were destined to De-
 struction; which the *Edinburghers* appre-
 hending would soon be the Fate of theirs,
 to prevent the Populace of the Country
 from entering the City, ordered all the
 Gates to be shut, except those of the *Ne-
 therbow* and *West-Port*, which were guarded
 by twelve Men each. And the Council,
 to prevent all Danger from the reforming
 Lords of the Congregation, sent Com-
 missioners to *Linlithgow*, to intreat them,
 that, at their coming to *Edinburgh*, they
 would be pleased to spare both their Chur-
 ches and religious Houses; the former to
 be employed in the Protestant Worship, and

Coun. Regist.
 vol. III. f. 17.
 19. 16 & 29th
 June.

the latter for reformed Seminaries. And in
 the interim, ordered a Guard of Sixty Men
 for the Security of *St. Giles's Church*, and
 removed the Stalls in the Choir to the Tol-
 booth for their greater Safety.

The Lords of the Congregation being
 arrived in *Edinburgh*, appointed Lord *Ruth-
 ven* and *John Sandilands of Calder, junior*,
 their Commissioners, to attend the Common
 Council; which being convened on this
 Occasion, they repaired to the said Council,
 wherein *Ruthven* made a Speech; of which
 the following is a Copy.

" Beluffit Bretherings, we think ze ar ^{Ibid. f. 20.}
 " nocht ignorant, quhat hes movit my ^{12th July.}
 " Lords of this present Congregation to
 " convene within this Burgh at this Tyme;
 " and in caise ze be of thair Lordships
 " Mindis be quhome we ar directit to zow,
 " and hes gevin us ane speciale Charge and
 " Command to declair and oppoyn to zow
 " the samen; that is, to mak it knowin to
 " zow, and every ane of zow, that thay pre-
 " tend na sic thing as the common Brute is,
 " twitching the Inobedience of the Prynce,
 " or usurping hir Powers; bot that they
 " are only convenit for the Awanciement
 " and Furthsetting of God's Glorie, accord-
 " ing to the trew and pure Evangell; and
 " thairwith evir mening the dew Obediance
 " of the Princes to be manteinit be thame,
 " thair Bodye and Guds, at thair uter Pow-
 " ars; Requering alswa the samen of zow;
 " and that ze will adjone zow with thame
 " unfinzeit, as thay fall with zow, to the
 " Furthsetting of God's trew Word and dew
 " Obediance of the Prynce, as said is. And
 " that ze will heir plainlie and in all tymes
 " coming, tak upon zow the Maintenance
 " and Defence of the samen; and swa mo-
 " ney of zow as will gladlie consent hierto,
 " bynd and obleis zow, be uphalding of
 " your Hands, and to send thame zour
 " Names in Writt."

The Lords of the Congregation, willing
 to provide for the Ease of the *Edinburgh-
 ers*, in respect to Religion, till Matters
 were better settled, by a Convention with
 the Regent's Council, agreed they should
 exercise which Religion they pleased, till
 the 10th Day of the following Month of
January. Whereupon the Duke of *Castle-
 berauld*, the Earls of *Arran* and *Huntly*, and
 Lord *Areskin*, were sent by the Regent as
 her Commissioners, to acquaint the Town-
 Council therewith; and to tell them, that
 it was her Pleasure, that the Citizens on this
 Occasion might be summoned, and severally
 examined to know what Religion they would
 chuse, in order to their being protected
 therein till the Time prefixed. And to know
 whether the Citizens were willing to vote
 singly, or refer the same to the Determina-
 tion of the Common Council, as they did in
 other Affairs.

Remark.

Remark. By this Manner of Proceeding, the Regent, no doubt, imagined that the Majority of the *Edinburgbers* were still Papists, would therefore vote for the Popish instead of the Protestant Religion; and, if it should be referred to the Common Council, she might hope, by the Interest of her sure Friend, *Seaton* the Provost, to carry it there in favour of Popery. The new Converts foreseeing the Designs of the Regent by this Motion, it was warmly opposed by *Adam Fullerton*, who appeared in behalf of the Congregation within *Edinburgh*, and presented a Memorial against it to the Commissioners aforesaid; which being read and considered by them, desired it might be recorded in the Council-books; from which the following is a Copy.

Id. ibid.

"My Lordis, unto zoure Lordschips humlie meins and schawis the faythfull Bretherine of the Congregation within *Edinburgh*, Indwellaris thairrof. That quhairas we ar informit, zoure Lordschips ar heir convenit, of Mynd and Purpois to tak everie Mannis Voit quhat Religioun he will be of, and quhair the Ministratioun thairrof fall be usit. And we for Partis, knawand the Religioun quhilk we have presentlie to be of God, and conforme to his Word: And, on the uthir Pairt, knawand the Mefis and the Papis haill Religioun to be without the Word of God, altogether superstitious, damnable Idolatrie, and of the Devill, cannocht consent for oure Partis.

1. "That God is Trewthe, and that oure Religioun now establishit conforme to his Word, fall be subject to voiting of Man, as gif the maist Pairt of Men allowit it, sould nocht be recevit; for it is na new Thing, bot noitour, that fra the Beginyng of the World to this Day, and evin now in all Countries, Tounis and Cities, the maist Pairt of Men hes ever beine againist God and his Trewthe, at the leiste hes nocht planlie embraced the samyn.

2. "Anent the Place, we say, that in the Appointment maid betwix zoure Lordschips and the Lords of the Congregation, it is in speciall providit, that oure Prechors fall nocht be molestit nor trubblit, nor zit thair Ministeris; nor that the said Congregation fall nocht be trubblit in thair Guddis, Bodyis, Landis, or Possessionis quhatsumever, unto the tenth Day of *Januar*. But, swa it is, that we the Congregation of this Toun, was, at the Tyme of the making of the said Appointment, and lang befor, and continewallie sensyne, wer in Possessioun, lyke as we ar zit of the hie Kirk of this Toun, callit *St. Geillis-Kirk*, havand oure commoun Prayers, Preiching of the Word and the Ministratioun of the Sacraments, and haill uther

"Ministerie therintill but Interruption; and thairfoir ought and sould posses the samyn unto the said Day bot ony voiting, Controversie and Trubbill; and swa can na Way consent, to submit that to Voiting quhilk the saids Lords left us posses in. And swa in effect zoure Lordschips of zoure Honors, cannocht suffer us to be trubblit in oure Maner of Religioun, nor zit in the Place of Ministratioun thairrof, quhilk we peciabbie posses; mekle less trubill us zoure selfs, be compelling us upon the Things quhilk we have ellis bot Controversie, as said is, without ze will planlie contraven the said Appointment.

"Besickand zoure Lordschips, that ze will regarde to the said Appointment, and to zoure awin Honors. And seeing that we can na way consent to ony Voiting in the Caifes foirsaidis, except we will, by the Appointment ellis maid, mak new Transactioun, or, be oure awin Consent, put the things in doubt, quhilks be the said Appointment ar to us fre; and, in respect that we can on na Ways do the samyn, without the saids Lords of Congregation wer heir present to consent thereto; that zoure Lordschips will mantene and defend, at the leist nocht trouble, nor suffer us to be trubblit in oure Maner of Religioun and Place of Ministratioun quhilk we now posses, and possesed it at the Tyme of the Making the said Appointment; protesting heir in zoure Prefence, befor God, gif ze do in the contrair, and submitt the samyn to the Voiting of the wikkitt (as for us we oucht nocht, nor cannocht consent thairto, nor voit thairintill) that ze do us plane Wrang and Injurie, and planlie contravenis zoure said Appointment, besyde the Opponers of zoure selfs to God and his Trewthe, quhilk we furlie and stedfastlie belief he will nocht leif sudanlie unrevengit; and zoure Lordschips Anser humlie we besek."

This Memorial or humble Petition had so good an Effect, that the Lords Commissioners declared they would not compel any Man to act contrary to the Dictates of his Conscience, or do any thing that might contravene the said Convention or Appointment.

Frequent Disputes having happened between the Gildry or Company of Merchants and Incorporations of Trades in *Edinburgh*, concerning the Persons who ought to compose the Common Council, and chuse the Magistrates and other Officers of the City; the former declaring that no Citizen has a Right to be a Member of that Court, or to chuse the Magistrates, but such as are of their Company; which being denied by the latter, they asserted, that they have an equal Right to send Representatives to that Convention. But there being no Appearance

1559.

ance of an Accommodation between the contending Parties, the Crafts applied to the Government for Redress; for which an Order seems to have been issued: But little Regard being had thereto, the following Order was sent by the Regent and her Council for that Purpose.

Ibid. f. 24.
20th Sept.

"Oure Sovereins Lord and Lady understanding that the Craftsmen of Burrowis within thair Realme of Scotland, ar reponit to all Privilegis, Fredomes, and Jurisdictioun usit and occupyit be thame within Burgh in thair moift noble Progenitors Dayis; and in speciall to the cheffing of thair Dekynis zeirlye at the Tymes limite thairto, for Conservatioun of guid Order amang thamefelfis; quhilks Dekynis oucht and suld have Privilege, als weill in voting, perticularlie in electing and cheffing of all Leytis quhilks are to be chosen to bruke Offices within Burgh at the Feist of *Michaelmas*, sic as Provost, Baillies, Counsaile, Dean of Gild, Thesaurer, Servands, and all Kynds of Officeris within the samen, as in voting, cheffing, and electing upone the principall Officeris foirsaid,

"And albeit, the saids Dekynis of *Edinburgh*, sen thair Restitutioun to the saids Liberties, be the Space of three Zeirs syne, or thairby, has zeirly, at the Tyme of electing the new Counsaile, offerit thame in Reddiness to vote in electing thair of; Nevirtheless the Provost, Baillies, and Counsaile of the said Burgh refuset to resaw thair Vote thairinto, notwithstanding the Liberties grantit to thame thairupone, in hie Contemptioun of thair Authoritie, and expresse aganis Justice: Chairging heirfoir the said Provost, Baillies, and Counsaile foirsaid, now present and to cum, to suffer the saids Dekynis, and ilk ane of thame perticularlie be thamefelfis, to vote in electing and cheffing of the Counsaile, Lytis, and all uthir Officeris above specificit, in all Tymes cuming, conforme to the Privileges grantit to thame thairupone; quhilks Privileges, be thir Presents, we ratifie, approve, and amplexies in all Poynts; and speciallie in the cheffing of the Counsaile and Lytis foirsaid, under the Pane of Disobedience of oure Authoritie, and all Charge and Punishment that may follow thairupone."

Subscrivit be oure said Sovereins darrest Moder, at *Halyruidbousis*, the Day of *September*, 1559.

MARIA R.

The above Order being presented to the Common Council, by certain Deacons of Crafts, on the 20th of *September*, and they ordered to withdraw; it was taken into Consideration, and the said Deacons soon after called in, were told, that the Order, with the Privileges therein mentioned, had been carefully considered by the Council, who had

resolved that the said Deacons should have no Vote in the Election of the Council, in Respect to the said Order, seeing it is directly contrary to an Act of Parliament of the 6th of *James I.* anno 1426, which annuls and discharges the Office of Deacon, together with all their Rights and Privileges.

Besides, it was by the said Council farther declared, that the Deacons of Crafts never had a Vote in the Election of Council or Lites, but only in that of Officers.

However, the Magistrates and Council being assembled, on the 22d of the said Month, to chuse the new Council, &c. according to annual Custom, eleven of the said Deacons repaired to the said Election, and desired to be admitted to vote, by virtue of the Privileges granted them by the Queen; which being again refused, they protested, that the Magistrates and Council's Disobedience to the Regent's Order should be no ways prejudicial to their Rights and Privileges; adding, were they not admitted to the Election, they would give no Obedience to the Officers that should be chosen without their Suffrages.

The Regent, by the above Order for obtaining a Liberty for the Trades to have Representatives in the Common Council, with a Power of electing the City-Officers, intended to have a Majority of her Friends always in the said Council. But, finding herself disappointed by a vigorous Opposition and Rejection of her Order, what she could not obtain by Threats, indeavoured, in a suppletory Way, to prevail by Art on the Council, to chuse her Merchant-Friends Members of the same; as will appear by the following Letter.

Provost, Baillies, and Counsaile of Edinburgh,
we greit zow weill.

"Foramekle as we, for certane Causes moving us, hes thocht neidfull that ze, at this present Feist of *Michaelmas*, elect and cheise sic Personis, honest Merchandmen of zoure awin Burgh to be upoun the Counsaile, and beir other Offices for this Zeir into cum; quhais Names we fall send to zow be sum speciall Servand of oure awin, or otherwis declair to sum of zow, be oure awin Mouthe; quhilks Personis, we pray zow effectuoussie, as ze will do us singulair Pleasure, and deserve oure speciall Thanks, that ze elect and admit to be upoun zoure Counsaile, and beir zoure other Offices for the Zeir into cum, as said is: Promitting be this present, that the samen fall nocht be hurtfull, preparative, nor prejudiciall to zoure Privileges, nor auld Liberties in Tymes cuming, be this Present.

Subscrivit with oure Hand, at our Palyce of *Halyruidbousis*, the 22d Day of *September* 1559.

MARIA R.

The

The Difference between *Mary* the Regent, and Lords of the Congregation was got to such a Height, that they resolv'd to raise Men in Defence of themselves and Friends, against her and her *Scotish* and *French* Troops; on which Occasion, the Common Council supplied them with the

Ibid. f. 27.
27th Octob.
Buchan. Hist.
Scot. in vit.
Mary.

Pursuant to this, the Day after, they summoned the Garrison of *Leith* to depart the Town within the Space of Twelve Hours; but little Regard being had to their Summons, they marched to attack the Place in Form; to which End scaling Ladders were prepared in *St. Giles's Church*; which so irritated the Ministers, that they weakly and impolitickly prognosticated ill Success to the Enterprize of their Friends and Protectors; which so greatly intimidated those that were to fight for them, that, soon after marching to *Leith* with Ordnance to attack it, the Enemy no sooner sallied out upon them, than they fled without Resistance; whereby the Enemy not only became Masters of their Artillery, but, in the Pursuit, without Regard either to Age or Sex, killed all without Mercy, as far as the Suburbs of *Edinburgh*; whence issued great Numbers of People to their Assistance; who, on a false Alarm that the Enemy were at their Backs, to cut off their Retreat to the Town, they returned in such Haste and Confusion, that the Horse, to recover the Gates, overrid the Foot; which occasioned a Misery inexpressible.

And the Panick was such, that, with
Ibid. 190. 192. great Difficulty the Fugitives were prevailed
on to stay, and not suffer the City to become
a Prey to the Enemy. However, their Fears
increasing, with the Division of their Coun-
sels, they left the Town the sixth Day after
their Flight, and their unhappy Protestant
Brethren and Friends the *Edinburghers* to
shift for themselves; many of the best of
whose Houses the Regent conferred on her
French-Soldiers, as a Reward for their Ser-
vice, while the Proprietors were forced to
conceal themselves for the Security of their
Persons. This grievous and dreadful Dis-
aster seems to be chiefly owing to the great
Indiscretion and imprudent Behaviour of the
Ministers.

1560. The Lords of the Congregation having
Buchan. Hist. reinforced their Army to join that of Eng-
Scot. in vit. land sent to their Assistance by Queen E-
Mary. lizabeth, to reduce the Town of Leith, and
Coun. Regist. expel the French the Kingdom. The Coun-
vil. III. f. 33- cil of Edinburgh, to contribute to this de-
29th April. sirable End, gave the Sum of Sixteen hun-
dred Pounds, *Scotish* Money, to pay Four

hundred Men to be employed in that Service for the Space of a Month; who, together with the Congregation-army, and *English* Auxiliaries, soon compelled the *French* to abandon *Leitb*, and depart the Kingdom.

And the Parliament meeting soon after, not only established the Confession of Faith, drawn up by the Reformed, but abolished the Pope's Authority in *Scotland*; and ordained, that all Sayers and Hearers of Mass throughout the Kingdom be punished. And the *Edinburghers*, to keep pace with the Parliament; to accomplish the Work of Reformation, the Common Council ordered all Idolaters, (Papists) Whoremongers and Harlots, to be banished the Town; the former, after having been exposed at the Market-cross for the Space of six Hours; and the latter; after being carried in a Cart, and shewn as a publick Spectacle through the principal Streets of *Edinburgh*, for the first Offence; to be burnt on the Cheek for the second, and to suffer Death for the third.

Spotf. Hist.
Ch. Scot. B. 3.
Coun. Regist.
vol. III. f. 37.
12th June.

The Nation having, by woful Experience, been great Sufferers by the Fortrefs of *Leith*, the Council of the Kingdom, to prevent the like Disaster in Time coming, sent the following Precept to the Magistrates and Council of *Edinburgh*.

“ Forfamekle as it is noturie knawyn *Ibid.* f. 40.
 “ how hurtfull the Fortificatioun of *Leitb* ^{23d July.}
 “ hes bene to this haill Realme, and in spe-
 “ ciall to the Townes next adjacent thair-
 “ unto; and how prejudiciall the famen fall
 “ be to the Libertie of this haill Cunttrie, in
 “ caifs Strangears fall, at any Tyme hier-
 “ efter intruse thamefelfs thairin. For thir
 “ and sick lyke Consideratiouns, the Coun-
 “ fall has thocht expedient, and chargis the
 “ Proveft, Baillies, and Counfall of *Edin-
 “ burgh*, to tak Order with the Toun and
 “ Commontie of the famen; and caufs and
 “ compell thame to appoint ane fufficient
 “ Nomar to caft down and demolifh the
 “ South Pairt of the faid Toun, begynand
 “ at *Sanct Anthonis* Port, and paffing Weft-
 “ wart to the Water of *Leitb*, making the
 “ Blockhoufs and Courteine equall with the
 “ Ground. And that thay enter to the
 “ faid Wark upone *Wednsday* nixt, be fyve
 “ Houris in the Morning, and to continew
 “ and perfeweir in the famen, to the Ac-
 “ complifhment of the faid Douncafting,
 “ conforme to the Charge above writtin.”

Apud Edinburgb, the 2d July 1560.

Logane, Laird of Lestrig, in the Neighbourhood of *Edinburgh*, like divers of his Ancestors, proving a very turbulent and implacable Neighbour, was, for certain Indignities put upon the *Edinburghers*, arrested by Order of the Magistrates, and committed to Prison, with a strong Guard to secure him; but proving refractory, threatened the Magi-

strates :

Spots. Hist.
Ch. Scot. B. 3.
Coun. Regist.
vol. III. f. 37.
12th June.

Ibid. f. 40.
23d July.

Ibid. f. 47.
9th Sept.

strates; for which he was closer confin'd in *Durefs*.

Ibid. f. 53.
14th Octob.

The Town Council at this Time order'd the Corn Market to be held at the Foot of the *Upper-bow* Street, at the Eastern End of the *Grafs* Market where it still continues; to which Place it was removed from the Corner of *Marlin's Wynd* in the *Cowgate*.

Ibid. f. 55.
30th Octob.

A thorough Reformation in religious Matters being resolv'd on, the Town Council ordain'd, That, for the better Observation of the Lord's Day, the publick Markets of this City, and at the House of the Moor, which during Popery had been held on *Sunday*; the former should in Time to come be held on *Saturday*, and the latter on *Thursday*; and, for the future, no Shops or Taverns be opened during divine Service, or Goods fold, under the Pain of corporal Punishment; in like manner all Profaners of the Name of God were to be served. And, to prevent committing Uncleannefs in Taverns, which were then so many Bordel or Bawdy-houses; occasion'd by their being chiefly kept by Women; wherefore all Females were forbidden to keep Taverns.

Id. ibid.

Id. ibid.

During the Popish Hierarchy in *Edinburgh*, the Monks of *St. Anthony* received a *Scotish* Quart (an *English* Gallon) of Wine, out of each Tun brought into this City; which being given to the Poor, it is now yearly let with other Things belonging to the Citizens.

Ibid. f. 58.
15th Novem.

Soon after, the Common Council covenanted and agreed with *Murdoch Walker* Mason, to build the Town-wall from *Leith Wynd* to the End of the *Nord Loch* at the Foot of *Liber-ton's Wynd*, with a House thereon, for the Sum of Four Pounds ten Shillings *Scotish* Money the Rood, and Forty Shillings of the same Money for each Rood of the Battlement.

Ibid. f. 60.
22d Nov.

That the Work of Reformation might not be retarded in *Edinburgh*, *Sanderson* Deacon of the *Flethers* or Butchers, was by the Council order'd to be carted for Adultery. This was so highly resented by the Trades in general, as a Dishonour to the whole, that they assembled in a tumultuous Manner, broke the Prison, and discharged him.

Id. ibid. 23.

The Magistrates and Council justly resenting this intolerable Insolence and Breach of their Privileges, applied to the Privy Council for Assistance to punish the Rioters. This, together with the apprehending and committing a Number of the said Craftsmen Prisoners to the Castle, the several Incorporations were so greatly intimidated, that the Deacons, apprehensive of the impending Danger, presented a Supplication to the Council, setting forth, That they and the chief Brethren of the Crafts of *Edinburgh*, were come to declare their Innocence touching the late detestable Infurrection by their's and the Council's wicked Enemies, and earnestly to intreat them in the Name of God, that the Innocent might not suffer

for the Crimes of the Guilty; and as they regarded the Welfare and Prosperity of the Town, all Thoughts of Revenge might be laid aside, and brotherly Love restored; promising thenceforth, not only for themselves but for all in Subordination to them, all due Obedience and Submission to the Magistrates and Council. And, to shew to all Men their Sincerity in this Affair, declared, in the Presence of God, that with unfeigned Hearts they forgave all Offences; and earnestly desired, that the wicked Authors of the present unhappy Difference may be expell'd the City. And, in the Name of God, intreated they might repair to the Lords of Privy Council, and solicit the Releasement of their Brethren from their Imprisonment in the Castle; and to shew it is not their Blood you want, but to punish the Fugitives, who by their deserting the Town manifest their Guilt. And we promise, in the Name of God, that we shall, to the utmost of our Power, be aiding and assisting in bringing the said Criminals to Justice.

The Consideration of the above Supplication being deferr'd till next Council Day, when the aforesaid Deacons and Masters appearing, they humbly besought the Council, to intreat with the Duke and other Members of the Privy Council in behalf of their Brethren in the Castle; promising as before all Obedience and Submission to the Magistrates in time coming, as mention'd in their Supplication aforesaid; which being at their Desire published to the People, they ratified and confirmed the same in their Hearing, by holding up their Hands: Whereupon the said Deacons and the Masters were declared innocent, and acquitted from having had a hand in the said Tumult.

It having till this Time been a Custom, whenever any of the Craftsmen of *Edinburgh* were summoned to appear to answer for an Offence committed, he was accompanied by the several Corporations of Arts to assist him in his Defence; which frequently occasioning great Commotions, for preventing of which in Time coming, it was by the Council enacted, that no such Conventions shall assemble any Time hereafter, under the Penalty of the Loss of their Freedom, and otherwise to be fined at the Discretion of the Magistrates.

The Papists, both Priests and Laity, as enjoined by the Magistrates of *Edinburgh*, repaired to the Protestant Churches, but, instead of joining in their Worship, endeavour'd to seduce the new Converts; wherefore, in Company with Fornicators and Adulterers, were by Proclamation ordered to depart the City within the Space of forty eight Hours. This Proceeding of the Magistrates was so highly resented by the Queen, that she sent a Letter to the Common Council of their unjust and rigorous Dealings; but it not being recorded in the Town-

Id. ibid.

Ibid. f. 62.
6th Decem.

Ibid. f. 76.
24th March.

1560. Town-Register, is probably lost. However, the Papists depending on the Queen for Protection, shewed no more Regard to the Proclamation, than the Council did to the Queen's Letter; for, instead of shewing the least Respect to it, published the said Proclamation anew; with this Difference, that in lieu of Forty eight Hours, they were now enjoined to depart the Town and Liberties within the Space of Twenty four Hours, on the Pain of being carted, burnt on the Cheek, and banished the City for ever. This nettled Mary to such a Degree, that she sent the following Letter to the Council and Community of *Edinburgh*.

1561. Coun. Regist. vol. IV. f. 15. 5th Octob.

MARIA R. "We understanding that the Provost and Baillies of the Burgh of *Edinburgh*, upoun Friday last be past, the Feird Day of October instant, set furth publick Proclamation at the Mercat-Crofe of oure said Burgh, exprefs contrair to oure Commandment, nocht mak- and us prive thereto, nor feikand to know oure Pleasure in sic Behalf. Thairfor we ordane, will, commands, and charges the Counsaile and Commontie of oure said Burgh, to convene incontinent within the Tolbuith of oure said Burgh, and deprive the Provost and Baillies, quha presently beirs Office thairin of all furthir bering of Office for this instant Zeir, and to cheis uthir qualifeit Personis in thair Rowme, as thay will anser to us thair-upoun."

Ibid. f. 16. 8th Octob.

The Council obeying Mary's Command, without waiting for her Recommendation, (which was soon after sent by her Secretary William Maitland, in behalf of either Lord Seaton, Alexander Areskine, or Laird of Craig-miller) chose others in their stead, although divers Protestations were made against the Election, lest it should prove prejudicial to the Rights and Immunities of the Citizens. Mary, by this second Disappointment, being greatly enraged, which the Council receiving Intelligence of, such was their Pusillanimity, that they attended and told her, that if the Persons chosen were not to her liking, they would chuse whomsoever she pleased.

Ibid. f. 6. 12th May.

On Sunday the 11th of April, a great Insurrection happened amongst the Apprentices of *Edinburgh*, who, in a dangerous and tumultuous manner, entered the City in the Morning with Banners displayed, and surrounding the Tolbooth wherein the Magistrates were sitting, assaulted them in the Execution of their Offices; for which many were apprehended, secured in Fetters, and ordered to be prosecuted to the utmost Rigour of the Law.

Ibid. f. 7. 21st May.

The Parliament being to assemble in a short Time, 'twas apprehended Tumults would arise from the great Dissensions amongst the Nobility; for the preventing of which, and to preserve Peace in the City, sixty Hagbutters were not only order-

ed to be raised, but the whole Inhabitants were commanded to be ready with Arms at ringing the common Bell, for the more effectual suppressing Insurrections: And as a farther Security, the Citizens, by a Deputation from the Council, applied to the Earl for his Horse-guard; which being complied with, the Council voted every one of them Five Shillings *Scotish* per Day.

1561.

The Common Council having resolved to Ibid. f. 14. intertain the Queen with a pompous Shew 3d Sept. and Banquet, ordered the Sum of Four thousand Merks *Scotish* Money to be raised for that Purpose: And, for the greater State and Grandeur of the Procession, the twelve Citizens who were to support the Canopy over her Head, were to be apparelled in black Velvet Gowns, with Coats and Doublets of crimson Sattin, with Velvet Bonnets and Hose; the Citizens who walk in the Procession to have black filken Gowns faced with Velvet, Coats of Velvet and Sattin Doublets; and the young Men dressed in Tassity to walk before the triumphal Carr: And the Places by and through which the Shew was to pass, namely the upper and salt Trones, Tolbooth and *Netherbow*, were ordered to be decorated in the most pompous and magnificent Manner.

The Tolbooth of *Edinburgh* being in a very ruinous Condition, the Privy Council sent the following Letter to the Town Council concerning the same. *Apud Edinburgh, Sexto Februarii, anno 1561.*

"The Queiny's Majestie understanding that the Tolbuith of the Burgh of *Edinburgh* is ruinous and abill haistlie to decay and fall down; quhilk will be warray dampnable and skaythfull to the Pepill dwelland thairabout, and reparand to-wert the samen, nocht onlie in Destru-ctioun of thair Houses, bot als greit Slaughter of sundrye Personis happin and chance thairthrow without heistie Remeid be providit thairin. Thairfor hir Heines ordinis ane Masser to pass and charge the Provost, Baillies, and Counsaile of the said Burgh of *Edinburgh*, to caus put Workmen to the taking down of the said Tolbuith, with all possible Deligence for the Causes foresaid, as thay will anser to hir Hienes thairupoun, at hir utmost Charge; and so in the men tyme, that thay provide a sufficient Hows and Rowmes reparit as efferis, for the Lords of the Sessioun, Justice and Sheriff ministring of Justice to the Lieges of the Realme.

Ibid. f. 22. 10th Feb.

MARIA R.

In obedience to the Queen's Command, Ibid. f. 23. the said Tolbooth was taken down, and a new Edifice erected at the Western End of *St. Giles's* Church, for the Use of the Court of Session or College of Justice; at present denominated the *High Council-house*. This Building not being set about so soon as it ought to have been, the Lords of Session, in the Year following,

1562. Ibid. f. 27. 11th April.

1562.

following, acquainted the Common Council, that if they did not in a short Time provide them a convenient House to sit in, they would remove the Court to the City of *St. Andrew's*; which induced the Council to give immediate Orders to finish the said Building with the utmost Dispatch. And, during the Time of its Erection, held their own Court in the *Holy Blood-isle* in *St. Giles's* Church.

Remark. This Grievance, which probably is no where to be paralleled, was a very great Hardship on the injured *Edinburghers*, to be compelled by their Sovereign to erect an expensive Building for the Use of a national Court, the Charge whereof ought to have been defrayed by the Publick, and not by one Town; which is already burdened with a very great Expence in maintaining their own Works.

The Government being apprehensive of an Insurrection in *Edinburgh*, the Privy Council sent a Letter to the Magistrates to guard against the same; of which the following is a Copy.

Ibid. f. 34.
24th June.

"The Quein's Grace understanding that
"thair is certaine seditious Personis within
"the Toun of *Edinburgh*; quhilk, for thair
"Particularities will nocht be content to leif
"in Quyetnes, according to the Ordour and
"Laws of this Realme, heirtofor statute
"for stanching of Tumult, Seditioun, and
"Rebellioun within Burgh, bot will attempt,
"be Way of Ambitioun and partial
"Avirice, to seik Novelities and utherwayis;
"quhilk may desolve the Lufe and Unioun
"that oucht to be amang the Inhabitants
"and Burgeses of the said Burgh.
"Thairfor, her Majestie havand the Cair
"and Thocht that becomis ane Princess
"Soverane to have upoun thair Subjectis,
"ordains the Provest, Baillies, and Counsall
"of the said Burgh, to mak deligent
"Serche and Inquisition, gif thair be ony
"within thair Jurisdiction that ar appearing
"and to attempt, or to be Authors of Seditioun,
"Tumult or Rebellioun within Burgh, or gif
"thair be ony sic Way inventit, set fordwert
"or to be set furth, quhilk may mak ony
"Overture of Seditioun or Tumult.

"That thay with all Deligence and Dexterity,
"stanch, suppress and impeid the same by all
"Prevention dew, and all uther Meins possible,
"sua that hir Majestie may know, that hir
"Majestie hes worthie Officers and Reullers
"now presentlie within the said Burgh;
"quhilks baith can and will keip, and caus to
"be keipit gude Reule within the Bounds
"committe unto thame; certefeyng the saids
"Provest, Baillies, and Counsall, that gif
"they be found negligent and remiss in the
"Execution of the Premissis, or that thair
"happin heirefter ony Trubble, Seditioun,
"Rebellioun, or Tumult within the said
"Burgh, hir Grace

"will justlie think that she may impute the
"Wyte of all the Inconveniencies heirefter
"to follow unto thame; and according to
"thair Deservings punis thame with all
"Rigour. As upoun the uther Pairt, in
"caise hir saids Officers, by thair Deligence
"and Behaviour, preserve the common
"Peas and gude Reule within thair Burgh;
"hir Majestie will recognosce thame, as hir
"faythfull Servitors, and recompence thame
"thairfor accordingly."

1562.

MARIA R.

The Magistrates, in Obedience to their Sovereign's Command, exerted themselves in such a Manner, that the Peace of the City was preserved; which they signified to *Mary* by Letters, to whom the dutiful Depolement of the *Edinburghers* on this Occasion was so acceptable, that she sent them a Letter of Thanks, whereof the following is a Copy.

"Traist Freinds we greit zow well. We
"have refavit your Letter fra this Berer,
"quhairby we understand the Variance that
"of lait hes happinit betwix the Lord *Ogil-*
"by and *Jbounne Gordoun*; and as we have
"found zowr Proceeding and Handling of
"that Mater werray gude, sua will we thank
"zow hartlie of zowr Deligence done in
"apprehending of the Personis Trublaris of
"zowr Toun.

Ibid. f. 35.
31st July.

"For albeit the Party be greit as ze wyte,
"zit nevirtheless fall thair Greitnes nor Respect
"of thair Knivene stay us to execute
"Justice as accordis. And seeing thay ar
"to warn thair Friendis on uthir Syde,
"ze fall nocht neid to have onye Feir thair-
"of, becaus oure Broder of *Mar* is to be
"thair; quha will declair to zow quhat For-
"tificatioun he fall have in zoure Behalf.
"In the mein Tyme, caus zow better
"Watche and Deligence to be maid for the
"Suertie of zowr Wairde; quhairin zow fall
"do us acceptable Service."

Subscrivit with oure Hand at *Striveling*,
the 28th Day of June, 1562.

MARIA R.

John Black, a Monk, being by the Town Council committed to Prison for manifest Adultery, the Queen sent the following Letter to the Council concerning him.

Provest, Baillies, and Council of Edinburgh, Ibid. f. 26.

"It is oure Will, and we charge zow,
"that incontinent efter the Sicht heirof,
"zow deliver Frier *John Black* to the Capitane,
"Constabill, and Keiper of oure Castell of
"*Edinburgh*, till be keipit thairintill surelie,
"unto sic Tyme as we haif ordanyt for the
"Triell of his Offences before oure Justice-
"General or his Deputts; and this on na
"Wayis zow lief undone, as ze will ansser
"to us thairupoun."

At *Sanct Androis*, the 11th of April 1562.

MARIA R.

The Crime of Fornication being at this Time

1562.

Time very obnoxious to many devout Citizens, the Council, to prevent the Practice thereof, enacted, that all Fornicators should be duck'd in a certain Place of the *Nordloch*, wherein a Pillar was erected for that Purpose.

Ibid. f. 34.
24th June.

The Reformation of Religion in *Edinburgh* being carried to such a Height, the Council not only caused the Picture of *St. Giles* (by them called the *Idol*) to be cut out of the Town's Standard, and the Thistle to be inserted in its stead; but they ordained soon after, that no Person shall be eligible to be chosen into any Office in this City, but such as are of the reformed Religion.

The Monks and Nuns, by the Reformation of Religion in *Scotland*, being dispossessed of their Monasteries and Lands thereunto belonging, which being in the Disposal of the Government, the Common Council of *Edinburgh* applied to the Queen, to have Part thereof granted to them for charitable Uses, as will appear by the following Petition.

Ibid. f. 41.
27th August.

"Madame, Unto zowr Grace humlie menis and schewis, we zowr Servitors the Provost, Baillies, Counsaile, and Comontie of the Burgh of *Edinburgh*, that quhair for Laik of Provissoun to supporte thame quhilks ar indeid puir, that their miserabili Estait being under the Hands of God, and veseit be him be Seiknes, Aige, and utherwis, the Nomer of sturdy Beggeris daylie increseis in sic Sorte, that thay, quhilks baith be the Law of God and Nature, oucht to be helpit, ar nocht unknowin fra thame; quhilks of all Reason and Equitie suld be compellit to travell for thair Leifing and Sustentatioun, being stark and potent of Body that Way to labour, and nocht onlie ar the sturdy Beggeris thairthrow fosterit, bot als in thair Beggerie begettis Childrene; quhilks, fra their Zouth, ar brought up beggand, makand thair begging quhairby thay presentlie leif and ar withdrawin fra Labour to leif idillie, and to be untrust; sua, that gif Remeid be nocht had thairto, the Police fall be havelie hurt, and the Puir alwayis contemptit and neglectit.

"And sicklyke, it is nocht unknowin to zoure Hienes, that the common Ordour quhairby men attains to serve the Common Weill of their Cuntrie, cumis be Letteris, Larning and Sciences; quhilks cannocht be obtenit, bot be larning at Scules; quhilks, for the maist parte, dois in all Partis decay, sua that na Regarde is had thairto; and the Zouth thairthrow brought to sick barborous Ignorance, that lamentable it is to be regratit. The Remeid of baith, the quhilks we doute nocht, bot be the erecting of Hospitalis to sustent the Puir; and by planting of Scules

1562.

to bring up the Zouth, quhairto, is nocht only requieret Places and Rume, bot als resonabill Levings and Stipends; quhilks for Inhabilitie and Povertie of the Burrowis cannocht be thame be performit."

"And zoure Heines understanding, that, to oure said Toun, resorts ma Puir than to ony other of this Realme. And also, that oure Zouth is of sic Nomer, that Pitie it war; seeing God, at this Tyme givis sic pregnant Meynis, the same suld peras; and therefore, with Support of zoure Grace, we mynd na thing mair than to erect Hospitalis and resonabill Scules within oure said Toun, quhairin the Puir, quhilks ar indeed puir, may be sustentit, and the Zouth nurefit and brocht up in Letters, sua, that resonabill Levings war providit thairto; quhilks at na tyme before culd better be done, nor now, quhen Lands and Annells within oure said Toun pertening to Preistis, Freiris and utheris ar within zoure Hienes Hands, with the quhilks we doute nocht, but zoure Grace bering sic Favour to Letteris and Science and Support of the Puir, will presentlie bestow to the Effect foirsaid."

"Thairfore we beseik zoure gude Grace to have Consideratioun heirof, and seeing that ze are minddit, that Letters and Science increafe within zoure Realme; and that the Puir quhais Clamour ascends to Hevin be sustentit: That zoure Grace will grant and dispone to us the Situatioun of the *Blak Freris*, togidder with the Zards to beig ane Hospital upoun for the Puir; and als wa, cauls some Adrefs to be maid, that we may have the Place, Kirk, Chalmers, and Houses of the Kirk of Field to beig ane Scule, we satisfand resonablie thairfore."

"And also that zoure Grace will gif and dispone to us for sustenting of the Hospital and Scule foirsaid, the Annells of Chaplanreis and Freiris, being presentlie in zoure Grace's Hands, and the Remanent of the samen, quhen they fall pertent to zoure Grace: And becaus oure said Toun is populous, and the Multitude thairof greit, that zoure Hienes will give to us the Zairdis of the *Gray-Frieris* and Situatioun thairof, being sum quhat distant from oure Toun, to make ane Buriale-place of, to burie and eird the Personnis deceissand thairin; sua, that thairthrow, the Airwithin oure said Toun may be the mair pure and clene: and we doute nocht, but zoure Grace fall schortlie se the Puir within the said Toun, to be sa supportit, that Zouth fall be sa brocht up in Letteris, that the Posteritie to cum fall have greit Comforte thairof, to the Prais of zour Hienes in all Tymes cuming, and zoure Answer humlie we beseik."

To this Petition, the Queen caused the following Answer to be returned.

Apud

1562.
Id. ibid.

Apud Striveling 17th Augusti, anno 1562.
“The Quein’s Majestie appoynts the
“Gray-Freir-zaird, within writtin, to be ane
“Buriall-place to the Personis decidand
“within the Burgh of *Edinburgh*, sua, that
“the samen fall be ane Buriall-place; and
“it fall be leifum to burye the Deid of the
“said Toun thairin; and hir Grace promiffes,
“quhen ane sufficient Provifioun is maid for
“beiging of the Hospitale and Scule within
“writtin, hir Grace fall provide ane Rowme
“convenient thairfor, and fall ordour, that
“the samen may be dotyt, to be intertain-
“ment in Tyme cuming.

MARIA R.

The Queen willing to have one of her
Friends in the chief Office of the City for
the Year ensuing, sent the following Letter
to the Town Council for that Purpose.

Ibid. f. 43.
25th Sept.

*Provest, Baillies, Counsale, and Deikins of our
Burgh of Edinburgh, we greit zow weill*
“Forfamekill as our lovit *Archibald*
“*Douglas* of *Kilspindie* was Provest of our
“said Burgh before, quha knawis how to
“rewle zowr said Toun, haifand Experi-
“ence thairfor, and to do us Service thairin,
“and is abill and meit to brouke the said
“Office this nixt Zeir.

“Oure Will is heirfor, and we charge
“zow, that ze mak the said *Archibald*, ane
“of the Citizens, to be chosen Provest to
“zow at *Michaelmas* next to cum; and
“that ze elect and cheis him to be zowr
“Provest the said Zeir, conformit to zowr
“Ordour observit in sic Caiffes. This ze
“do, for our Will and Mynde is, that the
“samen be done.”

Subscrivit with our Hand at *Cowper*, the
the 21st Day of *August*, and of our Reign
the twenty Zeir.

MARIA R.

Although the above Precept occasioned
long Debates and divers Protestations, yet
Douglas was chosen Provest in obedience to
the Queen’s Desire.

Ibid. f. 47.
6th Nov.

The Zeal of the *Edinburghers* at this
Time, against Adultery and Fornication,
appears to have been very great; for the
Council ordered all Adulterers and Fornica-
tors, without Distinction, to be apprehended
and committed to the Iron-house, there
to be fed with Bread and Water for the
Space of one Month; the former to be ban-
ished the Town for ever, and the latter
whipt at a Cart’s Tail, and banished the
Town till the Magistrates and Church were
thoroughly satisfied with their Reformation.
Adultery was soon after made capital by
Parliament.

Sken. Stat. 9.
Mary, Act 74.

The Government, by reason of the Scar-
city of Cattle, occasioned by a great Mor-
tality amongst them, having published a
Proclamation, forbidding the eating of Flesh-
meat during the time of Lent; but the *Edin-
burghers*, it seems, being allowed to reduce

the Time to *Fridays* and *Saturdays*, the
Council strictly enjoined all Persons not to
eat Flesh on those Days, under the Penalty
of Ten Pounds *Scotish* Money, to be paid
both by the Person in whose House the Crime
was committed, as well as by the Offender;
and that no Cook presume to sell any Flesh
on the said Days, on Pain of Imprison-
ment, and to be fed with Bread and Water
for the first Offence; and for the second to
be banished the Town. But, as we are told
by *Buchanan*, that this was rather a political
than a religious Affair, the Penalty on
the Cooks, I think, is highly unreasonable,
and no Ways adequate to a Crime of this
Nature.

1562.

Coun. Regist.
vol. IV. f. 48.
11th Nov.

It seems as if the Shoe-makers at this
Time had imposed on their Customers, by
the Town Council’s regulating the Price of
Shoes, which were ordered to be sold as
follows, viz. Double soled Shoes of the
largest Size, at Three Shillings and eight
Pence the Pair, *Scotish* Money; single soled
Shoes, of the largest Size, Two Shillings
and eight Pence; the best of the largest
sized Boots, at One Pound four Shillings;
and single Boots at Twenty Shillings of
the same Money.

Ibid. f. 56.
6th Jan.

At this Time divers great and uncom-
mon Cures having been performed by *Ro-
bert Henderson*, a Surgeon, by Order of the
Council, viz. on a Person whose Hands were
cut off, a Man and Woman run through
their Bodies with Swords by the *French*, and
a Woman (said to have been worried) after
she was buried, and lyen two Days in the
Grave; for which extraordinary Performan-
ces, the Council ordered him the Sum of
Twenty Merks, *Scotish* Money.

1563.
Ibid. f. 73.
7th July.

Queen *Mary*, in the Year 1556, having
granted the several religious Foundations
within the City and Neighbourhood of *E-
dinburgh*, for the Encouragement of Learn-
ing, and Support of the Poor; but, by what
follows, it seems, the Nuns of the Priory
of *St. Katherine of Sienna* in the *Borough-
Moor*, commonly called the *Sbiens*, were
allowed certain of their Revenues to subsist
on during Life. Now, whether the Coun-
cil of *Edinburgh*, out of a religious Zeal,
were of opinion, they ought not to have any
Allowance from the Lands of their late Con-
vent, I cannot ascertain; if they were not
it will appear by the following Letter, that
Mary was of a different Opinion.

*Provest, Baillies, and Counsale of our Burgh
of Edinburgh, we greit zow weill.*

“Forfamekill as we ar informyt be our
“lovit Oratrice, *Deme Cristeane Ballenden*,
“Pryoris of the Senys on the *Borro-Mure*,
“beside our said Burgh; that sche, with
“the Consent and Assent of the Sisteris
“thairfor, set to zow and zoure Predecef-
“sors, Twenty Zeirs syne or thereby, ane
“littill Croft of Land liand within the Wal-

Ibid. f. 93.
18th Feb.

“lis

1563.

"lis of oure said Burgh, at the *Gray-Friar*
 "Port, in Few-farme, for zeirle Payment
 "to hir, and the said Sisteris acht Bollis of
 "Quheit, and sex Bollis of Beir; and that
 "ze and zowr Predecessors, in all Tymes
 "bepast, sen obtenyng of the said Few,
 "hes maid thame thankfull Payment, and
 "thair Assignais of the samen; quhill this
 "last Crop of sixty three Zeirs."

"Quhillk Victuall is assignit be the said
 "Pryoris and her Sisteris foresaid, to *Beatrix*
Blacater, one of the Sisteris thair of
 "for hir Pairt of Sustentatioun, furth of
 "the Fruits of the said Place; quha, as we
 "ar surelie informit, hes bene one of the
 "Nomer of the said Sisteris, thir fourtie
 "Zeirs syne, or thairby: And that the sa-
 "men Croft was conquest by hir Fader and
 "Predecessors; and dotit be thame to the
 "Sustentatioun of the said *Beatrix*, for su-
 "steinyng of hir and the said Sisteris; quha
 "now ar sa strikyn in Aige, that sche hes
 "na uther Moyer to wyn hir Leving, bot
 "onlie to depend upoun that small Portioun
 "assignit to hir, as said is."

"Thairfor, it is oure Will, and we de-
 "syre zow richt effectiulle, to mak thank-
 "full Payment to the said *Beatrix*, of the
 "foirfaids acht Bollis Quheit, and sex Bol-
 "lis Beir, for the Zeir of God above spece-
 "feit; and sicklyke zeirly and termelie, in
 "Tyme cumming, according to the said
 "Pryoris Assignatioun; and ay and quhill
 "sche discharge the samen. As ze will do
 "us singular Plefour, sua that we have na
 "further Occatioun to write to zow in this
 "behalf."

To this Presentis, subscrivit with oure
 Hand at *Edinburgh*, the penult Day of
Februar, the Zeir of God 1563 Zeirs.

MARIA R.

The Inhabitants of *Leith* having for some
 Time indeavoured to erect a Tolbooth in
 their Town, but being greatly obstructed
 therein by the *Edinburghers*, prevailed on
 the Queen to write to them once more on
 that Occasion, as follows.

Provest, Baillies, and Counsaile of Edinburgh.

"Forfameikle as we have send oure Re-
 "queistes sundry Tymes unto zow, to per-
 "mit oure Inhabitants of oure Toun of *Leith*,
 "to big and edifie our Hous of Justice with-
 "in the samyn, and hes refavit na Anser
 "of zow; and sua the Wark is steyit and
 "cessit in zowr Defalt. Quhairfor, we
 "charge zow, that ze permit oure said In-
 "habitants of oure said Toun of *Leith*, to
 "big and edifie oure said Hous of Justice,
 "within oure said Toun of *Leith*, and mak
 "na Stop nor Impediment to thame to do
 "the samyn; for it is oure Will that the
 "samyn be biggit; and that ze desist fra
 "further molesting of them in Tyme cu-
 "ming, as ze will anser to us thairupon."

Subscrivit with oure Hand, at *Hallyrud-*
bous, the first Day of *March*, the Zeir
 of God 1563.

MARIA R.

Remark. Surely never a greater Disrespect
 was shewn by a People to their Prince, than
 by the *Edinburghers* at this Time; for not-
 withstanding of the Queen's having com-
 plained of their ill Usage in not answering
 her Request on this Occasion; yet without
 shewing the least Regard to the above Letter,
 other than giving it a Reading, and record-
 ing it in their Council Register, ordered the
 same to be deposited in their Archives; with-
 out the least Mention of answering it.

The Common Council at this Time or-
 dained, that thenceforth, every Person, on
 his being admitted a Burgess, or Freeman
 of *Edinburgh*, to pay the Sum of Twenty
 Pounds *Scotish* Money for his Freedom; and
 at his being received into the Gildry, to
 pay the Sum of Forty Pounds of the same
 Money; without Prejudice to the Children
 of Freemen.

Sir *James Carvet*, a Popish Priest, being
 taken up for reading Mass in the *Cowgate*,
 contrary to an Act of Parliament; the *Edin-*
burghers arrayed him in his sacerdotal Ha-
 biliments, and fixing a Chalice in his Hand,
 mounted him upon, and tied him to the
 Market-cross, where, for the first Time, he
 was exposed for the Space of an Hour;
 during which, he was severely pelted by the
 Populace with rotten Eggs. Nevertheless, he
 was the Day after tried for the said Offence,
 and the Penalty, which was capital, convert-
 ed into his being re-exposed on the Market-
 cross; where, instead of an Hour as at first,
 was sentenced to stand four, attended by the
 Hangman; and the Mob being very great,
 was more severely handled than at first.

This Proceeding of the *Edinburghers* was Id. *ibid.*
 highly resented by the Queen, who ima-
 gined it to be done in Contempt of her and
 her Religion, wherefore she resolved to pu-
 nish them in an exemplary Manner: To
 which End she wrote to many of her Friends
 in the Country, to march with their respec-
 tive Forces to *Edinburgh* with the utmost
 Expedition, in order to destroy the City;
 and in the interim, commanded her Advo-
 cate to inquire strictly into that Affair.

The Magistrates being informed that their Id. *ibid.*
 Enemies at Court indeavoured to persuade
 the Queen, that many of the principal Ci-
 tizens were concerned in throwing Eggs at
Carvet: To undeceive Mary in that Res-
 pect, and avoid the impending Storm, which
 threatened Destruction to themselves and
 City, the Common Council sent a Deputa-
 tion to attend the Queen at *Stirling*, to give
 her a full and faithful Relation of the Procefs
 and Enrollment of the Priest convict, as
 well as an Account of their own Depart-
 ment when *Carvet* stood at the Market-cross;
 which being corroborated by the Advocate
 aforefaid,

1563.

1564.

Ibid. f. 115.
8th Nov.Knox Hist.
Refor. B. 5:

1565.

aforesaid, she was pleased to countermand the March of the Troops to *Edinburgh*; and for the present, to satisfy herself by sending a Letter to the Magistrates and Council, whereof the following is a Copy.

Provest, Bayliffs, and Counsaile of our Citie of Edinburgh.

Id. ibid.

"We received your Letter from our Advocate, and understand by this Report what Diligence you tuk to stay the Tumult in the late Disorder attempted at *Edinburgh*, quhairin, as you did your duty in suppressing the Tumult; so can we not tak in good Part, nor think ourselfs satisfied of so notorious a Thing, without certain seditious Persons, who were pleased to do Justice *per Force*, and without the Magistrates Authority, be condongly and really punished for thair Raschaes and Misbehaviour. For if all private Persons sould usurpe to tak Vengeance at thair own Hands, what lies in ours? And, to quhat Purpose hathe good Lawes and Statutes bene established? Since thairfore we have never bene obliate to the due Punishment of any Offenders prescribed by the Lawes; but have always mentained Justice in that Case without Respect of Persons."

"It is our Will, and we command you, as you will answer to us upon your Obedience and Allegiance, that you will tak before you certane of the most responsible Persons which ar declared Authors of the said Seditioun, and Usurpers of our Authority, and to administer Justice upon thame in such Sort as we may know a Sincerity on your Part, and our Authority no Wayis slighted; bot if you faile, perfwaid yourselfis, (and that schortlie) we will not oversee it, but will account this Contempt, not onlie to be in the Committers thair of, bot in yourselfis quho ought to punish it and relieve us on our Part; remitting the rest to your Diligence and Executioun, which we look for so soon as Reason will permit."

Subscribed with our Hand at *Striveling*, this 24th of *April*, 1565.

MARIA R.

Ibid. f. 130.
4th August.

The Earl of *Murray*, with divers of the Nobility, being in arms against their Sovereigns, a Proclamation was issued, summoning Troops from all Parts of the Kingdom, to join the Royal Army. The Common Council, on this Occasion, unwilling to send their own Citizens by reason of the Distance, ordered Money to be raised for levying and paying Two hundred Men for the service of King *Henry* and Queen *Mary*; who being lately married, the *Edinburghers* were willing to do all in their Power to regain the Queen's Favour; but it seems *Carver's* Affair not being forgot, the following

Letter was sent to the Council to degrade the Provost.

1565.

REX & REGINA, Baillies, Counsaile, and Communitie of our Burgh of *Edinburgh*, 23d August. Ibid. f. 131.

"It is our Will, and for divers resonable bill Causis and Consideratiouns moving us, we charge and command zow, that ze de-poiss and displace the present Provest of our said Burgh, and in his Place, that ze elect, ressiave and admit our Lovit, *Symon Prestoun* of that Ilk as Provest thair of; and redalie ansser and obey him in all Things belonging to and concerning the said Office as apperteins, as ze will ansser to us thairupoun."

Subscribed with our Hands, at *Edinburgh*, the Day of *August*, and of our Regne the First and twentie three Zeirs. The Council, in Obedience to the above Precept, degraded *Douglas*, and chose *Prestoun* for their Provost.

Though the Common Council of *Edinburgh*, by their Act of the 4th of *August* last, ordered Two hundred Men to be levied for the Service of the Government; yet, by an Act of the 24th of the said Month, they voted the Sum of One thousand Pounds *Scottish* Money to be raised and paid to the Administration, in lieu of the Men above mentioned; which shews that the King was more in want of Money than Men; for which the *Edinburghers* were allowed to remain at Home as will appear by the following Licence.

REX & REGINA, "We for certane Causis Ibid. f. 132.
and Consideratiouns moving us, as alswa, 26th August.

upoun Respect of the gude Will, Gratitude and Plefouris offerit and done to us at this present, be our Lovittis, the Provest, Baillies, Counsaile and Communitie of our Burgh of *Edinburgh*, grantis and gevis Licence to the saidis Provest, Baillies, Counsaile, Communitie, and haill Inhabitantis of our said Burgh, to remain and bide at hame fra this our Hoist, Armie, Gadder, Assemblie, or Conventionis, ordanit be our Proclamatioun to assembill and convene in our said Burgh, on the Twenty sixth Day of *August* instant; and fra thence to pas fordward and defend us be the Space of Fifteen Dayis, providit in Feir of Weir after thair Cumming."

"Commanding heirfore, and alswa discharging all and sundrie our Justicis, Justice-clerkis, and thair Depuittis, our Thesaureris, Comptrollaris, Shrefis, and all utheris, our Officeris, of calling, proceeding, arreseisting, poinding, unlawing, troubling or molesting of the said Provest, Baillies, Counsaile, Communitie and Inhabitantis soirsaid, or any ane of thame, for thair remaining and biding at hame fra the said Hoist, Armie, Assemblie, or Conventioun,

1565.

"Conventioun, nochtwithstanding ony our
"Proclamatiounis or Chargeis pait thairup-
"oun of befoir, discharging thame of thair
"Officeis in this Part, be this Presentis."

Subscrivit with our Handis, at our Pa-
lice of *Halieruidbous*, this Twenty sixth
Day of the Moneth of *August*, the Zeir
of God 1565, and of our Reigneis
the First and Twenty thrie Zeirs. Sub-
scrivit

MARIA R. HENRIE R.

The King and Queen being to set out
on an Expedition against the Earl of *Mur-
ray* and his Adherents in the Western Parts
of the Kingdom, sent certain Instructions to
the Magistrates of *Edinburgh*, for their bet-
ter Regulation in the Government of the Ci-
ty during their Absence; the Tenor where-
of is as follows.

Ibid. f. 134.
3d Sept.

1. "That the Provest, Baillies, and
"Counfall assëmbill the haill Toun, and
"caus thame quarterlie divide the samen
"in four Partis; sua, that everie Quarter
"shall wache and waird for the keeping of
"the Portis and Wallis of the Toun, for
"the Space of Twentie four Houris."

2. "That Ordoure be takin for the per-
"forming heirof, that thair be four prin-
"cipal Men chosin, quha shall ansser for the
"Obedience and fullfilling of this Article
"in everie Point."

3. "That all the Porttis of the said Toun
"be steikit fast, onlie twa; quhilk shall be
"sua keipit, that na Man enter within the
"Toun, except common Traffikkaris and
"Travellaris knawin to the Keiperis thair of;
"and in cace any utheris offeris to enter
"within the said Toun, that thay be pre-
"sentit to the Provest and Counfall, ap-
"pointit thair be thair Majesties."

4. "That the Provest, Baillies, and Coun-
"fall caus all necesser Vivers to be ansserit,
"as thair Majesties Counfall, being thair
"for the Tyme, hes devisit."

5. "That for Preservatioun of thair
"Majesties Palice, that thay caus Diligence
"to be takin be out Wachis in the Night,
"that na Man cum to inward, nor molest
"thair Palice; and in cace sa be that thay
"with all Diligence restour the samen with
"thair haill Force."

6. That they gif thair utter Diligence,
"as they will ansser to the King and Queen's
"Majesties, that na Man of Weir be uplift-
"it within their Toun to serve with the Re-
"bellis, thair Partakaris or Assistaris agains
"thair Majesties. And, that thay caus
"mak publiet Proclamatioun thair of at the
"Mercat Croce, assuring thame, that gif
"ony be listit alradie, or fall be in Tyme to
"cum, thay shall ansser thairfoir, and be
"callit at particular Dyattes for the samen,
"as Fortefearis and Assistaris of the saidis
"Rebellis."

7. That the Provest caus Munstouris
"to be taken with all gudeliè Diligence of

"the Inhabitaris of the haill Toun, to the
"Effect foirsaid."

"8. Gif thair be ony Personis within the
"said Toun, that ganestandis ony of thir
"foirsaidis Artickles, that thay caus appre-
"hend thame, and put thame in firme Cu-
"stodie within thair Tolbuith, or caus the
"Castell receive thame, as thay fall think
"maist expedient."

The Time of the yearly Election of the
City Officers and Council approaching, the
King and Queen, by Letter, commanded
the *Edinburghers* to chuse the Persons there-
in named for their Magistrates and Mem-
bers of the Common Council; protesting
that it should be no ways prejudicial to their
Privileges: But, this being the common
Practice of the Court in those Times, which
was too potent to be refused, it acted in this
Affair, as if the *Edinburghers* had neither
Rights or Immunities belonging to them.

The Government, having Occasion for
Money to carry on the War with Vigour,
borrowed of the *Edinburghers* the Sum of
Ten thousand Merks *Scotish* Money, for
which they gave the Superiority of *Leith* in
Security. The Money was advanced by
Three hundred and eighty one Persons, out
of Ten of the City Incorporations, Twenty
five whereof were Lawyers, who advanced
the most considerable Sums: For which the
Citizens received a Charter of the said Su-
periority, on the 14th of the Month of *Novem-
ber* following.

The City's Affairs, in the Common Coun-
cil, being much retarded by the Non-at-
tendance of its Members, it was therefore
by the said Court enacted, that those who
attend not by ten o'Clock in the Forenoon,
shall pay two Shillings *Scotish* Money for
each Neglect.

It being customary at this Time, yearly,
to allow the chief Magistrate of *Edinburgh*,
a Beast, called the Provost's Ox; for which
the Town Council, not only allowed the
Sum of twelve Pounds *Scotish* Money, to
buy the best to be had, but, gave their
Provost one Tun of Wine, and twelve Ells
of Velvet to make him a Gown, as an Ac-
knowledgment of his great Service done to
the City.

Alexander Guthrie, the Town Clerk, be-
ing put to the Horn, his Office was dispo-
sed of to *David Chalmers*, one of the Lords
of Session, who, by a Certificate under the
great Seal, the common Council was enjoined
to admit him as their Town Clerk: which
occasioned the Dean of Gild to protest, that
his Admission should no ways prejudice the
Privileges of the Citizens; for, the Place not
being vacant, the Profits arising were only
sequestered during *Guthrie's* being under the
Horn: However, the Council thought fit
to admit *Chalmers*, to avoid the Danger of
Horning, though the Provost dissented
thereto.

Soon

1565.

Ibid. f. 136.
26th Sept.Ibid. f. 136.
28th Sept.

Ibid. f. 141.

Ibid. f. 141.
142. 10th
Nov. 4th Dec.1566.
Ibid. f. 146.
5th April.

1566.

Soon after, the Queen, it seems, repenting of the late Transaction with the *Edinburgbers*, concerning the Superiority of *Leith*, sent a Letter to the Magistrates and Council, to forbear taking Possession of the said Town, till the next St. *Luke's* Day: But, the Royal Missive not being registred, I cannot oblige the Reader with its Contents: But the Citizens, it seems, not shewing a proper Regard thereto, the Queen, soon after, sent them another: Of which the following is a Copy.

Provest, Baillies, and Counsell of our Burgh of Edinburgh, we greit zow weill,

Ibid. f. 147.
15th April.

"Foramekill as we wrait laity to zow, to delay and superseid taking Possessioun and using the Jurisdiction of oure Toun of *Leith*, be Reassoun throw the urgent and weekly Effaris, quhill we have now instantlie in Hand, our Laffure will nocht permit us to tak Ordour at this Tyme againt the outquitting of oure said Toun: And we cannocht bot marvell, sa obstinately to ganestand that our reasonabill Desyre and Requeist."

"Quhairfor, it is our Will, and we requyre and command zow, that incontinent after the Sicht heirof, ze prorogatt the Act and Obligioun, maid anent the Redemptioun and outquitting of oure said Toun, and using the Jurisdiction zit for the Space of uther fix Moneths, nixt efter the presenting of this oure Letter to zow; and mak an Act thairupoun, that we be na wayis frustrat nor disappointit; assuring zow, gif ze fail, we cannocht stand content thairwith; bot ze will constraine us agains oure awin Will, to acquite zour Obstinacie accordingly."

Subscrivit with oure Hand, at *Edinburgh*, the 13th Day of *April*, and of oure Regne the first and achtein Zeiris 1556.

The Queen, it seems, being greatly concerned at the detestable Crimes of Adultery and Fornication prevailing to so great a Degree in *Edinburgh*: For preventing whereof in Time coming, sent a Letter to the Common Council; of which the following is a Copy.

REGINA,

Ibid. f. 154.
15th Sept.

"Foramekill as we ar informit, be faithful Personis, that Adulterie, Fornecatioun, opin Harlatrie and utheris sic filthie Lustis of the Flesche, ar committit and sufferit in *Edinburgbe*, without ony Puneishment, to the gret Dishonoure of oure God, to the Slander of the hail Reulme, and to the manifest contempt of oure Lawis and Authoritie: Thairfor, we charge and commandis the Provest, Baillies, and Counsell of oure said Burgh, That ze, with all Diligence, from Tyme to Tyme inquiryre, ferche oute and tak all sic publick Slanderis, and fil-

thie Personis, and punishe thame, according to the Act of oure last Parliament, without ony Exceptioun of Personis, as ze will ansfer to zoure God and to oure Lawis."

At *Strivling*, gevin under oure Signet, and subscrivit with oure Hand, the last Day of *August*, and of oure Regne the Twentyfour Zeir. *et sic subscribitur*

MARIA R.

Mary, having hitherto succeeded in her Desires, of having the Magistrates of *Edinburgh* chosen according to her arbitrary Nomination, wrote to the Council to continue their Provest, and to elect the four Persons recommended by her for their Baillies. The Council unwilling to chuse the said Persons, as tending to the Destruction of their Liberties, *Mary*, in a second Missive, expostulating concerning their Delay and Disobedience, enjoined them to proceed to an Election, according to the Tenor of her first; which they complied with, not daring to make a further Resistance.

The *Edinburgbers*, in Obedience to the Queen's Desire, in her Letter of the 13th of *April* last, deferred taking Possession of the Town of *Leith*: *Mary* was thereby encouraged to send them another Letter for a further Delay, of which the following is a Copy.

Provest, Baillies Counsell and Communitie of the Burgh of Edinburgh, we greit zow weill.

"In oure Necessitie, we analut to zow the Superiority of oure Toun of *Leith*; and zit, at oure Desire and Requeist, ze haiff superseidit the putting of zowr selfis in Possessioun of it. It is nocht unknown to zow, quhat we have ado; and zit with the first, we purpofs, God willing, to redeme that Thing that we esteeme precious and meikill worth. We ar assurit zit as of befoir, ze will nocht speir to gratifie us sa meikill, as to suspend the Possessioun and Intromissioun with oure said Toun, quhill the last Day of *December* nixt to cum; quhairunto we pray zow, and requeistis zow earnestlie and effectuously, as ze will do us verry thankfull and exceptabill Plesure."

"This is sufficient gif ze mynd to schaw ony Benevolence at our Desire; and gif ze do nocht, we man thoill it, and provide the nixt best. But we trest suirly, ze will nocht stand with us in sic ane Matter: Quhairupoun we require zowr Answer."

Subscrivit with oure Hand, at *Edinburgh*, the Sevint Day of *October*, 1566.
Sic subscribitur.

MARIA R.

The Queen, pursuant to her Promise, to Invent. Rec. inable the *Edinburgbers* to provide for their in Arch. Edin. Poor, &c. did, by her Charter of the 13th^{p. 8.} March,

1566.

Ibid. f. 157.
6th Octob.

1566.

March, anno 1566, grant to them all the Houses, Tenements, Biggings, Kirks, Chapels, Yards, Orchards, Crofts, Annual-rents, Teinds, Fruits, Duties, Emoluments, Profits, Service, Almoner, Dail-Silver, Obits, and Anniversaries pertaining to the several Chaplainries, Altars, or Prebendaries, in the several Kirks, Chapels, or Colleges within the City and Liberties of *Edinburgh*, with all the Lands, &c. thereunto belonging, in all Parts throughout the Kingdom; together with all the Lands of late belonging to the Convents of the Black and Gray Friars of this City, with divers others specified in the said Grant.

1567.

Buchan. Hist.
Scot. lib. 18.

The Earl of *Botwell* having murdered King *Henry*, and married the Queen his Relict, to her eternal Reproach; raised an Army, wherewith it was justly feared, he intended to seize the Prince, and destroy him, as he had done his Father, to secure himself from just Vengeance, as well as to make way for his spurious Offspring by the Queen, to succeed to the Crown. To obviate this, and prevent the Execution of the wicked Designs of this perfidious Regicide, and most abandonedly impious and debauched Mifcreant; divers of the principal Nobility upon this melancholy Occasion, assembled at the Town of *Stirling*, where they agreed upon, and entered into an Association to revenge the King's Murder, and secure the Person of the Prince from the mischievous Designs of this cruel, bloody, and detestable Villain.

Ibid. f. 193.
195. 196. 197.
211. 2d July.

This Association, which was called the *Solemn League and Covenant*, was brought to *Edinburgh* by the Earls of *Morton* and *Atbol*; who appearing therewith in the Common Council, exhorted the Citizens to join with them in so good and laudable an Undertaking; which the Council readily agreeing to, not only promised their utmost Assistance, but ordered the Provost, in their Names, to sign the said Association; which was no sooner done, than the Council began to provide for their Security, by ordering the Town Wall to be repaired and mounted with Artillery; and the Houses thereon to be demolished: and enjoined the Citizens severally to provide themselves with a Jack, Spear, Buckler, Sword, and a Steel Bonnet in Defence of the Town, in case of an Attack; and for whose Use were provided Colours of black and white Taffety, with the *Scotish* Arms on one Side, and the Castle of *Edinburgh* or City Arms on the other. And for their greater Security entered into a Contract with the Governor of the Castle for their mutual Defence.

As by this Association, *Botwell* was not only compelled to fly the Kingdom, and, after an ignominious Imprisonment of Ten Years, in *Denmark*, ended his Days in a very miserable Condition: But, by it the Queen was shut up in Prison, forced to resign her

Crown and retire into *England*, where, after a Confinement of Nineteen Years in *Dureff*, was unwarrantably put to Death by Queen *Elizabeth*, her near Relation. And as to this Writing, that called the *Solemn League and Covenant* (so famous in the late civil Wars, and entered into by both the Nations of *Scotland* and *England*, to the Destruction of that injured and unhappy Prince King *Charles I.*) owes its Name, and its Contents being but little known, I shall subjoin a Copy thereof without farther Apology.

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"Quhairas the richt Nobill and Excellent Prince, umquhill King *Henrie Stewart*,

Ibid. f. 193.
194.

"the Queen's Majestie, oure Sovereigne's late Husband, being in his Logeing, sumtyme callit the Logeing of the Proveft of the *Kirkfield*, besyde the famen within this Burgh, wes schamefulle and tresonible murthurit; the Fame thair of wes in sic Sort blawin abreid and disperfit in all Realmis, and amangs all Christiane Nationis, that this Cuntre was abhorit and vilependit; the Nobilite and haill Pepil na utherways estemit, bot as thay had beine all participant of sic unwoirthe and horrabill ane Murthur, that nane of the *Scotish* Nation, thoch he were never so innocent, wes habile for Shame, in ony forane Cuntre, to shaw his Face; and, that nocht without Occasioun, seeing na Manner of just Tryall is taine, or menit to be takein for the Cryme; albeit in all this Tyme, the Murtheraris war weill aneuche knawin; for quha culd be ignorant thair of, and nocht cleirly se, at behalding the Proceedings of the Erll of *Boitwell*, the Tyme of the attempting of that odious Fact, and continewalle sensyne? That war sufficient, albeit thair war na uther Pruife. Wes nocht the Tryall be him impedit and delayit, and the speciall Authority of the Murthur, being requirit to bewardit quhill the Tryall of the Caus?

2d July.

"Howbeit, the Petitioun was maist reasonable, and nocht repugnant to the Lawis; zit cud na part thair of be grantit, becaus the cheif Murthurer being present; med that Stay, and thein, quhat an inordinat Procefs wes deducit to clenge and acquit him of the horrabill Deid, all Men perfavit quhan nether the accustomate Circumstances in Causis of Treffoun, nor the ordinar Form of Justice wes obstrucit. Bot quhanfoevir the Fader and Freindis of the innocent Prince sakleflie murtharit Justice desyrit, the contrair was always done.

"The said Erll, the Day that he chosit to tholl Law, being accompanyit with ane greit Power, als weil of wagit Men of Weir as of utheris, that nane fuld compeir to persue him. Quhen swa this cruell Murthur wes comittit, and Justice smorit and plainlie abusit, nevir cessit he of his wikkit and inordinat Pretens; bot eik and Mischief to Mischief, treffonablie

„ without

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"without Feir of God or Reverence of his
"native Prince, quhill on ane forthocht Con-
"spiracie, he umbeset her Majesties Way,
"tuke and revieft her maist nobill Persoun,
"and led the samen with him to *Dunbar-*
"castell, thair deteining her Presonier and
"Captive; and in the mein Tyme, procurit
"dubill Sentence of Divorce to be pronuncit
"betwixt him and his lawfull Wyfe, ground-
"it on the Causis of his awin Turpitude: And
"to mak his pretendit Mariage (quhillk
"schortlie followit) the mair valiabill, usit
"the Order of Divorce als weill be the or-
"dinar Commissaries, as in Forme and
"Maner of the Romane Kirk, declarand,
"that he wes of na Kynd of Religioun, as the
"samen unlawfull Mariage suddantie ac-
"complisheit thairefter on baith the falschi-
"ounis did manifest and testifye. Albeit,
"that nether of Goddis Law, nor na Law
"mad be Man of quhatsoever Religioun,
"mucht the samen Mariage lessumlic haif
"bein contractit; quhillk being endit, and
"he still proceeding from ane Kynd of Ini-
"quitie to ane uther, his cruell and ambi-
"tious Nature being knawin, and how na
"Nobillman or uther durst resort to her
"Majestie to speik with her, or procure thair
"lesum Befines without Suspicioun, bot be
"him and in his Audience, her Chälmer
"Dorris bein continewalle wachit with Men
"of Weir."

"We (althoch to lait) began then to
"consider the Estait, and tak Heid to our-
"selfis, bot speciallie to the Preservatioun of
"the Lyfe of the fatherles Prince, the onlie
"Soun and richtious Air apparent of our
"Sovrane; hir Hienes schamefull Thral-
"dome and Bondage with the said Erll;
"and with that forlaw the greit Danger
"quhillk the Prince stode in, quhen the
"Murtherar of his Fader, and Ravefer of
"the Quein's Majestie his Moder wes cled
"with the principall Strenthis of this Realme,
"and garnisheit with a Guard of wagit Men of
"Weir; and how in all Appeirance, he
"might opprefs and destroy that innocent
"Infant, as he had done his Fader; and
"sua be Tyrannie and cruell Deyddis, at
"last usurpe the Royall Croun and supreme
"Governance of this Realme."

"At last, in the Feir and Name of God,
"and in the lawchfull Obedience of oure
"Sovrane, movit and constranit, be the just
"Occasiouns above written; have taken
"Armes to revenge the said cruell and hor-
"rabill Murthur upoun the said Erll *Both-*
"*well*, and utheris Authoris and Deviseris
"thair of; to deliver oure said Sovrane
"furth of his Handis: and of the Igno-
"minie, Schame, and Sclander, quhillk be-
"ing in Thraldome with him, sche hes su-
"steinit, under Pretence of the said unlaw-
"full Mariage, to preserve the Lyfe of
"oure innocent native Prince: And fina-

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lie, to sie Justice equallie ministrat to all
"the Lieges of this Realme."

"Quhairfoir we the Erlls, Lordis, Baro-
"nis, Commissaris of Burrowis, and utheris
"under subscrivand, be thair Presents, bindis
"and obleis us, and everie ane of us to u-
"theris, that we fall tak plain, trew, and
"upricht Pairt togeddir with oure Kin,
"Freindis, Servandis, and all that will do
"for us in the Advancement, Furthsetting,
"and Pursuite of the foirsaid Quarrel with
"oure Lyffis, Landis and Guides at oure
"uttermost: And fall nevir schrink thairfra,
"nor leif the samen for ony Maner of Oc-
"casioun that can or is abill to ocur; quhill
"the Authoris of the said cruell Murthur
"and reveling be condinglie punist, the said
"unlawchfull Mariage desolvit and an-
"nullit, oure Sovrane releivit of the Thral-
"dome, Bondage, and Ignominie which
"sche hes susteinit and underlies throw the
"said Erll's Occasioun; the Persoun of the
"innocent Prince reposit to full Suretie, and
"releivit of the eminent Danger quhillk he
"now stands in."

"And finallie, Justice restorit and up-
"richtlie administrat to all the Lieges and
"Subjectis of this Realme; the quhillk to
"do, and faithfullie performe, we promit,
"as we will ansser to Almighty God, upon
"oure Honours, Trewth and Fidelitie, as
"we ar Nobillmen, and luffs the Honour
"of our native Cuntre; quhairin (as God
"forbid) gif we failzie in ony Point, we ar
"content to sustein the Spott of Perjury,
"Infamie, and perpetual Untrewth, and to
"be computit culpable of the above namit
"Cryme, and Enemies and Betrayaris of
"our native Cuntre."

In Witnes of the quhillk Thing, we haif
"subscrivit thir Presentis with oure Han-
"dis, at *Edinburgh*, the 16th Day of
"*Junii*, the Zeir of God, 1567 Zeirs.

Pursuant to this Affociation, Troops were
"raised, which, assembling at *Edinburgh*,
"marched towards *Mussleburgh*, in the Neigh-
"bourhood of which, on *Carberry Hill*, was
"incamped the Quein's and *Bothwell's* Army;
"but, many thereof detesting the cruel and
"bloody Regicide, could not be relied on;
"and *Mary*, considering there was no Secu-
"rity in fighting, to give *Bothwell* an Oppor-
"tunity to escape, proposed to surrender her-
"self to the affociated Lords; and to that
"End entered into Treaty with the Laird of
"*Grange*; which *Bothwell* laying hold of,
"rode off; and *Mary* surrendering herself,
"was conveyed to *Edinburgh*, where she was
"insulted by the Populace, with Volleys of
"the most bitter Execrations; some crying out
"Burn the Whore, burn the Parricide; while
"others exposed a Flag, whereon was depict-
"ed the Corpse of the late King lying under a
"Tree, with the Prince his Son on his Knees
"before him, with the Motto *Judge and re-*
"*venge*

Craw. Mem.
P. 38.

Melville Mem.
p. 83. 84.

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venge my Cause O Lord ! At this Sight Mary was struck with great Horror, and intreated the People to consider, that she was their native Princess, and that they would respect her as such and not abuse her.

CHAP. III.

A Continuation of the Transactions of the Citizens, with a Relation of the unhappy Difference between the King and them; which had almost ended in the Destruction of Edinburgh.

Coun. Regist.
vol. IV. f. 192.
2d July.

THE *Edinburgers*, it seems, unwilling to be any longer put off by the Queen's Artifices, from taking Possession of the Town of *Leith*, by Virtue of their Superiority, the Common Council ordered, that the Provost, Bailiffs, &c. should repair to the said Town on the fourth Day of *July*, to hold a Court of Superiority, and take Possession of *Leith* according to the Powers purchased by them, and Acts of Parliament made in such Cases; and ordered the Citizens to march to the Links of *Leith* in their Military Accoutrements, to a general Rendezvous to be held by them there on the same Day.

Ibid. f. 197.
25th July.

Soon after, the Town Council selected three of their Number, Commissioners to represent the City at the Coronation of *James VI.* at *Stirling*.

Knox Hist.
Reform. p.
270.

The Populace of *Edinburgh* being by the Magistrates prevented from making a Play, called *Robinhood*; which was prohibited by Act of Parliament; they assembled in a tumultuous Manner, seized on the City-Gates, and committed divers Outrages, by insulting the principal Inhabitants, and robbing Country People of their Money. *Kyltane*, a Shoemaker, one of the chief Rioters, being apprehended and tried, for robbing *John Moubray*, of a considerable Sum, was condemned to be hanged; which his Accomplishes endeavouring to prevent, a dangerous Insurrection ensued: For the Mob assembling from all Parts, broke open the Prison, and not only released *Kyltane*, but set at Liberty all the other Prisoners, and destroyed the Gibbet whereon the said *Kyltane* was to have been executed; and, intending to attack the Provost and Bailiffs, then sitting in the Town-clerk's Office; which they receiving Advice of, withdrew to the Tolbooth for better Security; which the Rabble were no sooner apprised of, than they hurried thither, armed with Guns, Staves, and Stones, endeavoured to force open the Door; but, meeting with unexpected Resistance, were compelled to retire a little: However, they continued to shoot at, and throw Stones in at the Windows, and threatened all with Destruction.

Id. ibid.

No Person appearing in behalf of the distressed Magistrates, they were obliged to accept of the best Terms they could get;

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which was by giving an Obligation not to prosecute any Person on account of this Sedition; which being proclaimed at the Market-cross, the Mob dispersed, and the Magistrates went quietly home about Nine o'Clock at Night. Divers of the Nobility threatening to revenge this intolerable Insult on the Magistrates, many of the Rioters fled the Town; and being excommunicated by the Church, were to make Reparation to their injured Magistrates, and humbly apply to be re-admitted into the Christian Fellowship.

1568.
Coun. Regist.
vol. IV. f. 218.
221. 10th May

The Common Council as above mentioned, having ordered the Town to be put into the best State of Defence, granted the Sum of Five hundred Pounds, Scots Money, to place Guns on the Walls, and to buy Ammunition; and appointed a Guard of One hundred Men to watch by Night, and Twenty four by Day; and ordered Two Swashers or Drummers to beat the *Reveille* at Five in the Morning, and the *Tattoo* at Eight in the Evening. And the said Council being apprehensive that Troubles would arise amongst the Nobility, in the approaching Session of Parliament, from the unusual great Numbers of their Attendants; ordered the Deacons or Masters of the several Incorporations of Trades, to convene their respective Companies, and to examine the several Members upon Oath, to know to which Side they were attached in this Time of national Troubles.

The *Nord Loch*, at the Western End, being at this Time passed both by Men and Horses, the Council ordered the same to be fortified to prevent the like in time coming; which in some Measure shews that this Loch is not of an antient Date, as I shall elsewhere demonstrate.

The Plague beginning to rage in *Edinburgh*, in a dreadful and destructive Manner, the following Regulations and Orders were made by the Council, to prevent its spreading.

Statuts for the Baillies of the Mure, and ordering the Sest.

1. "For ordouring of the said Mure, Ibid. f. 223.
"and Pepill infectit thairupoun, for clen- 224. 15th Oct.
"geing of the Clayths, and clengeing of
"Houffis within the Toun, that *John*
"*Stewart*, *Wobster*, and *Robert Fleming*,
"*Cordner*, be electit Baillies of the said
"Mure, and be sworne for doing of thair
"Office trewlie, conforme to the Statuts un-
"derwritin, and Panis contenit in the sa-
"men: and thay to have for thair Labors
"monetlie, induring the Seiknes, everie
"ane of thame, Aucht Pundis, to be payit
"be the Theauserer of the Toun."
2. "That *John Cleggat*, and *Alexander*
"*Frenche* have the Charge of the bureing of
"the Deid, and with thame *Jonet Wyllie* and
"*Agnes Broun*, and thay to have the mon-
"etlie

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"etlie Wages following, viz. the said
"Jobne Cleggat, and Alexander Frenche, ilk
"ane of thame monetlic, Fyve Pund; and
"the said Jonet Wylie and Agnes Broun, e-
"verie ane of thame, Thrie Pund to be
"payit as said is."

3. "That the Thesaurer caufs mak with
"all Diligence, for everie ane of the Bail-
"lies, Clengers, and Berears of the Deid,
"ane Gown of Gray, with *Sant Androis*
"Corfs, quhite behind and before; and to
"everie ane of thame, ane Staff, with ane
"quhite Clayth on the End, quhairby thay
"may be knawin quhairvir thay pass."

4. "That thair be maid Twa clois Ber-
"ris, with Foure Feet colorit over with
"blak, and ane quhite Crofs with ane Bell
"to be hung in upoun the Side of the said
"Beir, quhilk fall mak Warning to the Pe-
"pill."

5. "That how sone ony Maner of Persoun
"fallis seik, within this Burgh, in quhat-
"somevir Kynd of Seiknes that evir it be,
"the Awners of the Houfs inclose thame-
"selfis, and cum nocht furth of thair Houfs,
"nowther suffer ony to resort to thame, un-
"to the Tyme thay admittit the Baillie of
"the Quarter, and Ordour be takin be him
"under the Pane of Deid."

6. "That na Maner of Persoun pass to
"the Mure for visting of thair Freinds
"thair, quhill Eleven Hours before None,
"in Companie with the Officar appoyntit
"for that Day, under the Pane of Deid."

7. "That the Buriell be maid in the
"*Gray-Frier* Kirk-Zaird, lairge and wyde,
"of Deipnes fevin Fute, and of Breid
"Futtis."

8. "That all Persouns, sic as sellis wed-
"dis, be dischargit; and in speciall, sic
"as sellis Wollin and Lying; and nane of
"thame be fund makand Merket under
"the said Pane."

9. "That na Maner of Persoun that fall
"happin to pass be the Chaldrone, abstract-
"ing ony of thair Gudds under the Pane
"of Deid."

10. "That, with all Deligence possible,
"sa sone as ony Houfs fall be infectit, the
"haill Houshold, with their Gudds, be de-
"pestcit towert the Mure, the Deid buriet,
"and with like Diligence the Houfs clen-
"git."

11. "That the Clengerris cum nocht
"within the Toun, quhill ane Officar pass
"for thame, and all the Tyme of thair Besy-
"nes, the said Officar await upoun thame,
"and gif Attendance; that thay have na
"Comonyng with ony Personis be the Way,
"nor the interchanging of ony Gudds un-
"der the heiest Pane may be impute to
"thame."

12. "That na Persoun clengit entir with-
"in the Toun, without the Licence of the
"Baillies, and be convoyit with an Officar
"to the Place appoyntit for thame, under

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"the Pane of Deid; and that thay come
"nocht furth of thair Houfes for the Space
"of Twentie Dayis efter thair Entrie with-
"in the Toun, under the said Pane. And,
"in the meine Tyme, that thay keip Cum-
"pany with na cleine Personnis, nor thay
"with thame, under the said Pane."

Remark. The Regulations at this Time
made by the *Edinburghers* to prevent the Pro-
pagation of the direful Malady, seems to be
better than those of many other Places on the
like Occasion: For by removing the People
with their Furniture from their Houfes as
soon as infectit, and cleansing the same im-
mediately after their Departure, were un-
doubtedly very laudable and wise Precauti-
ons. But, as I think something may be ad-
ded by way of Improvement, I shall venture
to subjoin certain Regulations that may be
used in this or any other Place, should the
Almighty be pleased (which God of his in-
finite Mercy forbid) to visit us with that ter-
rible and destructive Malady.

1. That an Office or certain Place of
Meeting be appointed in each Parish or
District as shall be judged most conveni-
ent by the Common Council; who shall
likewise appoint certain of the most judi-
cious Citizens to attend therein, to give
Directions in all Things necessary concern-
ing the Plague in their respective Divi-
sions.

2. That certain Physicians and Surgeons
be appointed to attend in each of the said
Offices, to whom every Housholder within
their several Parishes or Districts, shall, un-
der the greatest Penalty, be obliged to give
Notice, as soon as a Person is seized with
any Kind of Disorder; to whom a Physician
and Surgeon shall forthwith repair, to learn
whether the Distemper be pestilential; if it
be, the People both sick and well to be re-
moved out of the House; the former to a
Lazaretto, in Order for Cure, and the lat-
ter to Places to perform Quarantine in;
all Combustibles, apt to harbour and nourish
pestilential Atoms, whether Woolen, Lin-
nen, Furrs, Feathers, &c. be removed from
the said Houfes, and be destroyed by Fire at
the Expence of the Town or Government;
the Houfes to be cleansed and fumigated
with Brimstone, the Fumes whereof no
Creature can withstand, for they are equally
destructive to all, whether Atoms, Insects,
or other Animals; the Windows to be laid
open, and the several Houfes remain empty,
for at least the Space of a Month.

3. If the Distemper be got to a Head be-
fore proper Rules are made to stop its Pro-
gress, great Care must be taken, under the
severest Penalty, to prevent the removing
of Goods and Apparel; which being chiefly
done by Night, no Person must be suffered
to walk the Streets without a Light; which
will effectually discover the Transgressor,
and put a Stop to the dangerous Practice.

If

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If the above Rules be carefully put in Execution, they cannot fail of having the desired Effect, by putting an effectual Stop to the Plague, as has been happily experienced in divers Places.

The Earl of Murray, Regent of the Kingdom, being cruelly and barbarously murdered at *Linlithgow*; the News no sooner reached *Edinburgh*, than it threw the City into the utmost Confusion; which occasioned a strong Guard to be kept both by Day and Night.

1569.
Coun. Regist.
vol. IV. f. 254.
3d March.

The Lords of Session were so greatly intimidated on this Occasion, that they formed a Design to leave *Edinburgh*; which the Town Council willing to prevent, sent a Deputation of their Members to the Lord Chancellor, to intreat his Lordship, to use his Interest with the said Lords not to leave the City; promising their utmost Assistance in the King's Affairs, and to do all in their Power to revenge the said Murder.

The Crafts or Trades of the Town of *Leith* having chosen themselves Deacons or Masters of their said Crafts; they were summoned to appear before the Common Council of *Edinburgh*; for usurping the Liberty of free Trades, by assuming the Appellations of Deacons within an unfree Town, to the great Hurt and Prejudice of the *Edinburghers* their Superiors; wherefore they were ordered to Prison, therein to remain, till they renounced the Names of Deacons, and divested themselves of all Right and Pretension to the Claim of Freemen in their unfree Town of *Leith*.

1570.
Ibid. f. 257.
258. 9th June.

The *Leithers*, intimidated at these Proceedings, appointed *John Kyle*, Smith, one of the aforesaid Deacons, to be their Speaker; who, in Presence of the Council (the other nominal Deacons being also present) declared for himself, and in Name of all the Crafts in *Leith*, that they would not dispute the Matter in Controversy with the Council, but submitted themselves to them as their Lords and Superiors. Pursuant to this Declaration, a Decree was made by the said Council to ascertain the Rights of the Citizens over their Vassals of *Leith*; which, for the several curious Particulars therein contained, I shall subjoin a Copy thereof as follows.

Ibid. f. 259.
12th July.

"The Baillies and Counfall of *Edinburgh* sittand in Jugement in the Actioun and Caufs persuwit be *Thomas Hendersoun* Thesaurer of the said Burgh, makand Mentioun, that quhairas the said Burgh being of auld, past Memorie of Man, erected in ane fre Burgh of Royaltie, and thairby havand all Preveleges of ane fre Burgh within the Bounds thairrof, quhilk extendis to the Bounds of the Fredome of *Hattingtoun* on the East, quhilk Part is *Edgebuklingbray*; and on the West, to *Almond Water*; on the North, to the Sey; and on the South, so far as the Bounds of

the Shrefdome of *Edinburgh* principall extendis to."

1570.

"And zit, the Burgeses and Communitie of the said Burgh of *Edinburgh* for amplefeing of thair awin Preveleges, in the Moneth of May 1398 Zeirs, haifand than the Hewin and Schoir of *Leyth* annexit to the said Burgh, with the Fredome and Commodities thairrof, obtenit be Dispositioun maid to thame be *Robert Logane of Lestalrig*, Knight, diversis and syndric Preveleges for thair Eits in bigging of the said Port and Hewin of *Leyth*, togidder with the haill Ways, Passages and Transs of the Toun of *Leyth* and Barony of *Lestalrig*, for transporting of thair Guids to and fra the samyn. Quha alswa for him, his Airis and Assigneyis, perpetuallie renuncit the taverning and selling of Wyne; the bakyng of Breid to sell; the halding and keiping of Marchand Buithis; girnelling of Quheit, and all uther Things that wer contrait the Liberty and Consuetude of the said fre Burgh of *Edinburgh*: Sua, that nother he, his Airis or Assigneyis, nor na uthers in his Name or on his Part, fould hald venting and selling of Wyne, bakyng of Breid to sell, Marchand Buithis, Girnells of Quheit be thamefelfis, nor na uthers within the Toun and Land of *Leyth* or thairabout; nor zit thole the samyn in ony Tyme thairafter, to be haldin, as at mair Length is contenit in the Prevelege and Richt maid to the saids Burgeses and Commontie thairupoun."

"And albeit, it be of Veritie that the cheif Libertie and Fredome of a fre Burgh of Royaltie, consists in twa Things, the ane in using of Merchandice, the uther in using of Craftis, resaving of Freemen thairto; cheifing of Dekynis of Craftis for Examinatioun of thame that ar admitted thairto, that thay be qualifeit sua, that the Lieges of the Realme be nocht deslavit of thair Occupationes; and that the said Burgh of *Edinburgh*, be Vertue of thair Preveleges and Erectioun of thair Burgh as said is, and Liberties foirfaids, obtenit of the said Laird of *Lestalrig*, hes bein, and zit is in Possessioun of thair Liberties and Fredomes foirfaids; usand all Things cernand ane fre Burgh; not the less as the said Thesaurer is informit, and it is of Veritie, that certane Persones, Indwellars of the said Toun of *Leyth*, hes wrangoullie at thair awin Hand, usurpit the Acceptatioun upoun thame of the Offices of Dekynis of Craftis; which is contrait the Prevelege and Fredome of the said Burgh of *Edinburgh*, and Richt maid be the said Laird of *Lestalrig*, for him, his Airis, and Assigneyis. That is to say, *Jhone Kyle*, as Dekyne of the Smythes, *Patrik Congiltoun*, Dekyne of the Cowpers, *Jhone Alexander*, Dekyne of the Tailzeours, *George Tempil*, Dekyne of the Baxters, *William Sibbat*

I

"Dekyne

1570.

"Dekyne of the Cordiners, *Jhone Knox*
"Dekyne of the Fleishours, and *Peter Het-*
"soun Dekyne of the Wobstaris, and will
"nocht desist and ceiss thairfra, without
"they be compellit, as at mair Lenth is con-
"tenit in the Claimes gevin in thairupoun."

"The Richtis, Refonis and Allegationis
"of baith the saids Parties, togidder with
"the Depositionis of divers famous Witnes,
"and uther Probatioun led and takyne in
"the said Mater, at lenth, hard, sene and
"understand, and thairwith being ryplie a-
"vyfit, the said Thesaurer comperand be
"*Alexander King* his Procurator; and the
"said Dekynis alswa comperand in Juge-
"ment to thair Sentence gevin: The
"said Baillies and Counfall, with Avise of
"thair Assessours, decernis and ordaine the
"saids Personis, and everye ane of thame,
"to desist and ceiss fra the usurping of the
"saids Names and Offices, and using thair of
"in ony Tyme cumming within the said
"Toun of *Leyth* or *Barronye of Lestralig*;
"becaus the said Claime being admitted to
"the said Thesaurer's Probatioun, he provit
"the samyne sufficiently as efferit, as wes
"clerlie understand and knawin to the saids
"Baillies and Counfall and thair Assessours."

1574.
Coun. Regist.
vol. V. f. 28.
3d Sept.

At this Time the Council agreed with
a certain *Frenchman* to set up a School in
Edinburgh, and to instruct Children in the
French Tongue, Arithmetick, and Accompts;
for each of whom he was to receive the Sum
of Twenty five Shillings, *Scotish* Money,
yearly; and a Sallary of Twenty Pounds an-
nually, during the said Council's Pleasure;
The Plague beginning to rage in *Edin-*
burgh, divers Orders were given by the
Council to prevent its Progres, and Pre-
parations made for the Reception of the in-
fected, in case of its Propagation.

Ibid. f. 35.
23. 27th Oct.

1575.
Ibid. f. 46.
8th May.

There being at this Time a great Scarcity
of Water in *Edinburgh*, occasioned by the
vast Quantities drawn from the common
Wells by the Brewers; wherefore the Coun-
cil, by Proclamation, discharged the Brew-
ers from using Well-water, and what they
used in Brewing should be brought from the
South Loch; which is another Instance of
that Loch's not having been in the *Cow-*
gate.

1576.
Ibid. f. 63.
6th June.

Soon after, divers Persons of Quality of
the *Bohemian* Nation who came to visit the
King, were entertained by the *Edinburghers*
in a very sumptuous Manner.

The Ministry being willing to have the
Superiority of *Leith* restored to the Crown,
prevailed on the King to write a Letter to
the Council of *Edinburgh* for that Purpose;
of which the following is a Copy.

Provest, Baillies, and Counsale of Edinburgh,
we greit zow hartlie weill.

1577.
Ibid. f. 84.
12th Decem.

"We understand the Superiority of oure
"Toun of *Leyth*, with the Linkis thair of,
"and thair Pertinents, conquest be the
"Quene Regent, oure deirest Guddame, of

1577.

"gude Memorie, fre umquhill *Robert Lo-*
"*gane of Lestralig*, and resignit be him, in
"Favour of the Quene, oure Moder, and
"hir Successors, to remaine perpetuallie with
"the Crown of this oure Realme, the sam
"Superioritie and Linkis war analyt be hir
"to zow upoun sic Occasioun and Necessi-
"tie as occurrit for the Tyme, for ane
"certaine Sowme of Money."

"And now we, with Goddis Grace,
"growing to Perfection of Zeiris, and
"Knowledge of the Effaris of oure Crown
"and Realme, understanding that na Pairt
"of oure Patrimonie aucht to be this analyt,
"and willing with the first to recover oure
"Richt and Possessioun of the said Superi-
"oritie and Linkis; we have thocht gude,
"be oure awin Letter, and this Gentilman
"Berer hair of, oure familier and dalie Ser-
"vand, hartlie and effectiuislie to requesit
"zow, of quhais gude Effectioun and Con-
"stancie to oure Service in oure les Aige, we
"have had gude Prufe; that the Premis-
"sis considerat, respecting alswa quhat Com-
"modite zow have refavit of the said Alie-
"natioun, ze will now thairfor gratifie us,
"be letting us have again the said Superi-
"oritie of *Leyth* and Linkis, to be usit be us
"as oure Patrimonie, to sic Use and End
"as may best serve for Avancement of oure
"Service. Quhairupoun, ze fall nocht only
"dous anethankfull Pleasure, but ze fall have
"Experience of oure favourable Gudewill
"towert zow in ony Mater tending to zoure
"Weill and Commoditie, althoch it wer of
"greittar Avale. And remytting the fur-
"ther Declaratioun of oure Mynde to this
"Gentilman, Berer hair of, we commit zow to
"God." At oure Castell of *Striveling*, the third
"Day of December, 1577. Et sic subscribitur,

JAMES R.

This Royal Missive being taken into Con-
sideration by the Town Council, they sent a
Deputation to attend the King at *Stirling*,
with a Memorial, demonstrating their Right
to the said Superiority. The City Deputies
were graciously received by *James*, who,
considering the many great and faithful Ser-
vices done him by the *Edinburghers*, de-
clared, That instead of doing any Thing
that would prove hurtful or prejudicial to
them, he would contribute to their Welfare
and Prosperity, as an Encouragement for
them to persevere in their good Services to
him, adding, he would on that Occasion
write to the Regent in their Favour.

There being great Reason to believe, that
Commotions would arise in the Kingdom,
from the Number of Troops raising and to
be raised without the King's Consent; for
the preventing of which, and defeating the
Designs of the Malecontents, the King sent
a Letter to the Common Council of *Edin-*
burgh; whereof the following is a Copy.

Provest, Baillies and Counsale of oure Burgh
of Edinburgh, we greit zow weill.

Ibid. f. 89.
13th March.

"Forfa-

1577.

"Forfamekill as we ar surelie informit, that
"thair is Companies of Men of War leviat
"within oure said Burgh, and a greit Num-
"er to be upliftit, upon quhat Occasioun
"we cannocht weill understand, quhilk we
"altogidder mislyke. Quhairfoir it is oure
"Will, that ze discharge the said Cump-
"nies, sa mony as ar upliftit; as als wa sic
"as ar to be uptakin within oure said Burgh,
"as ze will declair some Obedience and
"thankfull Service to us; and that in Tyme
"cumming ze permitt na Men of War to
"be uptakin, except ze refave oure Hand
"Wrytt and Chairge thairupoun, and that
"with sic possible Expedition as may be;
"and that ze direct Four of zour principall
"Baillies to repair heir towards us, for sic
"Things as we fall gif thame to understand
"at Meting: Sua fair ze weill. At oure Ca-
"stell of *Striveling*, the Aucht Day of *March*
"1577.

"We desire zow to tak guide Attendance,
"that zour Toun be nocht suppryffit, as ze
"will answer to us.

JAMES R.

In Obedience to the above Royal Precept,
the Common Council published the follow-
ing Proclamation.

Id. ibid.

"I command and chairge in oure Sove-
"rane Lord the King's Name, and in Name
"and Behalf of my Lord Provost and Bail-
"lies of this Burgh, That na Maner of Per-
"soun tak upoun Hand, to lift ony Men of
"Weir or Suddartis within the Fredome of
"this Burgh or Bounds thairrof. And sic-
"lyke, that na Subject or utheris within
"this Realme, tak upoun Hand to refave
"ony Wages or Forme in maner of Weir,
"without oure said Soverane the King's
"Grace special Licence had and obtenit
"thairto, for thair Warrant, under the
"Pain of Deid."

"And siclyk, that all and fundrie the In-
"habitantis of this Burgh, be weill furneist
"and in Radynes with sensabill Armour and
"Wappins, to serve oure said Soverane
"Lord the King's Majestie, upoun thair
"first lauchfull Warnyng thairto, as thay
"will answer upoun thair uttermaist Chairge."

The King being well satisfied with the
Conduct of the *Edinburghers* on this Occasion,
sent them a Letter of the following Tenor.

Traist Freindis we greit zow weill.

Id. ibid. f. 90.

"Forfamekill as we have conferrit with
"zoure Commissioneris, quhairby we under-
"stand zoure guid Will and Promptitude
"to oure Service now as in Tymes past;
"and hoipis ze will continew thairin; quhilk
"we fall nocht forget, as Occasioun beis of-
"ferit; and desyris zow in the mein tyme
"to have zoure haill Burghers in thair best
"and substantiall Maner, in Redynes to re-
"fave oure further Plefour."

"And that ze suffer nor permit na Men
"of Weir to be leveat within zoure Bounds,
"and Fredome, nor na Man to serve with-

1577.

"out oure speciall Warrant givin zow thair-
"upoun; and quhen, as we fall send oure
"utheris Letters to be proclaimit at the
"Mercat-croce of that oure Burgh; that ze
"se and caufs the same to be dewlie execut
"as ze fall be requerit be the Officiar, Be-
"rar thairrof. And siclyk, that ze permit
"na Proclamatioun to be maid within zour
"said Fredome, bot sic as beis subscriyvit
"with oure Hand, as ze fall answer on
"zoure Obedience, and report zoure Thanks:
"Sa committis zow to God."

At oure Castell of *Striveling*, the E-
leventh of *March* 1577.

JAMES R.

The *Edinburghers* being in great Favour
with the King, on account of their dutiful
Behaviour in this Time of common Danger,
he sent them a third Letter, of which the
following is a Copy.

*Baillies, Counsaile, Deaconis of Craftis, and
Communitie of Edinburgh, we greit zow
bertlie weill.*

Id. ibid.

"Having sa gude Promissis of zoure tref-
"and affectionate Service at all Tymes, and
"namelie now sen oure Acceptatioun of the
"Government of oure Realme in oure
"awin Persoun, that ze have nocht sparit
"zoure awin Lyffis in the Defence of oure
"Authoritie, and keeping of zoure Toun
"att oure Obedience: We rander unto zow
"oure hartie Thankis thairfoir, requyring
"zow effectiouflie to continew as ze have
"weill and worthalie begune."

"We have deliberat be Advyfs of oure
"Counsaile and Nobilitie present, oure traist
"Cousingis, the Lord *Rutbven*, oure The-
"saurer, and the Lord *Lindsay*, with full
"Commissioun and Authoritie in oure
"Name, to do and sett furthward all Things
"that fall be merit for the Furthurance of
"oure Service, and the governyng and
"Sawetie of zoure Toun, and zoure selfis;
"unto sic Tyme as ze haif better and mair
"peacable Nychbourheid. And remitting
"the farther Declaratioun of oure Mynd to
"thair Credit and Sufficiency, we committ
"zow to God."

At oure Castell of *Striveling*, the Nin-
teenth Day of *Marche*, 1577. *Et sic
subscribitur,*

JAMES R.

The King, seemingly in the greatest Ra-
ptures and Extasy of Joy, at the dutiful Be-
haviour of the *Edinburghers* in all his Servi-
ces, sent them another very obliging Letter,
whereof the following is a Copy.

1578.

Id. ibid.

Traist Freindis we greit zow weill.

"We have hard as weill be Report of
"this Beraire, Maister *Robert Creichtoun*,
"oure Advocate, as of syndrie utheris,
"quhat Travellis and guid Service laitlie
"done thair, mekill to oure rejosyng, este-
"myng the Continewance of zoure guid
"Will, as precious to us, as zoure bypast
"Service, continewallie sen oure Birth bes
"bene

1578.

“bene profitabill; for the quhilk as we
 “rander unto zow our maist hertie Thanks:
 “sa have we na lefs guid Will to gratifie
 “zow in ony Thing quhairin we may schaw
 “zow Plesour. As forder of our guid
 “Mynde towardis zow, the Lordis of our
 “Prewy Counsaile, quhilk we have ap-
 “pointit to be with zow, the Aught Day
 “of Aprile nixt, will declair; quhome we
 “have lykwayis appointit to joyne with
 “zow in all Thingis that may be to zoure
 “Eafe; as forder, this Beraire fall declair,
 “quhome ze fall credite. And sua, for the
 “present, we commit zow in the Prote-
 “ctioun of God.”

From our Castell of *Striveling*, the
 28th Day of *Marche* 1578. Sic sub-
 scribitur,

JAMES R.

Ibid. f. 92.
12th April.

George Douglas of *Parkhead* being both
 Provost of *Edinburgh*, and Governor of its
 Castle, a Fray happened in the said Castle,
 wherein divers of the *Edinburghers* were kil-
 led; which so enraged the Citizens against
Douglas, that the Privy Council judged it
 necessary to have him removed from the Of-
 fice of Provost: and to that end wrote the
 Town Council to chuse another in his stead
 without Delay; which being taken into Con-
 sideration, intreated they might have Time
 given them till the Monday following, seeing
 the greatest Part of the Council were then
 out of the Kingdom.

But, instead of succeeding in their Re-
 quest, the Privy Council discharged *Dou-
 glas* from the Office of Provost, and, by a
 Precept, enjoined the Bailiffs and Council to
 chuse another in his Place within the Space
 of three Hours, on the Pain of being de-
 clared Rebels, and put to the Horn. The
 Citizens, in obedience to this thundering In-
 junction, chose *Archibald Stewart* to be their
 Provost till the usual Time of Election, at
Michaelmas.

Ibid. f. 102.
10th July.

At this Time, the King commanded the
 Common Council of *Edinburgh* to send to
Stirling One hundred of their choicest young
 Citizens, well accoutred, to guard his Per-
 son during the sitting of Parliament, at their
 own Expence; which shews that *James* hi-
 therto had no Guards of his own.

Ibid. f. 103.
25th July.

Soon after, the Earls of *Athol*, *Argyle*,
 and *Montrose*, by Letter, intreated the *E-
 dinburghers* to assist them to rescue the King's
 Person from out of the Hands of his Ene-
 mies, who detained him in the Castle of *Stir-
 ling* against his Will.

Id. ibid.
26th July.

The Common Council returned for An-
 swer, That their Town was the King's
 Burgh to which his Subjects had free Ac-
 cess; and as to the contending Parties, they
 had to do with neither, nor would they con-
 cern themselves in that Affair, their Business
 being to serve the King as faithful Subjects;
 and intreated their Lordships to disband
 their Troops, and the Citizens would become

their Guards, as long as his Majesty was not
 in the Opposition. This Answer not satisfy-
 ing, Re-application was made to the Citizens
 for Assistance; which occasioning the calling
 of an extraordinary Assembly; they returned
 an Answer of the same Purport with the
 former.

The King, in a Letter to the Common
 Council, having arbitrarily commanded
 them to chuse certain Persons nominated
 by him, to be their Magistrates for the en-
 suing Year; to which they returned the fol-
 lowing Answer.

Pleis your Majesty,

“After the Resait of zour Wrying, Ibid. f. 107.
 “quhairby we understand, that zour oder 12th Sept.
 “Wrytings send of befor be the Laird of
 “*Cleishe*, war nocht sufficientlie answert;
 “that zow understude nocht our Meining;
 “and thairfor will us, that our Provest,
 “twa of our Baillies, twa of our Counsaill,
 “and twa of our Dekynnis suld be send to
 “zow this Day, to knaw our Mynde out of
 “our awin Mouth, and thay suld be in-
 “structed with the Myndes of the hail Bo-
 “dy of this Toune, twitching the Electioun
 “of our Magistrates, at the ordinar Tyme
 “therof, now aproching.”

“According to zour Majestie's Will,
 “we commandit ane Generall Assemblie and
 “Conventioun of the hail Multitude of
 “Merchants, Craftismen, and maist of u-
 “theris the Inhabitantis of this zour Maje-
 “stie's Burgh, quhilk seldome has bein sein
 “heirtofor: In quhais Prefence, zour
 “Wryingis resavit fra the Laird of *Cleishe*,
 “with the Wrying resavit Yesterday, be-
 “ing red, all in ane Voce, calling God to
 “thair Witnes of thair laifull and obedient
 “Service toward zour Majestie at all Tymes
 “past, in the quhilk thay mynd lovinglie to
 “continew; and could nocht be periwadit,
 “that ze wald tak from thame ony Libertie
 “or Fredome, that zour Predecessors had
 “grantit and gevin in Tymes past, and in
 “the last Parliament haldin at *Striveling*,
 “ratifeit by zour Majesties self.”

“Thairfor hes directit thir Berars to de-
 “clare and utter thair Myndis, that thay
 “cannocht graunt to the Diminutioun of
 “ony Pairt of their Fredomes, being trew
 “Subjects as thay ar, and think evir to be;
 “and in speciall to want the free Electioun
 “of their Magistrates at the Tymes ap-
 “pointit conforme to zour Lawis, Actis of
 “Parliament, and Inseftments past thair-
 “upone, als ancient as thair hes bein Bur-
 “rowis and the Estates of zour Realme.
 “Quhairfor, be the commoun Voce, as
 “said is, thay direct the said Berars, gevand
 “thame full Commissioun, humlie to crave
 “the Maintenance of their auncient Liber-
 “ties, and to disassent to quatsomevir
 “Things fall be socht or desyrit, in Preju-
 “dice thairof; certifying zour Majestie thay
 “nevir mein to refus ony Thing that fall
 “concerne

1578.

1578. "concerne the Weill of zour awin Persoun,
"or Common-weill of our Realme, either
"in Body or Guides."

"And becaufs twa of our Baillies ar
"furth of the Realme, the thrid having
"his Wyfe redy to depart furth of this
"World, we culd nocht leif our Toun de-
"solait of the haill Magistrates in this tru-
"billsume Tyme; and in speciall of our
"Provest, having zour Commandement
"baith in Word and Wryt, chairging us to
"keip zour Toun stricte, at zour Obedi-
"ence; quhilk, God willing, we mynd till
"do, in sua far as may ly in our Power;
"to quhaiis Protection we comyt zour Ma-
"jestie for now and evir."

At *Edinburgh*, this Twentieth Day of
September, 1578.

This Resolution of the Council was sent
to the King at *Stirling*, by one of the Bailiffs,
the Town-treasurer, a Common Council-
man, and Two Deacons of Trades, who re-
turned without an Answer. But, the Day
after, when the Town Council were assem-
bled to chuse Magistrates for the insuing
Year, a Letter from the King was produced
and read; which enjoined the Citizens to e-
lect the Persons therein named for their Ma-
gistrates: But the Citizens acted by a noble
Spirit of Liberty, chose the Persons in their
own List, in opposition to the slavish and ar-
bitrary Commands of the Court; which, to
their perpetual Praise and Honour ought to
be remembered by all Lovers of Liberty;
to inspire their Successors with the same
generous Sentiments, in bravely acting in
Defence of the Rights and Immunities of
their City.

Two of the Duke of *Cbatelraut's* or *Ham-
ilton's* Sons, being suspected of having had
a Hand in the late King's Murder, the King
sent a Letter to the Common Council of *Edin-
burgh* to get them apprehended, of which
the following is a Copy.

Traist Freinds we greit zow bertlie weill.

1579. "Our Dewtie to God in doing of Justice,
Ibid. f. 142. "and Suretie of our Persone, Estat, and
5th May. "Common-weill of our Realme, cravis, that
"the Authoris of the maist cruell Mur-
"ther of our Progenitor and deceist Freind,
"shall be punist as the wickit and tresonabill
"Deservings hes worthalie demerited, seing
"the Lawis of God and Man sua allowis;
"and that our maist faythfull Counsallors
"and Weill-willers hes thoct the same
"maist necessarie to be done without De-
"lay."

"We have thairfoir commanditt that the
"Personis of *Claude* and *Jobne Hamilton*,
"Sons to the umquhil Duik of *Cbatelraut*,
"chiefie culpabell of the said cruell Mur-
"ther, and declarit Traitours to us, to be
"apprehendit. To the Execution thairof,
"the Concurrence of our maist faythfull
"and trew Subjectis is requisit. Quhairfoir,
"we desyre zow maist affectiounlie; that with

"the haill Force and Power, that presentlie
"ze may mak, ze faill nocht to addrefs zow
"with all possibill Sped efter the Sicht hair-
"of, to be at *Hamilton*, and fra thence to
"sic uther Partis, gif Neid be, as ze fall be
"certefeit be thame quhom we fall direct to
"let zou know further of our Mynd, their to
"assit this our awin Caus tuiching our self
"summerlie; as ze will declair the full
"Prufes of thir Effects unto us, and deserve
"our Respect, Favour, and gude Will;
"we comit zou to God."

At our Castell of *Striveling*, the Second
of May, 1579.

The *Edinburghers*, still willing to ingratiate
ate themselves further into the King's Fa- 1579: 30 August.

vour, presented him with the following Pie-
ces of Plate, viz. a Silvern Bason and Ewer,
weighing Six Pounds and Ten Ounces;
Two Flackets of Eight Pounds Weight;
Six Cups, with Covers, Four whereof weigh-
ing Twenty eight Ounces each; and the o-
ther Two, Twenty four Ounces each: Four
Candlesticks of Thirty Ounces each; One
Salt Celler of Twenty four Ounces; a Plate
of Twenty Ounces; and One Dozen of
Plates of Ten Ounces each. But this Gene-
rosity of the Citizens was not sufficient to se-
cure their Liberties; for at this Time they
were obliged to chuse for their Provost, a
Person recommended by the King.

However, that nothing might be left un-
done to secure the King's Favour, in order
to prevent a greater Infringement of their
Rights and Privileges; the King being to
meet his Parliament which was to assemble
in *Edinburgh*, in the approaching Month of
October, the *Edinburghers* ordered great Pre-
parations to be made for his Reception; Ibid. f. 166.
and for the greater Magnificence on that 7th Sept.
Occasion, the Citizens were to appear in rich
Dresses, and the Streets to be decorated with
Tapestry and rich Arras Work.

The King arriving in the Neighbourhood *Craw. Mem.*
of the City, dismounted without the West- P. 356. 357.
port, where he was received by the Magi-
strates uncovered, and conducted into the
Town under a magnificent Canopy of
Purple Velvet. At the West Port he was
saluted by a Person representing King *Solo-
mon*, attended by a numerous Train in *Jew-
ish* Habits, with the Two Women striving
for the Child: Thence proceeding to the
West Bow, suspended therein, was a large
polished Brazen Globe; from which, in a
Machine, descended a *Cupid*, who presented
him with the Keys of the City-gates, made
of Silver, in a Silvern Bason, (which is lost;
but the Two Keys, with a Silvern Chain, are
still to be seen in the Town's Charter-houfe)
accompanied with an excellent Concert of
Musick: and, arriving at the Tolbooth,
was harangued by Persons representing
Peace, Plenty, and Justice, in the *Greek*,
Latin, and *Scotish* Languages; and, at his
entering *St. Giles's* Church, was addressed by
Religion

1579.

Religion in the *Hebrew Tongue*; and after Sermon, repaired to the Market-Crofs, where *Bacebus*, on a gilt Hogthead, was distributing Wine in Bumpers amongst the People; under the Sound of Trumpets and loud Acclamations of the Citizens: At the *Netherbow* was erected the Nativity, and over it the Genealogies of the *Scotish Kings*, from *Fergus I.* During the Procession, the Streets were bestrewed with Flowers, while the Ordnance in the Castle loudly proclaimed his Welcome.

The Records of *Edinburgh* at this Time seem to have been in great Disorder, and the Transactions of the Common Council kept in such a lax and irregular Manner, as not to deserve the Appellation of Registers; which in some measure appears by the first of the present Records, wrote on this Occasion; which is a Collection chiefly made from Scraps of Paper, casually pick'd up, rather than from regular and well kept Registers: and those too, to the Reproach of *Guthrie*, the Town Clerk, (employed to make the new Registers) are entered in a very confused and irregular Manner.

To redress the above Grievance, and put the City Archives under a better Regulation, an Act was made by the Town Council of the following Tenor.

Coun. Regist.
vol. V. f. 182.
10th Dec.

"Because it is impossibill to the Provest, Baillies, Counfall, and Dekynis to govern this Common-weill as becumis, unless they have the Knowledge of the Liberties and Privileges, Lawis, and Ordinances thair of, quhilk commonlie are unknown to ony Persoun, except unto the Clark onlie; quhilk is the Cause that the discreit Men of this Toun, are nocht abill to govern this Common-weill as it oucht to be."

"It is thairfoir statute and ordanit be the Provest, Baillies, Counfall, and Dekynis, that the haill Counfall-buikis, pertaining to the gude Toun, be patent and redy at all Tymis in the Hous above the Clark's Chalmer, in sure lookfast Kystis and Cofferis, to the Effect thay may be patent and redy quhen the Counfall fall have to do thairwith; and nocht to be transported out of the said Hous above the Clark's Chalmer."

"And that Four discreit Men of the Toun be chosen to mak Registers of the maist necessary Lawis and Ordinances conteinit within the said Buikis that fall be zeirle gevin into the Handis of the Provest, Baillies, and Counsellours; and, at the Refait of the Buikis, the Provest, Baillies, and Counsellours be sworne to keip the same clois to themselves, and to geve na Copy thair of; bot, at the End of thair Service delyver the same agane in Presence of the Counfall, to be delyverit to thame that fall enter in thair Place, to the Effect they be not ignorant of thair Offices."

1579.

"And alsua, that ane Register be maid of the haill Evidents and Liberties of this Burgh, to be patent quhen the Counfall has to do thairwith, and the principall Evidents and Chairters to be viseit and sene, that they be in the Chairtherhous, and placit as becumis. And for making the said Registers, hes nominat the Personis contentit in the Act preceding, alledgedder, or any Four of them, to convene in the said over Clark's Chalmer, at six ordinary Times, as they fall think expedient, daylie, unto the Tyme thay have fullleie maid the perfyte Registers, conforme to the Tenoure of this Ordinance."

The Earl of *Morton*, late Regent of the Kingdom, being by the Artifices of *France* accused of High Treason, he was committed Prisoner to the Castle of *Edinburgh*; but being to be removed to a Place of greater Security, the King on that Occasion sent the following Letter to the Magistrates of this City.

"Provest and Baillies of our Burgh of Edinburgh, we greit zow weill.

"Foramekill as *James Earl of Morton*, dilatit to us of certane Crymes of Tresoun and Lesmajestie, is be oure Direction to be transported presentlie furth of oure Castell of *Edinburgh*, to oure Castell and Strenth of *Dunbartane*, thair to remaine, till he be maid ayther innocent or gilty of the Cryme. For quhais sure and substantious Convoy, requisit it is, that ane Number of Hackbutteris be raisit and directit to attend upoun him all the Way. Thairfoir it is oure Pleasure, and we, with Advyse of oure Counsaile, command and chairge zow, that ze incontinent efter the Sicht heirof, in oure Name and Authoritie, raise ane Hundreth Hackbutteris, of the abillest and best skillit within zoure Toun, commanding thame to be in Reddynes, within ane Houre after, ze chairge thame to attend upoun the said Earl's coming furth of oure said Castell, and to convoy him all the way towards oure said other Castell of *Dunbartane*, till he be randerit and refavit thairin; as thay will answer to us upoun thair Obedience, at thair uttermaist Chairge and Perrill."

"And siclyk, that ze incontinent thairafter, raise and direct ane uther Hundreth Hackbutteris of zoure Number, daylie and nichtlie to attend on oure Persoun heir in oure Abbay of *Halyrudhous*, and about the same, in sic Places as we fall find convenient to appoint thame. The Entrie to zoure nichtlie Guard to be at Foure Houres Efternoone, to the end, that induring this Convoe, oure Persoun be nocht disappoyntit of an suir and substantious Guaird, for the Preservatioun and Assurance thair of; and in the meane tyme, that ze tak sic Ordour with zoure Toun,

1580.
Coun. Regist.
vol. IV. f. 114.
18th Jan.

1580.

"Toun, that nane of the Portes thairof: be
"opynit induring the Absence of zoure Pe-
"pill, except the West Port and Netherbow
"allenarie, and the same sa furlie and sub-
"stantiouse gairdit and attendit upoun Day
"and Nicht, with sic Number and in sic Force,
"as ze will answer to us upoun the keiping
"thairof at zoure uttermaist Chairge and
"Perrill. Quhairof the Present fall be to
"zow a sufficient Warrant."

Subscrivit with our Hand at *Halyruidhous*
the Auchtein Day of *Januar*, 1580.

JAMES R.

But, *James* not thinking the above Num-
ber a Guard sufficient for his Person, com-
manded the same to be doubled; which was
accordingly performed by the passive Cit-
izens, who ordered Sixty of their best arm-
ed Inhabitants to guard the Palace by Night,
to be relieved every Twenty four Hours.

Remark. By the numerous Calls made on
the distressed *Edinburghers* by the King on
all Occasions, and for all Services, they seem
to have been partially made the Drudges or
Slaves of the Government; and for aught
appears, without the least Recompence or
Reward, either for Expences or Loss of
Time. However, the injured Citizens were
forced to comply with the arbitrary Com-
mands of the King, who soon after had a
continued nightly Watch of Thirty of the
Edinburghers to guard him by Night at the
Town's Expence, according to Custom.

During the Popish Hierarchy in *Scotland*,
the Bible was but little known; and since
the Introduction of the Reformed Religion
into this Country, the Time being but
short, and few Bibles to be had; but now
they being easily to be got, the Common
Council, by a Proclamation, strictly enjoined
all Householders and substantial Inhabitants
of this City, to keep Bibles in their Houses,
for their better Information in the Scriptures,
under the Penalty appointed by an Act of
Parliament. And the said Council soon af-
ter ordered a Prosecution to be commenced
against the Contraveeners of the said Injun-
ction.

1581.

Ibid. f. 201.
25th August.

Now Troubles beginning to arise, the
Duke of *Lenox* repaired to the Common
Council, and acquainted them that the King
being detained Prisoner by the Earls of *Gowry*
and *Mar*, and Master of *Glames*, desired
them to concur with him in writing to the
neighbouring Barons, to assemble in *Edin-
burgh*, to concert proper Measures to be tak-
en in the present dangerous Situation of
Affairs; and in the mean time, should his
Enemies endeavour to apprehend him, how
would they behave on that Occasion?

The Council taking this Affair into Con-
sideration, returned for Answer, That they
could not take upon them to write to the
Barons; but if his Grace thought proper
to do it, intreated he would please to desire
them only to bring their Domesticks along

with them to *Edinburgh*; and as to the last,
they could not resolve till they were fully sa-
tisfied of the King's being in *Durefs*; which
if true, they would spare for no Cost or
Danger to release their Sovereign.

The King being informed of the Combi-
nations amongst the Nobility, sent a Letter
to the Town Council of *Edinburgh*, of which
the following is a Copy.

Trest Freinds we greitt zow weill.

"We have tane gude Occasioun of this
"apparent Trouble and Unquyetnes within
"oure Realme, to desyre zow richt affecti-
"ouslie, as our gude Subjects, of quhais
"Affectioun to our Service and Obedience
"we have had speciall Pruif at all Tymes
"sen our Coronatioun; that ze contene zow
"peaceably and quyet at this Tyme, unmo-
"vit or perswadit be ony Man, of quhait E-
"stait soevir he be, to ryse in Armes, or
"joyn zour selfis in ony Sort with him, to
"the Furthrance or Hinderance of quhat-
"somevir Actioun or Quarell; bot address
"zow to tak Order for the fuir keiping of
"zour Burgh, and placeing of sic Wathe
"at everie Port thairof, and uther Places
"neidfull, bayth Day and Nicht, as may
"assuir zow, fra the Surprize of ony foreyne
"Poweris."

"And in the meane tyme, that ze suffer
"nor permitt na Hackbutteris, nor uther
"Men of Weir, to be ayther opinlie, be
"Sound of Drum, or privlie, so far as ze
"can learne and understand, be levied and
"tane up to ony Mannis Behove within
"zour Toun, without our speciall Com-
"missioun and Warrant daitted after this;
"refuising Entrie or Access to quhat some-
"vir extraordinare Poweris and greitt Com-
"panies of Men in Armes; that ze may,
"with keiping the Ferry-port and Passage
"of *Leith* opin and patent to all our peace-
"able and quyet Subjects to gang and come
"as they fall have Occasioun, as ze will an-
"swer to us upoun the contrarie: Swa lip-
"pyning to zour gude Attendance heiran-
"nent, we comitt zow to God."

From *Pertb*, this 25th of August, 1582.

Et sic subscribitur,

JAMES R.

The *Edinburghers* having advised the King,
concerning the Information given them
by the Duke of *Lenox*, of his being detained
a Prisoner at *Pertb* by the Earl of *Gowry*, &c.
to undeceive the Citizens in that Respect,
he sent them the following Letter:

Trest Friends, we greitt zow weill.

"We have refavit zour Letter, quhairanent
"we understand, that sic seditious Bruits as 3d Sept.
"heirtofore were spred within zour Toun,
"of oure deteining in oure Burgh of *Pertb*,
"agains oure Will, ar now renewit of oure
"remaining heir, with Intentioun to chairge
"oure Nobilmen, and utheris oure Coun-
"fallours heir resident with us, with oure
"Captivity, to perswade oure Lieges and
"guid

1581.

1582.

Ibid. f. 202.
27th Aug.

1582.

"guid Subjects, to enter in Opinioun of
"that quhair of we have sene zit na Proba-
"bilitie."

"We have thocht guid to signifie unto
"zow the contrair be thir Presents, defyring
"zow to let the same be notefeit to all and
"funderie the Inhabitantis within zour Burgh,
"be Publicatioun of this our Proclamatioun,
"quhilk we have sent zow heirwith, to be
"proclamat at zour Mercat Croce on Monun-
"day next. In the mene tyme, becaus
"that our Intentioun is to come to *Edin-*
"*burgh*, sa fone as we have tane some Or-
"der with the Convoy, quhilk our No-
"bility and uthers present intendit to give
"us."

"We luke, that ze will have ane refon-
"abill Power of zour Toun in Redynes to
"watche us, swa lang as we fall think expe-
"dient to imploy thame; and to that Time,
"that ze continue cairfull of the Security of
"our dairest Cousing's (Duke of *Lenox*)
"Persoun, quhilk ze have thair amang zour
"Hands; and quhat resonabill Garde he sell
"requeyre of zour Nichtbours and Inhabi-
"tantis, to latt him have it, that he may
"be thairby assurit fra the Violence and In-
"jury of quhat somevir his evill Willers,
"that fall repare within the Toun to do him
"any Harme or Trouble, as ze will answer
"to us thairupoun. Thus we committ zow
"to God."

From *Stirling* Castell this First of *September*,
1582. *Sic subscribitur*,

JAMES R.

Ibid. f. 207.
27th Sept.

The Court persevering in their arbitrary
and tyrannical Proceedings, without regard
to Justice or the Rights of the People,
wrote to the Common Council of *Edinburgh*
to choose one of the Three Persons named
by the King to be their Provost, and out of
the other Seven Persons therein named, their
Bailiffs and Dean of Gild. But the Council
willing to revive their dying Liberties, as
well as discourage such Application in Time
coming, declared, they would chuse one for
their Provost, whom they judged to be most
in the Interest of the Town, and for whose
Deportment they would be answerable to the
King. But this Conduct of the Citizens not
being approved of, the King sent them Two
Letters concerning the approaching Election
of their Magistrates: In the first whereof,
they were commanded to chuse such Persons
as have been sincerely attached to the Royal
Interest since his Coronation. And in the
second, were enjoined to continue their pre-
sent Provost, and to elect for their Bailiffs
the Persons therein named.

Remark. The *Edinburghers* might reason-
ably have expected better Treatment from
the King, considering they were in a man-
ner his continual Guard; for having none of
his own, they were upon all Emergencies
called to guard him and his Parliament;
yet, such was the Iniquity of the Times,

that they had more Hardships put upon
them than any other of the Subjects of the
Kingdom: For now they were again called
upon to send One hundred and twenty Hac-
butter to guard *James* at his Palace of *Holy-*
roodhouse, and soon after was sent them a
Letter of the following Tenor:

1582.

Provest and Baillies of Edinburgh, we greit
zow hartlie weill.

"The Disorder of the Thevis, and wic- Ibid. f. 219.
"kit Pepill inhabiting the West Borders, is 7th Nov.

"growin sua greit be Bludshed, Fyre-raising,
"and oppin Reiffis, nocht only in *England*,
"to the Danger of the Peas, bot within oure
"Realme, near the Portis of *Edinburgh*; that
"we ar resolvit, God willing, to se thair Inso-
"lence repressit; and for that Effect, to be in
"proper Persoun at *Peblis*, upon the 26th
"Day of *November* instant, accompaneit
"with sufficient Power of our Nobilitie and
"guid Subjects, according to our Procla-
"mationis direct to that Effect; bot be-
"caus we wald be laith to truble the gene-
"rall Inhabitants of oure Burrowes, being
"subject to oure said Proclamation, (speci-
"ciallie quhair we oure self is to be present
"in proper Persoun) we haif thocht guid to
"certifie zow to send unto us, ane hun-
"dred and thre Scoir habill Hagbutter-
"ris, providit to remayne with us, for the
"Space of ane Moneth after the said Day;
"it fall releifs zow and that haill Burgh,
"from the Payne and Danger of oure said
"Proclamatioun: Defyring zow affecti-
"oullie, that ze will nocht fail to caus this
"Dyatt to be keipit, as ze will declair zour
"guid Affection to oure Service and the
"Common-weill, and do us maist accepta-
"bill Plesure. Thus we committ zow to
"God."

At *Edinburgh*, the Sixt Day of *November*,
1582. *Sic subscribitur*,

JAMES R.

King *James*, it seems, becoming at last
sensible of the great Injustice done to his
faithful Servant, *James*, late Earl of *Mor-*
toun, and Regent of the Kingdom, by his
malicious and implacable Enemies who had
occasioned his Suffering; sent a Letter to the
Magistrates of *Edinburgh*, of the following
Tenor.

Provest and Baillies of oure Burgh of Edin-
burgh, we greit zow weill.

"It is oure Will, and we command zow, Coun. Regist.
"that incontinent efter the Sicht heirof, ze vol. VI. f. 223.
"tak down the Heid of *James*, sumtyme 14th Dec.
"Earl of *Mortoun*, of the Pairt quhair it
"now is placeit upon the auld Tolbuith,
"swa that the said Heid may be bureit;
"for the quhilk, this oure Lettre fall be to
"zow sufficient Warrant."

Subscrivit with oure Hand at *Halyrud-*
bous, the 9th Day of *December*, and of
oure Regne, the Sextein Zeir, 1582.

At this Time the Town Council ordered
about One hundred and twenty Acres of the
Common- 1st Jan. 1583.
Coun. Regist.
vol. VII. f. 58.

1583.

Common-Moor to be set in Feu to the best Bidders, preferring the Citizens to others.

Ibid. f. 7.
28th June.

The King having granted a Lease of his Mines to one *Rech* a Foreigner; the Citizens of *Edinburgh* became Sureties for his performing of Articles.

Ibid. f. 9.
19th July.

Though the Daughters of the Citizens of *Edinburgh*, by the antient Constitutions of the City, were intitled to the Freedom of the Town, as were all Non-freemen who married them; yet it was at this Time, by the Common Council enacted, that if Women who never had been married, were Whores, or not reputed pure Virgins at the Time of Marriage, they should not only forfeit their Right of Freedom, but their Husbands should not be intitled to theirs, by Virtue of their Marriages.

Remark. This is surely one of the most absurd, ridiculous, unjust and impolitic Acts that ever was devised; for it not only gave a Handle to wicked and malicious Persons to defame innocent and virtuous young Women against whom they had a Pique, whereby they were not only deprived of their good Character, but rendered incapable of enjoying the Freedom of the City, which was their Birth-right! Besides, it was doing the greatest Injustice to the unhappy Husband of such a Woman, to deprive him of his Freedom, which was the Consideration induced him to marry! For, instead of spoiling him of the Prize, it would have been much better Policy to have granted him something, by way of Equivalent, for the Reproach incurred by his unfortunate Marriage. And by this foolish and wicked Act, the unhappy Family were, as it were, branded with an indelible Mark of Infamy during their Lives, and their Children after them.

In the preceeding Year, at the usual Time of electing the City-Magistrates, a Dispute happened between the Merchants and Crafts concerning the same: For accommodating of which, and regulating the Elections in Time to come, the King was pleased to propose to the contending Parties, to refer the Matter in dispute to Arbitrators to be chosen by themselves, and himself to be Overseer or Umpire: Which being agreed to, and the Referees chosen, the King, together with them, drew up an Award, called the *Decreet-arbitral*; which being approved of by both Parties, the new Deacons, by virtue thereof, were elected and accepted by the Council; who, proceeding to chuse the other Members of the new Council, they received a Letter from the King; of which the following is a Transcript.

Richt trest Freinds, we greit zow hartlie weill.

Ibid. f. 18.
25th Sept.

" Understanding the Tyme of the Electioun of your Magistrates to be now at hand, and desyrous to haif sic Men placeit in your publick Offices for the Zeir to cum,

" as ar knawin honest, of guid Experience, and loving and affectionat in oure Service; we have send zow heirwith, the speciall Names quhome we can best lyke of to be chosin of the new Counfall, and in Baillies, Thesaurer, and Dene of Gild for the Zeir to cum. Quhilks haill Persouns, we understand hes born publick Office of before; and sua ar the mekill mair habill to do thair Dewties this Zeir, quhome we ar rather desyrous to haif placeit to serve be Resoun of thair knawin guid Will and Affection; and that the Difficultie of the present Tyme; subject to Parties and Dealings displeasent to us, requyres those of tryet Persouns, the rather becauis oure Intention is, God willing, to be for the maist Pairt resident amanges zow; desyring zow thairfore effectuouslie, as ze tender oure Plesure, and the Contentment of oure Mynd, that *David Williamsoun*, *William Nesbet*, and *Hew Lawder*, may be chosin on the new Counfall for the Merchants; *William Harvy* Tailzour, and *Thomas Myller* Cutler, for the Crafts; That *Henry Nesbet*, *William Littill*, and *James Nicoll*, Merchants; and *Thomas Aikinheid* Skynner, may be Baillies; *James Adamson*, Merchant, Dene of Guild; and *James Ross*, Merchant, Thesaurer. Hairin we lippin to be satisfeit, oure Request being sua resonabill, desyring zow alsua, to credite the Berer in that quhilk he sall speik to zow, on oure behalf. Sua we commit zow to God."

At *Felkland*, the 22d Day of September, 1583. *Subscrivit*,

JAMES R.

The *Edinburghers*, greatly concerned at Id. ibid. this violent Attempt against their Rights and Privileges, sent a Deputation to the King, humbly to remonstrate and intreat his Majesty, that he would be graciously pleased to have Regard to their antient Liberties and Immunities confirmed to them by Parliament; and to consider how dangerous a Thing it was for them to break any Part of the Decreet-arbitral, lately given in by his Majesty; which established and confirmed to them the Right of chusing their Magistrates and Council, without the Interposition or Interruption of any one: And, seeing their Intention was to ehuse none but such as they thought would be acceptable to his Majesty, as Men of Probity, Judgment, and Application, and for whose Deportment in their several Offices, the Town would be answerable; earnestly and humbly begg'd, that his Majesty would be graciously pleased not to offer Violence to their Rights and Privileges, but suffer them to enjoy the same, according to the Laws of the Kingdom and the said Decreet-arbitral.

The above Remonstrance, instead of having the desired Effect, served only to remind *James*, that he had in his Precept omitted

Ibid. f. 19/
27th Sept.

1583.

mitted to name a Person for their Provost; wherefore, in an other Letter, he commanded the Common Council to chuse *Alexander Clerk* into that Office, and the Persons above named for their Bailiffs.

Remark. It was undoubtedly a very good and laudable Office in the King to accommodate Differences amongst his People; but to inflave them at the Expence of the Laws, Justice, Honour, and the Decree-arbitral, just made by himself, is a Crime of so deep a Dye, as is only fit to be practised by the most abandoned of Men! Many other Instances might be brought to shew the wicked Practices of the Court in this Reign, against the injured, helpless, and distressed *Edinburghers*; but those already mentioned shall suffice to prevent the disagreeable Office of recounting the weak and wicked Royal Transactions of those Times.

Ibid. f. 43.
8th Nov.

The Merchants and Freemen of *Edinburgh* having hitherto paid no Custom at the Port of *Leith*, although by the Town's Insestment they ought, which proving very prejudicial to the Common Good; it was therefore at this Time by the Common Council enacted, that all Freemen shall, in Time coming, pay the several petty Duties according to the Custom Rolls.

Ibid. f. 62.
8th Jan.

At this Time the *Edinburghers* entertained *La Motte*, the French Ambassador, in a very sumptuous Manner, at the Expence of One hundred and sixty two Pounds, ten Shillings and nine Pence, *Scotish* Money.

1584.
Ibid. f. 84. 85.
21. 25th April.

The Town of *Stirling* being surprised and taken by certain Rebels, the *Edinburghers*, to shew their Loyalty on this Occasion, not only selected Five hundred of their best Men to march with the King to retake the same, but lent him the Sum of Four thousand Pounds, *Scotish* Money, to forward the Expedition.

Ibid. f. 88.
13th May.

The Town Council, for the greater Honour of the City, ordered that the Provost, its chief Magistrate and Representative in Parliament, be attended, during the sitting of the Convention, from and to the Tolbooth of *Edinburgh*, and the Abbey of *Holyroodhouse*, by Twenty of the principal Citizens, to be summoned for that purpose, by the Bailiffs of the respective Quarters, under the Penalty of Forty Shillings, *Scotish* Money.

Ibid. f. 101.
12th August.

Soon after, for preventing Broils in the Streets by Night-walkers, and other disorderly Persons, it was by the Common Council ordained, that nightly, at the Hour of Ten, Forty Strokes be given on the great Bell, (which is still continued though for an other Purpose) after which, no Person to be seen on the Streets under the Penalty of Twenty Shillings, *Scotish* Money, and Imprisonment during the Town's Pleasure.

Ibid. f. 116.
14th Oct.

At this time, the Common Council ordered the Town to be divided into Four Parishes, to have each its proper Church,

according to the several Quarters of the City, viz. *St. Giles's Church* for the Southwest Quarter; *Magdalen Chapel* for the Southeast; the *New Church* for the Northwest; and the *Trinity Church* for the Northeast Quarter; the last whereof being ordered to be inclosed within the City Wall, and a new Gate to be made in the said Wall at the Foot of *Halkerton's Wynd*.

1584.

The Council, for the better Regulation of the nightly Watch, and greater Expedition in levying Men for the King's Service; divided the Town into Thirty Divisions, over each of which, were appointed Two Commanders, one a Merchant, the other a Craftsman, with an Officer occasionally to summon the Inhabitants to treat of Affairs concerning the several Divisions. This Act of Council was not only approved of by the King, but he strictly enjoined the several Commanders to accept of their respective Offices, and the People under them to give Obedience to their Commands, whether in the King's Service, or in that of the Town.

Ibid. f. 119.
23d Oct.

Edinburgh at this time was greatly pestered with Stacks of Heather, Broom, Whins, and other Fuel, erected in Clofes and Wynds, to the great Discontent of the People and Danger of their Neighbourhood, as well as the Town in general; one whereof in *Peebles Wynd* was fired by Night, whether by Design or casually, is unknown. However it so alarmed the Citizens, that the Town Council ordered all the said Stacks to be forthwith removed, and set up in the Neighbourhood of the *Gray Frier* Port, Yards of the *Black Friars*, or at the *Nord Loch* Side, under the Pain of Twenty Pounds; and in all Times thereafter, none presume to erect such Stacks, in any other Place or Places, under the like Penalty.

Soon after, the said Council enacted, that the eldest Sons of Freemen, on their being admitted Gild Brethren, to pay the Sum of Thirteen Shillings and four Pence each, *Scotish* Money; and the rest of the said Freemens Children to pay for their Gildry the Sum of Twenty Shillings of the same Money: And every one having served a regular Apprenticeship, to pay Ten Pounds for his Gildry; and all other Persons received into the said Gildry, to pay the Sum of Forty Pounds to the Dean of Gild, exclusive of other Fees: And every Merchant admitted into the Freedom of the said Gildry, to be deemed in Goods or personal Estate, worth the Sum of One thousand Merks *Scotish* Money; every Craftsman in Trade worth Five hundred Merks; and every Craftsman out of Trade, to be reckoned worth One thousand Merks of the same Money.

1585.
Ibid. f. 148.
27th Sept.

Remark. This Law, so far as it regards the younger Sons of Citizens paying more for their Freedom than the eldest, is undoubtedly very iniquitous; especially considering,

1585.

sidering, that the eldest Sons have generally more given them by their Parents than the younger Children. Besides, it is no way consistent with Justice, to make one Child of a Freeman pay more for his Freedom than another; for all, without Partiality, are equally intitled to the same Advantages and Immunities.

Ibid. f. 155.
5th Feb.

The Common Council at this time seems to have been inspired with a mighty Zeal for Religion, by ordering all Shops to be shut up on the *Wednesdays* and *Fridays*, no Person to go to a Tavern, or walk in the Streets in Service Time, but all to go to Church, under the Penalty of Eighteen Shillings for the first Fault, Forty Shillings the second, and Five Pounds the third, *Scotish* Money.

Ibid. f. 159.
17th Feb.

The Ashes, Dust and Dirt of the Streets of *Edinburgh*, being, by an Act of Common Council in the Year 1742, put up by publick Roup or Auction, to be disposed of for the Benefit of the City; which being let for a considerable yearly Sum, it was generally believed to be the first Time of its being let. That this is a Mistake, is evident by an Act of the said Council of this Year, which ordered the same to be roup'd, or put up by Auction.

Ibid. f. 180.
28th April.

At this Time, the Common Council pass'd an Act, as favourable to the Citizens Daughters, as it was an unparalleled Hardship on the young Citizens after the Expiration of their Apprenticeships; which was, That every young Man, who, after the accomplishing his Servitude, shall marry his Master's Daughter, or the Daughter of any other Freeman, he shall, by virtue of such Marriage, be immediately admitted a Gild-Brother; but, in case he remains a Bachelor, or be married to the Daughter of a Stranger or Non-freeman, he shall not be received into the Freedom of the Gildry, till he shall have served as a Journeyman for the Term of Three Years, and to have been a Burgess for the Space of Five Years; which shews that every Person who did not submit to this Law, became liable to a grievous Servitude of Thirteen Years.

Ibid. f. 182.
9th May.

The Plague being upon the Increase in *Edinburgh*, divers Orders were given by the Common Council to stop its Progress.

Ibid. f. 207.
5th Oct.

As the Impositions of the Court on the injured *Edinburghers* were both annual and intolerable, I was tired with mentioning the same. But this Year, the Ministry seems to have laid aside all Thoughts of Shame and Justice, by making the King countenance their dirty Work; by writing to the Citizens to chuse the *Earl of Arran* for their Provost, on no less a Penalty than that of Rebellion, and putting them to the Horn; that is, depriving them of the Benefit of the Law; which shews that the Name of Liberty was then only known, and not its Effects! But *Arran*, the Court Minion,

being soon after degraded from the Office of Provost, the Town Council sent a Deputation of their Members to attend the King at *Linlithgow*, humbly to beg his Grace would be pleas'd to allow them to chuse another, according to their antient Rights and Privileges. But, however right their Remonstrances were, they were constrained to submit to the arbitrary Will of the King at the Expence of their Liberties!

1585.

Queen *Mary* being sentenced to suffer Death in *England*, King *James*, her Son, on this melancholy Occasion, out of a pious and filial Duty to his unhappy Mother, enjoined the several Bishops and Ministers of the Church of *Scotland*, in their Prayers, to invoke the Almighty in her behalf; that he would, of his infinite Mercy, be graciously pleas'd to illuminate her with the Light of his Truth, and save her from the apparent Danger she was in; which none complying with, but the King's own Minister, and one at *Leith*, *James* appointed the Third of *February* following to be observ'd as a solemn Day of Prayer in her behalf. But such was the amazing Deportment of the Ministers of *Edinburgh* on this Occasion, that instead of promoting the King's pious Design, prevail'd on one *John Cowper*, a young Expectant for the Ministry, to possess himself of the Pulpit in *St. Giles's* Church (wherein the Archbishop of *St. Andrew's*, by Command of the King, was to have preach'd). *James* coming to the Church at the Hour appointed; and seeing *Cowper* in the Pulpit, said, Mr. *John*, that Place was design'd for another; but, as you are there, if you will obey the Charge given, by remembering my Mother in your Prayers, you may go on. *Cowper* answer'd, he would do as the Spirit of God should direct him. Whereupon, being commanded to leave the Pulpit, seem'd unwilling to obey; which being observ'd by the Captain of the Guard, he went to compel him; which made the bold Intruder violently exclaim "This shall be a Witness against the King in the great Day of the Lord."

1586.

Spotf. Ch. Hist.
Scot. B. 6.

Remark. This is a Piece of Wickedness, of so flagrant and black a Dye, that it needs no other Remark, than only to observe, that it is perhaps not to be paralleled amongst the most flagitious and irreligious Set of Men, and is intirely contradictory to the Christian Precept; for Christ not only strictly enjoins his Disciples and Followers to forgive and love their Enemies, but to bless those who curse them, to do good to those that hate them, and to pray for those who despitefully use and persecute them. This is an Example worthy of Imitation: Wherefore, had those Men been Ministers of Christ, as they affect'd to style themselves, they would undoubtedly have copied after their blessed Master; but, instead of that, they were so far from forgiving *Mary*, and, praying to

to

1586.

to have her Life saved, that they would not so much as put up one Petition to God for her Conversion, though (I think 'tis not to be doubted) they believed her eternal Happiness thereon depended! If this be Christianity, 'tis no Wonder we are so much despised and spurned at by *Jews, Turks, and Pagans!*

Coun. Regist.
vol. VIII. f. 28.
20 July.

At this Time, Sixty three Acres and an half of the arable Parts of the Common Moor, were by the Town Council ordered to be set in Feu to the Citizens; for which the Feuers were to pay in Entry-money, the Sum of Two thousand three hundred Merks *Scotish* Money; and every Heir, at his Entry thereto, to pay for each Acre in the Eastern Moor, the Sum of Two Pounds, and in the Western Moor, Two Merks of the same Money yearly.

The Conditions were, that the Purchasers should be Citizens inhabiting *Edinburgh*, paying Scot and bearing Lot; and, if the Heir of a Purchaser do not become a Burgess, or not reside in the Town with his Family as an Inhabitant, paying Scot and bearing Lot as aforesaid, he shall be obliged to dispose of the Acres descended to him, to a Freeman, who shall agree to the Terms above mentioned; which Lands are intailed both on Males and Females.

1587.
Ibid. f. 83.
19th April.

At this Time, Persecution running high in *Edinburgh* against Papists, the Proprietors of the several Houses, were by Proclamation enjoined by the Common Council to turn out of their said Houses, at the Term of *Whitsunday*, all Papists, accompanied with the detestable Bands of Whores, Thieves, and abandoned Profligates.

Ibid. f. 89.
24th May.

Soon after, the *Edinburghers* entertained the King and his Nobility at the Market-cross of the City, at the Expence of Thirty Pounds, ten Shillings and eight Pence *Scotish* Money.

Ibid. f. 95.
7th July.

Edinburgh, at this Time, appears to have been in good Credit; for the Town Council borrowed Money at Five per Cent. when the common Interest was at Ten.

Ibid. f. 104.
1st Sept.

The Scholars of the High-school in this City, armed with Swords, Pistols, and other Weapons, not only contemptuously defended the said School against their Master, but insolently against the Magistrates; who being denied Entrance, forced one of the Doors, and seized Eight of the Scholars chiefly concerned; and, having fined them in the Sum of Forty Shillings, *Scotish* Money each, to make good the Damage, ordered the chief Master to chastise them in presence of their School-fellows; and, in Commemoration of their Disobedience, and as an Example to others, that the Scholars of the said School, in all Times coming, shall have only one Vacance in the Year for the Space of a Week; viz. from the Fifteenth of May, to the Twenty second of the said Month; and, whatever Scholar there-

after, shall presume or endeavour to obtain another Breaking-up, shall suffer corporeal Punishment.

1586.

At this Time, the *Edinburghers* collected the Sum of Two hundred Pounds *Sterling*, towards the Support of their Protestant *French* Brethren in England.

1588.
Ibid. f. 138.
2d Feb.

The Town Council of *Edinburgh* ordered Two hundred Men to be levied and sent to join the King's Army, on its March to *Dumfries*, and provided Money for their Support.

Ibid. f. 153.
24th May.

On the first of May, a dangerous Insurrection happened in *Edinburgh* by the Sons of Craftsmen, instigated and assisted by a Rabble of unfree Journeymen, who, between the Hours of Ten and Eleven at Night, riotously assaulted the House of *John Robertson*, one of the Baillies, with an Intent to murder him, and plunder his said House. This Enormity being taken into Consideration by the Common Council, they declared the said Journeymen, as Promoters of the late Tumult, to be Vagabonds, of wicked Lives, Rioters, and Disturbers of the publick Tranquillity, and commanded them to depart the City and Liberties forthwith; and, if seen within the same thereafter, to be punished as Vagrants, guilty of the Crimes above mentioned; and, that no Citizen presume to harbour, entertain, or employ any of the said Journeymen, under the Penalty of Forty Shillings, *Scotish* Money, to lose his Freedom, be deemed a Confederate, and otherwise to be punished at the Discretion of the Magistrates.

Ibid. f. 155.
31st May.

And as to the Craftsmen's Children concerned in the said Insurrection, they were to be publicly expelled the City and Liberties for ever; and for those whose Behaviour, in some Measure intitled them to Favour, shall surrender themselves, and give Security for their good Deportment during Life.

Lord *Botwell*, Sheriff of *Edinburgh*, having appointed the County Militia to be mustered in the Borough-Moor; the Town Council, to prevent the Damage to their Tenants, purchased *Botwell's* Right at the Expence of Two hundred Pounds, *Scotish* Money.

Ibid. f. 157.
11th June.

The King, it seems, unwilling to let slip an Opportunity to distress the oppressed *Edinburghers*, compelled them, at this Time, to entertain the Duke of *Lenox's* two Sisters just arrived from *France*, for the Space of Fifteen or Twenty Days. The Citizens, it it seems, endeavouring what they could to get rid of this slavish Burden, alledged Inability, by their being grievously oppressed in support of the Royal Affairs; however, no Regard being had to their Remonstrances, they offered to give the Sum of Five hundred Merks *Scotish* towards the Expence of the said Intertainment, without being farther concerned therein. But this not being accepted, were obliged to submit, and, by the Approbation of the Comptroller of the King's

Ibid. f. 160.
161. 28th
June. 3d July.

1588.

King's Household, to agree with certain Persons for maintaining the said Ladies during the Time required.

Ibid. f. 168.
9th August.

The *Spanish* Fleet, impiously styled the *Invincible Armado*, approaching the Coast of Scotland, the Town Council ordered the Citizens to provide themselves with Arms; and, in Conjunction with their Fellow-subjects, to withstand the Enemy in case of a Descent; and appointed three hundred Men to be immediately raised in Defence of the Town, and ordered Money for their Subsistence.

Ibid. f. 172.

The *Edinburghers* at this Time entertained the Ambassador of *Navarre* at the Expence of One hundred and six Pounds, three Shillings and four Pence, *Scotish* Money.

Ibid. f. 189.
6th Dec.

The Ministers of *Edinburgh* at this Time being only four in Number, the first had a Stipend of six hundred Merks, the second five hundred, the third three hundred, and the fourth sixty Merks yearly.

Remark. What this great Disparity in the Incumbents Stipends was owing to, I know not, unless it was to Friends; by whose Interest some were plentifully provided for, whilst others were seemingly left to starve. Be that as it will, as I think their Charges must have been equal, there ought in Justice to have been no Difference in their Stipends.

1589.

Ibid. f. 216.
29th May.

At this Time the *Edinburghers* gave a sumptuous Banquet to the *Dutch* Ambassadors.

Coun. Regist.
vol. IX. f. 2.
15th August.

Robert Bruce, one of the four Ministers of *Edinburgh*, threatening to leave the Town, (the Reason, by what follows may be easily guessed at) great Endeavours were used to prevent his going, but none, it seems, so prevalent as that of the Increase of his Stipend to one thousand Merks; which the good Man was graciously pleased to accept of, though it only amounted to one hundred and forty Merks more than all the Stipends of the other three Ministers! This shews a great Disparity between the Practice of this Man and that of *St. Paul*, who told his People, that he sought not theirs but them; whereas it is manifest that *Bruce* sought not the *Edinburghers*, but theirs.

Ibid. f. 4. 5.
Etc. 29th Aug.

Surely never were a People so oppressed by their Prince, as the distressed *Edinburghers* were by King *James*; for a Treaty of Marriage being concluded betwixt him and *Anne*, Princess Royal of *Denmark*, they were commanded to entertain the Royal Bride and her Retinue, from her Arrival at *Leith*, till the Palace at *Holyroodhouse* could be fitted up for her Reception. The Common Council, to avoid this expensive Office, presented *James* with the Sum of Five thousand Merks; and some Time after, the Citizens, in Obedience to a Royal Precept, sent a beautiful and commodious Ship to *Denmark*, at the Expence of Five hundred Pounds, *Scotish* Money, per Month, to bring

home the King with his Royal Bride. At whose Arrival, the Common Council, accompanied by the principal Citizens, richly apparelled, attended the Princess at her Arrival at the Town of *Leith*, and at her Marriage, which was solemnized in *St. Giles's* Church in *Edinburgh*, presented her with a rich Jewel, deposited with them by the King, as Security for a considerable Sum of Money advanced him, and took the Royal Promise for Payment.

1590.

Add to this, the King's Injunction to the *Edinburghers* to entertain the *Danish* Ambassadors, and Persons of Quality arrived with the Queen; which they did at the Expence of Five hundred and thirty nine Pounds, eight Shillings and two Pence, *Scotish* Money; which shews that this was an expensive Marriage to the oppressed Citizens.

1591.
Ibid. f. 43.
59. 21st May.
11th Sept.

Yet all the above Acts of Generosity, and many others already mentioned, were not sufficient to secure the injured and oppressed Citizens from intolerable Impositions and grievous Exactions; for now *James* compelled them to take of him the Sum of Forty thousand Pounds, *Scotish* Money (Part of his Queen's Portion) and to pay ten per Cent. Interest for the same; whereas they were then in such good Credit, that some time before they borrowed Money at Five per Cent. Interest.

Ibid. f. 47.
11th June.

The Parliament taking into Consideration, that by the Laws and Constitutions of the Kingdom, the several Seats of Justice, together with the Walls and Gates of the principal Towns ought to be kept in good Repair; and, as the Tolbooth of *Edinburgh* was the supreme Seat of Justice in Scotland, ordered it to be repaired, together with the Walls of the Town which inclose the same, for the safe Administration of Justice, Security of Criminals, and Preservation of the City in case of an Attack. For accomplishing these desirable Ends, the Citizens were, by an Act of Parliament, empowered to raise Money upon all Lands and Rents within *Edinburgh*, towards repairing the said Tolbooth, and strengthening the Town by an Addition of Height and Thickness to its Wall, with forcing Places, Bulwarks, or Flankers as should be judged necessary to perfect the same.

Though I have already declared my Aversion to treat of the grievous and intolerable Impositions of the Court on the injured and oppressed *Edinburghers*; yet, as the Grievances of this Time seem rather to exceed than fall short of the former, I cannot forbear to mention them. For the King, at this Period, was got to such a Pitch of arbitrary Power, that he stuck at nothing to enslave the People: For no Regard was had to Honour, Justice, or the Laws of the Land; all must give way to his tyrannical Proceedings! But as the Royal Misfire will put this Affair in a proper Light, I shall subjoin

1592.

subjoin a Copy thereof, to shew the Practices of the Court in this Reign.

James, *by the Grace of God, King of Scots, to our Lovis Jboun Broun Messinger, our Sberesses in that Pairt conjunctlie and severallie, speciallie constitute, Greeting.*

1593.

Ibid. f. 221.
222. 2d Oct.

"Forasmekill as our maist nobill Progenitours of worthie Memorie, with the Regents bering the Government of this our Realme in our Minoritie, hes, in respect of ane ancient Privilege and Consuetude, observit in Tyme of apperand Trublis and Commotiouns, usuallie takin on thame, to place sic Magistrats within our Burgh of *Edinburgh*, to haif the Rewle and Government thair of, as hes seymet leif factious and best inclyned toward thame and thair Service with the Communitie of the same Burgh; evin swa, having Consideratioun of the present Occasioun, we haif thocht meitt, that the Persounis after specefeit beir Chairge of Proveft and Baillies of our said Burgh for the Zeir to cum, as Persounis that be as is fund maist meitt and best affected toward the Avancement of our Authoritie and Service."

"Our Will is heirfore, and we chaarge zow straitlie, and commands, that incontinent thir our Lettres, sene ze pas, and in our Name and Authoritie, command and chaarge the present Proveft, Baillies, Consall, and Deykins of Crafts and others, haiffand Vote in the Electioun of Magistrats within the said Burgh, that now at the Tyme of thair Electioun, thay accept and admitt our trustie and weill belovit *Alexander Home of North-Berwick*, Proveft of our said Burgh; and elect and cheife Foure of the Sevin Persounis following, thair Nichtbouris, viz. *Clement Tor, Jboun Robertsfoun, James Nicoll, George Carkettill, Jboun Dowgall, Ninand Makmorane, or Richert Doby*, in Baillies of the same our Burgh for the Zeir to cum; and, in caise of anie of thair Absence furth of the Cuntrie, to substitute ane other in their Place, being alwayes of the said Sevin Persounis: And that within Thre Howris nixt after thay be chairgit be zow thairto, under the Payne of Rebellion and putting thame to our Horn; and gif thay failzie thairin, the said Space of Tyme being past, that ze incontinent thairafter denunce thame our Rebellis, and put thame to our Horn; and escheit and inbring all thair movebill Guids to our Use for thair Contemptioun."

"Attoure, we haif dispensit, and be thir Presentis, dispensis with our Acts of Parliament quhatsumevir maid in the contrer of these our Lettres; and willis and declairis, that thir same our Lettres fall na Wayes be prejudiciall nor derogative thairto, nor the Privelegis, Liberties and

"Immunities grantit thairin, in the Favours of our said Burgh, and the hail remanent Burrowes of our Realme, anent the frie Electioun of thair Magistrates, as ze will answer to us thairupon. [Here seems to be something wanting in the Record]. "The quhilk to do, we commit to zow conjunctlie and severallie our full Power, by thir our Lettres, delyvering thame be zow dewlie execute, and indorfit agane to the Berer."

Given under our Signet, and subscrivit with our Hand, at *Linsythgow*, the last Day of September, and of our Regne, the 27th Zeir, 1593.

The Magistrates of *Edinburgh* having by an Expreß received Advice of the Birth of a Prince (*Henry*) at *Stirling*, great Rejoicings were not only made by the Citizens on that Occasion, but the Common Council presented the King with ten Tuns of Wine for the said Prince's Baptism; and soon after, caused one hundred of the Inhabitants, richly accoutred, to march to *Stirling*, as a Guard to attend the Ceremony.

Soon after, the Earls of *Angus, Huntly, Spots. Hist. and Arrol*, Popish Lords, being in Rebel- *Ch. Scot. B. 6.* lion in the Northern Parts of the Kingdom, three hundred *Edinburghers* were ordered to be raised to help to reduce them; and by the Citizens marching out with the King against Lord *Botwell*, broke his Measures intirely, without an Ingagement: For, though *Botwell* just before had the good Fortune to rout the Royal Cavalry, commanded by Lord *Hume*, in Sight of the *Edinburghers*; yet, instead of advancing to attack them, retired and disbanded his Troops. It is nevertheless believed, that had he advanced and attacked *James's* Infantry in their Panick, he would have likewise, in all Probability, routed them, and taken the King Prisoner.

Great Numbers of Men resorting to *Edinburgh* from all Parts of the Kingdom to the approaching Parliament, the King, apprehensive of Danger, desired the Magistrates and Council to send him fifty Men to guard his Person, in his Palace of *Holyroodhouse*: They were soon levied, accoutred, and paid by the Citizens; and, for the better preventing Riots and Insurrections, strictly enjoined the Citizens to appear in Arms at the first Warning to attend the Magistrates; the Names of all Lodgers or Strangers to be nightly sent in to the several Bailiffs; and, that neither Tavern or Ale-house Door be kept open, or Persons appear in the Streets after Ten of the Clock at Night.

Complaint being made to the Common Council by the Corporation of Surgeons, against *Awin* a French Surgeon, for practising the Art of Surgery within the Liberty of *Edinburgh*; which being heard and considered by the said Council, they decreed, that the said *Awin* desist from exercising

1593.

1594.

Ibid. f. 261.
264. 19th July.
20th Aug.

1595.

Coun. Regist.
vol. X. f. 261.
25th July.Coun. Regist.
vol. X. f. 18.
5th Feb.Ibid. f. 37.
1st August.

1595.

cising the said Art within the City and Liberties of *Edinburgh*, under the Pain of Imprisonment, and to pay a Fine of Twenty Pounds, *Scotish Money*, for each Offence, other than the following Branches of Surgery, *viz.* cutting for the Stone, curing of Ruptures, couching of Cataracts, curing the Pestilence, and Distempers of Women occasioned by Child-birth. This in some measure shews that the Art of Surgery was then but little known in *Edinburgh*, though at present it may justly vye with any other City in the Knowledge and Practice of that very useful and curious Art.

1596.
Ibid. f. 100.
29th. Nov.

In Consideration of the great Services done the Government by the *Edinburghers*, the King, to honour them, invited their Magistrates to the Christening of the Princess, (*Elizabeth*, since Queen of *Bohemia*) his Daughter. The Town Council, in return for this great Honour, obliged themselves and Successors, to pay to the said Princess, on the Day of her Marriage, the Sum of Ten thousand Merks, *Scotish Money*; which was accordingly paid in the Year 1613, with an Addition of Five thousand Marks, to make the same Ten thousand Pounds.

Spotf. Hist.
Ch. B. 6. p.
427. 428.

The King being highly enraged against the Ministers of *Edinburgh*, for the numerous Aspersions and seditious Reflexions in their Sermons, against himself, and the Officers of his Court, resolved to redress the same by prosecuting the greatest Offenders before the Privy Council. This, the said Ministers, to the utmost of their Power in-deavoured to prevent; by alledging, that their Misbehaviour in the Pulpit, was only cognisable in their own Courts of Presbytery, Synods, and General Assembly. This, *James* would by no Means admit, as being contrary to the established Laws of the Kingdom. Besides, by former Experience, there was little Reason to expect they would with Impartiality proceed against their Brethren, especially in Matters of Treason.

Ibid. 427.

The Difference between the Court and Ministers continuing to increase, divers false Reports were raised to widen the Breach; one whereof was, that strong Guards were to be placed round the Ministers Houses, to prevent Violence to their Persons. This being by the King regarded as a Contrivance of the Ministers, to bring an Odium on, and incense the People against him; it was therefore judged necessary to remove certain of the most factious Citizens out of the Town; pursuant to which, Twenty four of the Inhabitants, most strongly attached to the Ministers, were ordered to depart the City within the Space of six Hours. This, 'twas thought, would be highly resented by the Ministers; and to add to their Fears, they were, by a fictitious Letter, sent to *Robert Bruce*, one of their Body, cautioned to look to themselves; for *Huntly* (their great Enemy) who was late with the King the Night

before, had advised the above Charge to be given. 1596.

This Letter being communicated to *Wal-* Id. Ibid.
ter Balcanquell, whose Turn it was to preach that Day, who, believing it to be genuine, acquainted the People of the great Danger they were in; and gave them a long Detail of the treacherous Forms (as he called them) of the Court against them; and, in the most opprobrious Terms, bitterly inveighed against the President, Comptroller, and Advocate, as the chief Instruments of their Sufferings and Danger. And, addressing himself to the Nobility then present, reminded them of the sincere Attachment and great Zeal shewn by their Predecessors in planting Religion, and exhorted them to shew the like Courage and Constancy in its Defence; and having finished his Discourse, intreated the Nobility and Gentry to meet in the Little (Tolbooth) Church, to deliberate on their present Circumstances.

Besides the Lords and Gentlemen who Id. Ibid.
met on this Occasion, a vast Number of Citizens repaired thither; to whom *Robert Bruce*, one of the Ministers, declared the great Danger the Church was in, by the Return of the Popish Lords which had been represented to the King; but, instead of Redress, one of their Brethren was questioned concerning his Preaching; and now the best of their People were charged to leave the Town, whereby they had Reason to suspect worse Practices; therefore intreated them to intercede with the King that they might be suffered to serve God without Molestation.

Pursuant to this, a Petition was drawn Id. Ibid.
up to be presented to the King, by Six Persons appointed for that Purpose, *viz.* Two Noblemen, Two Gentlemen, and Two Ministers. On the Day the Petition was to be presented, the King happened to come to the Court of Session then sitting in the Tolbooth of *Edinburgh*; where, being in an upper Room, the Persons with the Petition were admitted to an Audience; when *Bruce*, one of the Ministers, acquainted him, "That they were sent by the Noblemen and Barmes convened in the Little Church, to bemoan the Danger threatned to Religion, by the Dealing that was against the Ministers and true Professors." What Dangers see you, said the King? "Under communicating, said *Bruce*, our best affected People, that tender Religion, are discharged the Town; the Lady *Huntly*, a professed Papist, maintained at Court, and it is suspected that her Husband is not far off." The King, without answering, asked who they were that durst convene against his Proclamation? Lord *Lindsay*, in a Passion, answered, "That they durst do more than that, and would not suffer Religion to be overturned."

Numbers of People rudely crowding into Id. Ibid.
the Room, the King, without replying, with-

1596.

withdrew to a lower Room where the Judges sat, and ordered the Door to be shut. The Presenters of the Petition being returned to the Church, declared they were not heard, nor was there Hope of receiving a favourable Answer as long as such Counsellors remained about the King; therefore some other Course must be taken. "No Course," said Lord *Lindsay*, but one, let us stay together that are here, and promise to take one Part, and advertise our Friends and the Favourers of Religion to come to us, for it shall be either theirs or ours."

Ibid. p. 428.

This Speech occasioned a great Clamour and Noise, and the Sedition increasing, some cried, To Arms; others, Bring out *Haman*; and some, *The Sword of the Lord and Gideon*. And so great was the Fury of the enraged Multitude, that, had they not been restrained by that worthy Citizen, *John Watt* the Deacon Conveener (who at this dangerous Juncture assembled the Crafts or City Incorporations) they would undoubtedly have forced the Door, and probably have destroyed the King and all that were with him. And Sir *Alexander Hume* the Provost, though greatly indisposed in Bed, on hearing of the Insurrection, hastened to the Tolbooth, and prevailed on the Mob to lay down their Arms, and return to their respective Habitations.

The King, under the greatest Apprehension of Danger, as well may be conceived, ordered the Earl of *Mar*, Lord *Pittrewell*, and Laird of *Traquair*, to repair to the Ministers, and learn the Cause of the Tumult. They answered, the Cause, as they imagined, was the King's refusing to hear their Petition. *Mar* replied, That his Majesty was ever ready to hear the Petitions of his People, were they delivered in a dutiful Manner; wherefore they would do well to apply to his Majesty in that Way, for a Remedy in such Things as they thought themselves aggrieved in. Pursuant to this Advice, they returned to the Church, where, after a short Deliberation, they sent Lord *Forbes*, Laird of *Bargeny*, and *Robert Pollock*, to deliver their Petition; the Tenor whereof was as follows:

Id. ibid.

1. "That all which hath been done in prejudice of the Church the last four or five Weeks might be rescinded. 2. That in the Things which concerned the Church, the President, Controller, and Advocate, should have no Voice, as being suspected in Religion, and opposite Enemies to the Church. 3. That the Citizens of *Edinburgh*, who were charged to leave the Town, might be admitted to stay at home, upon Surety to appear whensoever they are called for." To which the King answered, "That his Doings had been greatly mistaken by the Ministers, and that Controversies were moved against his Will; so he wished for nothing more than to have

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them quietly settled; but that it could not stand with his Honour to rescind so hastily the Conclusions taken in Council, nor to remove Counsellors from their Places upon naked Suspicions, except somewhat could be verified that might disable them. At Afternoon he should call the Council, and satisfy them in every thing, which with Reason they could desire. For the Citizens, (he said) that the Supplications made in their behalf, would come better from the Provost and Baillies of the Town, and the same upon their Petition should be granted."

Having proceeded this far, the King, with his Lords, repaired to the Palace of *Holyroodhouse*, in a quiet and peaceable Manner, and the Ministers with their Lords and People to the Church, where, in a short time they drew up certain Articles, to be presented to the King and Council, and appointed Three Gentlemen and Two Ministers to deliver them, whereof the following is a Copy.

Id. ibid.

"In most humble Manner, We the Noble men, Barons, Gentlemen, Burgeses and Ministers, this Day by the Mercy of God convened, do beseech your Majesty to apprehend the great Danger, wherein the State of Religion, Commonwealth, and your Majesty's own Honour and Person are brought, by the Means of crafty and deceitfull Counsellours, who, respecting only their own Preferment and Standing, labour to file your Majesty's Eyes, that you should not perceive their Courses. For albeit it hath pleased God to indue your Majesty with Knowledge, Wisdom, and Graces, beyond all Princes that have ruled this Kingdom at any time; yet it is no strange Thing to behold good Kings brought upon ill Courses, by the Devices of such as pretend Love, but in very deed hate them maliciously."

Ibid. p. 429.

"That such Courses are now in hand please your Majesty to consider, what a Division it made and entertained between your Majesty and the Church, who was ever to this time inseparably joyned: and how, under colourable Pretexes, the Liberty of Preaching, and faithfull applying of the Word, is sought to be restrained and taken away, which cannot but bring many Evils and Inconveniencies with it, as this Day's Tumult may partly teach: And now seeing, blessed be God, the same is settled without the Harm of any Person; for preventing the like or worse, we humbly desire the Articles following to be weighed and considered by your Majesty."

1. "That profess'd Papists, processed by the Church, be not suffered to reside at Court; and that the Lady *Huntley* and Lord *Sanguar* be removed and sent Home."

2. "That *Alexander Seaton* President, *Mr. Thomas Hamilton* Advocate, and Mr.

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"Mr. James Elphinstone be not admitted to sit in Council, at least, when the Cause of Religion and Matters of the Church are treated of, seeing they are Enemies to the Quietness thereof, and have, by their Devices, raised the Troubles that presently do vex the same."

3. "That the Acts of Council, Proclamations, Decrees and Interlocutors, passed in Prejudice of the Church and Ministers these last Five Weeks, be rescinded and annulled."

4. "That the Commissioners of the Church be recalled by Proclamation, and the Burghesses of the Town permitted to remain and attend their Callings."

5. "That the Bond advised by the foresaid Enemies, to be subscribed by all the Ministers under the Pain of losing their Benefices and Stipends, be discharged; seeing the same is prejudicial to the Gospel, and that Commission now in Use to modify Stipends for the present Years."

6. "That an Act of Council be made, allowing the Proceedings of the Church, and the Concurrence given them by the Noblemen, Barons, and others, in the present Action."

The late unparalleled Insult on the King was so highly resented by the Privy Council, that they resolved not to receive the above Articles; and to put a Gloss upon their Proceedings in that Respect, found Means to prevail upon the principal Persons who were to present it to decline the same; and the Time for its Delivery being elapsed, the Court set out early next Morning for *Linlithgow*; and soon after, the following Proclamation was published at the Market-cross of *Edinburgh*:

Id. ibid.

"That the King considering the late treasonable Uproar, moved by certain factious Persons of the Ministry of *Edinburgh*, who, after they had uttered the most seditious Speeches in the Pulpit, did convene a Number of Noblemen, Barons, and others in the Little Church, and sent some of their Number to his Majesty, being then in the upper Session-house, using him in a most irreverent Manner, and with Speeches ill-beseeming any Subject; and, that a Multitude of the Townsmen, by Persuasion of the said Ministry, had treasonably put themselves in Armes, intending to bereave his Majesty and his Council of their Lives, did think the said Town an unfit Place for the Ministration of Justice; had therefore ordained the Lords of Session, the Sheriffs and Commissioners of Justice, with their several Members and Deputies, to remove themselves furth of the Town of *Edinburgh*, and be ready to repair to such Places as should be appointed: Commanding, in like Sort, all Noblemen and Barons, to dispatch them to their Houses, and not

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"presume to convene, either in that, or any other Place without his Majesty's Licence; under the Pain of his Highness's Displeasure."

This Proclamation, together with the Court's sudden Departure from *Edinburgh*, made the Citizens fully sensible of their late rebellious Insult on the King, into which they had been inadvertently led by their factious Ministers. In this dangerous Situation of Affairs, the Common Council, in the utmost Distraction, knew not what to resolve on; at last, judged it the safest Way quietly to wait the King's Resolution, in respect to the Town. But the Ministers conscious of their Guilt, as being the Authors of the late dangerous and detestable Insurrection and Insult, instead of expressing their Sorrow for what happened, or to endeavour to extinguish the Flame, added Fuel to the Fire, by keeping their Friends the Nobility and Gentry together in Town; and to strengthen themselves, wrote to their Friends in the Country to come and join them, and proposed the forming an Association. To this the *Edinburghers* excused themselves from entering into a treasonable Combination against their Sovereign, whose Indignation they had already too much incurred on their Account. This Deportment of the Citizens greatly retarded the intended Association.

However, the restless Ministers, to fortify themselves in the best Manner they could, judged it necessary, that their Brethren, from all Parts of the Kingdom, with their Friends, should be invited to repair to *Edinburgh*; and that they in the interim should write to Lord *Hamilton*, and the Laird of *Balcleuch* to come and join them: The Letter which was written by *Robert Bruce*, one of the said Ministers, and signed by him and his Colleague, is impious towards God, as well as rebellious against the King, as appears by its Contents; wherein, amongst other Things, he says, "That the People animated by the Word and Motion of God's Spirit, had gone to Armes; and that the godly Barons and other Gentlemen that were in Town, had convened themselves, and taken on them the Patrocine of the Church and her Cause; only they lacked a Head and special Nobleman to countenance the Matter: and, since, with one Consent, they had made Choice of his Lordship, their Desire was, that he should come to *Edinburgh* with all Diligence, and utter his Affection to the good Cause, accepting the Honour which was offered unto him."

Hamilton detesting this wicked and traitorous Conspiracy, took a Copy of the Letter, and returned the Original to the Bearer; and instead of going to *Edinburgh*, repaired to *Linlithgow*, and shewed it to the King, who was greatly moved to find that his im-

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placable

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Coun. Regist.
vol. X. f. 104.
20th Dec.

Spotf. Hist.
B. 6. p. 430.

To defeat the intended Association, and prevent a destructive Rebellion, the King, by a Messenger, commanded the Magistrates of *Edinburgh* to apprehend and commit the said Ministers, viz. *Robert Bruce, Walter Balcanquell, James Balfour, William Watson, &c.* to Prison; which they receiving Intelligence of, fled into *England*. The Town being destitute of Ministers, one *John Welch* offered his Service to preach; which being accepted, the Incendiary, in the most furious, execrable, and treasonable Manner, railed against the King, by saying, "He was possessed with a Devil; and one Devil put out, Seven worse were entered in his Place; and that the Subjects might lawfully rise and take the Sword out of his Hand;" which he endeavoured to confirm by the Example of "A Father, that, falling in a Frenzy, might be taken by the Children and Servants of the Family, and tied Hand and Foot, from doing Violence."

The Common Council, in the utmost Distress on this melancholy Occasion, sent divers of their Members to the King to demonstrate their Innocence, in respect to the late detestable Tumult; and to submit themselves to his Majesty in all Things he should please to injoin, to repair the great Indignity and Dishonour done him; providing they should not be deemed guilty of the Crime." But *James* admitting of no Justification, said, "That fair and humble Words could not excuse such a Fault; and that he should come ere it were long, and let them know he was their King."

Id. ibid.

Ibid. p. 431.

This threw the *Edinburghers* into the greatest Confusion; but when they received News of the Privy Council's having declared the late Tumult to be High Treason, and the Devisers, Executors, and Partakers to be Traitors: and also, all such that should thereafter be aiding or assisting to the Persons concerned therein. This Declaration plunged the Citizens into the utmost Despair, who now expected nothing but Destruction; all the Judicatories being removed to the Town of *Leith*, the Court of Session to *Pertb*, their Ministers fled, the Magistrates not regarded, and their greatest Enemies about the King.

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vol. X. f. 105.
27th Dec.

In this melancholy Situation of Affairs, the Common Council applied to *John Preston*, a Senator of the College of Justice, *John Sharpe*, and *William Oliphant* Advocates, and others, Men greatly in Favour with the King, to intercede for them; who having generously accepted of the Mediatorial Office, repaired to *Linlithgow*; where, in an Audience, they humbly besought his Majesty not to proceed to Extremities, but to distinguish between the innocent and

guilty; adding, that "In great Towns such as that was, there would ever be some bad Spirits; and if the Insolencies of a rascal Multitude should be imputed to the Town, it would be thought hard, especially since the Magistrates had done their Duties, and repress the Tumult: If on their Part, there had been any Connivance, or the smallest Appearance that they did favour the Sedition; they protested that they would not have opened their Mouths in their Favour; but since it was known, that none were more offended with the Tumult than they, and that they were careful to find out the Authors, and present them to Punishment; they could not but humbly intreat his Majesty to relent his Wrath, and to be mitigated towards them."

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Spotf. Hist.
B. 6. p. 431.

To this the King answered, "That he could not think the Town to be free; for if some of the principal (Citizens) had not approved the Multitude in their Doings, the Tumult could not have been so great. But howsoever, the Magistrates Negligence could not be excused, in so farre as they did not prevent the Disorder; alwaies his Resolution was to proceed by the Form of Law, and not to use any violent Course; but he had appointed the Estates to meet in the same Place where the Dishonour was done unto him, and would follow their Advice both in the Trial and Punishment."

The Night preceeding the Meeting of the Parliament, the King lay at *Leith*, and on the first of *January*, in the Morning, entering *Edinburgh* in a publick Manner, the Keys of the City-gates were delivered to one of his Officers, and a Guard being placed in the Streets through which the Cavalcade was to pass, the Citizens were confined to their Houses, and the Command of the Town, in contempt of the Magistrates, given to the Earl of *Mar*, and the Lords *Seaton* and *Osbiltrie*; and the King, attended by the Nobility, repaired to the Tolbooth; wherein the Parliament being assembled, the Magistrates were sent for to hear what they could say in defence of the Town: Accompanied by the Common Councilmen, they no sooner entered the House, than they prostrated themselves before the King, and, after a short Speech by *Alexander Hume* the Provost, delivered in Writing the following Offers of Submission.

"It may please your Majesty, that the saids Provest, Baillies, Counsell, and Deykins of Crafts, as thay will answer to the greitt God of Heavin, and upoun the Fidelity and Allegiance that thay aucht unto your Heines, thay, nor nane of thame had any Maner of Fore-knowlege of that unworthy and unhappy Tumult that suddenly fell out; and how sone the samyn come to thair Knowlege, thay travellit at the uttermost of thair Power to quyet

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"quyet the samyn; and albeit thair wes ane greitt Indignitie done to zour Majestie, zit God of his Mercie provydet that thair followit na Bluid."

"For Redress of this swa lewde ane Inormitie, we haif done oure utter Diligence to trye and apprehend sic as we suspect to be the Motioneris; the Inquisition takin is patent, be certane Witnes examinet; quhais Depositions ar redde to be delivert it to zour Majestie; in the quhilk Tryell thay fall nocht cease till we bring the Matter to the uttermost Poynt, swa far as we can any Wayes haif Knowlege, and as it fall pleis zour Heines to give us any Direction. And gif it be thocht be zour Majestie, that this Tryell and Recherche may be mair diligentlie maid be any other Personis, Inhabitants of oure said Burgh, gif thay were in the Plaices quhilk we occupy. To testifie our guid Will to the Furtherance of zour Majestie's Service, we ar content, gif it fall be zour Majestie's Pleasure, instantlie to demitt oure Offices, to the Effect zour Majestie may plaice sic others thairin, as fall stand with zour Majestie's Pleasure; quhom we fall alwayes, to the uttermost of oure Power, fortifie and afeist in the said Tryell, and other zour Heines Service quhatsoever."

"And forasmekill as zour Majestie has takin this heigh Indignitie to haif procedit from certane Sermonis maid laithlie be the Four ordiner Ministers, that laithlie keipit the Plaice, and ar now denunciēt zour Majestie's Rebellis; as als upoun certane Conventiouns of the Pepill assemblit be thame: We promise to zour Majestie, that nane of the saids Four Ministers fall be at anie tyme herefter refavet, admitter, or allowet be us to use the Function of the Ministrie in the Fredome of this zour Heines Burgh of *Edinburgh*, except the sam proceed upoun zour Majestie's express Direction and Command."

"And to the effect, that the lyke unworthie Misfardour arys nocht in ony Tyme to cum, to the Disobedience of zour Majestie, we ar and fall be content, that thair fall be na Minister refavet nor allowet be us, but sic as zour Heines fall lyke of, and zour Majestie's Advyse had to his Election; wherin we ar assurit zour Majestie will respect the Celebrity and Multitude of the Auditors, and thairfore will forsie sic as fall be preferit to the Plaices, fall be sic as may sufficientlie discharge thair Dewties to God and to zour Heines."

"And to give zour Majestie the undoubted Pruff of oure obedient Hairts to zour Heines Service, the sam quhilk we offerit and the Ministers to be electet herefter, evin swa we offer concerning the Officeris and Magistrats of this zour Heines Burgh, that the Lytes before the

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"Election fall be considerit and vewet be zour Majestie and Lords of zour Heines Session, quha fall haif Liberty to allow or disallow the saids Lytes, at zour Majestie's Pleasure, with thair Advyse; and to propone othir Lytes of the said Magistrats and Officeris, sic as zour Majestie with thair Advyse fall fynd mair convenient for that Tyme, and for this Cause we will be content, gif zour Majestie and thair Lordships think it expedient to alter the Tyme of oure Election, quhilk in Tymes past wes at *Michaelmas*, to some certane Day after the Session be convenit in *November*, to the intent that the said Lords may the better be present to give thair Advyse in the said Election."

Notwithstanding the *Edinburghers*, by the above Offers of Submission, agreed to divest themselves of their greatest and most valuable Privileges, they were nevertheless rejected, and the King advised by divers of the Nobility to destroy the City, and erect a Column on the Site thereof, as an infamous Memorial of their detestable Rebellion, and their deservedly just Punishment for the same. All Hopes of a Reconciliation being now at an End, and the distressed Citizens in the utmost Despair, *Elizabeth* Queen of *England* was graciously pleased to interpose, and endeavour to accommodate this unhappy Affair, than whom no Person was so likely to succeed in accomplishing so good and desirable a Work. To which End, her Majesty was generously pleased to write to the King a Letter, of which the following is a Copy.

My deare Brother,

"If a rare Accident and ill-welcomed News had not broke my long Silence, I had not used Pen-Speech, as being careful of your Quiet, and mindful of your Safety. To omit the expressing of both, by letting you know, how untimely I take this new begun Phrensie, that may urge you to take such a Course, as may bring into Opinion the verifying of such a Scandal, as ye avowed to be far from your Thought."

"In this sort I mean it; some Members of the Church, with their Companies, have ever audaciously imboldened themselves to redress some injurious Acts, that they feared might overthrow their Profession, which, though I grant, no King for the Manner ought to bear with; yet at the Instant when the new banished Lords returned, and they seen to be winked at without Restraint; and the Spring Time going on, when promised Succour is attended, together with many Letters from *Rome* and elsewhere sent abroad, to tell the Names of Men authorized by you, as they say (though I hope falsely) to assure your Conformity, as Time may serve you to establish the dangerous Party, and fail

Spots. Hist.
B. 6. p. 432.

"you

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"your own. I wail, in unfeigned Sort,
"that any iust Cause should be given you;
"to call in doubt so disguised Acts; and
"hope you will so try this Cause, as that it
"harme not you, though it ruine them."

"This you may be sure, that if you
"make your Strength of so sandy a Foun-
"dation, as to call to your Aid such as be
"not of your Flock, when as the one Side
"be foolish, rash, head-strong, and Brain-
"sick, yet such as may defend you, having
"no sure Anchorage for themselves, if you
"fail them; and the others who have other
"Props to sustain them, though they back
"you; yea such, as though your private
"Love to their Persons may inveigle
"your Eyes, not to pierce into the Depth
"of their Treasons; yet it is well known,
"that their many Petitions for foreign Aid,
"might have tended to your Peril and your
"Country's Wrack: For seldom comes a
"Stranger to a weaker Soil, that thraleth
"not the Possessor, or indangers him at
"least."

"Now to utter my Folly, in seem-
"ing busy in an other's Affairs, I sup-
"pose you will not mistake, since the
"Source of all is Care of your Good. To
"desire, that nought may be done that may
"imbolden the Enemy, decrease your Love,
"and indanger your Surety. This is, in
"Sum, the Line whereto I tend, and God I
"beseech to direct your Heart in such Sort,
"as ye please not your worst Subjects, but
"make all know, in a Measure, what is fit
"for them, and make Difference between
"Error and Malice. So God blese you
"with a true Thought of her that means
"you best."

Your affectionate Sister.

ELIZABETH R.

Ibid. p. 433.

This Letter was very acceptable to the
King; for, though he knew the Offence to
be capital, yet, instead of using Rigour, only
intended to secure the Obedience of his Sub-
jects, by taking Advantage of the present Si-
tuation of Affairs: To which End, the Par-
liament having declared the Tumult to be
High Treason, it was resolved to commence
a criminal Process against the Town, and to
charge the Common Council as its Repre-
sentatives to surrender themselves Prisoners
at the Town of *Pertb*, before the first Day
of the approaching Month of *February*, there
to remain in Custody, till either acquitted
or cast by Law.

Id. ibid.

The Time allowed to surrender them-
selves not being sufficient, the *Edinburghers*
on their petitioning, were not only favoured
by having the Time for their Appearing at
Pertb prolonged to the first Day of *March*;
but, instead of the whole Town Council's
entering themselves Prisoners, Thirteen of
their Number were accepted; namely, Two
Bailiffs, the Dean of Gild, Treasurer, Four
of the principal Deacons, Four of the Coun-

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23d Feb.

sellors, and one of the Town-Clerks, who
being called on the Fifth of the said Month,
produced a Procuratory, or Commission un-
der the Town's Seal, signed by the Town-
Clerks; which being read, were asked, if
all named in the Commission were present,
it was answered they were, exclusive of *Wil-
liam Maul*, who had received his Majesty's
Letter of Dispensation, which they produ-
ced; but it being granted on the 11th of
January preceeding the Answer to their Pe-
tition, wherein it was expressly ordained,
that the said Thirteen Citizens should ap-
pear, wherefore the Dispensation was decla-
red void; and, for not complying with the
said Ordinance, the Town was denounced,
the Inhabitants declared Rebels, and the
City-revenues sequestred to the King's Use.
The *Edinburghers* now plunged into an A-
byss of Misery, the Magistrates resigned
their Offices; and being sometime before de-
serted by their Ministers, the Churches and
City-courts being shut up, were deprived
both of spiritual and temporal Government.

In this State of Anarchy or Confusion,
the King, at the Intercession of divers of the
prime Nobility, and others, was at last pre-
vailed on to receive the Citizens into Favour
again; and, on the Twenty first of *March*,
the Provost, Bailiffs, Council, and Deacons
of Crafts being brought before him, in his
Palace of *Holyroodhouse*, on their Knees made
the following Submission.

Spotf. Hist.
B. 6. P. 443.

"We the Provost, Baillies, Counsell and
"Deykins of Crafts of the Burgh of *Edin-
burgh*, regrayting with unfeynzit Greif of
"oure Myndis, the greitt Indignitie and Dis-
"honour done to his Majestie, oure maist
"gracious Soverayne, be the unhappie and
"tumultuous Uproare, rayfit within oure
"said Burgh upoun the Seventein Day of
"December last, be ane Number of seditious
"and wikket Pepill, and declayret, be his
"Majestie, and Lords of Counsell, to be
"Traysoun; quhilk, by the Oversight and
"Negligence of oure Magistrats, was nocht
"swa cairefullie and tymouslie repressit and
"tryet as the Indignitie of the said Fact re-
"quyrit: Albeit, we his Majestie's maist
"humbill, faythfull, and obedient Subjects
"above mentionett, ar altogidder innocent
"and frie of the said Tumult; zit, to the
"Effect that all Grief and Displeasure of his
"Majestie's Mynd may be the better remo-
"vet, and his wonted guid Affection born
"to us, his Hienes humbill Subjects, In-
"habiters of the said Burgh, may be renew-
"et and continewet; We the said Provost,
"Baillies, Counsell, and Deykins maist
"humbillie cravis his Majestie's Pardon for
"the said Negligence and Oversight of oure
"said Magistrats, and for the sam fall satisfie
"his Majestie at his Hienes Sicht; and spe-
"ciallie, be the performing of the humbill
"Offeris severally gevin in be us to his Ma-
"jestie, and furdur as his Hienes fall injoyne
"to

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"to us for punesing of the said Tumult."

After the King had severely reprimanded them for the undutiful and intolerable Behaviour of the Citizens in the late Tumult, they were ordered to withdraw; and calling for the above specified Offers made by them for an Accommodation, caused divers Articles to be added thereto; of which the following is a Copy.

Apud Halruddous, 21. die Mensis Martii, anno Domini 1596.

Id. ibid.

"The quhilk Day, in Presence of the King's Majestie, and Lords of Secreit Counfall, compierit personallie certane Commissioners for the Provest, Baillies, Counfall, and Deykins of Crafts of the Burgh of *Edinburgh*, and producet certane Eikis (Additions) to the Offeris maid before to his Majestie at *Lithgow*; quhilk beand red and considderit be his Hienes and the said Lords, and thay therewith be- and ryplic and weill advyset, his Majestie and the said Lords allowis and approvis the saids Eikis, in Maner and upoun the Conditoun particularlie underwritin."

1. "That the Houses being in thair Kirk-Zard, sum Tyme possiet be the laitt Ministeris, fall be delyverit to his Majestie's self, absolutlie without Conditoun, to be usit to his Hienes awin proper Use, and at his Hienes Plesure."

2. "That thair Counfall Hous fall be maid patent to the Chekker, in Forme as set down in Article."

3. "That the ordinaire Ministry that fall serve heirafter, fall be disperfit in every Quarter of the Toun, and thair keip Residence, every ane of thame in the Myddis of thair awin Quarter."

4. "His Majestie fall superfeid the Suirty of the Sessiou and Memberis thair of within the Toun, to the Presence thair of in full Number quhom the sam chieffie concernis; and be the quhilk Advyse the Suirty man be maid."

5. "His Majestie acceptis thair Offer of Twenty thousand Merks, and presentlie assignis the sam to the furnishing his Hienes Hous allanerlie, to be payet at Foure Tymes; that is to say, the First Day of *Apryle*, the First Day of *May*, the First Day of *Junii*, and the first Day of *Julii*, nixt to cum; viz. Fyve thousand Merks to be payet the First Day of the said Moneth."

6. "That nane of thair ordiner Ministers now denunceit his Majestie's Rebellis, fall be heirafter resavit nor admittit to serve in thair Town heirafter; nather fall his Majestie prese thame to accept thame to be thair Ministeris; nor zit fall thay request or suijt his Hienes, to that Effect."

"In Consideratioun of the quhilks Offeris and Eikis, and of the present Humiliatioun of the Provest, Baillies, Counfall,

and Deykins of Crafts, representand the hail Body of the Town of *Edinburgh*, his Majestie acceptis thame in his Favour and Graice in the same Forme and Maner as thay wer befor the said Sevintein Day of *December* last; and ordains them to be relaxit fra the Procis of Horne led agains thame, for the nocht Entrie of the full Number prescryvet in his Hienes Act and Ordinance within the Burgh of *Perth*, at ane certane Day bypast; suspending the saids Lettres of horning *simpliciter*, be thir Presents."

All Matters in Dispute between the King and the *Edinburghers* being thus happily adjusted, he granted them the following Acquittance or Discharge.

James, by the Grace of God, King of Scots, to oure lovits Jhoun Blinfeill, Ilay Harawold, Daniell Grahame, Dingwall Purservant, and William Porteous, Messinger, oure Sberiffs in that Pairt conjuntlie and severallie, specially constitute, Greeting.

"Forswamekill as we, with Advyse of the

Id. ibid.

Lords of oure Secreitt Counfall hes remittet and dischairget, and be thir Presents remitts and dischairges all Actioun and Caus, criminall or civill, quhilks we had, hes, or ony Wayis may haif or intend agains the present Provest, Baillies, Counfall, and Deykins of Crafts of the Burgh of *Edinburgh* for thameselfis, or representand the hail Body thair of, for their Airs and Successeours, for omitting of thair Dewty, in nocht taking, apprehending, and wayrding of Maister Robert Bruce, Walter Balcanquell, and William Watfoun, conforme to the Chairge gevin to thame, be Vertew of oure other Letters direct to that Effect; or in letting or suffering of Mr. James Balfoure to haif Liberty after he wes taikin at Command of oure saids other Letters, or zit for ony Caus, Cryme, or Offence committet agains us or oure trusty Counfallors and guid Subjects withlin oure Burgh of *Edinburgh*, upoun the Sevintein Day of *December* last bypast, or for ony Thing depending thairupoun, renunce, and be thir Presents, or Instance, and all Actioun and Caus Criminall and Civill as said is; quhilk we or oure Successeours, or oure Advocates, in oure Name, had, hes, or ony Wayis may move or incet agains thame for the same for ever."

"Decernand and declayrand be thir Presents, the saids Provest, Baillies, Counfall, and Deykins of Crafts of oure said Burgh, to be honest, trew, saythfull and affectionat Subjects to us, innocent of the Cryme foresaid, perpetratt upoun the said Sevintein Day of *December*, and in na Wayis guilty nor acceissabill for the same; nor zitt for ony Thing that followet thairupoun; exonerand thame, as alswa the hail Burgeses and Communitie thair of, of all Payne, Cryme, and Danger, that thay

O

"may

1596.

" may incur thairthrow ; for evir dischaarge-
 " and oure Thesaurer, Advocats, and all o-
 " theris oure Judges and Ministers of oure
 " Lawis, Lieges, and Subjects quhatsume-
 " vir, of all calling, licensing, unlawing,
 " apprehending, wayrding, or in ony Ways
 " persewing or apprehending of the fore-
 " saids Personis, or thair Aires for the Caus
 " above written, and of thair Offices in that
 " Pairt."

" Oure Will is heirfore, and we chaarge
 " zow straitlie, and commandis, that incon-
 " tinent thir oure Letters sein, ze pas and
 " mak Publicatioun and Intimatioun of the
 " Premisses to all and sundry our Lieges, be
 " oppin Proclamatioun at the Mercat-croce
 " of oure Burgh of *Edinburgh*, and all other
 " Plaices neidfull, quhairthrow nane pretend
 " Ignorance of the samyn ; as alsfa, that
 " we haif acceptit and acceptis the saids Pro-
 " vest, Baillies, Counsell, and Deykins of
 " Crafts of oure said Burgh of *Edinburgh*
 " for thamefelfis, and as representand the
 " haill Body thair of in oure Graice, guid
 " lyking, Clemencie and Favour, and hes
 " frelie renuncet all Rancour and Haitrant
 " of Hairt, quhilks we had, hes, or in ony
 " Wayis nicht move and consave agains
 " thame for the Caus above written ; pro-
 " mittand to use and acknowledge thame
 " as oure faythfull, guid, loving, and o-
 " bedient Subjects at all Tymes heirafter,
 " and nevir to call in questioun the Cryme
 " foresaid, nor na Indignity come to us thair-
 " throw."

" Be it alwayis understand, that it fall be
 " lesum to us to persew ony particular Per-
 " soun, Inhabitant of oure said Burgh ;
 " quhilks we fall trye at ony Tyme heirafter
 " to haif bene upoun the Fore-knowledge
 " or gilty of the Cryme foresaid, commit-
 " tet upoun the said Sevintein Day of *De-*
 " *cember* ; and that thir Presents fall on na
 " Wayis hinder nor stop us from the said
 " Persewt, as thoch thay nicht be comptit
 " of the Body of the said Burgh, as ze will
 " answer to us thairupoun."

" The quhilks to do, we committ to zow
 " conjunctlie and severallie oure full Power
 " be thir oure Letters, delyvering thame to
 " zow dewlie execut, and indorsit agane
 " to the Berer."

Gevin under oure Signet, at *Halyroodhouse*,
 the Twentie second Day of *Marche*,
 and of oure Regne, the Threttie Zeir.
 1596.

The Lords of Session, from the late Insult
 on the King, not judging themselves safe in
Edinburgh, the King, in one of the Articles
 proposid by him to the *Edinburghers* for an
 Accommodation, insisted, that the Common
 Council and their Successors shall protect
 and save harmles the Persons of the said
 Lords of Session, from all Tumults, Riots,
 and Insurrections, under the Penalty of For-
 ty thousand Merks ; of which the following

is the Obligation.

" Be it kend till all Men be this present
 " Letters, We the Provest, Baillies, Coun-
 " sell, and Deykins of Crafts of the Burgh
 " of *Edinburgh*, representing the Body of
 " the said Burgh be bund and oblist, and
 " be the Tenor heirof binds and oblistes us
 " and oure Successours, that the Lords and
 " Senatoures of the College of Justice pre-
 " sent, and that fall happin to be for the
 " Tyme, fall be harmelis and scaythlis in
 " thair Bodies, and on na Wayes molestet,
 " nor troublit be us, nor nane of oure Com-
 " munitie and Inhabitants, Burgesies of the
 " said Burgh, be Convocatioun, or in tumul-
 " tuous Maner, nor na others of oure caw-
 " sing, Command, Hounding-owt, Assistance,
 " or Ratihabitoun, quhome we may stop
 " or latt, directlie nor indirectlie otherwayes,
 " nor be Ordour of Law and Justice, under
 " the Payne of Fourty thousand Merks,
 " to be payet in cais of failzie, the ane half
 " to the King's Majesty, and the other half
 " to the Party grevit."

" Be it alwayes understand, that in cais
 " ony Persoun or Persounis, quhilks fall
 " happin to contravene thir Presents in ony
 " Poynt, be apprehendit and presentit to
 " Justice be us the said Provest and Baillies,
 " and in that Cais fall be frie of the Fact,
 " quhilks fall happin to be committed be that
 " Persoun or Persounis ; and of all Penaltie
 " quhilks may be imputt to thame be Ver-
 " tew of thir Presentis."

" And, for the mair Security, we ar con-
 " tent, and consentis that thir Presentis be
 " actit and registrat in the Buiks of Secreitt
 " Counsell and Sessioun, to haif the Streth
 " of ane Act and Decreitt of the Lords
 " thair of, with Letters and Executorialis to
 " pas thairupoun in Forme as effeirs ; and,
 " for registring heirof in the said Buiks of
 " Secreitt Counsell and Sessioun, makis and
 " constitutis oure Procurators, conjunctlie
 " and severallie in everie Forme, promit-
 " ten to oure Procur. In Witnes quhair of
 " we the saids Baillies, and Mr. *Alexander*
 " *Gutbre* oure common Clerk, in oure
 " Names, and at oure Command, haif sub-
 " scriyvet thir Presentis for us."

At *Halyrudhous*, the Twentie second Day
 of *Marche*, the Zeir of God, 1596 Zeirs.

Remark. Surely never was any Thing
 weaker than the Conduct of the *Edinburgh*-
 Ministers in this Reign ; for, by their ince-
 santly opposing the Government with bitter
 Reproaches and groundless Calumnies, not
 only advanced the Sovereignty to a greater
 Height, but hastened the Destruction of their
 darling Scheme ; which, instead of effectual-
 ly subverting Episcopacy, as was intended,
 served only to restore, establish, and confirm
 it, as hereafter will appear : Nay, I think it
 may in some Measure be said, that to this Op-
 position, was owing all the Calamities of the
 civil War in *Charles I.*'s Time ; for by it, the
 afore said

1596.

1596.

aforefaid unhappy Infurrection was occasioned; by the Effects of which, the King obtained, as it were an uncontrollable Power which raised him to the Height of Kingcraft; and the same being imbibed by the unhappy Prince his Successor, contributed to the bringing on the said destructive civil War, and his unparalleled suffering the Effects thereof.

And the King, to his great Reproach, appears to have acted a very unjustifiable Part against the innocent and injured Magistrates and Council of *Edinburgh*, by compelling them, (after the greatest Struggle and Efforts made to justify their Innocence) to acknowledge themselves negligent and remiss in not repressing the Tumult sooner, when he well knew the contrary; for, by the Diligence used by the Conveener and Provost, the Infurrection was happily quelled, to his good Fortune, without the least Hurt done: Nay, the Magistrates and Council, in their Submission aforefaid, (which seems to be a mere Farce to the King's Dishonour) plainly declare their Innocence; and in fact set forth that they were forced to act the Hypocrite; which is seemingly acknowledged by the King in his above specified Declaration or Discharge to the *Edinburghers*.

CHAP. IV.

Comprehends the most memorable Transactions of the Edinburghers with their Sovereign, and others; with a Relation of the famous Dispute held before the King at Stirling.

1597.

Coun. Regist.
vol. X. f. 176.
10th March.

Robert Bruce, the Parson above mentioned, again threatening to leave *Edinburgh*; but, whether out of Avarice for a farther Addition to his Stipend, or the Effect of Pride, I cannot learn; though my Author, one of the Town Clerks, seems to be of Opinion that it was owing to the latter; and that he wanted to be courted to stay as formerly! But Bruce, it seems, was unluckily disappointed in his Expectation; for the People, instead of courting him by Solicitations to stay as before, many were glad to get rid of the haughty Priest; which, it seems, he little expecting, it may be presumed, that he prevailed with his Brethren to interpose in his behalf, to prevent his exposing himself by staying after he had threatened to leave the Town; that they effectually did, is manifest, by their declaring to the Common Council, that if Bruce left the City, they all would; which some were of Opinion, that it was a Pity, and the Height of Indiscretion to prevent their going.

The Citizens having for some Time watched the Town by Night, it was found both troublesome and expensive to them; wherefore the Common Council appointed Thirty to guard the City by night at the publick Expence.

At this Time, the Duke of *Holstein*, Brother to the Queen, was sumptuously entertained by the Town Council.

Ibid. f. 147.
30th Sept.

1598.
Ibid. f. 183.
24th April.

The Convention of Boroughs considering that it would be of great Advantage to the Nation to have a woollen Manufactory established therein; and the *Edinburghers* being of the same Opinion, heartily joined in the Undertaking; and, by their Agent, *Alexander Hunter*, brought from *Flanders* Seven *Flemings* for that Purpose; Six whereof for making of Sayes, and the Seventh for Broadcloth; the chief of whom being *Gabriel Bishop*. They were immediately set to Work, but what Progress they made, I cannot learn: However, it seems not to have been very considerable, seeing that the Town Council soon after ordered the Wool and Materials, bought by their Order for carrying on the said Manufactures to be sold, and to agree with the Strangers for buying the same. Now, if the Strangers here mentioned were the *Flemings* aforefaid, they may have bought these Things with a View to carry on the said Manufactures on their own Account.

1601.
Coun. Regist.
vol. XI. f. 44:
8th June.

Ibid. f. 65.
13th Nov.

The small Expence of being admitted a Burghers and Gild-brother of *Edinburgh*, occasioned many Persons of mean Circumstances to purchase the Freedom of the City; whereby the said Persons, with their numerous Families, became a great Burden to the Town in divers Respects: For preventing of which in Time coming, it was by the Common Council enacted, that no Person be admitted a Freeman or Burghers of *Edinburgh*, but Persons of Reputation and Substance; and every one, on his or her being received into the Freedom of the City, shall pay the Sum of One hundred Merks, *Scotish* Money, besides the Upset and common Fees. And every Person, on his becoming a Gild-brother, to pay the Sum of One hundred Pounds of the said Money.

1602.
Ibid. f. 74.
15th Jan.

The Pestilence raging in *Edinburgh*, it was by the King judged necessary timely to provide for the Government of the City, and for that Purpose sent a Letter to the Magistrates; of which the following is a Copy.

1604.
Ibid. f. 156.
26th Sept.

JAMES R.

Trustie and weil beloved, we grete zow hartlie well.

“Forfameikle as we ar crediblie in-
formit, that for dyvers guide Respects
and Considerationes, it is requisite and
necessar zour Toun be providit of Of-
ficers and Magistrats in dew Tyme,
and befoir that the Merchandis of that
oure Realme pas to *France* for thair Trad
and bying of Wines, which thay use to do
in the Moneth of *October*: We haif thoct
gude therfoir to signifie to zow heirbye,
that it is oure Pleasure and Will, and that
we gif zow fre Libertie and Licence to
cheils zour Magistrats in the Oulk efter
Michelmes; notwithstanding quhatfomever
oure Ordinance or Article in the contrair.
Provyding alwayes, that at the Meiting
“and

1604.

"and Conveining of the Lordes of our
"Counsell and Sessioun, your new elected
"Magistrats and Counsell, fall compeir
"before thame in Judgement, and thair
"unto thame, as representing our Author-
"ritie, offer thair dew Homage and Obe-
"dience to us; together with all dew Re-
"gaird and Reverence to thame as our
"Deputies and Sovereine Judges under us
"in that Kingdom. Sua for the present
"we bid zow ferweill."

*From our Castel of Windfore the 17th of
September, 1604.*

This being a Time of great Tribulation
and Horrou, it was judged necessary to
compel those who should be chosen Magi-
strats for the succeeding Year, to serve,
under the Pain of Rebellion; and, to pre-
vent the Destruction of the City for want of
Government on this melancholy Occasion,
the following Act of Privy Council was
made, to oblige those chosen into Offices to
serve.

*At Perth, the Twentie fyft Day of Septem-
ber, the Zeir of God, 1604 Zeires.*

Id. ibid.

"Anent the Supplicatioun presented to
"the Lordis of Secrete Counsell, be the
"Provest, Bailies and Counsell of the
"Burgh of *Edinburgh*, makand Mentoun,
"that quhairas the ordinarie, and auld a-
"custumat Tyme of Electioun of thair Ma-
"gistrats is now approaching, the gretter
"Haist is requyred therin, be reasoun, that
"thayse quha this Zeir bygane hes borne
"Office, ar sa weirit, that without thay be
"supplied and uthers placit in thair Rowmes,
"the Government of that Towne in this
"dangerous Tyme of Infection, will be
"cassin lows, and thayse quha beris Fun-
"ctioun, will nawayes undergoe the famen,
"thay haifing alreadie servit in thair Offices
"be the Space of ane haill Zeir: Sua the
"Delay or Procrastinatioun of the Electi-
"oun, will breid nathing at all bot Confu-
"sion within that Burghe, the former Ma-
"gistrats not being bound to serve any
"longer. Humble desyring thairfoir, that
"thay micht haif an Act of Counsell and
"Letters granted to thame in Maner and to
"the Effect following; lyke as at mair
"Lenthe is contenit in the said Supplica-
"tioun."

"Quhilk being red, hard and considerit
"be the Lordis of Secrete Counsell, and thay
"being thairwith weill and ryplie advysit,
"and considering withall, how necessar it is,
"that in this dangerous Tyme of the In-
"fectioun within the said Burghe, Ordour
"be taine for the Government thairof:
"Thairfoir the saids Lordis has gevin and
"granted, and be the Tennor heirof gives
"and grantis Libertie and Licence to the
"Personis haifing Vote in the Electioun
"and cheifing of the saids Magistrats of
"the said Burghe this present Zeir, to pro-
"ceid to the Electioun and cheifing of thair

1604.

"Magistrats for the Zeir to cum allanerlie,
"at the *Michelmes* ensewing, in that auld
"and ancient Maner and Forme, keipit and
"usit within the said Burghe thir many
"Zeires bygane: And the said Electioun
"being made, that Letters may be directit,
"charging the Personis quha fall be electet,
"nominate and choisin into ony Office
"within the said Burghe, to accept the
"famen upon thame, and to attend thair-
"upoun, quhairthrow the gude Govern-
"ment within the said Burghe, may be con-
"tinewit, and that the same be not without
"Ordour in this sa dangerous a Tyme,
"within Six Days nixt after thay be changit;
"under the Payne of Rebellion and put-
"ting thame to the Horn."

The *Edinburghers*, out of a strong Propen-
sity to become Superiors of the Town of *Leith*,
appointed certain Commissioners to treat
with *Jean Fleming*, Lady *Cassills*, and Lord
Thirlestane, for purchasing of them the Re-
version of the Superiority of the said Town,
and all other Rights they might have relat-
ing thereto. But, being informed that the
Leithers were in Treaty with the said Lady,
for her Interest in this Affair, they were sei-
zed with great Surprize, infomuch that the
Common Council ordered *John Hay*, their
Deputy Town-Clerk forthwith to repair to
England, and to use his utmost Indeavours
at Court to thwart the *Leithers* in their De-
sign, and to leave no Means unattempted
to obtain the said Reversion for their Use.

This Affair, by proper Application, was
managed with such Address and Success, that
the aforesaid Reversion was purchased for the
Edinburghers (to the no small Regret of the
Leithers) and the Sum of Fourteen thousand
Merks ordered to be paid to Lord *Thirlestane*
for his Interest in the said Reversion: And al-
though Application was by the Town Coun-
cil ordered to be made to the above named
Lady *Cassills* for her Interest in this Affair,
yet I could not, in the Records of Council,
discover any Money paid to her on that Ac-
count: But, that the Sum paid to her on this
Occasion must have been very considerable,
is manifest; for the *Leithers*, by their Ag-
ent *Robert Lindsay*, made the said Lady
Cassills a Tender of Six thousand Merks for
the said Reversion; which was done by
Consent of the King, on the Twenty fourth
Day of *December*, anno 1604; wherefore I
think it may not improperly be supposed
that *Thirlestane* bought *Cassills*'s Interest in the
said Reversion. Be that as it will, I shall
reckon Six thousand Merks; which, together
with the Money paid to Queen *Mary* and
Thirlestane on that account, it appears that the
Superiority of *Leith* cost the *Edinburghers* the
Sum of Thirty thousand Merks, *Scotish* Mo-
ney.

Edinburgh at this Time appears to have
been in very great Distress; for by the
Continuance of the Plague, the Poor in-
creased

1605.

Ibid. f. 152.
17th July.Ibid. f. 164.
28th Dec.

1606.
Ibid. f. 155.
15th August.

creased to such a Degree, that they were reduced to great Straits: And, the Town's Revenues on this melancholy Occasion not being paid, the Town Council were at a Loss how to provide for them. But, in this great Difficulty, being reminded that, some Time before, a Collection was made for relieving the City of *Geneva*, amounting to the Sum of Two thousand four hundred Pounds; which lying in the Hands of *William Speir*, was by this dreadful Visitation rendered useless. The Council ordered the said *Speir* to pay the said Money to the Bailies of the Town, to be by them employed in support of the said Poor; obliging themselves not only to indemnify *Speir*, but to repay the said Sum to the Use it was intended.

In this Year the following Ordinance was made by the Lords of Council and Session, with a View to the publick Good.

At Edinburgh, the 17th Day of May, the Zeir of God 1606.

Ibid. f. 220.
29th Dec.

"The quhilk Day the Lords of Council fell ordinis the Provest and Baillies of *Edinburgh*, to caus mak, big, and erect ane Pillerie of hewin Stayne neir the Mercat-crofs of *Edinburgh*; upon the Heid thair- of ane Saitt and Plaice to be maid, quhair- upoun, in Tyme cuming, fall be sett all Dyvours (insolvent Debtors) quha fall sit thairon, ane Mercat-day, from Ten Houres in the Morning, quhill ane Houre after Denner.

"And the said Dyvours, before thair Libertie and cuming furth of the Tolbuith of *Edinburgh*, fall, upoun thair awin Charges, caus mak or buye ane Hatt or Bonnett of zallow Cullour to be worne be thame all the Tyme of thair sitting on the said Pillerie; and in all Tyme thairafter, swa lang as thay remayne and abyde Dyvours; with speciall Provisioun and Ordinance, gif at ony Tyme or Plaice, after the Publication of the said Dyvourie at the said Mercat-crofs, any Persone or Persones decaylrit Dyvours bie found wantand the foresaid Hatt or Bonnett of zallow Cullour, so often it fall be lawfull to the Bailies of *Edinburgh*, or ony of his Creditors, to tak and apprehend the said Dyvoure, and put him within the Tolbuith of *Edinburgh*, thairin to remayne, in sure Custodie, the Spaice of ane Quarter of ane Zeir for ilk Fault and Failzie foresaid."

Remark. This by some may probably be thought a very unjust, as well as an impolitick Act, in making no Distinction between an honest industrious Person ruined by Misfortunes in Trade, and one who through Indolence, Luxury, and Extravagance, has profusely spent his Creditors Money: For the former, instead of being exposed and punished, was justly intitled to the Compassion of all Men; and, though the latter ought to be severely chastised for his Wickedness, yet it was the

Height of Indiscretion and Imprudence to do it in so publick a Manner, especially to make it, as it were, perpetual, by obliging the Transgressor to wear a yellow Hat or Bonnet of Reproach, whereby he was rendered both infamous and odious to the People; insomuch, that instead of getting into fresh Credit, and by that into Business, whereby he might have had an Opportunity of paying Part, nay, perhaps all his Debts (of which there are many Instances) he was deprived of all Means of subsisting other than by begging or stealing; whereby he either became a Burden to, or a Robber of his Country.

King *James VI.* since his Accession to the Crown of *England*, seems to have got some Notions of Liberty in that Country, Part whereof he granted to the Citizens of *Edinburgh*, as will appear by the following Letter.

JAMES R.

Trustie and weill beloved we greit zow weill.

"Quhairas it has bein formerlie appoynt- it and statute by Parliament, that evrie Burgh fall mak choice of thair Magistrates within their selfis, that so the Administration of the Toun suld be committit to nane, but such as being of the Estait of Burgeses, quha hes the Knowlege and Skill in Meynes quhilk may inrich ony Burgh or Citi quhich is treading and merchandiceand; thairfore we haif thoct meitt, speciallie to will and command zow, to mak choice for zour Provest this Zeir, sume one of zour ordinere Burgeses, of best Worth and Qualitie, according to the Form of other Elecciouns usit be zow, before the lait Corruptions of the cheifing of Nobilmen; quhilk we hold to haif generalie remediet through this hail Kingdome.

"And thairfore, oure speciall Pleasure, Will and Command is, that zow, at zour Eleccioun, mak choice of one of zour awn Burgeses for zour Provest, and thairin to haif speciall Caire, and Regard that none be put upoun anie of the Lytes of ony Sort of Magistrates within the Burgh, but such as ar knawin to be weill affected in Religion, without the least Presumption of ony Suspicioun to the contrair, as ze will answer thairupoun at zour Perill: And so we bid zow fairweill."

From oure Court at *Hampoun*, the 21st of September, 1608.

At this Time, it seems, great Disorders were committed in the Streets of *Edinburgh*, by the Privy Council's publishing an Ordinance, strictly forbidding all Riots, Robberies, and other Disturbances in the Streets of this City by Night, on Pain of Death; and enjoined the Magistrates to keep a good Guard for apprehending all Offenders, with an Indemnity to all Persons who shall wound, mutilate, or kill all resisting Transgressors.

P

And,

1606.

1608.

Ibid. f. 268.
21st Sept.

Invent. Rec.
Clerk. Cham.
p. 256.

1608. And, for better preventing the said Enormities, forbade all Persons, of what Quality soever, from appearing in the Streets after Ten of the Clock at Night: This seems to be the Origin of the Town-guard.

1609. *Coun. Regist. vol. XII. f. 21. 36. 7th Sept.* King James, at this Time, to inable the *Edinburghers* to support the Dignity of their City, granted them a Duty of Four Pounds, *Scotish Money*, on every Tun of Wine sold within *Edinburgh*; and, for the Honour of the Citizens, impowered them to carry a Sword before their chief Magistrate the Provost; with a Privilege for their Magistrates to wear Gowns; and, for their Direction as to the latter, sent them from *London*, Two Gowns, viz. one of red, the other of black Cloth, both faced with Sable for Patterns.

1610. *Ibid. f. 27. 21st Feb.* Some Time after, the King wrote to the Common Council of the City to imploy the Bishops to preach weekly in their Churches. This probably was done as an additional Help for their better Support.

Ibid. f. 34. 16th May. Soon after, the said Council ordered their several Members to wear Gowns on the *Sundays*, to attend the Lord Provost to and from the Church, and likewise occasionally to attend the Council in their said Gowns.

Ibid. f. 37. 29th June. In this Year, the Coast of *Scotland* and Frith of *Forth* were greatly pestered with Pirates, to the great Hurt of Trade: For redressing of this Evil, the Common Council fitted out divers Ships to go in quest of them; which coming up with the largest, at one of the *Orkney Islands*, engaged, took, and brought her to *Leith*; where she, with the Effects on board, were sold to defray the Town's Expence.

1611. *Ibid. f. 56. 23d Jan.* It was by the Town Council at this Time ordained, that all Procurators shall wear Gowns and not Cloaks, under the Penalty of not being suffered to practise.

1612. *Ibid. f. 87. 4. & 20th March.* The Town Council having taken into Consideration the great Inconveniencies attending the Want of Causeways in divers Parts within the City and Liberties of *Edinburgh*, ordered one to be made between *Edinburgh* and *Leith*, another between the *Grayfriars Church-gate* and the *Society*, now denominated the *Candle-maker Row*, and one in the Street at the *Potter Row Port*.

Ibid. f. 95. 7th August. The *Edinburghers* at this Time seem to have been much addicted to Usury, by their offering to remit to King James, the Money due by him to them, to be indemnified from the Penalties of an Act of Parliament against such as take more than Ten per Cent. which was the common Interest then: And, having about the same Time remitted to the Lord *Burleigh*, the Sum of Four thousand Marks due by him to the Town, it is thought it was done to obtain his Interest in this Affair; but what the Issue was I cannot learn.

1616. *Ibid. f. 227. 2d Aug.* Although the King at this Time was indebted to the *Edinburghers* in the Sum of Fifty nine thousand Marks, they were, nevertheless, obliged to accept of Twenty

thousand Marks in full Satisfaction for the same. 1616.

Some time after, the Common Council of *Edinburgh* bought of Robert and George Logan, *Bonytown Mills*, with the Lands and Teinds or Tithes thereunto belonging, for the Sum of Twelve thousand three hundred Marks. 1617. *Ibid. f. 254. 2d May.*

King James VI. after a long Absence of Fourteen Years in *England*, resolved to visit his native Country of *Scotland*; on which Occasion the *Edinburghers* prepared to receive him with the utmost Pomp and Magnificence. And being arrived in the Neighbourhood of the City on the 16th of May, was received without the West Port by the Magistrates and Common Council apparelled in their Gowns, and the principal Citizens in black Velvet; in whose Name he was complimented by John Hay, their Deputy Town-Clerk, in the following Speech. 1618. *Ibid. f. 254. 9th April.*

"How joyfull your Majestie's Returne (gracious and dread Sovereaine) is to this your Majestie's native Towne, from the Kingdome due to your sacred Person by Royall Descent, the Countenances and Eyes of these your Majestie's loyall Subjects speak for their Harts. This is that happie Day of our new Birth, ever to be retained in fresh Memorie, with Consideration of the Goodness of the Almighty God, considered with Acknowledgment of the same; acknowledged with Admiration, admired with Love, and loved with Joy; wherein our Eyes behold the greatest humane Felicitie our Harts could wish; which is to seid upoun the Royall Countenance of our true Phenix, the bright Starre of our Northerne Firmament, the Ornament of our Age, wherein we are refreshed, yea revived with the Heat and Beames of our Sunne (the powerfull Adamant of our Wealth) by whose removing from our Hemisphere, we're darkened, deep Sorrow and Fear possessed our Harts; without envying your Majestie's Happinefs and Felicitie, our Places of Solace ever giving new Heat to the Fever of the languishing Remembrance of our Happinefs: The very Hills and Groves, accustomed before to be refreshed with the Dew of your Majestie's Presence, not putting on their wonted Apparell, but, with pale Looks, representing their Miserie for the Departure of their Royall King. *Muses welcome to King James. P. 39.*

"I most humbly begge Pardon of your Majestie, who, most unworthie and ungarnished by Art or Nature with rhetorical Coloures, having presumed to deliver to your sacred Majestie, formed by Nature, and framed by Education to the Perfection of all Eloquence, the publike Message of your Majestie's loyall Subjects heer convened, upon the verie Knees of my Hart, beseeching your sacred Majestie, that mine Obedience to my Superiors

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"rions Command, may be a Sacrifice acceptable to expiate my Presumption; your Majesty's wonted Clemencie may give Strength and Vigour to my distrustfull Spirits, in a gracious Acceptance of that which shall be delivered, and pardoning my Escapes.

"Receive then, Dread Sovereaine, from your Majesty's faithfull and loyall Subjects, the Magistrates and Citizens of your Highnesse's good Towne of *Edinburgh*, such Welcome as is due from these, who with thankfull Harts do acknowledge the infinite Blessings plenteouslie flowing to them from the Paradise of your Majesty's unspotted Goodness and Vertue; wishing your Majesty's Eyes might pearce into their verie Harts, there to behold the excessive Joye inwardlie conceived of the first Messenger of your Majesty's princelie Resolution, to visit this your Majesty's good Towne, increased by your Majesty's Constancie in prosecuting what was so happilie intended, and now accomplished by your Majesty's fortunate and safe Returne, which no Tongue, how liberall soever, is able to expresse.

"Who shall confider with an impartiall Eye, the continuall Carefulness your Majesty hath had over us from your tender Years; the settled Temper of your Majesty's Government, wherein the nycest Eye could find no Spot, yourself, as the Life of the Countrey, as the Father of the People; instructing not so much by Precept as by Example; your Majesty's Court, the Marriage Place of Wisdom and Godliness, without Impiety he cannot refuse to avouch. But as your Majesty's Prudence hath wonne the Pryze from all Kings and Emperors, which standeth in Degree of Comparison; so hath your Majesty's Government been such, that every Man's Eye may be a Messenger to his Minde, that in your Majesty standeth the Quintessence in ruling, Skill of all prosperous and peaceable Government wished by our Forefathers; but most abundantlie, praised be God, enjoyed by us under your sacred Majesty.

"For if we shall in View lay before us the Times past, ever since the first Foundation of this Kingdom, and therein consider your Majesty's most noble Progenitours; they were indeed all Princes renowned for their Vertues, not inferior to any Emperours or Kings of their Times. They maintained and delivered their Virgin Scepters unconquered from Age to Age, from the Inundation of the most violent Floods of conquering Swordes, which overwhelmed the rest of the whole Earth, and carried the Crowns of all other Kings of this terrestrial Globe captive into Thraldome: But farre short of your Ma-

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jestie's Nature, having placed in your sacred Person alone, what in evrie of them was excellent: The Senate House of the Planets, being, as it would seeme, convened at your Majesty's Birth, for decreeing of all Perfections in your Royal Person. The Heavens and Earth witnessing your heroicall Frame, no Influence whatsoever being able to bring the same to any higher Degree.

"If we shall call to Minde the tumultuous Dayes of your Majesty's more tender Years, and therein your Majesty's Prudence, Wisdom and Constancy, in uniting the disjointed Members of this Commonwealth, who will not, with the Queen of *Sheba*, confess, he hath seen more Wisdom in your Royal Person, than Report hath brought to foraine Eares?

"There is not of any Estate or Age within your Majesty's Kingdome, who hath not had particular Experience of the same; and, as it were, sensiblie felt the Fruites thereof. The Fire of civile Discord, which, as a Flame, had devoured us, was thereby quenched; evrie Man possessed his own Vineyard in Peace, reaping that which he had sowne, and enjoying the Fruites of his own Labours. Your Majesty's great Vigilance and godlie Zeale in propagating the Gospell, defeating the Monuments of Idolatrie, banishing that *Romane* and Antichristian Hierarchie, and establishing of our Church, repairing the Ruines thereof, and protecting us from foraine Invasion; the rich Trophies of your Majesty's Victories, more powerfullie atchieved by your sacred Wisdom, and deserved more worthelie by your Vertue, than those of the *Cæsars*, too much extolled by the Antients, all Ages shall record: And even our Posteritie shall blefs the Almighty our God, for giving to us their Forefathers, a King, in Hart as upright as *David*, wise as *Solomon*, and godlie as *Josias*.

"And who can witness your Majesty's Royall Favour and Beneficence more than this your good Towne of *Edinburgh*, which being founded in the Dayes of that worthie King *Fergus I.* Builder of this Kingdome, and famous for her unspotted Fidelitie to your Majesty's most noble Progenitours, was by them enriched with many Freedomes, Privileges and Dignities, which all your Majesty hath not only confirmed, but also with the Accession of manie more enlarged; beautifying her also with a new-erected College, famous for Profession of all liberall Sciences. So she justlie doeth acknowledge your Majesty, as the Author and Conserver of her Peace; her sacred Phisitian, who bound up the Wounds of her distracted Commonwealth;

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"monwealth; the onlie Meynes of her Prosperitie, and the true Fountaine; from whence, under God, all her Happines and Felicitie floweth; and doth with all Humilitie record your Majestie's Royall Favours, extended towards her at all Times.

"We should prove most ungratefull, if we should pass over in Silence your Majestie's sacred Wisdome, in disposing of the Government of this your Majestie's native Kingdome, during your Highnesse's Absence, and placing such subalterne Magistrates and Officers of the Crowne within the same, who have shined as clear as Stars in this Firmament, keeping ever the Precept of your Majestie's Royall Commands; watching for the Good of your Highnesse's Subjects, and squaring all their Actions to your Majestie's Frame as their Paterne; and returning all their Springs to the same Fountaine from whence they themselves received the Influence of Vertue; being vigilant in nothing more than in procuring the Good and Peace of this Church and Commonwealth, to approve their Loyaltie to your Majestie, and knit us your Highnesse's Subjects in a more firm Knot of Obedience to your sacred Authoritie.

"Neither hath the Oceane of your Majestie's Vertues contained itself within the Precinct of this Isle. What Ear is so barbarous, that hath not heard of the same? What foraine Prince is not indebted to your sacred Wisdome? What reformed Church doeth not bless your Majestie's Birth-day, and is not protected under the Wings of your Majestie's sacred Authoritie, from that Beast of Rome, and his Antichristian Locusts; whose Walls your Majestie, by the soveraine Wisdome wherewith the Lord hath endued your sacred Person, hath battered and shaken more than did the *Goths* and *Vandales* the old Frame of the same by their Swordes? As your Majestie hath made happie Beginnings in drying up their *Euphrates*, laying the Nakedness of that Whoore open to the View of the World, and ruinating of the *Lernean Hydra*, so your Majestie's Dayes may be prolonged to see the Accomplishment of the same.

"All this your Majestie's Royall Storehouse of Vertue, perpetual Vigilance in managing of the publicke Affaires, your Prudence in your Actions, your Vertue in your Life, and your Felicitie in all, the Lord hath crowned, not only with Continuance of your Majestie's peaceable Government over us, your natural Subjects, mee Years nor anie of your Predecessours Reigne attained unto; but also with the Accession of Three great Kingdomes, and made your Name famous

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"throw the whole Earth, above all the Princes of your Time.

"And therefore we your Majestie's most humble Subjects do, in all Submission of Mindes, acknowledge your Majestie, not onlie for our just and lawfull Prince, but also for the first Founder of the united Monarchie of this famous Isle, borne for the Good of the same; who, during the whole Time of your Majestie's most happy Reigne, hath so in publick carried yourself towards us your Subjects (as if yee had been private) that no Man could lay any Imputation to your unspotted Life; yet never more desiring to be above us, than for us, nor to be accounted greater than good, joyning ever to Power, Modestie, and true Piety. And as for your sacred Vertue, your Majestie deserveth to be Monarch of the World; so for your Piety and unfeined Zeale in propagating and mainteining of the Gospell, doeth of due apperteine to your Majestie the fine Titles of the most Christian and Catholick King.

"For all which your Royal Favours, having nothing to tender but that which is due, Wee your Majestie's most humble Subjects, prostrate at your Majestie's sacred Feet, lay down our Lives, Goods, Liberties, and whatsoever else is most deare unto us; and do vow to keep unto your sacred Majestie unspotted Loyaltie and Subjection, and ever be ready to consecrate and sacrifice our selves for Mainteinance of your Royall Person and Estate; praying the Eternall, our God, that Peace may be within your Majestie's Walls, Prosperitie within your Majestie's Palaces, Length of Dayes to your sacred Person, and that one from your Majestie's Loynes may never be wanting to sway the Scepter of these your Majestie's Kingdomes; and that Mercie may be to your self and your Seed for ever." Amen.

The Citizens on this Occasion not only intertained the King with a sumptuous Banquet, but presented him with the Sum of vol. XII. f. Ten thousand Marks, *Scotish Money*, in 258. 7th May. double golden Angels, in a gilt Silvern Basin.

The King being arrived in *Edinburgh*, was willing, it seems, to shew his great Dexterity and Learning; and to which End, intended to have had a Philosophical Disputation in the College of *Edinburgh*; but by his great Application to publick Affairs, could not accomplish his Design in this City: Wherefore he commanded the Professors of the said College to attend him at his Castle of *Stirling*, on the 29th of July following for that Purpose; whither *James*, with the Flower of his Nobility, and many of the most learned Men both of *Scotland* and *England* repaired; where, in the Royal Chapel, the Disputation began about Four

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of the Clock in the Afternoon. The Subjects to be controverted were those which were thought would be most agreeable and entertaining to the King and the illustrious Assembly.

MSS. in Coll. lib.

The first Thesis was, That Sheriffs and other inferior Magistrates ought not to be Hereditary.

This was opposed by a Variety of Arguments brought by the Opponent, wherewith the King was so well pleased, that, after divers Reasons given by him in Support thereof, and hearing the Respondents Answers, turned to the Marquis of Hamilton, who stood behind his Chair, and (at that Time was hereditary Sheriff of *Clydsdale*) said, "James, you see your Cause is lost, and all that can be said for it clearly answered and refuted."

The second Thesis was on the Nature of Local Motion.

The Opposition to this was so very great, that the Respondent produced numerous Arguments from *Aristotle* in support of his Thesis; which occasioned the King to say, that "These Men know the Mind of *Aristotle* as well as he did himself when alive."

The third Thesis, was concerning the Origin of Fountains or Springs.

The King was so well pleased with this Controversy, that (although three Quarters of an Hour, the Time allotted for the Disputation, was expired) he caused them to proceed, sometimes speaking for and against both Respondent and Opponent, seldom letting an Argument on neither Side pass, without proper Remarks.

The Disputations being over, the King withdrew to Supper; after which, he sent for the Disputants; whose Names were *John Adamson*, *James Fairlie*, *Patrick Sands*, *Andrew Young*, *James Reid*, and *William King*, before whom he learnedly discoursed on the several Subjects controverted by them, and began to comment on their several Names; and said, These Gentlemen, by their Names, were destined for the Acts they had in hand this Day, and proceeded as followeth.

Adam was Father of all, and *Adam's* Son had the first Part of this Act; the Defender is justly called *Fairlie* (Wonder); his Thesis had some Fairlies in it, and he sustained them very fairly, and with many Fairlies given to the Oppugners.

And why should not Mr. *Sands* be the first to enter the Sands? But now I clearly see that all Sands are not barren, for certainly he hath shewn a fertile Wit.

Mr. *Young* is very old in *Aristotle*; Mr. *Reid* need not be red with blushing for his acting this Day; Mr. *King* disputed very kingly, and of a kingly Purpose concerning the Royal Supremacy of Reason above Anger, and all Passions: Adding, I am so well satisfied with this Day's Exercise, that

I will be Godfather to the College of *Edinburgh*, and have it called the College of *King James*: For, after its founding, it stopped fundry Years in my Minority; after I came to Knowledge, I held Hand to it, and caused it to be established: And although I see many look upon it with an evil Eye, yet, I will have them know, that, having given it my Name, I have espoused its Quarrel; and at a proper Time will give it a Royal God-barn Gift, to enlarge its Revenues.

The King being told, there was one in Company his Majesty had taken no Notice of; namely *Henry Charteris*, Principal of the College, who, though a Man of great Learning, yet, by his innate Bashfulness, was rendered unfit to speak in such an august Assembly. *James* answered, "His Name agrees well with his Nature; for Charters contain much Matter, yet say nothing; yet put great Matters in Mens Mouths."

The King having signified that he would be pleased to see his Remarks on the Professors Names verified; it was accordingly done as follows.

As *Adam* was the first Man, whence all Beginning tak;

So *Adam's* Son was President, and first Man in this Act.

The Thesis *Fairlie* did defend, which thogh they Lies contain,

Yet were Fairlies, and he the same right fairly did maintain:

The Field, first enter'd Master *Sands*, and there he made me see

That not all Sands are barren Sands, but that some fertile be.

Then Master *Young*, most subtilie the Thesis did impugne,

And kythed old in *Aristotle*, although his Name was *Young*.

To him succeeded Master *Reid*, who thogh *Reid* be his Name,

Needs neither for his Dispute, blush, nor of his Speech think shame.

Last enter'd Master *King* the Lifts, and dispute like a King,

How Reason, reigning like a Queen, should Anger under bring.

To their deserved Praise have I, thus play'd upon their Names,

And wills their Colledge hence be call'd, the Colledge of *King James*.

The Common Council at this Time having bought of *Tours* of *Innerleith*, Ten Acres of Land at the *Grayfriars* Port, for the Sum of Five thousand eight hundred Marks, *Scotish* Money; ordered the same to be inclosed with a Wall. This Piece of Ground, which, from its Situation, is denominated the *Hib Riggs*, is the Spot whereon *Heriot's* Hospital and Gardens, the Southern Part of the *Grayfriars* Church-yard, the Charity Work-house and Bedlam, with their Appurtenances, are situated; and inclosed by

1618.

Coun. Regist. vol. XIII. f. 23. 46. 20th May. 20th Nov.

1618. by the Town Wall on the Western, Southern and Eastern Sides, extending from within a little Way of the West Port, to that of *Bristow*.

Coun. Regist.
vol. XIII. f.
36. 11th Sept. At this Time the Bishop of *Lincoln* in *England*, presented the Common Council and Community of *Edinburgh* with Two Silver Stowps or Flagons, of the Measure of Three Chopins each; one whereof weighing Seventy four Ounces, and Ten Drops, or Drams, and the other Seventy three, and Ten Drops, with a Letter along with them; but it not being entered in the Council Register, cannot oblige the Reader with a Copy of it.

1619.
Ibid. f. 62.
66. 28th May. The Common Council by Contract, agreed to pay to certain Brewers, for the Distrikt, with its Appurtenancies, near the *Bristow* Port, called the *Society*, the Sum of Forty thousand Marks; but, Complaint being soon after made of certain Losses sustained by the Co-partners of the said *Society*, the Council, instead of the Sum agreed on, ordered an additional Sum of Four hundred and sixteen Marks, eight Shillings and eight Pence to be paid for the same.

Remark. This is a Case too often practised by the Representatives of Bodies politick, who injuriously impose on their Constituents, by making them contribute towards enriching their Friends, many Times on groundless Pretensions! Nay, were it otherwise, I see no Reason why Bodies corporate should make good private Losses; for by this Practice, artful Men, by depending on the Interest of their Friends, in the Courts or Councils of Incorporations, are thereby encouraged, when any Thing relating to any Corporation is put up by way of Tack or Lease, to outbid others; and if by Contract for Work to be done, to undertake it at a lower Rate than can be well afforded; being well assured, if they have hard Bargain, an Allowance will be made accordingly; and if the Contract prove good they reap the Benefit. By this clandestine Practice, they are enabled to ingross all such Contracts to themselves, at the Expence of their injured Fellow-citizens who have no such Interest, who are thereby deprived of a Chance of getting their Bread in an honest Way, so far as it regards Incorporations.

1621.
Mur. Act. 23.
Parl. Ja. VI.
Act. 26. The Houses in *Edinburgh* at this Time seem to have made but an indifferent Appearance; for it was now by Parliament enacted, that the Houses in this City, instead of Straw, Deals, or Boards, they should thenceforth be covered with Slates, Lead, Tiles, or Thack-stones.

Coun. Regist.
vol. XIII. f.
169. 21st Nov. Soon after, Three Bells were made at *Campbire* in *Zeland*, for the Town's Use; Two whereof for *St. Giles's* Church, and the Third for the *Netherbow* Port: The largest weighing Two thousand one hundred and fifty Pounds, the second, Seven hundred and sixty eight Pounds, and the smallest,

Five hundred and Twenty Pounds, all *Dutch* Weight; which together, cost the Sum of One thousand four hundred and forty three Pounds, fifteen Shillings, *Scotish* Money; besides the old Bells or Metal sent thither to be recast.

The nightly Guard of Thirty Men being laid down, the City Watch by Night was put upon the antient Footing; whereby the Citizens by turns, were to watch every Twenty fifth Night.

CHAP. V.

Contains the most memorable Transactions of the Edinburghers, during the troublesome Reign of King Charles I.; with a full Account of the King's pompous Entry into this City.

THE King having resolved to fit out certain Ships of War, for securing the Coasts of the Kingdom, and to erect Forts in such Places as should be judged most convenient: And for the accomplishing of which, wrote to the Convention of Boroughs, to know what they were willing to contribute on this Occasion. The Common Council of *Edinburgh*, to shew their Zeal in promoting this Design, agreed to advance their Assessment both ordinary and extraordinary, to be paid when his Majesty should please to demand it; and as an additional Mark of their Loyalty, offered to contribute with the States of the Kingdom, a proportional Part towards the Maintenance of Ten thousand Men, and to assist in the erecting of Forts, in such Places in their Neighbourhood as should be deemed the most proper; of which they having acquainted the King, he sent them the following Letter.

CHARLES R.

Trustie and weil belovit, we greit you weil.

"We perceive by your Letter unto us, how earnestlie you are affected to doe us Service, in yielding so willingly to those Things, which, for the publick Good, we thocht necessarie at this Tyme; and as it is the more acceptable unto us that you have done it freele of yourselfis, seeking onlie how to please us, and not conforme yourselfis to others, who were not so forward in our Service. So this which you haif done voluntarie, shall be no Preparative to make you be chargit with the lyk heirefter; bot shall onlie mak us the more readye to extend our Favour towards you. We hope, as you haif heirby purchased our guid Opinioun, you will continue to preserve the samen, and especially by the Advancement of Moneyis at this Tyme, for Payment of Two Shippis which ar already bought; and that the samen may be reddie to be delivered to Sir *James Baillie*, with whom the resaving thair of is intrustit; for whatever Supplies we ar to haif from thence at this Tyme, we intend onlie to dispose there-

"of

1621.

1625.

Ibid. f. 309.
19th Oct.

1626.

Ibid. f. 335.
21st April.

Coun. Regist.
vol. XIV. f. 2.
13th June.

1626.

"of for the Good and Saftie of that our
"Kingdome which fall be our chief Cair;
"and so bid you heartlie fairweill."

Whitball, 2d June 1626.

A Subsidy for Four Years being granted by Parliament, pursuant to the King's Desire, the *Edinburghers* persevering in their Affection to their Prince, generously advanced their *Quota*, which was Forty thousand Pounds, *Scotish Money*, at once; which was a Favour so acceptable to *Charles*, that he sent the following Letter to his Privy Council in *Scotland*, as an Acknowledgment thereof.

CHARLES R.

Richt trustie and weill belovit Counsellors, richt trustie and weill belovit Cousenis and Counsellors, and richt trustie and weill belovit Counsellors, we greit you weill.

Ibid. f. 9. 10.
28th July.

"Understanding how our Burgh of *Edinburgh* haith advancit the whole Four Years Payment of their Taxation at one Tyme, thairby expressing thair Affection to our Service, tending chieflie to the Honour and Preservation of that our antient Kingdom; and in regard the famin haith bene done frielie of themselfis, seiking onlie how to please us, and not to conforme themselfis unto others who ar not so forward in so guid a Caus, we haif takin it exceeding weill at thair Handis; and thairfore our Pleasure is, that you caus insert the famin Deid of thairs in your Buikes of Counfall, that it may serve as a Discharge for the Payment of thair Taxation due at this Tyme to us, and may remaine upon Record, as a graifull Testimonie of thair volontaire Affection to our said Service, quhairof we will never be unmindfull. So we bid you feirweill."

From our Court at *Wansstead*, the 12th of July, 1626.

The King, in grateful Remembrance of the Service lately done him by the *Edinburghers*, honoured them by a Present of a Sword and Gown, to be carried before, and worn by their Lord Provost, as will appear by the following Letter.

CHARLES R.

Trustie and weill belovit, we greit you weill.

1627.
Ibid. f. 41.
4th April.

"We haif persaived by the Effectes, your Affection to our Service, whereof we will not be unmindfull when furdre Occasioun fall offer, whereby we may express our Respect unto you. We have sent you a Token of our Favour, a Sword and Gowne to be worne by your Proveist, at such Tymes, and in such Maner as was appointed by our late deare Father. As you have begun to be cairfull in our Service, we doe not doubt bot you will from Time to Time continew to doe the like; and speciallie in giving your best Furtherance, in so far as you can convenientlie doe to Sir *James Baillie of Lockend*, Knight, who is to advance divers greit Soumes of

1627.

"Money for our important and urgent Service abroad. And lyke wayes that you encourage our remanent Borrowes to doe the like; and to pay such Pairt of the Taxatiounes as ar to be payit by them, with all convenient Diligence that possibill can be used; which, recommending unto your serious Caire, and which we will tak as acceptable Service done by you unto us; we bid you fairweill."

From our Court at *Newmarket*, the Third of Marche, 1627.

At this Time, the City Youths were, by the Town Council, ordered to be formed into Two Companies; those of the Merchants into one, and the Crafts or Trades into another, and each Company to carry the Town's Colours, without any other Sign or Badge whatever.

Id. ibid.
9th April.

The Common Council, for putting the Royal Precept aforesaid in Execution, ordered, that the Lord Provost, Bailiffs, Dean of Gild, Treasurer, and old Provost, to wear Scarlet Gowns at certain Times, according to the Pattern lately sent by the King, and appointed a Sword-bearer to bear the said Sword.

Ibid. f. 44.
16th May.

The King having resolved on a Journey to *Scotland*, sent the following Letter to the Magistrates and Town Council.

CHARLES R.

Trustie and weill belovit, we greit you weill.

"Whereas we intend verie schortlie (God willing) to visit that our antient and native Kingdome, for receiving our Crown, holding a Parliament in Person, and perfyting that great Worke, wherein we and Commissioneris have much laboured for the Guid of all our Subjects thair. And we being confident of your hairty Acceptance of our Person and Princely Intentiones, as you and your Predecessours had wont to doe to our Royal Progenitors: Our Pleasure thairfore is, to give you Notice of our said Resolution, whereby you may the better provide for our Entrie, Coronatioun, and Parliament, as you and your Predecessours had wont to doe; quhairof we will take speciall Notice, and remember the same at any of your Occasiounes hereafter: and so we bid you heartlie fairweill."

1628.
Ibid. f. 99.
14th July.

Given at our Court at *Whitball*, the First Day of July, 1628.

King *Charles I.* after a long Residence in *England*, intending to visit his native Country of *Scotland*, the *Edinburghers* on that Occasion made great Preparations to receive their Sovereign in the most pompous Maner; preparatory to which *William Drummond of Hawthorn Den* made a Speech to congratulate his Arrival, as followeth.

Sir,

"If Nature could suffer Rocks to move and abandon their natural Places, this Town, founded on the Strength of Rocks,

Drum. Mem.
Stat. p. 129.

"(now

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" (now by the chearing Rays of your Majesty's Prefence, taking not only Motion, but Life) had, with her Castle, Temples, and Houfes moved towards you, and befought you to acknowledge her yours; and her Indwellers your most humble and affectionate Subjects; and to believe how many Souls are within her Circuits, so many Lives are devoted to your sacred Person and Crown.

" And here, *Sir*, she offers by me to the Altar of her Glory, whole Hecatombs of most happy Desires, praying all Things may prove prosperous unto you; that every Virtue and Heroick Grace which make a Prince eminent, may, with a long and blessed Government attend you, your Kingdoms flourish abroad with Bays, and at home with Olives; presenting you, *Sir*, who are the strong Key of this little World of *Great Britain*, with those Keys which cast the Gates of her Affection, and design you Power to open all the Springs of the Hearts of these her most loyal Citizens.

" Yet this almost is not necessary; for as the Rose at the fair Appearing of the Morning Sun, displayeth and spreadeth her Purples, so that the Noise of your happy Return to this your native Country, their Hearts, (if they could have shined through their Breasts) were with Joy and fair Hopes made spacious: Nor did they ever in all Parts feel a more comfortable Heat, than the Glory of your Prefence at this Time darteth upon them.

" The old forget their Age and look fresh and young at the Appearance of so gracious a Prince; the young bear a Part in your welcome, desiring many Years of Life that they may serve you long; all have more Joys than Tongues: For, as the Words of other Nations far go beyond and surpass the Affection of their Hearts, so, in this Nation, the Affection of their Hearts is all they can express in Words. Deign then, *Sir*, from the highest of Majesty, to look on their Lowness and embrace it; accept the Homage of their humble Minds, accept their grateful Zeal; and for Deeds, accept that great Goodwill which they have ever carried to the Defarts of your Ancestors, and shall ever to your own and your Royal Race, whilst these Rocks shall be ever shadowed with Buildings, these Buildings be inhabited by Men; and while Men be either indued with Counsel or Courage, or enjoy any Piece of Reason, Sense, or Life."

Coun. Regist.
vol. XIV. f.
100.
17th July.

As the King approached the West Port of the City, on the Southern Side thereof, was placed a magnificent Pageant, whereon was beautifully depicted a View of *Edinburgh*; and by undrawing a Veil, appeared the Nymph *Edina* (attended by beautiful Damselfs) who, after a short congratulatory

Speech, presented the Keys of the City to his Majesty; who entering the Gate, was received by the Lord Provost, (who, in a handsome Oration congratulated his Arrival) and the rest of the Magistrates, both new and old, in their Scarlet Robes, and other Members of the Common Council in black Gowns faced with Velvet, with Two hundred and sixty young Citizens dressed in white Sattin Doublets, black Velvet Breeches, and white filken Stockings, bearing rich Partizans, (Halberts) and other Arms. The Streets through which the Procession passed, were hung with Tapestry, Carpets, &c. and on both Sides by the Train Bands, and crowded with a vast Number of Spectators.

At this Time the Town Council of *Edinburgh*, to their no great Honour, made an Act perhaps not to be paralleled: For *John Hay*, one of their Town Clerks, being sent to *London* to transact certain Affairs belonging to the City, they obliged themselves and their Successors to receive and pay his Accounts upon his own Declaration, either by Word or Writ. Now *Hay* having been no less than Seventeen Times at *London* on the City's Account, he, by such Management, had a fine Opportunity to enrich himself at the Expence of the injured Citizens.

A grievous Persecution raging in the *Palatinate* in *Germany* against the Protestants, their Ministers, with their Families, to the Amount of Seven hundred Persons, were expelled their Country: They retired to the City of *Nuremberg* in great Distress; which was no sooner known in *Scotland*, than a general Collection throughout the Kingdom was made for their Relief; on which Occasion, the *Edinburghers*, with their usual Benevolence collected towards their Assistance, the Sum of Four thousand eight hundred and Fourteen Pounds, nine Shillings and four Pence, *Scotish Money*.

By an Act of Council made in the Year 1631, all Women were forbidden to wear their Plaids over their Heads or Faces, on the Penalty of Five Pounds, and Forfeiture of the Plaid. But, little Regard being had to that Act by Persons of Distinction, the said Council was so highly incensed thereat, that, by an Act at this Time, they strictly enjoined all Women, of what Quality soever, not to wear a Plaid, under the Pain of corporal Punishment, and Forfeiture of the Plaid, to be taken and disposed of by any Person as their own Property.

In the *Overbow* Street was erected a stately triumphal Arch, whereon was finely represented the Country of *Caledonia*, with the Lady *Caledonia*, in an antient and rich Attire; who, in a copious Speech, congratulated his Majesty on his safe Arrival in his antient Kingdom, in the following Words.

CALEDONIA'S

1628.

1629.
Ibid. f. 135.
5th Aug.

1631.
Ibid. f. 194.
25th Feb.
29th July.

1633.
Ibid. f. 262.
10th April.

1633.
Drum. Poems,
part II. p. 38.

CALEDONIA'S Speech.

The Heavens have heard our Vows, our
just Desires
Obtained are, no higher now aspires
Our wishing Thought, since, to his native
Clime,
The Flow'r of Princes, Honour of his Time,
Inchanting all our Dales, Hills, Forests,
Streams,
As *Phabus* doth the Summer with his Beams,
Is come; and radiant to us in his Train,
The Golden Age, and Vertues brings again;
Prince, so much long'd for, how thou now
becalm'st
Minds easeless Anguish, ev'ry where em-
balm'st
With the sweet Odours of thy Presence: now,
In swelling Tides, Joys ev'ry where do flow.
By thine Approach, and that the World
may see,
What untought Wonders do attend on
thee.
This Kingdom's Angel, I, who since that
Day,
That ruthless Fate thy Parent reft away,
And made a Star, appear'd not any where,
To gratulate thy Coming, come am here.
Hail Princes *Phoenix*, Monarch of all
Hearts,
Sov'reign of Love and Justice, who imparts
More than thou canst receive; to thee this
Crown
Is due by Birth; but more, it is thine own
By just Desert; and ere an other Brow
Than thine should reach the same, my Floods
should flow
With hot Vermilion Gore, and ev'ry Plain
Level the Hills with Carcasses of slain;
This Isle become a Red-sea: Now how
sweet
Is it to me, when Love and Laws thus meet,
To wreath thy Temples with this Diadem,
My Nurseling's sacred Fear and dearest
Gem;
Nor *Roman*, *Saxon*, *Pict*, by sad Alarms
Could this acquire, and keep the Heav'n's
in Arms;
From us repell all Perils, nor by Wars,
Ought here was won, or gaping Wounds or
Scars.
Our Lion's Clymafterick now is past,
And, crown'd with Bays, he rampeth free
at last.
Here are no *Screan* Fleeces, *Peru* Gold,
Aurora's Gems, nor Wares by *Tyrians* sold:
Towns swell not here with *Babylonian* Walls,
Nor *Nero's* Sky, resembling Gold-ciel'd
Halls,
Nor *Memphis* Spires, nor *Quinzay's* arched
Frames,
Captiving Seas, and giving Lands their
Names:
Faith, (Milk-white Faith) of old belov'd
so well,
Yet in this Corner of the World doth dwell
With her pure Sisters, Truth, Simplicity,

Here bernish'd Honour bears them Com-
pany.
A *Mars*-adoring Brood is here their Wealth,
Sound Minds and Bodies, of as sound a
Health.
Walls here are Men, who fence their Cities
more,
Than *Neptune*, when he doth in Mountains
roar;
Doth guard this Isle, or all those Forts and
Tow'rs,
Amphion's Harp, rais'd about *Thebes* Bow'rs.
Heav'n's Arth is oft their Roof, the pleasant
Shade
Of Oak and Plains, oft serve them for a
Bed;
To suffer Want, soft Pleasures to despise,
Run over panting Mountains crown'd with
Ice;
Rivers ore come, the wastest Lakes appal,
(Being to themselves Oars, Steerers, Ship
and all.)
Is their Renown a brave all-daring Race,
Couragious, prudent, doth this Climate
grace;
Yet the firm Base on which their Glory
stands,
In Peace true Hearts, in Wars is valiant
Hands;
Which here (great King) they offer up to
thee,
Thy Worth respecting as thy Pedigree:
Though it be much to come of Princely
Stem,
More is it, to deserve a Diadem.
Vouchsafe, blest People, ravish'd here
with me,
To think my Thoughts, and see what I do
see;
A Prince all gracious, affable, Divine,
Meek, wise, just, valiant, whose radiant
shine
Of Vertues (like the Stars about the Pole,
Guiding the Night) enlight'neth ev'ry Soul.
Your Scepter sways; a Prince born in this
Age,
To guard the Innocents from Tyrants Rage.
To make Peace prosper, Justice to reflow'r,
In desert Hamlet, as in Lordly Bow'r.
A Prince, that though of none he stands in
Awe,
Yet first subjects himself to his own Law;
Who joys in Good, and still as Right di-
rects,
His Greatness measures by its good Effects.
His People's Pedestal, who, rising high,
To grace his Throne, makes *Scotland's*
Name to fly
On *Halcyon's* Wings (her Glory which re-
stores)
Beyond the Ocean, to *Columbus's* Shores.
God's sacred Picture, in this Man adore,
Honour his Valour, Zeal, his Piety more.
High value what, hold him deep, engrave
In your Hearts Heart, from whom all Good
you have.

1633.

1633.

For as Moon's Splendor from her Brother
springs,
The Peoples Welfare streameth from their
Kings.
Since your Love's Object doth immortal
prove.
O love this Prince with an eternal Love.
Pray, that those Crowns his Ancestors did
wear,
His Temples long (more orient) may bear.
That Good he reach, by Sweetness of his
Sway,
That ev'n his Shadow may the bad effray.
That Heav'n on him what he desires be-
stow,
That still the Glory of his Greatness grow.
That your begun Felicities may last,
That no *Orion* do them with Storms blast;
That Victory his brave Exploits attend,
East, West, or South, where he his Force
shall bend;
Till his great Deeds all former Deeds sur-
mount,
And quail the *Nimrod* of the *Hellepont*.
That when his well spent Care all Care be-
calms,
He may in Peace sleep in a Shade of Palms:
And rearing up fair Trophies, that Heav'n's
may
Extend his Life to World's extremest Day.

At the Western End of the Tolbooth,
in the High-street, stood the second trium-
phal Arch, whereon were painted the Por-
traits of the Hundred and nine Kings of *Scot-
land*; within the Arch, *Mercury* was repre-
sented conducting *Fergus*, first King of
Scotland, who, in a grave Speech, gave
many paternal and wholesome Advices to
Charles as his Royal Successor.

At the Trone, on the Southern Side of
the High-street, a huge Mount was raised,
representing that of *Parnassus*, beautifully
imbellished with a great Variety of Vege-
tables, Rocks, and other Decorations pecu-
liar to Mountains. On the Middle whereof,
betwixt the Tops, stood a Pyramid of great
Height, with a glazene Fountain on the
Top thereof, whence issued a Stream of pure
Water, representing *Hippocrene*. In the Ca-
vity of the Mount sat two Bands of vocal
and instrumental Musick, with an Organ to
complete the Concert; who, at the King's
Approach, performed an excellent Piece of
Musick, called *Caledonia*, composed on that
Occasion in the most elegant Manner, by the
best Masters. On the Northern Side of the
Mount, sat *Apollo* and the Nine Muses,
richly apparelled: The harmonious Melody
was no sooner over, than *Apollo* address'd
himself in a Panegyrick to the King; and
at the close thereof, presented his Majesty
with a book of Panegyricks and Poems,
composed by Members of the College on
this Occasion.

The MUSES Song.

1633.

I.

At length we see those Eyes,
Which cheer both Earth and Skies,
Now antient *Caledon*
Thy Beauties heighten richest Robes put
on,
And let young Joys to all thy Parts arise.

II.

Here could thy Prince still stay,
Each Month should turn to May:
We need not Star nor Sun,
Save him to lengthen Days and Joys be-
gun:
Sorrow and Night to far Climes haste away.

III.

Now Majesty and Love,
Combin'd are from above,
Prince never Scepter sway'd,
Lov'd Subjects more, of Subjects more
obey'd;
Which may endure whilst Heav'n's great
Orbs do move.

IV.

Joys did you always last,
Life's Spark you soon would waste;
Grief follows sweet Delight,
As Day is shadow'd by fable Night;
Yet shall Remembrance keep you still when
past.

At the *Netherbow* Gate a third magnifi-
cent triumphal Arch was erected, whereon
were represented the Celestial Constella-
tions; the Seven Planets whereof made con-
gratulatory Speeches, as followeth.

ENDYMION'S Speech.

Rows'd from the *Latinian* Cave, where, ma-
ny Years,
That Empress of the lowest of the Spheres,
Who cheers the Night, did keep me hid a-
part,
From mortal Wights, to ease her Love-sick
Heart;
As young as when she did me first enclose,
As fresh in Beauty as the Morning Rose.
Endymion, that whilom kept my Flocks
Upon *Ionia*'s flow'ry Hills and Rocks,
And sweet Lays warbling to my *Cynthia*'s
Beams,
Out sang the *Cygnets* of *Meander*'s Streams:
To whom (for *Guerdon*) she Heaven's secret
Bars
Made open, taught the Paths and Powers of
Stars.
By this Dear Lady's strict Commandement,
To celebrate the Day I here am sent.
But, whether this is Heav'n which Stars do
crown,
Or are Heav'n's flaming Splendors here come
down,
To beautify this nether World with me?
Such State and Glory did ere Shepherd
see?

My

1633.

My Wits my Sense mistrust, and stay a-
maz'd,
No Eye on fairer Objects ever gaz'd.
Sure this is Heav'n, for ev'ry wandering
Star,
Forfaking those great Orbs where whirl'd
they are,
All dismal sad Aspects abandoning,
Are here met, to salute some gracious King;
Nor, is it strange, if they Heav'n's Height
neglect,
It of undoubted Worth is the Effect.
Then this it is, thy Presence (Royal Youth)
Hath brought them here, within an Azy-
muth,
To tell by me, (their Herald) coming
Things,
And what each Fate to her stern Distaff
sings:
Heaven's Volume to unclaspe, vast Pages
spread,
Mysterious Golden Cyphers clear to read.
Hear then the Augur of thy future Days,
And what the starry Senate of thee says;
For what is firm decreed in Heaven above,
In vain on Earth strive Mortals to improve.

SATURN'S Speech.

To fair Hopes to give Reins, now it is
Time,
And so far as high, as just Desires may
climb.
O *Halcyonian*, clear and happy Day;
From sorrey Wights, let Sorrow fly away,
And vex *Antartick* Climes; *Great Britain's*
Woes
Vanish for Joy, now her Zenith glows.
The old *Leucadian* Syth-bearing Sire,
(Though cold) for thee, feels Flames of
sweet Desire,
And many Lustres at a perfect Height,
Shall keep thy Scepter's Majesty as bright;
And strong in Power and Glory every Way.
As when thy peerless Parent did it sway.
Ne'er turning wrinkled in Time's endless
Length,
But one in her first Beauty, youthfull
Strength;
Like thy rare Mind, which stedfaster the
Pole,
Still fixed stands, however Spheres do roll,
More to inhaunce with Favours this thy
Reign,
His Age of Gold he doth restore again.
Love, Justice, Honour, Innocence, renew
Mens Spirits, with white Simplicity indue.
Make all to live in Plenty's endless Store,
With equal Shares, none wishing to have
more.
No more shall Cold the Plowman's Hopes
beguile,
Skies shall on Earth with lovely Glances
smile;
Which shall, untill'd, each Flow'r and Herb
bring forth,
And Lands to Gardens turn of equal Worth.

Life (long) shall not be thrall'd to mortal
Dates,
Thus Heaven ordains; so do decree the
Fates.

JOVE'S Speech.

Delight of Heaven, sole Honour of the
Earth,
Jove (courting thine Ascendant) at thy Birth
Proclaimed thee a King, and made it true,
That to thy Worth great Monarchies are
due.
He gave thee what was good and what was
great,
What did belong to Love, and what to
State:
Rare Gifts, whose Ardors burn the Hearts
of all,
Like Tinder; when Flint's Atoms on it fall!
The *Tramontane*, which thy fair Course di-
rects,
Thy Counsels shall approve by their Effects.
Justice, kept low by Giants, Wrongs and
Jars,
Thou shalt relieve, and crown with glister-
ing Stars;
Whom nought, save Law of Force, could
keep in awe,
Thou shalt turn Clients to the Force of Law.
Thou Arms shall brandish for thine own De-
fence,
Wrongs to repell, and guard weak Inno-
cence.
Which, to the last Effort, thou shalt uphold,
As Oak the Ivy, which it doth infold.
All overcome, at last thy self o're come,
Thou shalt make Passion yield to Reason's
Doom,
For Smiles of Fortune shall not raise thy
Mind,
Nor shall Disasters make it e're declin'd.
True Honour shall reside within thy Court,
Sobriety and Truth there still resort.
Keep promis'd Faith, thou shalt all Treach-
eries
Detest, and fawning Parasites despise.
Thou, others to make rich, shalt not make
Poor
Thy self, but give; that thou may'st still
give more.
Thou shalt no Paranympth raise to high
Place,
For frizl'd Locks, quaint Pace, or painted
Face.
On gorgeous Raiment, womanizing Toyes,
The Works of Worms, and what a Moth
destroys.
The Maze of Fools thou shalt no Treasure
spend,
Thy Charge to Immortality shall tend.
Raise Palaces and Temples vaulted high,
Rivers o're Arch of Hospitality,
And Sciences the ruin'd Inns restore,
With Walls and Ports incircle *Neptune's*
Shore.

1633.

To

1633.

To new-found Worlds, thy Fleets make
hold their Course,
And find of *Canada* the unknown Source.
People those Lands, which pass *Arabian*
Fields,
In fragrant Woods and Musk which *Zephyre* yields.
Thou, fear'd of none, shalt not thy People
fear,
Thy People's Love, thy Greatness shall up-
rear.
Still Rigour shall not shine, and many lowr,
What Love can do, thou shalt not do by
Pow'r.
New and vast Taxes thou shalt not extort,
Load heavy those that Bounty should sup-
port.
Thou shalt not strike the Hinge nor Master-
beam
Of thine Estate, but Errors in the same,
By harmless Justice, graciously reform,
Delighting more in Calm than roaring
Storm;
Thou shalt govern in Peace, as did thy Sire,
Keep, save thine own, and Kingdoms new
acquire,
Beyond *Alcides'* Pillars, and those Bounds
Where *Alexander* gain'd the Eastern Crowns:
Till thou the greatest be among the Greats:
Thus Heav'n ordains, so have decreed the
Fates.

MARS'S Speech.

Son of the Lion, thou of loathsome Bands,
Shall free the Earth, and whate'er thee with-
stands.
Thy noble Paws shall tear: the God of
Thrace
Shall be thy Second; and, before thy Face,
To Truth and Justice, whilst thou Tro-
phies rears,
Armies shall fall, dismay'd with pannick Fears:
As when *Aurora* in Sky's azure Lifts,
Make Shadows vanish, doth disperse the
Mists;
And in a Twinkling with her opal Light,
Night's Horrors checketh, putting Stars
to flight;
More to inflame thee to this noble Task,
To thee he here resigns his Sword and Cask.
A Wall of flying Castles, armed Pines,
Shall bridge thy Sea like Heav'n, with Steel
that shines,
To aid Earth's Tenants, by foul Yokes op-
prest,
And fill with Fears the great King of the
West;
To thee, already, Victory displays,
Her Garlands turn'd with Olive, Oak, and
Bays.
Thy Triumph finish shall, all old Debates,
Thus Heaven decrees, so have ordain'd the
Fates.

The SUN'S Speech.

Wealth Wisdom, Glory, Pleasure stoutest
Hearts,
Religion, Laws, *Hyperion* imparts,

1633.

To thy just Reign; which shall far, far sur-
pass
Of Emperors, Kings, the best that ever was.
Look how he dims the Stars, thy glorious
Rays
So darken shall the Lustre of these Days.
For, in fair Vertue's Zodiack thou shalt run,
And in the Heav'n of Worthies be the Sun.
No more condemn'd shall helpless Learning
ly,
The Maids of *Pindus* shall be rais'd on high:
For Bay and Ivy which their Brows in-
roll'd,
Thou shalt them deck with Gems and shi-
ning Gold.
Thou open shall *Parnassus'* Crystal Gates:
Thus Heav'n ordains: so do decree the
Fates.

The Speech of VENUS.

The *Acidalian* Queen, amidst thy Bays
Shall twine her Myrtles, grant thee pleasant
Days.
She did make clear thy House, and with her
Light
Of churlish Stars put back the dismal Spight:
The *Hymenean* Bed fair Brood shall grace,
Which on the Earth continue shall their
Race;
While *Flora's* Treasure shall the Meads and
Ear,
While sweet *Pomona* rose-cheek'd Fruits
shall bear,
While *Phaëbe's* Beams her Brother's annu-
lates:
Thus Heav'n's ordain; so do decree the
Fates.

MERCURY'S Speech.

Great *Atlas'* Nephew, shall the Works
of Peace,
(The Springs of Plenty) Tillage, Trades,
increase,
And Arts in Time's Gulfs lost, again re-
store
To their Perfection; nay, find many more,
More perfect Artists, *Cyclops*, in their Forge,
Shall mould those Brazen *Typhons*, which
disgorge
From their hard Bowels, Metal, Flame,
and Smoak,
Muffling the Air up in a sable Cloak.
Geryons, Harpyes, Dragons, Sphinges,
strange
Wheel, wherein spacious Gires the Fume
doth range:
The Sea shrinks at the Blow, shake doth the
Ground,
The World's vast Chambers doth the Sound
rebound.
The *Stygean* Porter leaveth off to bark,
Black *Jove* appall'd doth shroud him in the
dark.
Many a *Typhus* in Adventures lost,
By new-found Skill, shall many a Maiden
cost.

With

1633. With thy fil winged *Argos* and our,
Which, like the Sun, shall run the Earth
about,
And far beyond his Paths, score wavy Ways,
To *Cathais* Lands, by *Hyperborean* Seas.
He shall endue thee both in Peace and
War,
With Wisdom, which than Strength is bet-
ter far.
Wealth, Honour, Arms, and Arts, shall
grace thy States:
Thus Heav'n ordains; so do decree the
Fates.

The Speech of the Moon.

How the fair Queen, with the Golden
Maids,
The Sun of Night thy happy Fortune aids.
Though turband Princes for a Badge her
wear,
To them the Wain, to thee would full ap-
pear.
Her Handmaid *Thetis* daily walks the Round,
About thy *Delos*, that no Force it wound.
Then when thou left'st it, and abroad did
stray,
(Dear Pilgrim) she did straw with Flow'rs
the Way.
And turning foreign Force and Counsel vain,
Thy Guard and Guide return'd thee Home
again.
To the Kingdom's Years, Bliss did divine,
Quelling *Medusa's* grim Snakes with her
Shine.
Beneath thy Reign, Discord (fell Mischief's
Forge,
The Bane of People, States and Kingdom's
Scourge.)
Pale Envy, with the Cocatrice's Eye,
Which, seeing kills, but seen doth forth-
with die).
Malice, Deceit, Rebellion, Impudence,
Beyond the *Garamants*, shall pack them
hence,
With ev'ry Monster that thy Glory hates:
Thus Heav'n's decree; so have ordain'd the
Fates.

ENDYMION'S Speech.

That heretofore, to thy Heroick Mind,
Hopes did not answer as they were design'd.
O, do not think it strange, Times were not
come,
And these fair Stars had not pronounc'd
their Doom.
The Destinies did on that Day attend,
When to this Northern Region thou didst
lend
Thy chearful Presence, and charged with
Renown,
Set on thy Brows the *Caledonian* Crown.
Thy Vertues now, thy just Desire shall grace.
Stern Chance shall change, and to Desert
give Place.
Let this be known, to all the Fates admit,
To their grave Counsel; and to ev'ry Wit,

That courts Heav'n's Inside; this let *Sibylls*
know,
And those mad *Corybants* that dance and
glow.
And *Dindymus* high Tops with frantick
Fire,
Let this be known to all *Apollo's* Quire.
And, People, let it not be hid from you,
What Mountains noise, and Floods pro-
claim as true.
Wherever Fame abroad his Praise shall
ring,
All shall observe and serve this blessed
King.

The King's Entry, together with the Pre- Coun. Regist.
sent made, and Banquet given on this Oc- vol. XIV. f.
casion, cost the Citizens the Sum of Forty 329.
one thousand four hundred and eighty nine
Pounds and seven Shillings, *Scotish* Money.

The *Edinburghers* having for some Time
quietly injoyed the Right of electing their
Magistrates; but now the Court having Oc-
casion for their Friends to be in the Directi-
on of the Town's Affairs; to which End
the King sent a Letter to the Common
Council; of which the following is a Copy.

CHARLES R.

Trustie and weill belovit, we greit you weill.

"Whereas our late dear Father and o-
thers our Royall Predecessors were accu-
stomed, upon Occasioun of their Service,
to give ordour for electing such Persones
to be Magistrates of that our Citie, as they
in their Judgment thocht most fit and abill
for the publiſt Good: We likewayes,
for the Good of our Service, tending to
the Benefit and Advancement of that Ci-
tie, being willing that abill and discreit
Persones be maid choyce of to beare pu-
bliſt Chairge thairin; have herby thocht
fitt to require you, that in your nixt en-
sewing Electioun, you present upon the
Lyttes of your Provost, *David Aikenbeid*,
and upon the Lyttes of your Baillies, *A-
lexander Speir, &c.*; and upon the Lytte of
the Dean of Gild, *Johnne Sinclair*; and
upon the Lytte of your Thesurer, *David
Makcall*; and that accordinglie you make
Electioun of the said *David Aikenbeid, &c.*
as you tender the Good of our Service;
which, notwithstanding we declare fall be
without Prejudice of your Liberties and
Privileges: We bid you hairtilie fair-
weill."

From our Court at *Theobald's*, the 16th
September, 1634.

Though this Royal Injunction met with
great Opposition in the Common Council,
it was nevertheless carried, to comply at this
Time; and by a Letter humoly to beg, that
his Majesty would be graciously pleased not
to interest himself in their Elections in Time
coming, but that they might have Leave to
chuse their Magistrates and Council, ac-
cording to their antient Rights and Immu-
nities.

S

The

1633.

1634.
Ibid. f. 311.
24th Sept.

1634.

The King, in Return for the Citizens Obedience to his Command, in so tamely giving up their Rights and Liberties, by electing, for their Magistrates, the Persons nominated by him, sent them the following Letter of Thanks.

CHARLES R.

Coun. Regist.
vol. XIV. f.
320.

Trustie and weill belovit, we greit you weill.
" Having found your readye Obedience
" to oure Defyre, concerning the Eleetioun
" of your Magistrates at this Time, we
" thank you hairtly for the same. And
" as oure Predecessouris did not take the
" lyk Courfe, but upone verie important
" Causes, we have not done it but upone a
" verie special Consideratioun, both in re-
" gaird of what is past, and what we intend
" heirafter.

" It is oure Pleasure, that you readily o-
" bey and assist them who have an Autho-
" ritie amongst you, in all Things that may
" tend to the good Government of that Ci-
" tie, and Advancement of oure Service;
" that they may cheirfullie proceed to exe-
" cute thair Charges; assuring you, that
" we will not onlie protect you, but will
" contribute what is further necessarie to
" that Effect, for confirming of your present
" Liberties, and increasing of them heiref-
" ter, as Refoun fall requyre. So being con-
" fident of your best Endeavours for giving
" us Satisfactioun heirin. We remitt all
" Particulars to be imparted unto you from
" us, by oure trustie and weill beloved
" Counsellour, *Sir Johne Hay* Knight,
" oure Clerk Register. So we bid you fair-
" weill."

From our Manor at *Hampton Court*, the
13th Day of *October*, 1634.

The Town Council at this Time, pur-
suant to an Order of the Privy Council, or-
dered to be taken an exact Account of all
the Houses, with the amount of their Rents
within the City and Liberty of *Edinburgh*,
for raising the Sum of Twelve thousand
Marks yearly, towards paying the Mini-
sters Stipends; on which Occasion the City
was divided into four Parts; in each of
which, the Names both of Landlords and
Tenants were carefully taken and fairly
entered in a large *folio* Book kept in the
Town-Clerk's Office; wherein, in proper
Columns are set down, against the Names of
the severall Houholders, the respective Rents
of their Houses, and Sums paid to this Tax
yearly. The Sums Total in each Quarter,
were as follows.

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Rec. in Clerk.
Chamb.

Quarters.	Houses.	Rents.			
		L.	s.	d.	
Northwestern	1296	53154	0	0	
Northeastern	1039	37989	2	8	
Southeastern	1307	50273	12	0	
Southwestern	1429	50701	10	4	
Sums total	5071	192118	5	0	

The Court, it seems, imagining that the
Method of writing annually to the Common
Council of *Edinburgh*, to get their Friends
chosen Magistrates and Members of the said
Council, was running too great a Risk of
losing their Aim, as well as highly disho-
nourable to the King, in case of a Refusal.
Wherefore they resolved by a bold Stroke
to do at once what was yearly to be done,
whereby they might have the Government
of the City intirely in the Hands of their
Friends, and consequently the whole at their
Devotion. And by having the chief Town
of the Kingdom in their Interest, would
have a good Effect to secure the other Cities
and Towns of the Nation in their Service:
For accomplishing so desirable an End,
the King sent a Letter to the Town Coun-
cil; of which the following is a Copy.

CHARLES R.

Trustie and weill belovit, we greit you weill.

" Whereas we by our Experience doe
" find, that the frequent Chainge of Per-
" sonis in publiſt Affairs, does bring In-
" constancie in Government, and whair all
" Persones indistinctlie run into Trade
" without Ordour, that some necessarilie
" must perish thereby; and being zealous of
" your weill, wherunto we have had a great
" Respect; we are pleased to recommend
" unto you a constant Counfall for govern-
" ing that our Citie, and a Distinction in
" Trade, and do will you to ordour the
" same amongst yourselfis, in such Sort as
" may best agree with your Estait; of the
" Success quhairof, we will you to adver-
" tise, that having approven the same, we
" may interpone our Authoritie thairto.
" By doing whereof, you shall not onlie do
" unto us acceptabill Service, but shall con-
" tribute much to the Guid of each par-
" ticular Person committit to your Charge,
" and for which these Presentis shall be your
" Warrant. We bid you fairweill.

From our Court at *Whitehall* the 17th of
May, 1636.

Divers Acts having been made by the
Common Council of *Edinburgh*, to restrain
the wearing of Plaids by Women; but
little Regard being had thereunto, the fol-
lowing thundering Act was made at this
Time, to prevent their being wore in Time
coming.

" Forasmeikell as notwithstanding of di-
" vers and sundrie laudabill Actes and Sta-
" tutis maid be the Proveist, Baillies and
" Counfall of this Burgh in former Tymes,
" discharging that barbarous and uncivill
" Habitte of Womens wearing of Plaids;
" zit such hes bein the Impudencie of manie
" of them, that they have continewit the
" foresaid barbarous Habitte, and hes ad-
" ded thairto the wearing of their Gownes
" and Petticottes about their Heads and
" Faces, so that the same is now becom the
" ordinar Habitte of all Women within the
" Citie,

1635.

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Coun. Regist.
vol. XIV. f.
386. 20th July.

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vol. XV. f. 33.
6th Octob.

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"Cittie, to the general Imputation of their
"Sex, Matrones not being abill to be dis-
"cerned from Strumpettis and lowse living
"Women, to thair awne Dishonour and
"Scandal of the Cittie; which the Proveist,
"Baillies and Counfall have taken into their
"serious Consideration; thairfore have sta-
"tute and ordaynit, and by thir Presentis,
"statutis and ordaynes, that none of what-
"somer Degrie or Qualitie presume, af-
"ter this Day, under the Payne of Escheit
"of the said Plaids, not onlie be such as
"shall be appoyntit for that Effect, but be
"all Persones who fall challenge the same.

"And that nae Women weir their
"Gownes or Petticottes about their Heads
"and Faces, under the Payne of Ten
"Pundis, to be payit by Women of Qua-
"litie for the first Falt. Twenty Pundis for
"the second; and under such farder Paynes
"as fall pleas the Counfall to inflict upon
"them for the third Falt. And under the
"Payne of Fourtie Shilling to be payit be
"Servandis and uthers of lower Degrie for
"the first Falt, Five Pundis for the second,
"and Banishment from the Cittie for the
"third Falt; and ordaynes this present Sta-
"tute to be intimate throwg this Burgh
"be Sound of Drum, that none pretend
"Ignorance hereof.

Remark. Surely the Makers of this in-
quitos Ordinance must have been wicked,
as well as weak Men, to appoint such un-
reasonable Punishments, nowise adequate to
the Offence: For, had a Law been made
against Women going naked in the Streets,
the Punishment for the Breach of it could
not have been more severe than the above,
unless our wise Council had converted Ba-
nishment into Death.

Claren. Hist.
Rebel. B. 2.

King Charles I. being resolved to put in
Execution his darling Scheme, of having
all his people of the same Religion, ordered
a Liturgy, or Service Book, with one of
Canons, to be prepared, for the Use of the
Scotish Church, which being accordingly
performed, his Majesty, without further
Ceremony, issued a Proclamation for the
due Observance of them throughout Scot-
land. This being impolitickly done, without
the Privy of the Secret Council, or general
Approbation of the Clergy; they were
regarded as foreign Impositions, devised by
Archbishop Laud, and forced upon the Nation
by the sole Authority of the King; which
occasioned great Heart-burnings and migh-
ty Commotions amongst the People.

Id. ibid.

However, the new Service Book was or-
dered to be read on *Easter Day* at *Edin-
burgh*; but the People, it seems, not being
prepared for its Reception, the Time was
prolonged to the First of *July*. And the
Twenty third being the Day appointed for
its reading in *St. Giles's Church*; in the
Morning of that Day, the usual Prayers
were read by *Patrick Henderson* the common

Reader; which were no sooner ended, than
Henderson, by way of Farewel, said to his
Auditory, Adieu good People; for I think
this is the last Time of my reading Prayers
in this Place, which occasioned a great mur-
muring in the Congregation.

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MSS. in penes
Mr. Corfs.

Now, the Time for the Forenoon Ser-
vice being come, there assembled on this
extraordinary Occasion the Lord Chancel-
lor, Lords of the Privy Council, Lords of
Session, Bishops, Magistrates of *Edinburgh*,
and a vast Multitude of People of all Sorts.
No sooner had *James Hannay*, Dean of *E-
dinburgh*, appeared in his Surplice, and be-
gan to read the Service, than a Number of
Women, with Clapping of Hands, Exe-
crations, and hideous Exclamations, raised
a great Confusion in the Church, which Dr.
Lindsay Bishop of *Edinburgh* willing to ap-
pease, stept into the Pulpit, and reminded
the People of the Sanctity of the Place:
But this, instead of calming, enraged them
to such a Degree, that *Janet Geddes*, a fu-
rious Woman, ushered in the dreadful and
destructive Civil War, by throwing a Stool
at the Bishop's Head: And had it not been
for the Magistrates of *Edinburgh*, who
turned out the frantick Multitude, they
would probably have murdered him; but
such was the Noise without, by knocking
at the Doors, throwing Stones in at the
Windows, and incessant Cries of *Pape*,
Pape, *Anticrist*, *pull him down*, that the
said Magistrates were obliged to go out to
appease their Fury. But the Populace
watching his Return homewards, renewed
the Assault, that, had he not been rescued
by a superior Force, they would undoubtedly
have dispatched him. Thus began those
horrible Troubles, which ended in the De-
struction of the King, Subversion of the
Church and State, and Loss of the Rights
and Liberties of the People.

The Lord Provost of *Edinburgh* being
intirely in the Court Interest, could not be
suspected of being concerned in the late
dangerous Tumult; and the Bailiffs of the
City, that they might clear themselves from
all Suspicion on that Occasion, sent the fol-
lowing Letter to the *English* Primate, Arch-
bishop *Laud*.

*Most Reverend Father in God, and our ve-
ry good Lord,*

"We regrait, from our Hearts, that Tu-
mult which did fall out in our Churches,
"that Day of in-bringing the Service Book,
"wherein these of his Majestie's Council,
"who laboured the Tryal thereof, will
"give Testimony of our Innocency since that
"Time; and how since the rising of his
"Majestie's Council in this serial Time,
"we have daily concurred with our Ordi-
"nary and our Ministry for settling that Ser-
"vice Book, as the Right Honourable the
"Earl of *Traquair* Lord Treasurer, with
"the Bishops of *Galloway* and *Dunblane*,
"will

Rush. Hist.

Coll. vol. II.

P. 393.

1637.

"will bear Witness; we have spared neither Pains nor Attendance, to bring that Purpose to a good Conclusion.

"And, although the Poverty of this City be great (being almost exhausted with publick and common Works) yet we have not been wanting to offer good Means, above our Power, to such as would undertake that Service; and in all Things, wherein we have been required, we have ever been ready, really to approve ourselves obedient and loyal Subjects to his Majesty in all his Royal Commandments, which we ever vowed to observe to our Lives End: And being infinitely to your Grace's Favours, we now presume by these Lines, to give your Grace that Assurance of Obedience on our Part in this Purpose, and in all other Purposes, wherein we may contribute to the Advancement of his Majesty's Service, or can be expected of good Subjects, whereof (if his Majesty, by your Grace, shall be pleased to rest assured, whatsoever any other shall suggest) we will accept it from you as a great Accumulation of Favour; for all which your Grace shall ever find us most thankful Remembrancers, and most ready, really to express our Thankfulness, whenever we shall be made so happy, as your Grace shall have Occasion to use our Service. Thus from our Hearts, wishing you all Happiness, we kiss your Grace's Hand."

Edinburgh, this 19th August, 1637.

Your Grace's most affectionate, &c.

The Ministry, it seems, by the late unhappy Tumult in *Edinburgh*, judged it to be greatly for their Master's Interest, to secure the Magistrates and Common Council of this City in his Favours: To which End the King sent a Letter to the said Council; of which the following is a Copy.

CHARLES R.

Trustie and weill belovit, we greit you weill.

"We wer pleased laitlie to recommend unto you, a Delay in the Choyce of your Provost, untill we should signifie our further Pleasure unto you, wherein we have understood from our Clerk of Register of your dutifull Obedience. And now in regard of several Things, especiallie at this Tyme, concerning our Service, and in particular the Peace of the Citie, we have thocht it expedient, that one of whose Sufficiency from our own Knowledge we have Assurance, may at this Tyme have that Chairge amongst you. And as we have been graciouslie pleased to construe favourable of what is fallen out amids of Prosecution of our Ordinances laitlie ther; so we are willing zit hereby to express our Cair over you; and thairfore we do speciallie recommend unto your Cair, that our trustie and weill belovit Sir *John Hay* Kt. our Clerk of Regi-

ster, be put in Leitt and maid Choyce of for your Provost for this Zeir cumming.

"We ar confident that this our Desyre will be the more acceptable to you, in regaird of his many guid Services done to us in the faithfull and painfull Discharge of his Employments heirtofore, for the Guid of that Citie. And as we fall be very unwilling to innovate any Thing concerning the Act of Parliament maid anent the choising of the Magistrates of Burrowes without speciall Occasioun; so we do at this Tyme dispens therewith, so far as it may be heirby concerned; which we heirby declare, fall be without Prejudice of any of your Privileges which we fall be ever cairfull to mantein. And we have given him our speciall Command to accept of the said Chairge: So, not doubting of your Forwardnes in this or any Thing may concern our Service thair; we bid you fairweill."

From our Court at *Oatlands*, the 10th of September, 1637.

Remark. This was undoubtedly a very wrong Step at any Time, more especially at this Juncture, when all Things tended to a Rupture between the King and his Subjects; for the dispensing with an Act of Parliament which secured the Liberties of the People, was sure to beget new Enemies to his Majesty; whereas, at this Time of so general a Defection, it would have been good Policy to have regained the Love of the People by good Offices and new Favours; and not by such unsalutary Measures, to hazard the Losing of those who had hitherto continued firm in his Majesty's Interest. For it is much better to prevent Mischief by maintaining the Laws, which are the sacred Fences of our Lives and Liberties, than to punish Offenders when Troubles happen.

Though the Common Council at this Time complied with the King's Injunctions, by chusing Sir *John Hay* for their Provost, yet they chose Men for their other Magistrates and Members of their Council, who had different Views from those of the Court, as will appear by the following Supplication to the Privy Council.

"Forasmeikle as the Magistrates being *Ibid. f. 28.* upon *Saturday* last required be the Lordis *22d Sept.* of his Majesty's Secreit Counfall for reviving of the New-service Buik, and for concurring and assisting of the said Service, as had been formerlie promised, hes procured this Day to be advysed thairwith; which being now imparted to the Counfall, and they having taken the same into their serious Consideration, hes thocht guid that there fall be ane Supplication presentit to the Lordis of his Majesty's Secreit Counfall, in Name of the Baillies and Counfall of this Citie, shewing their Willingnes,

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25. 26.
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"lingnes, according to thair Powars, to contribute in all his Majestie's Services, thair best Indeavours, whereanent they had given guid Proof to the saids Lordis, before the 23d of August last; and hes still since manteyned and governit this Citie in Peace and Quietnes.

"Bot the Refort of the Nobilitie, Gentrie, and divers Ministers the said Day, and Twentie of this Instant, had given such Information against the said Buik, that they have alienated thair Minds that no such Assurances can be expected now as formerlie they had; and thairfore beg at thair Hands, that since they had never shewen themselvis refractorie, nor hes given no Concurrence with anie uthers in this Purpose: and to thair Powar fall maintain this Citie in Peace, Quietnes, and dew Obedience in all Things. That thairfore the said Lordis wold be pleased to urge no Thing upon them more nor the rest of the Countrey, nor to mak thame anie Oprobie to the rest of the Kingdome; bot that thay remayne in this Purpose, in the same Estait with the rest; and ordaines the Magistrates to give in the said Supplication." 22d September 1637.

And to inform *Laud*, Archbishop of *Canterbury*, of their present Circumstances; it was likewise judged necessary, to send him the following Letter.

Most reverend in God, and our very good Lord.

Ruth. Coll.
vol. II. p. 399.

"We do receive your Grace's kind Letter, and from our Hearts we do render your Grace most hearty Thanks; and as we have hitherto found your special Favour in this Matter, concerning the lately imprinted Service-book, whereanent we did write to your Grace formerly, shewing our dutiful and obedient Resolution, not only in ourselves, but in the greatest and best Part of our Inhabitants, of whom, from Time to Time, as we had most confident Assurance, so now we must again become new Suitors at your Grace's Hands, to receive from us a true Information of the Difference of the present Time, and of that when we did presume to write the Occasions thereof; which is, that since our last, there hath been such an innumerable Confluence of People from all the Corners of this Kingdom, both of Clergy and Laity, and of all Degrees, by Occasion of two Council Days: And such Things suggested to our poor ignorant People, that they have razed out what we by great and continual Pains had imprinted in their Minds, and diverted them altogether from their former Resolutions; so that now when we were urged by ourselves alone, we could not adventure; but were forced to supplicate the Lords of Council to continue us in the State they had done the rest of the Kingdom; ha-

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ving hitherto forborne either to combine with them, or to countenance them in their Supplications; yet we will not forbear to do our Master's Service to our Power, but shall study to imprint in their Minds what hath been taken away.

"In the Interim, we will humbly beg your Grace's Favour and Intercession with his Majesty, that we may be kept still in his Favour, which we do esteem our greatest earthly Felicity; and what Course shall be taken with the rest of this Kingdom in that Matter, who have presented many Supplications, and with whom we have in no Ways combined, that the same and no other may be taken with us, wherein we are confident to prevail as much as any other within the Kingdom; and in all Things shall endeavour nothing more than that we may approve ourselves most dutiful and obedient Subjects. Thus relying upon your Grace's Favour as our most assured Refuge, we kiss your Grace's Hands, and rest your Grace's most affectionate, &c.

The Summer Session being ended, and *Id. ibid.* the Vacation begun, great Numbers of People left *Edinburgh*, and repaired to their respective Countries, which for some Time put a Stop to all Commotions. But the Harvest being over, and the Winter Session to begin on the first of November, and the publick Affairs in so dangerous a Situation, great Numbers of the Nobility, Gentry, Ministers, and Commonalty resorted to *Edinburgh* from all Parts of the Kingdom, and in such a tumultuous Manner, that the Privy Council were apprehensive of an immediate Infurrection; and, in order to prevent the same, published no less than three Proclamations on the 17th of October. In the first, they acquainted the People, that nothing concerning Church Affairs would be treated of in the Privy Council till the Times were better settled; therefore commanded all Persons who were come to *Edinburgh* on that account, to repair to their Homes within the Space of Twenty four Hours, on Pain of being denounced Rebels, put to the Horn, and all their moveable Goods to escheat to the King. The second was for removing the Court of Session from *Edinburgh* to *Linlithgow*; and the third was for calling in and burning a Pamphlet lately published, intituled, *A Dispute against the English Popish Ceremonies obruded upon the Kirk of Scotland*, and all Persons secreting the said Book to incur the same Punishment as the Author shall be found to deserve.

Those Proclamations, especially that for removing the Court of Session from *Edinburgh* to *Linlithgow*, enraged the People to a very great Degree, insomuch, that the Day after, a great Tumult was raised in this City, against the Earl of *Traquair*, Lord Treasurer, and some of the Bishops; and

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the Bishop of *Galloway*, in going to the Council, was saluted by the Mob with a Volley of horrid Imprecations and hideous Noise, till he came to the Council-house Door, where he had the ill Luck to be encountered by a Multitude who waited his Coming; whose Fury being very great, would certainly have torn him in pieces, had not some Friends, at the Hazard of their Lives, got him into the said Council-house, where the Lord President was got before him: But the Place, though of the greatest Dignity and Reverence, was no Sanctuary for him; for the Rabble demanding his Person, and threatening his Death, some of his Domesticks hurried to acquaint the Lord Treasurer with the Danger their Master was in.

Id. *ibid.*Id. *ibid.* p. 403.

Traquair was no sooner informed of the Danger his Friend was in, than he, with the Lord *Wigton* and their Followers, set out to relieve the distressed Bishop; but, having got into the Council Chamber, found themselves in as bad a Plight as *Galloway*; for, the Fury of the Mob increasing with their Number, they invested the House; of which the injured Lords having privately acquainted the Magistrates and Common Council of *Edinburgh*, then in Council assembled, required their immediate Assistance to rescue them from the great Danger they were in. To this the said Council returned for Answer, that it was not in their Power to relieve them; for they were in the same, if not a worse Condition themselves; for their House was besieged by the Populace, who threatened Destruction to all within the same, unless they forthwith subscribed a Paper then presented to them, which for the Safety of their Lives they were obliged to do: The Contents whereof were as follows. 1. That the Common Council should join them in Opposition to the Service-book, and in petitioning the Privy Council against the same. 2. They should forthwith restore Mr. *Ramsay* and *Rollock*, their two silenced Ministers to their Places and Pulpits. And 3dly, That they should restore to his Place *Patrick Henderson*, late Reader of *St. Giles's* Church.

Id. *ibid.*

Traquair and *Wigton* perceiving by this Answer, that no Assistance was to be expected from that Quarter, resolved to venture out, and try whether the Lord Treasurer could not, by his Authority and Persuasion, prevail on the People to disperse and go home; if not, to go and advise with the Magistrates and Town Council about such Measures as were proper to assuage the Multitude, and allay the present dangerous Sedition. And perceiving that the Magistrates, by signing the Paper aforesaid, and the Publication thereof amongst the Populace, had alleviated their Rage, they began to consider what was to be done for the Bishop of *Galloway's* Safety, then besieged in the Privy Council Cham-

ber: The Result whereof was, that the Lords should return to the said Council Chamber, while the Magistrates endeavoured to prevail on the People to disperse and go home; but the Treasurer and *Wigton* were no sooner got into the Street on their Return, than the furious Multitude ran upon them with terrible Noise and Cries, "God defend all those who will defend God's Cause, and God confound the Service-book, and all Maintainers of it."

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The Lords, in imminent Danger, assured Id. *ibid.* the Populace, that they would represent their Grievances to his Majesty; but when they perceived that the People refused to obey every Command in the King's Name, and to despise their being ordered to disperse on Pain of the Royal Displeasure, were glad to have Recourse to Intreaties and Supplication, but all in vain; for their Fury increased to such a Height, that the Lord Treasurer was assaulted and thrown down; his Hat, Cloak, and white Staff taken from him; and, had he not been soon taken up by certain of his Friends, would assuredly have been trod to Death. In this woful State, *Traquair*, without Hat, Cloak, or Staff, was conducted to the Council Chamber, where the Bishop of *Orkney*, and other Privy Counsellors were attending their Fate; to whom repaired the Magistrates, and acquainted them, that though they had done all they could to appease the Tumult, and secure their Lordships Persons, yet it was not in their Power to quiet the People. Id. *ibid.* p. 404.

The Lords, in this melancholy Situation, resolved to send for some of the Nobility and Gentry who were assisting in drawing up the Petition against the Service-book, to intreat their Assistance in this dangerous Juncture. The Persons sent for readily agreed to do all in their Power to extricate the unhappy Gentlemen from the impending Danger: and, coming to the Council Chamber, undertook to conduct them safe to their respective Habitations; which they happily performed, to the no small Joy of those, who, every Moment expected to fall a Sacrifice to the furious and savage Multitude. However, they, on this Occasion, shewed such distinguishing Marks of Respect to their Friends, that they did not in the least molest any of those who put themselves under their Protection.

The Storm being over, the Privy Council, in the Afternoon, met in the Palace of *Holyroodhouse*, and ordered a Proclamation to be published, at the Market-Cross of *Edinburgh*, of the following Tenor. At *Holyroodhouse*, the 18th of October, 1637.

"Forasmuch as a Number of the Lords Id. *ibid.* of his Majesty's Privy Council, as likewise the Town Council of *Edinburgh*, being this Day convened in their several Juridicatories, for his Majesty's speciall Affairs

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"fares and Service, they were most rudely interrupted in the Course of their Proceedings, by a tumultuous gathering of a promiscuous and vulgar Multitude, by whom his Majesty's Authority and lawful Government is despised; which, in the Consequence thereof, may produce dangerous Effects, if the like be not prevented in Time to come.

"Therefore the Lords of the secret Council, according to the Duty of their Places and Charge incumbent on them, ordains a Macer of Council to pass to the Mercat Cross of *Edinburgh*, and there, by open Proclamation, to discharge all publick Gatherings and Convocations of his Majesty's Subjects within the City of *Edinburgh*, and upon the Streets thereof; as likewise all private Meetings tending to Faction and Tumult; and in his Majesty's Name and Authority, to command all his Majesty's Lieges and Inhabitants within the said City, to contain themselves in Peace and Quietness: And for that Effect to keep their Houses, except when their lawful Business doth otherwise call them, under all highest Pain and Charge that, by Rigour of Law, can be inflicted upon the Contraveners of the Premises in manner above expressed."

Notwithstanding of this Proclamation, such was the Assurance of the People, that the next Privy Council-day they sent Commissioners to the Council to require, that their Ministers and Reader might be restored to them, and Assurance given for Performance of the Articles above specified lately promised by their Magistrates, which the said Council were forced to grant: And just after was presented to the Lord Chancellor and Council, a Petition in the Names of all the Men, Women, Children and Servants within *Edinburgh*; of which, the following, is a Copy.

Ibid. p. 405.

Unto your Lordship humbly shews, "We Men, Women, and Children, and Servants, Indwellers within the Burgh of *Edinburgh*; That whereas we being urged with this Book of Service, and having considered the same, we find many Things therein so far different from that Form of God's publick Worship, universally received and professed within this Kingdom; and we Burgeses being at our Entry and Admission deeply sworn for the Maintenance thereof, that now make our Hearts to tremble, and our weak Consciences will not suffer us to imbrace and practise this urged Service: We have this long time past, winked at some former Alterations being put in hope, that further Innovations should not follow; but now being oppressed with our just Fears, to see ourselves deprived of that Liberty of serving God, which ever hath been approved by Church and Kingdom, in place whereof,

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"we are now like to be constrained to imbrace another, which hath neither been agitated nor received either by General Assembly or Parliament.

"In such Extremity, we are most humbly to supplicate your Lordships, to consider our present Estate, that this Business is a Matter of so great Weight and Consequence, as should not appear to be a needless Noise of simple Women; but it is the absolute Desire of our Hearts, for the Preservation of true Religion amongst us, which is dearer to us than either Estate or Life: And therefore we do crave; That as the rest of the Kingdom, so we may have a Time to advise; and that your Lordship may find out some Way, whereby we may be delivered from the Fear of this, and all other Innovations of this kind, and have the Happiness to enjoy the true Religion, as it hath been, by the great Mercy of God, reformed in this Land, and authorised by his Majesty, who may long and prosperously reign over us, and your Lordship's Answer," &c.

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Matters drawing towards a Crisis between the King and his *Scotish* Subjects on account of the late Innovations indeavoured to be made in Religion, great Numbers of the Nobility Gentry, and Persons of all Ranks repaired to *Edinburgh*, from the several Parts of the Kingdom, to oppose the Measures taken for that Purpose; and to that End, entered into a mutual Agreement or Contract, called the *Solemn League and Covenant*; which being one of the most remarkable Confederacies ever entered into by the People of this Island against their Sovereign; and as the *Edinburgers* were deeply therein concerned, and the same being but little known, I shall, for the Information of the curious Reader, subjoin a Copy of this memorable Covenant; which please to take as follows.

The Confession of Faith subscriv'd at first by the King's Majesty and his Household in the Year of God 1580; thereafter by Persones of all Ranks in the Year 1581, by Ordinance of the Lords of sacreit Counsell and Aits of the Generall Assemblie; subscriv'd againe by all Sorts of Persones in the Year 1590, by a new Ordinance of Counsell at the Desire of the Generall Assemblie, with ane generall Band for Maintenance of the true Religion and the King's Person; and now subscriv'd in the Year 1638, by us Noblemen, Barons, Gentlemen, Burgeses, Ministers and Commons under subscrivand; together with our Resolution and Promiss for the Causes after specifit, to manteane the said true Religion and the King's Majesty, according to the Confession foirsaid, and Aits of Parliament, the Tenor whereof followeth.

Solemn Leag.
in Arch. Edin.

"We all and everie one of us under writtin protest, That after a long and true Examination of our awin Consciences in Matters

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" ters of true and fals Religion, quherein
 " now we ar throughlie resolved in the
 " Truth by the Word and Spirit of God;
 " and therefor we beleve with our Hearts,
 " confesse with our Mouthes, subscribe with
 " our Hands, and constantlie affirme before
 " God and the whole World, that this onlie
 " is the true Christian Faith and Religion,
 " pleasing God, and bringing Salvation to
 " Man, quhilk now is by the Mercie of God
 " revealed to the World by the preaching
 " of the blessed Evangell, and receavit, bele-
 " ved and defended by manie and findrie
 " notable Kirks and Realmes, bot cheiflie
 " by the Kirk of Scotland, the King's Maje-
 " stie, and three Estates of this Realme, as
 " God's eternall Truth, and onlie Ground
 " of our Salvation, as more particularlie is
 " expressed in the Confession of our Faith
 " published and publictly confirmed by sin-
 " drie Acts of Parliament; and now of a
 " long tyme hath bene openlie professed by
 " the King's Majestie and whole Bodie of
 " this Realme, both in Burgh and Land.
 " To the which Confession and Forme of
 " Religion, we willinglie agrie in our Con-
 " sciences, in all Points, as unto God's un-
 " doubted Truth and Veritie, grounded on-
 " lie upon his written Word; and therefor
 " we abhorre and detest all contrarie Religion
 " and Doctrin; bot cheiflie all kinds of
 " Papistrie in generall, and particular Heids,
 " evin as they ar now damned and confu-
 " ted by the Word of God and Kirk of
 " Scotland. Bot in special we detest and re-
 " fuis the the usurped Authoritie of that
 " Roman Antichrist upon the Scriptures of
 " God, upon the Kirk, the Civil Magistrat,
 " and Consciences of Men; all his tyran-
 " nous Laws made upon indifferent Things
 " against our Christian Libertie; his erro-
 " nous Doctrin against the Sufficiencie of
 " the written Word, the Perfection of the
 " Law, the Office of Christ and his blessed
 " Evangell, his corrupted Doctrin concern-
 " ing original Sin, our natural Inability and
 " Rebellion to God's Law; our Justifica-
 " tion by Faith onlie; our imperfitt Sancti-
 " fication and Obedience to the Law; the
 " Nature, Number and Use of the Holie
 " Sacraments; his five bastard Sacraments,
 " with all his Rits, Ceremonies and fals
 " Doctrin, addit to the Ministratoin of the
 " true Sacraments without the Word of God;
 " his cruell Judgement against Infants de-
 " parting without the Sacraments; his abso-
 " lute Necessitie of Baptisme; his blasphe-
 " mous Opinion of Transubstantiation, or
 " real Presence of Christ's Bodie in the Ele-
 " ments, and receiving of the same by the
 " wicked or Bodies of Men; his Dispen-
 " sations with solemne Oathes, Perjuries and
 " Degrees of Marriage forbidden in the
 " Word; his Crueltie against the innocent
 " divorced; his divilish Masse; his blasphe-
 " mous Priesthood; his prophane Sacrifice

" for the Sinis of the dead and the quick;
 " his Canonization of Men; calling upon
 " Angels or Saints departed; worshipping of
 " imaginie Relicts and Crofes; Dedication
 " of Kirks, Altars, Dayes, Vowes to Crea-
 " tures; his Purgatorie, Prayers for the
 " Dead, praying or speaking in a strange
 " Language; with his Processions and blas-
 " phemous Letanie, and Multitude of Ad-
 " vocats or Mediators; his manifold Or-
 " ders; auricular Confession; his desperate
 " and uncertane Repentance; his general
 " and doubtfull Faith; his Satisfaction of
 " Men for their Sinis; his Justification by
 " Works; *opus operatum*, Works of Super-
 " erogation, Merits, Pardons, Peregrina-
 " tions and Statoires; his holie Water, bap-
 " tizing of Bells, conjuring of Spirits, crof-
 " sing, fainting, anoynting, conjuring, hal-
 " lowing of God's good Creatures, with
 " the superstitious Opinion joined therewith;
 " his worldlie Monarchie and wicked Hier-
 " archie; his Three solemne Vowes, with
 " all his Shavelings of findrie Sorts; his er-
 " ronious and bloodie Decrees made at Trent,
 " with all the Subscryvers and Approvers
 " of that bloodie Band, conjured against
 " the Kirk of God.

" And finally, we detest all his vane Al-
 " legories, Rits, Signes, and Traditions,
 " brought in the Kirk without or against the
 " Word of God, and Doctrin of his true
 " reformed Kirk; to the which we joyne
 " ourselfis willinglie in Doctrin, Faith, Re-
 " ligion, Discipline, and Use of the holie
 " Sacraments, as livelie Members of the
 " same in Christ our Head; promising and
 " swearing by the great Name of the Lord
 " our God, that we fall continue in the O-
 " bedience of the Doctrin and Discipline of
 " this Kirk, and fall defend the same ac-
 " cording to our Vocation and Power, all
 " the Dayes of our Lifes, under the Paine
 " contened in the Law, and Danger both of
 " Bodie and Soule in the Day of God's fear-
 " ful Judgement.

" And seing that manie ar stirred up by
 " Sathan, and that Roman Antichrist, to
 " promiss, sweare, subscribe, and for a
 " Time use the holie Sacraments in the Kirk
 " deceitfullie against their awin Consciences,
 " mynding hereby, first, under the externall
 " Clock of Religion, to corrupt and subvert
 " secreitlie God's true Religion within the
 " Kirk, and afterward, when Tyme may
 " serve, to become opin Enemies and Per-
 " secutors of the same, under vane Hope of
 " the Pope's Dispensation, devyfed against
 " the Word of God, to his great Confusion,
 " and ther double Condemnation in the Day
 " of the Lord Jesus.

" We therefor willing to tak all Suspi-
 " sion of Hipocrisie away, and of such double
 " Dealing with God and his Kirk, protest
 " and call the Searcher of all Hearts for
 " Witnes, that our Mynds and Hearts do
 " fullie

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"fullie agree with this our Confession, Promises, Oath and Subscription; so that we are not moved for any worldlie Respect, but are perswaded onlie in our Consciences, to throw the Knowledge and Love of God's true Religion printed in our Hearts by the Holie Spirit, as we fall answer to him in the Day when the Secrets of all Hearts shall be disclosed; and because we perceive, that the Quietness and Stabilitie of our Religion and Kirk doth depend upon the Safety and good Behaviour of the King's Majesty, as upon a comfortable Instrument of God's Mercie granted to this Countrie, for the manteaning of his Kirk, and Ministration of Justice amongst us: We protest and promise with our Hearts, under the same Oath, Hand-write and Paines, that we shall defend his Person and Authority with our Gear, Bodie and Lives, in the Defence of Christ's Evangell, Liberties of our Countrie, Ministration of Justice, and Punishment of Iniquitie against all Enemies within this Realme, or without, as we desire our God to be a strong and merciful Defender to us in the Day of our Death, and Coming of our Lord Jesus Christ, to whom with the Father and Holie Spirit, be all Honour and Glorie eternall. Amen.

"Lykeas manie Acts of Parliament not onlie in generall doe abrogate, annull and rescind all Lawes, Statutes, Acts, Constitutions, Canons Civil or Municipall, with all other Ordinances, and practique Penalties whatsoever, made in Prejudice of the true Religion and Professors thereof, or of the true Kirk; Discipline, Jurisdiction, and Freedom thereof, or in Favours of Idolatrie and Superstition, or of the papistical Kirk, as Act 3. Act 31. Parl. 1. Act 23. Parl. 11. Act 114. Parl. 12. of King James VI. That Papistrie and Superstition may be utterlie suppressed, according to the Intention of the Acts of Parliament reportit in the 5th Act, Parl. 20. King James VI. and to that end; they ordain all Papists and Priests to be punished by manifold Civil and Ecclesiasticall Paines, as Adversaries to God's true Religion preached, and by Law established within this Realme, Act 24. Parl. 11. King James VI. as comoun Enemies to all Christian Government, Act 18. Parl. 16. King James VI. as Rebels and Gainstanders of our Sovereign Lord's Authority, Act 17. Parl. 3. King James VI. and as Idolaters, Act 114th, Parl. 7. King James VI. but also in particular (by and attour the Confession of Faith) do abolish and condemne the Pope's Authority and Jurisdiction out of this Land, and ordains the Manteaners thereof to be punished, Act 2. Parl. 1. Act 51. Parl. 3. Act 106. Parl. 7. Act 114. Parl. 12. King James VI. do condemne the

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"Pope's erroneous Doctrine, or any other erroneous Doctrine, repugnant to any of the Articles of the true and Christian Religion publictly preached, and be Law established in this Realme.

"And ordains the Spreadars and Makers of Bookes or Lybells, or Letters or Writts of that Nature, to be punished, Act 46. Parl. 3. Act 106. Parl. 7. Act 24. Parl. 11. King James VI. do condemne all Bap- tistie conform to the Pope's Kirk, and the Idolatrie of the Masse; and ordains all Seyars, wilful Hearers and Concealers of the Masse, Manteaners and Resettlers of the Priests, Jesuites, trafiquing Papists to be punished, without anie Exception or Restriction, Act 5. Parl. 1. Act 120. Parl. 12. Act 164. Parl. 13. Act 193. Parl. 14. Act 1. Parl. 19. Act 5. Parl. 20. King James VI. do condemne all erroneous Bookes and Writts, conteining erroneous Doctrine against the Religion presently professed, or containing superstitious Rites and Ceremonies papisticall; wherby the People are greatlie abused; and ordains the Home-bringers of them to be punished, Act 25. Parl. 11. King James VI. do condemne the Monuments and Dreggs of bygone Idolatrie, as going to Crosses, observing the festivall Dayes of Saints, and such other superstitious and papistical Rites, to the Dishonour of God, Contempt of true Religion, and fostering of Error amongst the People, and ordains the Users of them to be punished for the second Falt as Idolaters, Act 104. Parl. 7. King James VI.

"Lykeas, manie Acts of Parliament are conceived, for Manteanance of God's true Christian Religion, and the Puritie thereof in Doctrine and Sacraments of the true Church of God, the Libertie and Freedom thereof in her Nationall Synodall Assemblies, Presbyteries, Sessions, Policie, Discipline and Jurisdiction thereof, as that Puritie of Religion, and Libertie of the Kirk was used, professed, exercised, preached and confessed, according to the Reformation of Religion in this Realme: As for Instance, the 99th Act, Parl. 7. Act 23. Parl. 11. Act 114. Parl. 12. Act 160. Parl. 13. of King James VI. ratified by the 4th Act of King Charles; so that Act the 6th, Parl. 1. and 68th Act, Parl. 6. of King James VI. in the Year of God 1579, declares the Ministers of the blessed Evangell, whom God of his Mercy had raised up; or hereafter should raise agreeing with them, that then lived in Doctrine and Administration of the Sacraments; and the People that profess Christ as he was then offered in the Evangell, and does communicate with the holie Sacraments (as in the reformed Kirks of this Realme they were publictly administred) according to the

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" Confession of Faith, to be the true and
" holie Kirk of Christ Jesus within this Re-
" alme.

" And decernes and declaires all and sin-
" drie, who ather gainsayes the Word of
" the Evangell, received and approved as
" the Heads of the Confession of Faith, pro-
" fessed in Parliament in the Yeir of God
" 1560, specified also in the first Parlia-
" ment of King James VI. and ratified in
" this present Parliament, mair particularlie
" does specifie; or that refuses the Admini-
" stration of the holie Sacraments, as they
" wer then ministred, to be no Members of
" the said Kirk within this Realme, and
" true Religion presentlie professed, so long
" as they keep themselves so divyded from
" the Societie of Christ's Bodie. And the
" subsequent *Act* 69th, *Parl.* 6. King James
" VI. declares, That there is no uther Face
" of a Kirk, nor uther Face of Religion, then
" was presentlie at that tyme be the Favour of
" God established within this Realme, which
" is therefore styled God's true Religion,
" Christ's true Religion, the true and Chri-
" stian Religion, and a perfite Religion,
" which by manifold Acts of Parliament, all
" within this Realme are bound to profess, to
" subscriue the Articles thereof, the Confes-
" sion of Faith; to recant all Doctrines and
" Errors repugnant to anie of the said Ar-
" ticles, *Act* 4. and 9. *Parl.* 1. *Act* 45. 46.
" 47. *Parl.* 3. *Act* 71. *Parl.* 6. *Act* 106.
" *Parl.* 7. *Act* 24. *Parl.* 11. *Act* 123.
" *Parl.* 12. *Act* 194 and 197. *Parl.* 14.
" King James VI. and all Magistrats,
" Shreffis, &c. on the one Parte, ar or-
" dained to searce, apprehend, and punish
" all Contraveners: For Instance, *Act* 5.
" *Parl.* 1. *Act* 124. *Parl.* 7. *Act* 25. *Parl.*
" 11. of King James VI. and that notwith-
" standing of the King's Majestie's Li-
" cence on the contrary, which ar dis-
" charged, and declared to be of no Force,
" in so fair as they tend in anie wayes to the
" Prejudice, and hinder the Execution of
" the Acts of Parliament against Papists
" and Adversaries of true Religion, *Act*
" 106. *Parl.* 7. King James VI. on the
" uther Parte, in the 47th *Act*, *Parl.* 3.
" King James VI. it is declared and or-
" dained, seing the Cause of God's true
" Religion, and his Hieness's Authoritie
" are so joynded, as the Hurt of the one is
" comoun to both; That none fall be re-
" pute as loyall and faithfull Subjects to
" our Soverane Lord or his Authoritie, bot
" be punishable as Rebels and Gain-
" standers of the samyne, who fall not give
" their Confession, and mak ther Profession
" of the said true Religion; and that they,
" who after Defection, fall give ther Con-
" fession of ther Faith now, fall promess to
" continew therein in Tyme coming, to
" manteane our Soverane Lord's Authori-
" tie; and, at the uttermost of their Power,

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" to fortifie, assist, and manteane the true
" Preachers and Professors of Christ's Re-
" ligion, against whatsoever Enemies and
" Gainstanders of the samyne: And nam-
" lie, against all such of whatsoever Nation,
" Estate or Degree they be of, that has joynded
" and bound themselves, or hes assistit or as-
" sist to sett forward and execute the cruell
" Decrees of *Trent*, contrair to the Preach-
" ers and true Professors of the Word of
" God, which is repeated Word by Word
" in the Articles of Pacification at *Perth*,
" the 23d of *February* 1572, approved by
" Parliament the last of *April* 1573, rati-
" fied in Parliament 1587. and related *Act*
" 123. *Parl.* 12. King James VI. with this
" Addition, that they ar bound to resist all
" treasonable Uproars and Hostilities raisit
" against the true Religion, the King's Ma-
" jestie, and the true Professors.

" Lykeas, all Lieges are bound to man-
" teane the King's Majestie's Royal Person
" and Authoritie, the Authoritie of Parlia-
" ments, without which, rather any Laws,
" or lawfull Judicatories can be established,
" *Act* 130. *Act* 131. *Parl.* 8. King James
" VI. and the Subjects Liberties, who ought
" onlie to live and be governed by the King's
" Lawes, and the comoun Lawes of this
" Realme allanerlie, *Act* 48. *Parl.* 3. King
" James VI. *Act* 79. *Parl.* 6. King James IV.
" repeated in the *Act* 131. *Parl.* 8. King
" James VI. which if they be innovated or
" prejudged, the Commission anent the U-
" nion of the Two Kingdomes of *Scotland*
" and *England* (which is the sole *Act* of the
" 17th *Parl.* of King James VI.) declares,
" such Confusion wold insue, as the Realme
" could no more be a free Monarchie, be-
" cause by the fundamental Lawes, anci-
" ent Priviledges, Offices and Liberties of
" this Kingdome, not onlie the Princelie
" Authoritie of his Majestie's Royal De-
" scent, has bene these manie Ages man-
" teaned, bot also the People's Securitie of
" ther Lands, Levings, Rights, Offices,
" Liberties and Dignities preserved; and
" therefore, for the Preservation of the said
" Religion, Lawes and Liberties of the
" Kingdome, it is statute by the 8th *Act*,
" *Parl.* 1. repeatit in the 99th *Act*, *Parl.* 7.
" ratified in the 23d *Act*, *Parl.* 11. and 114th
" *Act*, *Parl.* 12. of King James VI. and
" 4th *Act* of King Charles I. That all Kings
" and Princes, at ther Coronation and Re-
" ception of ther Princelie Authoritie, fall
" mak ther faithfull Promess by ther so-
" lemne Oath, in the Presence of the Eter-
" nall God, that, induring the hail Course
" of ther Lyfes, they fall serve the samyne
" Eternall God to the uttermost of their
" Power, according as he hes requyred in
" his most holie Word, conceaved in the
" New and Old Testaments, and according
" to the samyne Word, fall manteane the
" true Religion of Christ Jesus, the preach-
" ing

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ing of his holie Word, the true and right
Ministration of the Sacraments now recea-
ved and preached within this Realme (ac-
cording to the Confession of Faith imme-
diately preceeding) and fall abolish and
gainstand all fals Religion contrair to
the samyne; and fall rule the People
committed to ther Charge, according to
the Will and Command of God, reveal-
ed in his foirsaid Word, according to the
lawable Lawes and Constitutions received
in this Realme, no Wayes repugnant to
the said Will of the Eternall God; and
fall procure to the uttermost of ther Power
to the Kirk of God and haill Christian
People, true and perfite Peace in all
Tyme cuming: And that they fall be care-
full to roote out of ther Empyre all Here-
tiques and Enemies to the true Worship
of God, who fall be convict by the true
Kirk of God of the foirsaid Crymes; which
wes also observed by his Majestie at his
Corronation in *Edinburgh* 1633, as may
be sene in the Order of the Corrona-
tion.

In obedience to the Commandement of
God, conforme to the Practise of the
Godlie in former Tymes, and according
to the laudable Example of our worthie
and religious Progenitors, and of manie
yet leving amongist us; which wes
warrantit also by Act of Counsaill, com-
manding a generall Band to be made and
subscrived by his Majestie's Subjects of all
Ranks, for two Causes; one wes for de-
fending the true Religion, as it wes then
reformat and exprest in the Confession of
Faith above writtin, and a former large
Confession, established by findrie Acts of
lawfull Generall Assemblies and of Parlia-
ment, unto which it haith Relation sett
downe in publikt Catechismes; and
which had bene for manie Years with a
Blessing from Heaven, preached and pro-
fessed in this Kirk and Kingdome, as God's
undoubted Truth; grounded upon his
writtin Word. The uther Cause wes for
manteaning the King's Majestie's Persone
and Estate; the true Worship of God and
the King's Authoritie being straitly joyn-
ed, as that they had the same Freinds and
comoun Enemies, and did stand and fall
together.

And finallie, being convinced in our
Myndes, and confessing with our Mouthes,
that the present and succeeding Genera-
tions in this Land is bound to keep the
foirsaid Nationall Oath and Subscription
inviolable: We the Noblemen, Barrons,
Gentlemen, Burgeses, Ministers, and Co-
mouns undersubscriving, considering di-
vers Tymes before, and especiallie at this
Tyme, the Danger of the true reformed
Religion, of the King's Honour, and of
the publikt Peace of the Kingdome, by
the manifold Innovations and Evils ge-

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nerallie conteaned, and particularlie men-
tioned in our late Supplications, Com-
plaints and Protestations; doe heirby pro-
fess, and before God, his Angells, and
the World, solemnlie declare, that with
our whole Heartes we agree and resolve,
all the Dayes of our Life, constantlie to
adhere unto, and defend the foirsaid true
Religion, forbearing the Practise of all In-
novations, alreadie introduced in the Mat-
ters of the Worship of God, Approbation
of the Corruptions of the publikt Govern-
ment of the Kirk or civill Places and
Power of Kirkmen, till they be tryed and
allowed in free Assemblies and in Parlia-
ments. To labour by all lawfull Meanes
to recover the Puritie and Libertie of the
Gospell, as it wes professed and established
before the foirsaid Innovation.

And becaufe, after due Examination,
we plainlie perceave and undoubtedlie be-
lieve, that the Innovations and Evills
conteaned in our Supplications and Com-
plaints and Protestations, have no War-
rant of the Word of God, ar contrarie to
the Articles of the foirsaid Confessions,
to the Intention and Meaning of the blef-
fed Reformers of Religion in this Land,
to the above writtin Acts of Parliament,
and doe sensible tend to the re-establish-
ing of the Popish Religion and Tyrrannie,
and to the Subversion and Ruine of the
true reformed Religion, and of our Li-
berties, Lawes, and Estates.

We also declare, that the foirsaid Con-
fessions ar to be interpreted, and ought to
be understood of the foirsaid Novations
and Evills, no less than if evrie one of
them had bene exprest in the foirsaid
Confessions; and that we ar obliged to de-
test and abhorre them amongist other par-
ticular Heads of Papistrie abjured therin;
and therefore, from the Knowledge and
Conscience of our Dutie to God, to our
King and Countrie, without any worldlie
Respect or Inducement, so far as humane
Infirmities will suffer; wishing a farther
Measure of the Grace of God for that Ef-
fect; We promess and swear, by the
great Name of the Lord our God, to con-
tinew in the Profession and Obedience of
the foirsaid Religion; that we fall defend
the same, and resist all contrairie Errors
and Corruptions according to our Voca-
tion, and to the uttermost of that Powet
that God haith put in our Hands, all the
Dayes of our Lyfes.

And in lyk manner, with the same
Heart we declare before God and Men,
that we have no Intention or Desyre to at-
tempt any Thing that may turn to the
Dis honour of God, or to the Diminution
of the King's Greatnes and Authoritie;
bot on the contrair, we promess and
swear, that we fall, to the uttermost of
our Power, with our Meanes and Lyfes,
stand

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"stand to the Defence of our dread Sovereign the King's Majestie, his Person and Authoritie, in the Preservation and Defence of the foirsaid true Religion, Liberties and Lawes of the Kingdome; as also to the mutual Defence and Assistance every one of us of an other, in this same Cause of manteaning true Religion and his Majestie's foirsaid Authoritie with our best Counsell, our Bodies, Meanes, and whole Power against all Sorts of Persons whatsoever; so that whatsoever shall be done to the least of us for that Cause, shall be taken as done to us all in generall, and to every one of us in particular; and that we shall rather directlie nor indirectlie suffer ourselves to be decoyit or withdrawin by whatsoever Suggestion, Allurment, or Terror from this blessed and loyall Conjunction; nor shall cast in any Lett or Impediment that may hinder or stay any such Resolution as by comoun Consent shall be found to conduce for so gude Ends; bot on the contrair fall, by all lawfull Meanes, labour to further and promote the same."

"And if any such dangerous and divisive Motion be made to us by Word or Write, we, and every one of us, shall ather suppress it, or, if need be, fall incontinent make the same known, that it may be tymoullie obviated: Nather doe we fear the foul Aspersions of Rebellion, Combination, or what else our Adversaries, from their Craft and Malice wold put upon us; seeing what we do is so weele warranted, and ariseth from an unfeigned Desire to manteane the true Worship of God, the Majestie of our King, and the Peace of the Kingdome, for the comoun Happines of our selves and Posteritie. And because we cannot luke for a Blessing from God upon our Proceedings, except with our Profession and Subscription we joyne such a Lyfe and Conversation as becometh Christians who have renewed their Covenant with God. We therefore faithfullie promise for our selves, our Followers, and all others under us, both in publick in our particular Families, and personal Carriage, to endeavour to keep our selves within the Bounds of Christian Libertie, and to be good Examples to others of all Godliness, Soberness and Righteousness, and of every Dewtie we owe to God and Man."

"And that this our Union and Conjunction may be observed without Violation, we call the living God, the Searcher of our Heartes to Witness, who knoweth this to be our sincere Desire and unfeigned Resolution, as we shall answer to Jesus Christ in the grete Day, and under the Pain of God's everlasting Wrath, and of Infamy, and of Loss of all Honour and Respect in this World; most humble beseeching the Lord to strengthen us by his

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"holie Spirit for this End, and to bless our Desires and Proceedings with a happy Success; that Religion and Righteousness may flourish in the Land, to the Glory of God, the Honour of our King, and Peace and Comfort of us all."

In Witness whereof we have subscribed with our Hands all the Premises, written by *James Davie* Schoolmaster in *Edinburgh*.

P. S. "The Articles of this Covenant, which was at the first Subscription referred to the Determination of the Generall Assembly being determined, and thereby the five Articles of *Pertb*, the Government of the Kirk by Bishops, the civill Places and Power of Kirkmen, upon the Reasons and Grounds conteined in the Acts of the Generall Assembly, declared to be unlawfull within this Kirk; We subscribe accordingly to the Determination foirsaid."

Remark. As the first Solemn League and Covenant as already hinted, cost the unhappy Queen *Mary* her Life, so did the second above specified cost that unfortunate Prince King *Charles I.* his Life. This Covenant was no sooner drawn up, than it was sworn to and signed by a Number of the Nobility, Gentry, Citizens, Ministers, and Persons of all Ranks; and so eager were the People to join therein, as if their eternal Happines had thereon depended; and some were so zealous, that to their Subscriptions they added, *till Death*; and by other short Sentences intimated, that no terrestrial Advantage whatsoever, should be able to alienate their Minds from the Prosecution of their Designs mentioned in the said Covenant; which is written on a very large Skin of Parchment, of the Length of four Feet, and Depth of three Feet eight Inches; and is so crowded with Names on both Sides, that there is not the smallest Space left for more. Nay, it appears, that when there was but little Room to sign on, the Subscriptions were shortned by only inserting the initial Letters of the Covenanters Names; which the Margin and other Parts are so full of, and the Subscriptions so very close, that it were a difficult Task to number them: However, by a cursory View, I take them to be about five thousand in Number; and, had there been more Space to sign in Form, I am of Opinion, they would have amounted to many Thousands more.

N. B. As Copies of this Covenant were sent to all the Chief Cities and Towns of the Kingdom to be signed, the above was that subscribed in *Edinburgh*.

All Things tending to a Rupture between the King and his *Scotish* Subjects, the Common Council of *Edinburgh* granted the following Commissions to certain of their Members, to treat with the Nobility, &c. concerning the Management of their Affair at this critical Juncture.

"We

1638. Coun. Regist. "We the Baillies (Sir John Hay, the Provost, being in the Court Interest, did not attend) Counsell and Communitie of the Burgh of *Edinburgh*, be thir Presentis, mak and constitute *James Cockrane*, *Jobune Smith*, and *Thomas Paterfon*, conjunctlie and severallie, our Commissioners, to attend at *Edinburgh*, or whatsomevir Plaice or Plaices fall be fund expedient for the Tyme, for resaving such farder Answer or Answeris that fall cum from his Majestie, the Lords of Privy Counsell, or any uthe- ris his Majestie's Commissioners concern- ing our former Supplicationes and Com- plaints against the said Service-buik of Cannonies, hie Commissioun, and uther Innovatiounes and Greivances, particular- lie expressed and generallie conteynit in our said former Supplicationes, and the Prelates or Parties, as Authors and Con- tryvers thereof.

"And to give in new Remonstrates and present new Grievances and Petitiounes to his Majestie, conforme to the lait Cove- nant sworne and subscriyvit be us: And to treat, consult, and resolve upon sic Over- tures and Expedients as may conduce for furthering the Contents of the said Suppli- cationes and Covenants, be all lawfull Means with the Commissioners of the No- bility, Barounes, Ministers, and rema- nent Burrowes, in all Courtes fund by common Consent to conduce for sic good Ends, promitting faithfullie, that what our saids Commissioners conjunctlie and severallie, fall richteouslie doe anent the Premises, to hold firm and stabill, obleis- sing us to abyde at, fulfill and underly the same but Appellatioun, Reclamatioun, or again calling whatsomevir."

The *Edinburghers*, by the above Proceed- ings, having, as it were, drawn their Swords against their Sovereign, ordered their Citi- zens to be instructed in military Discipline, and made all Sorts of Preparations necessary for their Defence. And to shew their Aver- sion to the Measures lately entered into by the Government, ordered Partition-walls to be rebuilt in *St. Giles's Church*, in place of those lately pull'd down by Command of the King.

This bold Step of the Citizens induced the Ministry to leave no Means unattempted to reclaim them, to which End, *James*, Mar- quis of *Hamilton*, being by the King ap- pointed his Commissioner, for holding a Par- liament and General Assembly in *Scotland*, to compose all Differences betwixt him and his *Scotish* Subjects; and being arrived in *Edin- burgh* for those Purposes, on the 2d of May, sent a Letter to the Town Council of the following Tenor.

Loving Friends,

"Such is and haith bein his Majestie's tender, fatherlie Caire of this his native Kingdome, that he haith bein graciouslie

pleased to indeavoure by manie faire and calm Wayes to reclayme his disobedient Subjects within the same: but hitherto all in vaine; it having producit no better Ef- fects in divers of them, but the daily in- creasing of Insolencies; and to such ane Heicht it is growne, that nothing can be justlie expected from his Majestie, bot to use his Regall Power by Force: Zit still such is his Guidnes and Clemencie, as that will be the last Way he will take, and then to his greit Greiff.

"Whairfore he hes bein pleased to send me his Commissioner to these Pairtes a- gain with full Power and Authoritie to accommodat these Affaires (if it be pos- sibell) in ane peaceabell Way, and to treat and use his guid and dewtiful Subjects with all Favour and Kyndnes, whereof I thocht fit to give you Notice, you being the cheiff and principall Citie of the King- dome; zit, I may say with Sorrow, that none hes shewn themselfis more refractorie and disobedient to his Commands, then you: But zit ther is Tyme for Repent- ance; such is his Majestie's Clemencie!

"These ar theirfore to desyre you, that not onlie your selfis, bot that you lyke- wayes prepar the Hairts of the Commons, that both you and they may be readie to reffieve his Majestie's gracious Pleasure; which fall be signified unto you (with that humble and thankfull Obedience) as be- cometh loyall dewtiful and good Sub- jects; so that, by your good Example, the rest of this Kingdome may doe the lyke; which will be the Meanes for you to redeime his Majestie's Favour which you have justlie lost, and save the shed- ding of much innocent Blood; which both his Majestie and all just Men call Heaven and Earth to Witnes you ar the prin- cipall Cause theirow, as haiffing chieffie countenanced the Beginners of these Troubles, and which one Day must lye heavilie upon your Consciences, and call for just Vengance from God and the King, with the Curfes of manie Innocents, which by your Meanes will be destroyed: Bot I hope, now at the last, you will see your awin Errors, and accept this Meanes of Reconciliatioun which is now offered unto you; wherin no Man shall joy more than your verie loving Friend, *J. Hamilton*.

The Common Council having taken this Letter into Consideration, with the Opinion of their Friends, the Nobility, Gentry, &c. thereon returned to the Marquis the follow- ing Answer.

Please your Graice,

"As we his Majestie's humble and loy- Id. ibid.
all Subjects, doe with all Thankfulnes ac- knowledge, that his Majestie's Caire of his native Kingdome hes bein more ten- der, and his Majestie's Proceedings than our intraged Enemies (who have bein by
X "all

1639.

"all Meanes seiking his Majestie's Dishonour and our utter Ruine) could have wished. So ar we hairtilie forrie, that the Suggestiounes and Misinformationes of our Enemies sould have prevailed so far with his Majestie, as that our selfis, or anie uther of his Majestie's guid Subjects sould be compted so refractorie and disobedient as to have deservit that his Majestie sould make use of anie Power or Forces against us, who have bein seiking nothing but the Libertie of our Religion, against Novations; and that all Questiones might be determined by a National Assemblie and Parliament; both which were graciousslie indicted by his Majestie, and have bein doing nothing but using Preparation for our lawfull and necessair Defence against the threatned Invasion and Hostilitie.

"We ar glad that your Grace is come hither, as his Majestie's High Commissioner, to accommodate Affaires in a peaceable Waye, which is the Desyre of our Hairs; and seames to us not onlie possible but easie. Bot we ar heavilie greived that your Grace suld come against your native Cuntre in such a hostile Way, as may rather provoke than pacifie; and does pretend that the Kingdome will doe more for Fear of Violence, then for trew Loyaltie and Conscience; of that Dewtie which we owe to our dread Soveraynge under God; nothing can be required of us for our selfis, who have the Honour to be the cheiff Cittie of this his Majestie's Kingdome, or for the common Weill, so far as our Creditt and Power can reach, or for giving guid Example to uthers, in receaving his Majestie's gracious Pleasure and just Commandements with all humble and thankfull Obedience; which shall be to the full and most cheirfullie performit by us.

"But when we haive done the Dewtie of good and loyall Subjects (which is next to our Dewtie to God Almighty) which haith bein our cheifest Caire, and whereof we haive given all Proofs and examplarie Evidences of it. If it shall come to pass, (which the Lord of his Mercie prevent) that innocent Blood shall be shed, then let the Curse come on them, and the Burden press the Consciences of those who haive either bein the principall Causers, or the Beginners, or the Fomenters of the present Troubles; for as we haive in this Cause a guid Conscience before God, and never meant Evil to any Man, far less to our King; which is our greitt Confidence and Comfort. So we ar assurit to be approven of by all just and good Men, who ar not ignorant of our Proceedings, and of the necessarie Causes of our intended Defence.

"Your Grace knows weill what fals Ca-

lumnies hes bein spread against us, and we call to God of Heaven and Earth to Witness, how the Wayes of trew Information (all of which haive bein essayed by the Nobilitie, Barounes, Burgesies, Ministers, and Commons heir, by whose speciall Advyse we haive sent this Answer, unto your Grace; and who warranted us to make knowne thair Mynd with our awin) haith bein stopped this long Tyme past, humble and earnestlie intreating in thair Name and our awin, that your Grace would be pleased to convoy to his Majestie's Ears the trew Estait of Matters as they stand, and the guid Meaning of the honest and loyall Hairs of us his Majestie's Subjects; which will no doubt prove a readier Mein of Reconciliation, than all the Terrors under Heaven; which will obleifs us to prove to the uttermost of our Power, your Grace's trew and humble Servands; and ordaines the Provelt and Baillies to subscribe the said Letter, wherenant thir Presents shall be unto them a Warrant. And be thir Presents elects and nominates William Gray, laitt Baillie, and Thomas Paterson Deacon of the Tailzours, Commissioners for them, for passing to the said Marquiss, and delyvering of the said Letters to his Grace, and ordaines them to report their Dilligence heiranent with all convenient Dilligence."

The Differences between the King and his *Scotish* Subjects continuing to increase, his Majesty sent the following Letter to the Common Council of *Edinburgh*.

CHARLES R.

Trustie and weill belovit, we greit you weill.

"Whereas we have thought fit to send some Men and Amunitioun to our Castell of *Edinburgh*; we do heirby will and command you, upon your Aledgeance to us, and upon Payne of incurring the Punishment of Hie Treasoun, not only to suffer the said Men and Amunitioun to be forthwith landed, and sailie convoyed in to our said Castell, by such Nombres and Parcels, and at such Tymes as the Beirers heirof fall direct, but likeways to be aiding and assisting in our Service to Captain *Cheisslie*, and Captain *Shipman*, and such others with whom we have committed the Chairge of transporting and delyvering the same.

"And to this Purpose, we straitlie chairge and command you, to cause Bottes to be immediatly sent from *Leith* to oure Ship, to ressaive and bring on Schoire the Men and Amunitioun; and when the said Men and Amunitioun shall be landit, to cause an strang Gaird to convoy theme sailie, and to sic theme putt in oure said Castell; and to suppress and resist any Insolencies or Oppositiones that shall be maid to this oure Service; the Disturbers whereof we do heirby require you to punishe examplarlie

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Ibid. f. 116.
11th Feb.

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"plarie as in caice of Hie Treasoun; and
"we doe heirby furdur will and command
"you to give spedie Accompt of your Dil-
"ligence and Proceedings heirin. And that
"you fail not in any of the Premisses, as
"you will answer in the contrarie at your
"uttermoſt Perill."

Given at oure Court of *Whytball*, the
Twentie twa Day of *Januarii*, 1639.

The Common Council having taken into
Conſideration the above Royal Miſſive; to
ſhew their Obedience to his Maſteſtie's Com-
mand, iſſued the following Order.

"Forſameikle as the Proveſt, Baillies and
"Counſall, being commandit be his Ma-
"jeſtie, to reſſaive certain Men and Amuni-
"tioun on Land, which his Maſteſtie hes di-
"rected hither to the Caſtle of *Edinburgh*;
"and to convoy the ſamyen to the Caſtle
"with a ſtrong Guard. And the Counſall,
"for Teſtimonie of thair Obedience, being
"willing to admitt of the ſaids Men and
"Amunitioun, thairfore ordains Proclama-
"tioun to paſs throch this Burgh, be Sound
"of the Drum; commanding all the Inhabi-
"tants of this Burgh, in oure Soverayne
"Lord's Name, and in Name and behalf
"of the Proveſt, Baillies, and Counſall of
"this Burgh, to be in Readines in their beſt
"Armour, eache Commander in his owne
"Collours to attend the Magiſtrates the
"Morne, the Twelfth of this inſtant, at
"Aucht of the Cloake in the Morning
"as they ſhall be commandit, under the
"Payne of Twentie Pundis unforgivin."

Ibid. f. 120.
4th March.

In this Time of great Danger, the Com-
mon Council judged it neceſſary to provide
for the Safety of the City by ordering Three
hundred Men to be raiſed to guard the Town
both by Day and Night, beſides the ordi-
nary Watch; and provided Money for their
regular Payment.

The Town Council having, by Letter, ac-
quainted the King of their ready and duti-
ful Obedience to his Command, his Ma-
jeſtie acknowledged his Approbation thereof
by the following Letter.

CHARLES R.

Truſtie and weill beloved, we greit you weill.

Ibid. f. 125.
20th March.

"We underſtand by your Letter to us
"of the 18th of *February*, that according
"to oure Commandement, you cauſed the
"Men and Amunitioun laitlie ſent to our
"Caſtell of *Edinburgh* to be convoyed thi-
"ther; which being for your awin Saiftie,
"and to preſerve you from the Diſorders
"of ſuch as ar evill affected to our Govern-
"ment and your Peace; it concerned you
"to further with all Readines: Nevirthe-
"leſs we lyke verie weill the Conformitie
"you have ſchewed to oure Pleaſure, and
"we take it as ane Argument of your good
"Intentioun to comply with your Dewties
"in other our Services; which, if we ſhall
"find reallie performit, you may be confi-
"dent that no Enemies of yours whatſom-

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"evir (if anie ſuch war with us) ſhall have no
"Power to ſatle an other Opinioun in us
"than that which becomes a juſt and gra-
"cious Prince to retein of good and loyall
"Subjects.

"For theſe Nationall Statuttis you men-
"tioun, and the common Law of Nature,
"which forbid the receiving of any uther
"then Natives into the Strenthis of a free
"Kingdome, they ar nothing to this Pur-
"poſe; ſeing, that by the Unioun of the
"two Crownes of both theſe Kingdomes in
"the Perſoun of oure late deir Father of
"blessed Memorie, the *Post nati* of *Scotland*
"wer declared, and ar ſtill accounted Na-
"tives of this Realme of *England*; and ar
"as capabill of anie Priviledges and Immu-
"nities heir, as anie Subjects whatſomevir
"borne in *England*; and manie of them
"doe injoy them accordingle. So by the
"ſame Reaſoun, oure Subjects of *Eng-
"land*, borne ſince the Unioun, ar of richt
"to be accounted Natives of oure Realme
"of *Scotland*, and to injoy all Priviledges
"of free-borne Subjects; whereby your
"Objection appears to be wholly without
"Foundatioun. This being evident, you
"ſie how littill Caus you have of Fears and
"Jealouſies, that anie, by procuring hard
"and greivous Commandements, do plott
"or procure your Ruine, ſeing we intend
"nothing bot your Saiftie and Preſervati-
"oun."

Given under oure Signett, at oure Court
of *Whytball* the ſixth Day of *Marche*,
in the 15th Zeir of oure Reigne.

Divers Parts of the Caſtle of *Edinburgh*
being in a ruinous Condition, the Men and
Ammunition lately ſent for its Security, could
be but of little Service till repaired; where-
fore the King in the following Letter in-
joins the Citizens to be aiding and aſſiſting
in putting the ſame in a good State of De-
fence.

CHARLES R.

Id. ibid.

Truſtie and weill beloved, we greit you weill.

"We have laitlie by oure Letter maid
"knowin to you, how weill we ar ſatiſfied
"with your Obedience to oure Commande-
"ment, by the Diligence you did uſe, and
"the Aſſiſtance you gave to the ſaif and
"quiet paſſing of the Men and Munition
"which we ſent long ſince for your Securi-
"tie, to our Caſtell of *Edinburgh*; and
"though we have Reaſoun upoun good
"Ground to expect from you though un-
"requyred, the lyke Conformitie in anie
"Thing may concerne oure Service and
"your Good. There being now ane other
"Occaſioun preſented by the Fall of ſome
"of the Works of the Caſtell thair, wherin
"you may by your lyke Reddines confirme
"us in that oure gracious Opinioun of you.
"We doe heirby call and requyre you, furth-
"with to furniſh and ſupplie the Lord *E-
"trick*, our Governor thair, with Men and
"Materials

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"Materials, and all Things necessarie for
"the speedie Reparation of these Workes;
"and to be aiding and assisting to him in
"this Service to the uttermost of your
"Power, Habilitie, and your awin Saiftie
"and Honour; of which we shall alwayes
"have a princelie Cair."

Given at oure Court of *Whitball* the tenth
Day of *Marche*, 1639.

Remark. This compelling the *Edinburghers* to repair the Castle of *Edinburgh* at their own Expence, at this dangerous Juncture, when all was in a Flame, and every Thing tending to a Rupture with the King, is very amazing, and not easily to be accounted for, unless the Ministry by this Step intended to precipitate the People into a Rebellion against their Sovereign. For the Citizens, instead of repairing the said Castle, in obedience to the King's Command, the Town Council ordered Five hundred Men to be raised to besiege it, and voted the Sum of Fifty thousand Pounds for their Maintenance; for the Re-payment whereof, Security was given them by the Committee of Estates: And that the said Castle was blocked up is evident by the Committee's ordering six hundred Men employed in that Service to continue the Blockade; for which signal Services the *Edinburghers* received Letters of Thanks from the Committee, with the Covenanters Army in their Camp, at or near *Duns*, in the County of *Mers* near the *Englisb* Border.

Ibid. f. 126.
128. 4. & 17th
April.

1641.
Ibid. f. 192.
319. 21st June.
23d Oct.

The King having signified to the Town Council of *Edinburgh* his Intention of coming to *Scotland* to the Parliament, to be held in this City on the Fifteenth of the approaching Month of *July*; they appointed a Committee to prepare all things necessary for his honourable Reception: And as a Testimony of their Duty and Affection on this Occasion, humbly besought his Majesty to honour their City with his Presence at an Entertainment; which being agreed to, the sumptuous Banquet cost the City the Sum of Twelve thousand and sixteen Pounds, three Shillings and four Pence, *Scotish* Money.

By an Act of the Common Council at this Time, the Shops newly erected in the Parliament Close were ordered to be let only to Goldsmiths, Book-binders, Montre (Watch) Makers, and Mathematical Instrument Makers.

King *Charles* having obtained great Advantages over the Parliamentary Army of *England*; his Affairs at this Time were in a very flourishing Condition; which induced the *Englisb* Parliament to apply to their *Scotish* Friends for Assistance; who being embarked in the same Cause, their Interests were inseparable: Wherefore the States of *Scotland* without Delay, agreed to grant them a powerful Aid. Now it being of the last Consequence to the King to defeat this Resolution, no Means were left unattempted

to render it abortive; and knowing it would greatly redound to his Majesty's Advantage, to bring over the *Edinburghers* to his Interest; the following Letter was sent to them for that Purpose.

CHARLES R.

Trustie and weill beloved Counsellor, and trustie and weill beloved, we greit you weill.

"Since nothing on Earth can be more
"dear unto us, than the Preservation of the
"Affection of oure People, and amongs
"them none more than those of our native
"Kingdome; which, as the long and unin-
"terrupted Government of us and oure Pre-
"decessours over them, doeth give us just
"Reason in a more near and especiall
"Manner to challenge from them: So may
"they expect a particular Tendernefs from
"us in every Thing which may contribute
"to their Happinefs.

"But knowing what Industrie hath bein
"used (by scattering seditious Pamphlets,
"and employing private Agentis and In-
"strumentis, to give bad Impressions of
"us and all our Proceedings, under a Pre-
"tence of Danger to Religion and Go-
"vernment) to corrupt ther Fidelitie and
"Affection, and to ingage them in ane
"unjust Quarrell against us their King.
"We cannot therfor but indeavair to re-
"move these Jealousies and secure ther
"Fears from all Possibilities of any Hazard
"to either of these from us. We have
"therfor thought fitt to requyre you to call
"togidder your fellow Burgesies, and to
"put them in mynd of the many Favours
"oure Town of *Edinburgh* hath received
"from us; which we shall be alwayes will-
"ing to continew and increas towards them
"as Occasioun shall offer; and in oure
"Name show them oure Willingnes to give
"all the Assurances they can desyre or we
"possible grant (if more can be given than
"alreadie is) of preserving inviolable all
"these Graces and Favours which we have
"of laitt grantit to that our Kingdome.

"And that we doe faithfullie promise
"never to go in the contrair of any Thing
"ther established, either in the Ecclesiasti-
"call or civill Government; but that we
"will inviolable keip the same according
"to the Lawis of that oure Kingdome.
"And we do wish God so to blefs our Pro-
"ceedings and Posteritie, as we doe really
"make good and performe this Promise.
"We hope this will give so full Satisfac-
"tioun to all who shall hear of this oure so-
"lemn Protestatioun, that no such Persones
"as studie Divisioun, or goes about to
"weakin the Confidence betwixt us and
"oure People, and justlie deserve the Name
"and Punishment of Incendiaries, shall be
"sheltered from the Hand of Justice, and
"all such others as shall indeavair Peace
"and Unitie and Obedience to us and oure
"Lawis,

1643.

Ibid. f. 298.
26th May.

1643.

"Lawis, may expect that Protectioun and Increas of Favours from us which their Fidelity deserves. So expecting your Cair heirof, we bid you hairtilie fairweill."

From oure Court at *Oxford*, the 21st April 1643.

Remark. The King, in this Letter, having in the most gracious and solemn Manner, promised not only to maintain his *Scottish* Subjects in all their Rights, both Ecclesiastical and Civil; and if any thing else could be granted by him, he was ready and willing to give it them. But they having already obtained all they asked for, had no further Demands on their own Account: Wherefore they became Solicitors for their *English* Brethren; to whom his Majesty was likewise willing to have granted such Terms for an Accommodation as were sufficient to have satisfied all Men who had the least Regard to Honour, Justice, and Welfare of their Country: But these Virtues being but little regarded, it plainly appears, it was not for the Rights and Liberties of the People they were fighting, as they speciously pretended, but to satiate the boundless Ambition of a few artful wicked Men their Leaders; who, through Seas of Blood of their insatuated and injured Countrymen, made way to glut their Thirst of Power; of which they were ignominiously stripped, and as it were kicked out of Authority by *Oliver Cromwell*, the pretended Patriot of that Time; who stuck at nothing to aggrandize himself at the Expence of the Laws, Lives, Fortunes, Rights and Privileges of both King and People; and who governed in a more absolute and tyrannical Manner than any King of *England* ever did.

The *Edinburghers*; it seems, unwilling to trust the King notwithstanding of the most gracious Offers above specified, chose rather to continue firm to their Engagements with the Committee of Estates; and, to guard against the bad Consequences the King's Success might be attended with, pursuant to a Resolution of the said Committee, ordered a Regiment of Foot, to consist of Twelve hundred Men, to be forthwith raised; and, having appointed Officers to command the same, promised to pay them, provided they were not paid by the States of the Kingdom. And, for the greater Dispatch in raising the said Regiment, ordered by Proclamation all the Men within *Edinburgh*, fit to bear Arms, between the Ages of Sixty and Sixteen, to assemble in the *Grayfriars* Church-yard, at Eight of the Clock in the Morning on the *Monday* following, in their best Military Accoutrements.

Edinburgh, since the Defeat of the Parliamentary Army by the Marquis of *Montrose*, being in great Danger, the Town Council, to obviate their Designs against the City, caused Proclamation to be made by beat of Drum, that none of the Inhabitants presume

to leave the Town, without Leave of the Magistrates, on the Penalty of One thousand Pounds, Loss of their Freedom, and Forfeiture of all their Effects within *Edinburgh*, to be applied in Defence of the City; and all the Burgeses then absent, to return within the Space of forty eight Hours, under the Penalty aforesaid.

And, for the greater Security of the Town, in this Time of imminent Danger, all *Id. Ibid.* Household-ers, within the Space of four Hours, were to give in to the Magistrates the Names and Quality of their several Lodgers, on the Pain of One thousand Pounds, and the Loss of their Freedom for ever. And for the better preventing Mischief by Night, a strong Party of the Train'd-bands were ordered to guard the City from Eight of the Clock in the Evening till Six in the Morning; the Town Wall to be repaired, and a new Port or Gate to be made at the Foot of *Leith* Wynd, and another at the *Pleasants*.

The Plague continuing to increase, the Common Council agreed with *Joannes Paulinus* M. D. to visit the infected; for which he was to receive the Sum of Eighty Pounds *Scottish* Money per Month. *Ibid. f. 43. 10th April.*

The Plague at this Time raging in *Edinburgh*, divers Prisoners for Debt in the Tol-booth, were discharged by the Common Council on that melancholy Occasion, by Consent of their Creditors. This being the last Pestilence we read of in this City; may the like never happen again for the Preservation of the Citizens. *Ibid. f. 57. 13th Aug.*

The Town Council enacted, That the Proprietors of Houses within *Edinburgh* shall, at the approaching Term, remove all Unfreemen from their respective Houses, under the Penalty of Ten Pounds, and Forfeiture of the several Rents due by the said Unfreemen for the Use of the Council; and that none of the Owners of the said Houses, in Time coming, presume to let a House to any Person not free of the City, under the like Penalty.

Remark. If there be not a Mistake in penning the above Act, surely it was a very impolitick Step of the Council's; for, by turning out so great a Number of unfree Gentlemen Housekeepers as must then have been in *Edinburgh*, the Rents must have been greatly reduced, to the no small Loss of the Landlords: Had this Law only extended to Unfreemen Traders, nothing could have been alledged against it.

For aught I can learn, *Edinburgh* never was in a more miserable and melancholy Situation than at present; for by the unparalleled Ravages committed by the Plague, it was spoiled of its Inhabitants to such a Degree, that there were scarce sixty Men left capable of assisting in Defence of the Town in case of an Attack; which the Citizens had never more Occasion to fear than at this Time. *Ibid. f. 63. 30th Sept.*

1643.

Ibid. f. 313. 314. 28th 29th Sept.

1645.
Coun. Regist.
vol. XVI. f.
38. 19th
March.

1645.

Time. For the Army of the Covenanters being routed at *Kilfyth* by that of the King's, under the Marquis of *Montrose* he sent the Magistrates and Council of *Edinburgh* a Letter; whereof the following is a Copy.

Loving Freindis,

Id. *ibid.*

"Notwithstanding of your former Mis-
"carriages, and Continuance in this pre-
"sent Rebellion, quhilk might move us to
"use all the Rigor and Severitie you have
"heirby justlie deserved. These ar to will
"and requyre you, in his Majestie's Name
"and Authoritie, and as you will testifie
"your Loyaltie to his Majestie, and ten-
"der your Safetie, that you will immediat-
"lie, efter Sight heirof, enlarge and put to
"Libertie all such of our People as ar Pri-
"soners with you, and in particular the Earl
"of *Crawfuir*, and Lord *Ogilvie*, with
"all others within the Tolbuith and di-
"rect them to the Army; which if you doe,
"you sall be assured not onlie to have your
"bygane Enormities past and forgott, bot
"to have all the Favour and Protectioun
"from us you can aither expect or deserve
"heirefter. Bot if you refusis or neglect,
"you sall obliedge us to use all the just Re-
"centment agains you and your Toun by
"Fire and Sword, that can be used agains
"Rebells and principall Fomenters of so
"treasonable and unnaturall Rebellioun.
"Thus expecting your reddie Performance
"and reall Obedience hereunto, we raft
"your loveing Freind." *Sic subscribitur,*
Montrose.

From the Camp at *Botbwell*, 19th Au-
gust, 1645.

Id. *ibid.*

This Letter occasioning great Confusion in *Edinburgh*, the Common Council assem-
bled in order to deliberate thereon: And
having considered the dismal Situation of
their Affairs, by the Defeat of their Army
at *Kilfyth*, the miserable and fenceless State
their City and Castle were reduced to by Pe-
stilence and Famine, the Inability of their
Friends to assist them, the great Riches
in the Towns of *Edinburgh* and *Leith*, which
could not be removed because of the Plague,
the National Magazine of Military Stores,
and the Records of the Kingdom, together
with the great Number of State and other
Prisoners in the Town's Prisons, who, becom-
ing desperate for Want of Money and
Provisions, (little or none of the last being
brought to the City by reason of the Pestilence)
threatned to kill their Keepers, to fa-
vour their Escape, and prevent their being
starved. These Things being duely consid-
ered, the Citizens thought fit to comply
with *Montrose's* Demands.

1646.

King *Charles* being arrived with the *Scotish*
Army at *Newcastle upon Tyne*, Propositions
were sent to him by the Parliament of *Eng-
land* for accommodating all Differences
between him and his *English* Subjects; on
which Occasion, Commissioners were sent

by the States of *Scotland* to persuade his Ma-
jesty to comply with the same. And the
Edinburghers, being likewise willing to con-
tribute all in their Power towards the desi-
rable Work of Peace, sent the following Pe-
tition to the King.

1646.

*To the King's most excellent Majestie, the
humble Petition of the Provost, Baillies, and
Counsell of Edinburgh, the Representative
Bodie thereof convened in Counsell.*

"Wheras by your Majestie's gracious *ibid. f. 119.*
"Proclamatioun maid heir, declairing your *15th July.*
"pious and Royall Resolutions for settling
"Religioun and Peace in these afflicted
"Kingdomes: The Petitioners blesteth God,
"wha hes put these Thoghtis in your Ma-
"jesty's Royall Heart, and does still pray
"Almightie God to confirme them; and
"in his Wisdome and Power to assist your
"Majestie in the diligent and tymeous Pro-
"secutioun of the same. As for this Cittie,
"the humble Petitioneris acknowledge it
"their Dewtie to testifie to your Majestie,
"and all the World, that according to their
"many Protestatiounis and solemne Cove-
"nants, they doe still, as they evir did, in-
"tertein the Conscience of all Royall and
"native Dewtie to your Majestie, from
"which they sall nevir depart. And ther-
"for, from the lyk Sense of Dewtie, the
"Petitioners doe most humble supplicate
"your Majestie in this Joyncture of Tyme,
"at which they conceive both Parliaments
"ar to give in to your Majestie Propositi-
"ouns for ane happie Peace.

"That it would please your Royal Wif-
"dome to take this Opportunity to make
"the best Use of their wholsome Counsellis
"for settling trew Religioun and Peace in
"all your Kingdomes; and for strength-
"ning the Unioun of the twa Natiouns with
"your Majestie and betwixt themselfis;
"wherby we ar confident Glorie sall re-
"dound to God, Honour and Happines
"to your Majesty and Royall Posteritie,
"and Comfort to all your Majestie's good
"Subjectis; for which we sall be earnest in
"Prayer to Almighty God, as in all boun-
"den Dewtie becomes your Majestie's most
"humble, most faithfull, and obedient Sub-
"jects."

In this Year, a Draught or View of *E-
dinburgh* being made by *James Gordon*, Mi-
nister of *Rothemay*, by Order of the Com-
mon Council, they ordered the Sum of Five
hundred Marks to be paid him for the
Pains and Trouble he had been at in mak-
ing the same. *ibid. f. 172.*
2d April.

CHAP. VI.

*Comprehends the Transactions of the E-
dinburghers towards the Close of King
Charles I.'s Reign, with the famous Case
between the Common Council and General
Assembly;*

1648.

Assembly; with a Relation of the City's Affairs during the Reign of King Charles II.

Ibid. f. 282.
1st June.

THE Acts of Common Council hitherto made against wearing of Plaids, having had but little Effect, it was at this Time by the said Council further enacted, That all Women, of what Condition soever, presuming to wear Plaids about their Heads, in the Streets, Churches, or Market-places, to forfeit their said Plaids, and to be otherwise punished at the Discretion of the Magistrates; and enjoined the Town's Officers and Members of the City Guard to seize the Plaids of all Offenders to their own Use. And if any of the said Officers proved remiss or negligent on that Occasion, to be put in Durefs, and deprived of their Offices.

Ibid. f. 36.
8th Sept.

Affairs in *England* appearing with a gloomy Aspect, portended approaching Troubles; which being taken into Consideration by the Ministry, the Lord Chancellor *Loudoun*, on this Occasion, ordered the Provost of *Edinburgh* to call a Common Council; which being met, he repaired thither, and acquainted them with the great Danger that Religion, King, and Country were in; and how that a Number of the Nobility, Gentry, and Persons of Distinction, out of their great Zeal, had held divers Meetings for Defence of the Nation; therefore expected that the *Edinburghers* now would not be less backward than formerly in giving their Assistance in this Time of imminent Danger; and if they would raise a Regiment of Five or six hundred Men, and provide for their Maintenance for the Space of ten or fifteen Days, they should have the Nomination of Officers; and that the Time being pressing, they ought with the utmost Diligence and Dispatch to accomplish the same.

This Speech being by the Town Council taken into Consideration, they returned for Answer, That they would use their best Endeavours to fit out a Regiment of Men with Dispatch, and to provide for them during the Time above mentioned. This Answer being very acceptable to the Chancellor, he returned them Thanks for their ready and dutiful Compliance.

The Town Council not fulfilling their Promise of Dispatch, in raising the aforesaid Regiment, the Chancellor was highly irritated at their Indolence and Remissness; as will appear by the following dreadful Message.

Id. ibid.

"I did not expect certainlie, but that according to your Promise you would have chosin your Commanderis, and in particular have provided Maintenance for your Officeris and Sodgeris before the dissolving of your Meitting wherein their you have failed. Thairfor, these are to requyre you to draw all your Companies

presentlie to the *Abbey Close*, and draw out of them Sex hundredth Sodgeris of your best and ablest Men to march weill armed and provydit with Ammunition to the Randevous at *Leith* agine Nine a Cloak in the Morning this Day, under Paine of Death, the Loss of your wholl Money, Goods and Liberties. And that able and faithfull Commanderis be sent furth with your Sodgeris."

Given at *Edinburgh* 9th September, 1648.
(*Loudoun*) Cancel.

This frightful Message being taken into Consideration by the said Council, they unanimously resolved to comply with the Chancellor's Order, by raising a Regiment to consist of Six hundred Men; which being performed within the Space of three Days, each Man was to have Eight Pence per Day, and a Month's Pay in Advance; and appointed Baggage Horses for their Service: And on the 13th of September, the said Regiment marched to join the Army at *Falkirk*, whence the said Chancellor sent a Letter to the Common Council; whereof the following is a Copy.

My Lord Provost and Baillies,

"Our Armie being in great Necessitie for Want of Intertainment, we doe thairfor desire your Lordship to have a speciall Cair to hasten hither all the Provisions of Bread and Cheifs, or uther Victualls necessary for the Use of the Armie. And also to be assisting to Sir *James Stewart*, *John Denholme*, and *Robert Lockhart*, who are commadit to goe actually about the Performance thair of; all which you are requyred to doe, as you will answer the contrair at your outmost Perill. And for your Obedience heirin, these fall be your sufficient Warrant; and according as you behave your selves heirin, so fall you be esteemed."

A National Agreement being entred into against the *English* Sectaries in Favour of the Royal Cause, the *Edinburghers* went heartily into the same; and an Army being to be raised, their quota amounted to no less than Twelve hundred Men. But the City being still thin of Inhabitants, occasioned by the late dreadful Ravages committed by the Plague, the Town Council agreed to give Forty thousand Pounds *Scotish* Money in lieu thereof. But the Army which was commanded by the Duke of *Hamilton*, being defeated at *Worcester* by *Oliver Cromwell* some Time after, the Committee of States sent the following Letter to the Lord Provost of *Edinburgh*.

"These are to requyre the Lord Provost of *Edinburgh*, to have ane speciall Cair for making guid the Engadgment of this Committee to the Kingdome of *England*; and, for ane guid Example to the rest of the Kingdome, to see that the Act of this Committee given the fourth of *October*, and sent

1648.

Ibid. f. 39.
14. Sept.

1649.
Ibid. f. 227.
12th May.

Coun. Regist.
vol. VII. f. 61.
10th Oct.

1649.

"sent be some of thair Number to the Toun Counsell, be punctuallie obeyed and observed, by thair not suffering any who hes bein accessorie to the lait Engadgment, to sitt in the Toun Counsell, or any other Court belonging to them as Memberis or Clerkis; and that they comunicat this unto the Toun Counsell, and returne to this Committee ane speedie Account of thair exact Diligence and Obedience heirunto, as they will be answerable; and uppoun the Certificatioun befor expressed to them." Signed

Loudoun Cancel.

Although the Forty thousand Pounds above mentioned, said to be paid by the *Edinburghers* in lieu of the Twelve hundred Men they were to have sent to the Army aforesaid, was Money borrowed by the Common Council; yet the Town Council at this Time not only disclaimed the said Engagement on which account the Money was raised, but absolutely refused to pay the Town's Creditors who lent the same; and resolved to defend themselves against all Actions or Suits that should be brought against them on that account. And to try whether Conscience had any Concern in this Affair, applied to the Commission of the General Assembly as proper Casuists in this Case, by the following Petition.

To the Right Reverend the Comission of the Generall Assemblie, the Desire of the Lord Provost, Baillies and Counsell of Edinburgh,

Humble sheweth,

*Ibid. f. 215.
21st Dec.*

"That wheras thair ar some Persones that seik Payment of some Pairt of the Fourtie thousand Pund, borrowed be the Magistrattis and Counsell for the tyme, for the lait unlawfull Engadgment, and ar sueing Executioun of thair Bandis agains us, who did petition agains the borrowing of that Money, and wha since have disclaim'd and repealed all Actis maid to that Purpose, and have vowed and promised befor God, to doe naething that may make wus or this Toun accessorie thairunto.

"It is therfor our humble Desyre to be resolved by your Worshipps, whither in Conscience we sould pay any Pairt of the saids Soumes, or if rather we sould not legallie defend ourselfis and this Burgh from Payment therof; and that you may be pleased to assist us befor the Lordis of Session, and any other Judge competent for our Liberation.

To this Petition, the Commission, to their perpetual Reproach, returned the following Answer.

Ibid. 27th Dec.

"Concerning the Caice proponed unto the Comission of the General Assemblie by the Provost, Baillies and Counsell of *Edinburgh*, whither the saids Provost, Baillies and Counsell sould in Conscience

"pay anie Pairt of the Fourtie thousand Pound borrowed be the Magistrattis and Counsell of *Edinburgh* for the tyme, for the lait unlawfull Engadgment; it is the Judgment of the Comission, that the Provost, Baillies and Counsell of *Edinburgh*, who propones this Case, sould not in Conscience pay any Pairt of the saids Soume, nor interpose thair Authority for paying of the same: But in regard of the Sinfulness and Unlawfulness of the said Engadgment; and in regard of thair Petitioun agaisnt the borrowing of that Money; and in respect of thair disclameing and repealling all Actis maid to that Purpose, and of thair Vowes and Promises befor God, to doe nothing that may make them or the Toun of *Edinburgh* accessorie therto: They are bound in Conscience not to be accessorie to the Payment therof, unles they would involve themselfis in the Guilt of Accessioun unto, and Compliance with the lait unlawfull Engadgment; and make open Professioun befor the World, that they have not been real in thair Petitiouns, and that they have but mocked God in thair former Vowes and Promises; which yet is not to be understood, as if we therby meanit to obstruct any just and legall Pursute, that the Creditors may have agains any particular Persones who were instrumentall and active in borrowing the same." Signed *J. Ker.*

Edinburgh 27th December, 1649.

Remark. This surely is the most iniquitous and detestable Answer that ever was devised, especially by an Assembly of Men who assumed the Title of *Christian Divines*, which is plain they had little Right to; for, by spurning at the Almighty, who is Justice itself, destroying the Laws, which are the sacred Fences of our Lives, Liberties, and Properties, and by banishing Justice, introduce Libertinism, and all Sorts of Wickedness, which is the Bane of Virtue, and Enemy to every Thing which is valuable and dear to Men. These are the Men who, by their wicked Practices, have given room to suspect, that under the Cloak of Religion, they plunged their Country into a bloody and destructive War, wherein an infinite Number of their innocent and injured fellow Subjects were sacrificed, our Country laid waste, and their own Hierarchy at last subverted!

Oliver Cromwell, with the *English* Army, being incamped near to *Pentland-Hills*, about three Miles besouth *Edinburgh*, and the *Scotish* Army then lying in the Meadow, on the Eastern Side of *Corstorphin*, to observe their Motions; whence they were removed and drawn up on the Western Side of the said Village, as will appear by the following Letter sent by the Lord Chancellor to the Provost of *Edinburgh*.

1649.

1650.

1650.
Loud. Let. in
Arch. Edin.

My Lord Provost,
“The best Service you can do your Brethren, is to send out Bread and Chees, or other Meat to give them for this Night and the Morrow Morning, for they will seek no more untill the Lord deliver us and them, or declare his Pleasure in the contrary. Send out the Baxters with their own Bread, and Hors together; accommodate them all that you can, for truly they deserv it, and God is hitherto with them to our Comfort. Send your Prayers in by the other Side of *Curstorphin*; we are drawn up from bewest *Curstorphin* Meadow to the West along the *Bray Syd*. Let Mr. *Jhon Drummond* cum along with it, to distribut and order it rightlie. You are desired to stand to your Arms; ply the Lord and his Throne with strong Prayers and Supplication for us and for his Cause: It is easie with him, if he will, to deliver us; and there is noe Help for us but in his Name.”

We commend you to God, and rests your assured Friends.

Signed, *Loudoun*.

Directed, *For the Lord Provost, and Baillyies of Edinburgh*, in hast.

News being arrived of the Defeat of our Army at *Dunbar*, on the 4th of *September*, by *Oliver Cromwell*; the Lord Chancellor, on this melancholy Occasion, sent the following Letter to the Provost of *Edinburgh*.

Coun. Regist.
vol. XVII. f.
291. 292.
24th Dec.

My Lord,
“The Committee of Estates taking into Consideration, what may be your Condition on the Enemies Approache to the Town of *Edinburgh*, hath appoyntit me to acquaint you, that it is their Desire, in case you find not these People which are left in *Edinburgh*, both willing and able to defend it, (as we suppose they are not) that so soone as the Enemy makes a neire Approache to the Town, that you cannot stay without Hazard of being under their Power, you retire yourself hither, where the Committee conceaves you may be usefullie employed in advancing the publick Service, from which you cannot but expect to be disenabled, if you should remaine in any Place that fall come under the Enemies Power; so expecting your Obedience heirin, we rest your affectionate Friends.” *Sic subscribitur*,

Loudoun, Cancell.

Stirling, 5th September, 1650.

1651.
Ibid. f. 288.
289. 290.
5th Dec.

In this dismal Situation of Affairs, there were neither Magistrates or Common Council in *Edinburgh*, from the second of *September*, anno 1650, to the fifth of *December*, 1651; at which Time, Lyts or Lifts of new Deacons being agreed on, and presented to the Council, on the tenth of the said

Month of *December*, as were also those of the Merchants and Trades Counsellors; but the Election of the Magistrates was deferred till the fifteenth of the same Month; and the Common Council having met on the Seventeenth, put off the Election till the Arrival of the *English* Commissioners in *Scotland*, who were to settle all Things relating to the Government of the Kingdom and City of *Edinburgh*. In the mean time, Major General *Lambert* published the following Order for assessing the Towns of *Edinburgh* and *Leith*.

1651.

“Upon the Payment of Two hundredth Punds *Sterling* by the Inhabitants and Heretors of the Burgh of *Edinburgh* and Town of *Leith*, at or befor the twentie first of this instant *December*, to Mr. *Robert Sympsone*, Collector of the Shyre of *Edinburgh*; the said Inhabitants and Heretors of the Burgh and Town aforesaid, shall be respited and discharged from paying the Proportion of Assessment laid upon them by the lait Warrant of Assessment, untill farder Order from me; and Mr. *Sympson* Collector is accordingly to take notice hereof.

Ibid. f. 291.
17th Dec.

Given under my Hand and Seal the 16th of *December*, 1651.

Signed, *Lambert*.

In obedience to the above Order, a Committee was appointed by the Town Council for raising the said Sum, which in *Scotish* Money amounting to the Sum of Two thousand four hundred Pounds, it was proportioned on the several Districts as follows, viz. *Edinburgh*, 1732*l*. *South Leith*, 334*l*. *North Leith*, 100*l*. 4*s*. *Canongate*, 217*l*. 2*s*. and the *Pleasants*, 16*l*. 14*s*.

The above being only an Assessment for one Month, it was continued by *Lambert*; and the following Regulation made by the Committee for raising the same, to be a standing Rule in all Times coming, viz. for every Hundred Pounds, *Edinburgh* is to pay the Sum of 72*l*. 3*s*. 4*d*. *South Leith*, 13*l*. 18*s*. 4*d*. *North Leith*, 4*l*. 3*s*. 6*d*. *Canongate*, 9*l*. 0*s*. 11*d*. and the *Pleasants*, 13*l*. 11*s*.

1652.
Ibid. f. 295.
20th Jan.

The *English* Commissioners for settling the *Scotish* Affairs being arrived at the Town of *Dalkeith*, a Committee of the Citizens, consisting of Three Merchants and Three Tradesmen, were appointed to attend and invite them to *Edinburgh*, and to solicit them for a Magistracy as formerly. The Deputation being returned, they acquainted the Council, that the Commissioners desired to see the original Grants, whereby the *Edinburghers* were impowered to chuse their Magistrates, for their better Regulation in this Affair; which being taken into Consideration, the Council on the 27th of *January* ordered, that their Charter of the Year 1636, the Decreet-arbitral or Sett of the Town of the Year 1585, and the Ratification

1652.

Ibid. f. 296.
30th Jan.

tion thereof should be sent to the said Commissioners.

The Deputies aforesaid having delivered the above mentioned Writings to the Commissioners at *Dalkeith*; and being returned with their Answer, desired to know, whether the Council would then have it laid before them, or defer it till the next Meeting, when the Provost, and all the Members of Council might be present, which was agreed to. Pursuant to this Agreement, the Town Council being assembled on the 11th of *February*, *John Bynnie*, one of the said Deputies, delivered to them a Paper; of which the following is a Copy.

Decimo Februarii, 1652.

Id. ibid.

"At a Meeting of the Neighbours in the Parliament-house, conforme to the Order underwritten, the haill Neighbours being warned be the Officers of Direction and Order of *Robert Sympsone*, commissionat to that Effect, there convened of the Members of the lait Council, fell the Persons aftermentionat (the rest being absent) as follows: *John Bynnie*, Baillie, *Archibald Tod*, *James Ruchaid*, *David Wilkie*, *Andro Bryssone*, *Andro Ramsay*, Merchants, and *James Lawfone* Tailor, together with the Deakens of Crafts, *Gilbert Sommerwell*, of the Tailyers," and of other Citizens, Sixty three Merchants and Seventy Craftsmen named, besides many others not named; "before whom appeared the above named *Robert Sympsone*, and delivered to *John Bynnie* (Speaker to the Meeting) Two Papers; one, a Letter from the *English* Commissioners to the said *Robert Sympsone*; the other a Message to the Citizens of *Edinburgh*; the Contents of the former was as followeth."

Ibid. f. 297.
11th Feb.

Sir,

Id. ibid.

"Reposing speciall Trust in you, we have thought fitt to send those inclosed Warrants to you, being Two; and do hereby authorise and appoynt you with all possible Speid to convey the Heretors, Rentallers, Burgeses and Nighbours of the Shyres and Burghs (of which you are Collector) at some fit Place, and thair to delyver the inclosed to them respectively; and further, to give us an Accompt of what is done hierupon, not doubting of your utmost Diligence in a Matter of so great Importance. We rest your loving Friends."

O. St. John, H. Same, J. Lambert, R. Deane, J. Fenwick, R. Salwey, George Monck, Robert Titchborne.

Dalkeith, 20th January, 1651.

And the Tenor of the Message, or Order to the Citizens of *Edinburgh*, was as follows:

By the Commissioners of the Parliament of the Commonwealth of England, for ordering and managing Affaires in Scotland.

Id. ibid.

"The Parliament of the Commonwealth

of *England* having declaired their Intentions concerning the Settlement of *Scotland*, and appoynted us the Commissioners to publish and make knowne the same to the People of this Natioun: And to use our Indevoir, whereby the said Settlement may with most Satisfaction and Speid be effected, and the whole Island throw the Goodness of God broght to ane hapie and lasting Peace.

"We do therefore, by virtue of the Power on that Behalf given us, authorise and requyre you to meitt in some convenient Place within your Burgh, and there to nominat and elect Two Persones of Integrity and good Affection to the Weelfair and Peace of this Island; which said Persones so elected, with full Power on your Behalf, for transacting the Premises, are to be with us at *Dalkeith* upon the 12th Day of *February* nixt, being *Thursday*."

Given under our Hands at *Dalkeith* this Twentie Day of January. 1651.

To the Burgeses and Nighbours of the Burgh of *Edinburgh*.

Signed, *O. St. John, J. Lambert, H. Same, R. Deane, Robert Titchborne, J. Fenwick, R. Salwey, George Monck.*

N. B. The seemingly mistaken Dates of the two next above Letters, is owing to the Difference of the *English* Stile at that Time.

The above Letter and Order being read, *John Bynnie*, the Preses or Speaker desired the Assembly to proceed to the Election of two Commissioners pursuant to the said Order or Warrant. The Rolls being brought in for calling over the Names of the Citizens then assembled, it was by some alledged, that this Method of proceeding would be very tedious as well as occasion great Confusion; wherefore the Majority were for taking the Opinion of the People then assembled, whether the Town's Deputies to be sent to *Dalkeith* should be chosen by them, or the Election referred to the Members of the late Council; which being put to the Vote (and the said Members precluded from giving their Suffrages) it was carried by a great Majority (there being only eleven Dissentients) for the said Members to chuse the said Deputies. This Point being settled, the Speaker declared to *Robert Sympsone*, that the Citizens were willing to give due Obedience to the above Order, by assembling and attempting to elect two Commissioners; yet, as the Convention did almost unanimously refer the Choice to the Members of the late Council, conform to antient Custom, they took Instruments thereon, and appointed the Council to meet the next Day for that Purpose.

The Council being met, pursuant to Id. ibid. the Act of Convention, they chose for the Town's Deputies, *John Denbame*, Merchant, and

1654.

1652.

and James Fairbairne, Goldsmith, and impowered them, under the City Seal, to repair to, and attend the *Englisb* Commissioners at *Dalkeith*; but *Denbame* refusing to accept, Instruments were taken thereon; which, together with his Commission, were sent by *Fairbairne* to the said *Englisb* Commissioners, to shew the Council's Obedience to their Order aforesaid.

Ibid. f. 299.
14th Feb.

Fairbairne being returned from *Dalkeith*, acquainted the Council with his Transactions at that Place; which being to the Satisfaction of the Citizens, they ordered him back for an Order to elect a Deputy in lieu of *Denbame*; which being obtained, he delivered it to the Council, who were thereby again impowered to chuse two Persons of Integrity, well affected to the Welfare and Peace of the Island, to meet them at *Dalkeith*, as formerly injoined.

Ibid. f. 300.
18th Feb.

The Council, in obedience to the new Order, chose *William Thomfene*, and the said *James Fairbairne* for their Deputies, with a Power for them as aforesaid, to treat with the *Englisb* Commissioners on Affairs relating to *Edinburgh*; and ordered the Town Council occasionally to meet, to assist the said Deputies with their Advice, without limiting the Number which shall meet, or confining them to a *Quorum*.

Ibid. f. 301.
4th March.

On the fourth of *March*, two Writings from the Deputies at *Dalkeith* were delivered to the Council, the one on Paper, dated the 27th of *February*, was intitled *The Town's Protection*; the other on Parchment, of the Date, *March* the second, was called *The Charter for electing of Magistrates*; which being read, the Question was put, Whether the Council should chuse the Magistrates, (without the Consent of the collective Body of the Citizens) according to antient Custom, and the true Sense and Meaning of the aforesaid Charter. But the Charter and Protection not being recorded in the Council Register, cannot oblige the Reader with Copies thereof.

Ibid. f. 302.
5th March.

However, though by what has been said, the Council appears to have been vested with the Power of Election; yet some trifling Objections being started by certain Persons, by a Proposition and Protestation, they were rejected; as was also a Motion for the *Englisb* Commissioners to appoint Magistrates for the ensuing Year: Whereupon the Assembly proceeded to the Election of Persons to supply the Places of such Members of the Council as were either absent or Dissenters, conforme to the Powers above mentioned; and on the fifth of *March*, agreed to the Choice of Deacons and Counsellors made on the tenth of the preceeding Month of *December*, according to the several Acts of Election on that Day. And on the ninth Day of the said Month of *March*, elected the Magistrates for the remaining Part of the Year, who having accepted their respec-

tive Offices, took the Oath required on that Occasion, in Presence of *Henry Whaley*, Judge Avocate, deputed by the *Englisb* Commissioners for that Purpose.

1652.

Martin Leith, one of the Town's Creditors, in the Forty thousand Pounds borrowed by the Common Council for the Ingagement above mentioned; applied to the Parliament for Assistance to recover the Money due to him from the City of *Edinburgh* on that Account; which was readily granted, by obliging the Priest-ridden Town Council to pay the said Debt, contrary to the wicked and detestable Judgment of the iniquitous Commission of the General Assembly aforesaid.

Ibid. f. 359.
15th Dec.

On the Arrival of the melancholy News at *Edinburgh*, of *Oliver Cromwell's* having defeated the *Scotish* Army at *Dunbar*, in the Year 1650, the City was thrown into the greatest Misery and Distress, by being deserted by its Magistrates, principal Citizens, Ministers, and greatest Part of its Inhabitants; which, putting an End to all Government, all was in the greatest Distraction and Confusion. In this lamentable Condition, the prudent Part of the remaining Citizens, to prevent the Ruin of the Town by the Populace, judged it necessary to have at least a Shew of Government; wherefore they prevailed on the People to assemble, and chuse from amongst themselves a Committee to manage the Affairs of the City, and to treat of such Matters with *Cromwell* and his Troops then quartered in the Town, as were necessary in their then unhappy Circumstances; to which End, they chose thirty of the most experienced and judicious Persons of their Number, who managed the publick Concerns with such Moderation, Prudence, and Sagacity, for the Space of fifteen Months, that at the Restoration of the Common Council, they not only received Thanks for the same, but to their Honour, their Transactions during that Time, were confirmed by the said Council.

The *Edinburghers* having got new Masters, they addressed *Oliver Cromwell* for his Favour, which it seems he granted, by the Common Council's writing him a Letter of Thanks for his Kindness; but neither the Address or Letter being recorded, am in the dark in respect to the Contents of both. However, I am of opinion, that the Favour granted by *Cromwell* to the Citizens at this Time, was a Duty of a Plack on the Pint of Beer and Ale. And *Cromwell* having soon after restored to the *Edinburghers* the Town of *Leith*, they gave him a Bond of Five thousand Pounds *Sterling*, to take care of his military Magazine over their Weigh-house in that Place.

1653.
Coun. Regist.
vol. XVIII. f.
14. 6th April.

Ibid. f. 22. 61.
67. 2d. May.
9th Nov. 21st
Dec.

The Common Council of *Edinburgh* having met on the 23d of *September*, to chuse Magistrates for the Year ensuing, the Provost produced a Letter from Colonel *Lilburne*,

1653.
Ibid. f. 52.
23d Sept.

burne, Commander in Chief of the Forces in Scotland, directed as followeth.

For the Right Honourable, the Provost, and Baillies of Edinburgh.

My Lord and Gentlemen,

"The Council of State having commanded me to give you Notice, that they think it fit, that the Civil Officers in the Shyres and Corporations of this Nation that are now in Office, should be continued untill there fall be farther Order from the Council for making of new Elections. I desire you to take Notice thereof accordingly."

From your Lordship's Friend and Servand,
Rect. Lilburne.

Dalkeith, 17th of
September, 1653.

Ibid. f. 53.
28th Sept.

The Convention of Boroughs having met at Couper of Fife without acquainting the Commander in Chief of the English Troops in Scotland with their sitting, they were compelled to disperse. And the Town Council of Edinburgh having obtained the Consent of the said Commander, for a Convention of certain of the said Boroughs to be held in this City on the 25th of the approaching Month of October, they ordered their Town Clerk to issue Letters or Warrants to the Towns of Dundee, Aberdeen, Stirling, Linlithgow, St. Andrew's, Glasgow, Haddington, Dysart, Kirkcaldie, Montrose, Couper, Anstruther, Easter and Wester, Dumfries, Burnt-island, Kingborne, Jedburgh, Selkirk, Dunbar, Aberbrothock, Peebles, Crail, Queensferry, Dunfermling, Pittinweem, and Lauder, to send their Commissioners to meet at the Time and Place prefixed, to treat of Affairs concerning the Royal Boroughs.

1654.
Ibid. f. 110.
18th Aug.

The Common Council having, on the 18th of August, chosen Samuel Desborough and George Downing to represent Edinburgh, in the Parliament to be held at Westminster in England on the third of September, ordered the Sum of four hundred Pounds Sterling, to be paid them for that Service.

Oliver Cromwell, after the Defeat of the Scottish Army at Dunbar, having possessed himself of the Town of Leith, sent for a Number of Families from England to come and settle therein: But finding themselves greatly aggrieved by the Edinburghers, as Superiors of the Place, addressed themselves to their Patron, Cromwell, then Protector, by their good Friend General Monk; for whose Relief he wrote divers Letters to Cromwell, setting forth the Grievances and great Hardships they laboured under, and the great Service done by them in Scotland, to the Commonwealth; and, should they by their Sufferings be obliged to return to England, the Army would be considerable Sufferers thereby. For the preventing of which, the Protector referred their Complaints to Monk, and two of the Judges in Scotland to determine all Matters in Dispute

between the Citizens of Edinburgh, and the Inhabitants of Leith. But the Judges not having Time to attend the same during the Time of Session, the Decision thereof was referred to the Council of State in Scotland; for whose Information the said English Inhabitants of Leith represented their Case to the said Council of State as set forth in the following Petition, intitled,

1654.

The humble Petition of the English Merchants, Tradersmen, and others, Inhabitants of the Town of Leith, to the Right Honourable the Council of State.

Sheweth,

"That your Honours Petitioners feiring In pence J.
"the Oppressions that the Towne of Edinburgh Riddel.
"burgh would use over us if they should (as
"they call it) be restored to their former
"Liberties: We did establish Mr. Gilbert
"Mabbot, Agent for us, who did severall
"Times present our Conditione to my Lord
"General (Monk), the late Parliament and
"Council of State, who from tyme to
"tyme did show us many signal Favours,
"and was most willing to give us all In-
"couragement for our staying hier; soe
"that Mr. Thomsons, their Agent, could ob-
"taine nothing of his Desyres concerning
"thair Power over us, till now of latte that
"he gave in sum Proposells to your Ho-
"nours, desyreing that the Trade in Leith
"might be exercised by those of both Na-
"tions with equall Freedome, with Liber-
"tie to us to resyde at Leith or Edinburgh
"as we fall think fitt, and to make us free
"Citizens of Edinburgh, and so be all as
"one Corporation; which Proposells your
"Honours war pleased to transmitt to the
"Honourable Colonel Fenwick, and Com-
"missioners in Leith, for composing the Dif-
"ference, or accommodating the Businesse,
"with Consent of Parties: Whereby we ob-
"serve your Honours Cair of us; for which
"we render, as in all Dewtie bound, heartie
"Thanks; praying God to preserve and di-
"rect your Honours in all your Proceed-
"ings.

"In obedience thairto, we did appear be-
"foir the Honourable Governor and Com-
"missioners, and did desyre the Magestratts
"of Edinburgh to declair befoir the Gover-
"nor, &c. if they meant to performe what
"was proposed by thair Agent: and desyred
"to knowe thair Meaning and Sense of
"these Propositions, who declaired they
"would make us free in Edinburgh, provy-
"ding we would come and live thair un-
"der thair Pour, and Government; bot
"would no Wayes suffer or permit us to
"leave or traide in Leith, in our Houses
"and Shopis thair, which some of us hes
"bought, and others hyred and hes Laces
"thereof, being amongst our Freinds, and
"the Place which now we cannot remove
"from, unless we would remove from this
"Country,

1654

"Country, which would be a Mean to ruin many of us.

"We, upon Invitations by his Excellency, my Lord General and others; the pryme Men of that Tyme, did leave our Houffes and Fortunies in *England* to com heir, having then large Promiffes of Freedome and Prefervation, which we are confident your Honours will not deny to us, feing we have and are in a Capacitie to doe good Service heir for the Comonwealth, and hes above forty Ships belonging to us, most part in the Service of the Comonwealth, furnishing all the Garriffones in the Northern Pairts, with all Sorts of Necessaries and Provisions; and are readie to raise considerable Forces, either Horse or Foot, for assisting the Garriffone of *Leith*, if Need requyre; but if removed thairfrom, will not only prejudice us, but much wrong the *English* Interest in thir Pairts, as of late we have seen and hard, by the Braggies of those in *Edinburgh* and the Countrie about.

"Thairfore, in all Humilitie, we humble intreat your Honours would be pleased to take our Condition into Consideration, and defyre Mr. *Thomson*, the Town of *Edinburgh*'s Agent, to explain his Meaning of these Propofells, and to ordeine the Town of *Edinburgh* to signe what shall be agreed upon by him for our peaceable living and trading heir, seeing they make another Sense of these Propofells then we think your Honours or thair owne Agent doe."

The *Edinburghers* being greatly alarmed at these Proceedings, were fearful of being stript of their Superiority, and all their other Rights concerning *Leith*; and being informed that the *English* were about to fortify the Town of *Leith*, were apprehensive they should now be intirely divested of the said Town; wherefore, after a long and expensive Process at Law having been carried on betwixt the Towns of *Edinburgh* and *Leith*, concerning the Demands of the latter, of being allowed a free Trade, the Common Council of the former appointed a Committee to inquire thoroughly into the same, thereby to know the Advantage or Disadvantage that might accrue to the City on that account: And the said Committee having duly considered the whole Affair, made their Report as follows.

"The Committee having long and seriously debated, and considered the heavey Prejudice arising to this Burgh, if a free Trade fall be continued in *Leith*, or any further Liberties granted to the Inhabitants thair of by his Highnes, or his Council heir: And being informed that there is ane Resolution to fortifie *Leith* presently, with strong Wallis of Stone and Lime round about; which the Committee con-

ceaves may prove dangerous to the Interest of this Burgh."

"Thairfore, and for preventing of these Prejudices, their Opinion is, that the Lord Provost, or some others, may be empowered to deall with the Lord General *Monk*, or others in Authority, and to try if they may be induced rather to build there an convenient Cittiedail; and if need be, is to make to his Lordship, in Name of the good Town, ane Offer of ane considerable Soume of Money toward the said Work, upon Condition, that the Priviledges and Liberties of this Burgh, in relation to *Leith*, with all other their antient Rights and Liberties may of new be confirmed by his Highnes (*Cromwell*) to stand as in former tymes befor any Guariffone wes put in *Leith*."

The above Report being taken into Consideration by the Council, they nominated certain Commissioners to treat with General *Monk* for a Ratification of the Town's Rights and Liberties, in relation to the Town of *Leith*; together with a Confirmation of the antient Rights and Immunities belonging to *Edinburgh*; and if *Monk* should accept of a Sum of Money towards erecting a Citadel in *Leith*, they should endeavour to get the same as low as possible, and to report their Proceedings to the Council before a Conclusion; and appointed a Committee to be aiding and assisting to the said Commissioners during the Treaty.

Pursuant to the above Resolutions and Orders, the Commissioners attended *Monk* at *Dalkeith*, and represented to him the melancholy Situation of the Town's Affairs, in regard to the grievous Burdens it was loaded with; and talked with him concerning the Conditions the City's antient Rights and Privileges might be ratified on, and discoursed on other Particulars committed to their Charge. Now *Monk* professing great Friendship for the *Edinburghers*, told the Commissioners, that he had received an expresse Order from the Protector to fortify the Town of *Leith*, or to erect a Citadel either at *South* or *North Leith*, as he should deem most convenient. But being of opinion, that the fortifying of *Leith* might prove prejudicial to the Commerce and Privileges of *Edinburgh*, thought it more advisable for the Citizens to contribute towards the building a Citadel; and in that respect, out of regard to the City, only required the Sum of Five thousand Pounds *Sterling* towards the said Erection.

This Demand of *Monk*'s being taken into Consideration by the Common Council, assisted by two hundred and thirty nine of the most eminent Citizens, summoned to give their Opinion on this extraordinary Occasion: They, together with the Council, were unanimously of opinion, that it were better to give the Sum demanded by the General,

1655.

Id. ibid.

Ibid. f. 119.
5th May.

1656.
Comm. Regist.
vol. XIX. f.
117. 29th
April.

Ibid. f. 118.
1st May.

1656.

General, than risk the bad Consequences a Refusal might be attended with; provided that Assurance be given, that their Rights and Privileges to the Town of *Leith* be confirmed in as ample a Manner as they enjoyed them before a Garrison was placed in the said Town of *Leith*: Together with a Ratification of the antient Rights, Privileges, and Immunities of *Edinburgh*.

Ibid. f. 120.
6th May.

Agreeable to the Resolution of this numerous Assembly, the Town Council appointed the Lord Provost their sole Commissioner, to treat with and conclude an Agreement with the said General *Monk*; who previous thereto, ordered the Magistrates of *Edinburgh*, and the Inhabitants of *Leith* to send their respective Commissioners to the Council, to be held on the thirteenth of May, for deciding the Controversy betwixt the said Towns; and to bring along with them their Writings concerning the Matter in Dispute. This Affair being determined in favour of the *Edinburghers*, the Sum of Five thousand Pounds *Sterling* was paid to *Monk* at three several Times, according to Contract.

Ibid. f. 140.
8th Aug.

Edinburgh at this Time appears to have been under great Oppression and Distress by grievous Taxations and Debts, inasmuch, that without some Favour from the Government, it must inevitably have been ruined; for the obtaining of which, the Citizens chose *Roger, Lord Broeghill*, President of *Cromwell's* Council in *Scotland*, and *Andrew Ramsay* their Provost, (Men greatly in Favour with the Government) to represent them in the Parliament to be held at *Westminster* on the 17th of September.

Ibid. f. 141.

Now, though this Election was contrary to the Rights and Liberties of the Crafts or Trades of *Edinburgh*, who in all Commissions to Parliament, Conventions of States, and other publick Meetings both by Law and Custom, ever had one of their Number chosen as one of the City's Representatives; yet, on this melancholy Occasion, the Deacons of the several Incorporations agreed to dispense with their Right of Election, on the Council's declaring, that their present Dispensation is voluntary, and of their own accord, in hopes of obtaining thereby some signal Favour to the City, by choosing a Person of such Eminence and Distinction as the President of the Protector's Council.

Cromwell and his Parliament having caused a Proclamation and Petition to be drawn up, General *Monk* sent the following Letter to Bailie *Sydsferff*, one of the Magistrates of *Edinburgh*, to cause publish the same.

Sir,

1657.
Ibid. f. 258.
14th July.

"His Highness's Council here being desirous that the Proclamation by his Highness and the Parliament, together with a Petition and Advice therein mentioned; which have been already sent you, should

"be proclaimed with all the Solemnity that is requisite in a Business of that Nature; and the same being to be performed to Morrow, in the Forenoon, about Ten of the Clock, the said Council desire you, to acquaint such of the Nobility of this Nation as are now in *Edinburgh*, of the Time so appointed for this Solemnity; and that the Council desire them respectively to attend the same; and for that End to be with the Council and Judges of the Nation at the Time aforesaid, in the Yard of the Parliament House; at which Place the said Council expects your self, and the Magistrates of *Edinburgh* to be there likewise on this Occasion."

Signed in the Name and by the Order of the said Council,

George Monk.

Edinburgh, the 14th of

July, 1657.

That *Edinburgh* at this Time was greatly distressed, is evident, by the great Load of Debts wherewith it was burdened: for a Charge of Horning was brought against the Magistrates and Council by *John Banes*, Receiver General of the Revenues in *Scotland*, for the Sum of Forty five thousand five hundred and eighty six Pounds, thirteen Shillings and four Pence, *Scotish Money*, on Bond, payable to the Lords of Council and Session, and now to the said *Banes*, by their Bond of Corroboration; together with the Sum of Five thousand four hundred and seventy Pounds, six Shillings and eight Pence, of the same Money, for two Years Interest due thereon.

Now the Town Council, to the utmost of their Power, indeavoured to satisfy their Creditors, more especially the said *Banes*, by offering to pay him the two Years Interest aforesaid, within the Space of four Months; and the Interest which shall thereafter become due yearly at *Martinmas*, till the Principal be paid off and discharged. Pursuant to this Resolution, the Council of State and the Barons of *Cromwell's* Exchequer in *Scotland*, ordered Acquittance of the Payment of the said Interest, and to supersede the Payment of the Principal during their Pleasure.

Edinburgh being indebted in no less a Sum than that of fifty four thousand seven hundred and sixty one Pounds, *Sterling Money*; the Common Council petitioned *Cromwell*, to continue to them the Grant of a Plack, or Four-pence *Scotish*, on the Pint of Beer and Ale sold within their Jurisdiction, to enable them to discharge the heavy Load whereby they were so grievously oppressed; the Council not doubting, it seems, that *Cromwell* would grant their Request, they continued the said Duty by an Act of their own; and in doing of which, they seem to have been encouraged by General *Monk*, who wrote the following Letter

1657.

1658.

Ibid. f. 269.
13th Jan.

Ibid. f. 270.

Ibid. f. 310.
4th June.

ter

1658.

ter to *Thurloe*, *Cromwell's* Secretary, in behalf of the City.

Thurs. Coll.
Stat. Pap. vol.
VII. p. 5.

"The Provost of *Edinburgh* being, upon the earnest Request of that Cittie, to attend his Highness, for representing the sad Estate that Town is like to be reduced unto by their publick Debts; which though they have been helped by his Highness's former Grant, (so as to keep up their Credit, and to hold off the Extremity, which Creditors would otherwise have put them to) by paying the Interest and Principals, to the full Sum of what they received, by vertue of the aforesaid Grant; yet, upon the Examination of their Accounts, I am credibly informed, the City is yet indebted above Fifty thousand Pounds *Sterling*.

"And considering the Readiness of the Magistrates to give Obedience to all Commands, and according to their Power, nay, even beyond their poor Ability to give Assistance, by lending Money, and otherwise to keep forward the publick Service. And that which the Provost is to desire in their behalf, being no Wayes tending to the Diminution of the publick Revenues, but to be taken off the Inhabitants of the said Cittie; which I perceive they are generally not only willing to, but desirous of; and considering the Consequences of suffering such an antient Cittie, and the chief of this Nation to be without Magistrates and Government, which, if some Way be not taken for satisfying their publick Debts, will inevitably follow.

"That, according to the Laws of this Nation, the Magistrates are lyable to the Debts of this Cittie, though contracted long before their Times; whereby Men of Quality and Prudence will be scared from undertaking the Magistracy. Upon these and the like Considerations, I am moved to intreat your Help and Assistance to the Provost for some Relief; wherein I am persuaded you will do a very good Work, and very acceptable both to Ministers and People here."

I am, Sir, your most affectionate and humble Servant,

George Monk.

Dalkeith, 17th March
1657-8.

1659.

General *Monk*, Commander in Chief of the Army in *Scotland*, having formed a Design to restore King *Charles II.* to the Throne of his Ancestors; and for the accomplishing thereof, resolved to march his Forces to *London*, under Pretence of supporting the Parliament; and being willing to leave all in Peace and Quietness behind him, by his Letter of the 27th of *October*, desired a Commissioner from each County and Borough in *Scotland*, to meet him at *Edinburgh* on the 15th of *November* follow-

ing, that he might impart to them certain Affairs concerning the publick Welfare.

The Commissioners aforesaid, having met at the Time and Place prefixed, pursuant to the General's Desire; *Monk*, by his Letter of the said fifteenth Day of *November*, desired them to communicate to their respective Counties and Boroughs certain Particulars contained in the said Letter, and to report to him the several Answers. And for avoiding unnecessary Expences, the said Answers might be sent to the Magistrates of *Edinburgh*, and by them forwarded to *Berwick*, on or before the 22d of the approaching Month of *December*.

Monk having received Answers from divers of the Boroughs; that from the Common Council of this City, sets forth,

"Their thankful Acknowledgments of his Lordship's continued Affection towards this whole Nation, during the Time of his Lordship's Government thereof; so in a particular Way towards this distressed Cittie; which, without his Lordship's helping Hand, had unavoidable sunk under its unsupportable Burthens befor this Time. And assuring his Lordship that the Counsell shall endeavour to be answerable to that Expectation for preserving the Peace of the Cittie to their Power, according to their Stations, and shall continue to the outmost to countenance and encourage the godlie and faithfull Ministers and such as serve God amongst them.

"And that the Counsell cannot in Dewtie declyne to declare upoun all Occasions, their Affection to the Being and Freedom of Parliaments, and to assure his Lordship, that none wisheth them more to have their due Privileges and Authority then they doe; and that they be guided by the Lord in the right Exercise thereof; praying, that the Majestie of God, who ever rules all the Actions of Men, may so dispose of the present Differences, threatening hard Things to thir Nations, as to have a happie Close, and blessed settling with Truth and Peace, to his owne Glorie, the Good of his People, and to his Lordship's Honour, inward Peace, and everlasting Happiness; whilk is the heartie Desyre of all the good People of this Cittie: In whose Names the sament were signed be the Provost, Bailies, and Counsell."

To the above Letter, *Monk* returned an Answer, directed to the Lord Provost and Bailies, of which the following is a Copy.

My Lord and Gentlemen,

"I have received your Letter, and the Letters from severall other Burghs, and doe find my selfe obleidged to returne you real and heartie Thanks for your Affection to the Commonwealth, and the Army heir, and to that good Interest for which

1659.

Ibid. f. 94.
17th Dec.

Coun. Regist.
vol. XX. f. 92.
9th Dec.

1659.

"which we are now contending, and in particular to my selfe: And, to assure you, that we shall always retain a gratefull Sense of it, and shall be ready upon all Occasions to protect and encourage your Citie, and all the other Burghs; I desire to communicatt this to such other Burghs as have subscribed the Letters, and remaine your Lordship's verie humble Servant."

George Monk.

Berwick, 14th Dec. 1659.

P. S. "Mr. Thomsone knowes the Names of those Burghs that have sent to us; and I desyre you to send a Copy of this Letter under your Clerk's Hand to them."

All Things conspiring towards the King's Restoration, the Common Council of *Edinburgh* sent his Majesty the following Letter.

May it please your Majestie,

1660.
Ibid. f. 143.
144. 11th
May.

"We your Majestie's humble and loyall Subjects, the Counsell of your auncient Cittie of *Edinburgh*, having been so long deprived of your Majestie's Royall Presence in your awen Dominions, and hindered throw the Iniquitie of the Tymes from any Opportunitie to tender our humble and faithfull Service to your Majestie, ar now exceedingly refreshed and encouraged to blefs God, who hath so eminentlie appeared in respect to your Majestie's Afflictions, and the Bondage of the saids Dominions, as to inclyne both your Houses of Parliament in *England*, so unanimouf-ly and chearfullie to settle the Civil Government in the auncient Chanell in your Majestie's Royall Person.

"The Tymes have been so trying, especiallie in this Kingdome, that we trust your Majestie will not take it in ill Part, that ther could not before this Tyme any Address be sent from us; and thogh we cannot, at this Distance, as we ought and wold give any farder Testimonie of our humble Affection and Dewtie; yet we have taken the humble Boldnes with the first Opportunitie, to expresse our heartie and unanimous Concurrence with those who have activelie and prudentlie layed furth themselves to settle your Majestie upon the Throne of your Kingdome, and to declare, that this Chairge of the Right-hand of the Most High, is unto us Matter of Thanksgiving unto him, who hes remembered us in our low Estate, for his Mercie endureth for ever.

"Your Majestie (we doubt not) is abundantlie satisfied with the Fidelitie of the Bodie of the Subjects of this Kingdome. And we can assure your Majestie, that in this Cittie your Afflictions have been sad and greivous, and your Memorie during your long Absence pretious to us and our Fellow-citizens, as is openlie manifested by

1660.

"our and their Joy upon this Revolution; when we have now the Opportunitie to expresse what we so long have been compelled to conceill. And as we doe heirin rejoice on the Behalf of your Majestie, and your other Dominions, as it doeth not a little revive our Hearts, that we may now expect from our lawfull King a Redress of these Grievances under which we have so long fainted: The Land hath been impoverished, subdued and keiped in Bondage, by that Partie who hath invaded us upon the account of adhering to your Majestie; the true Religion established among us, hath been exposed to Hazard, by the Deluges of Error and Division, for which a Door was kept open, by that Power which held us at under.

"But it is now the confident Expectation of all your Majestie's Subjects, that your Royall Presence shall dispell all those Clouds, that the Kingdome shall be restored to its Libertie, and Religioun established by the Law, and with your Majestie's Royall Assent countenanced and protected; whereunto (notwithstanding all the Attempts of Seducers and other Snares) we, and the haill Bodie of this Natioun, have adhered, and do resolve to adhere, according to our Engagement, that soe we may still sitt under our Wyne and our Figg-tree; blefs the Lord for the raising up such a Plant of Renown, as your Majestie, to repair our Breaches.

"That your Majestie may be more and more confirmed in this princelie Resolution, and that he who has begun this good Work may perfytt it, and bring your Majestie in Peace to your awen Dominions, as it is the heartie Prayer of all your loyall Subjects, so particularlie of this Cittie, and of, Sir, your Majestie's most humble and faithfull Subjects and Servants, subscribed be Sir *James Stewart* Lord Provost, in our Name, and at our Command, &c."

Edinburgh, 11th May 1660.

Sir *William Thomsone* the Town-Clerk, the Bearer of the above Letter, having presented the same to the King, wrote the Lord Provost as followeth.

Ibid. f. 150.
25th May.

Right Honourable,

"By my last, I gave notice of my intended Journey hither, and accordingly I arrived heir on *Tuesday* last. Sir *Alexander Gibsone* arrived about the same Hour be way of *Flushing*. I made my Application to his Majestie on *Wednesday*, and had a most gracious Acceptance. I acquainted his Majestie of the constant and good Affection of the Burrowes, which he was pleased, graciouf-ly pleased to acknowledge, and in their Names (finding the Intention of the honourable Parliament and Cittie of *London*) made bold to offer

1660.

"offer a poor Myte of One thousand Pound Sterling, as a small Token of your Love and Respect, with an Apologie of my sudden coming heir; which he did graciously accept from my Hands, as though it been a far greater Business.

"I have indeavoured (and I hope with Success) to be acquainted with those in Trust heir, and hope your Affaires fall receive no Damage till you be heard at least, though it be impossible to expect that, till he be re-established in his Government, that he will meddle with particular Affaires.

My Lord, I am sure, I never was taken for a Flatterer; but if I had not come hither, all the Writt, Print, and verball Information in the World, had not made me believe what now I have seen and heard: He is indeed the Mirrour of Princes, for Pietie, Knowledge and Mercie; he is heir admired by all Sorts, is equalled loved and feared. Five of the States Generall in Person made Application to him in Name of the whole, and had Audience on Wednesday last. The Ambassadors of the Province of Holland, did the lyke Yesterday; and, on Monday, he is to go to the Hague, where innumerable People will be attending him.

"I know not what to doe, whether to stay a little heir or go for England, but intend to receive his Command, as to either. I must draw Monies by the next Post, for I have taken all heir on Trust from my ould Friend Sir William Davidson. I hope the Burrowes will in one Vote approve of what is done. Let my Bills, I pray, receive thankfull Acceptance and Payment; and let me have your Lordship's further Orders what to doe. I am in great Haist; meane time, let my humble Service be recommended to the whole honourable Commissioners of Burrowes, and everie individuall Person within your owne Counsell, and such without, as you find expedient." I am, my Lord, &c.
Breda, 20th May 1660.

Ibid. f. 156.
15th June.

So great was the Joy in Edinburgh when News was brought of the King's Arrival in England, that the Loyal Town Council caused a sumptuous Banquet to be made at the Market-cross on that account.

The King was so well pleased with the Deportment of the Edinburghers on his Restoration to the Crown, that he conferred on them divers Favours, as will appear by the following Letter.

CHARLES R.

Trusty and well-beloved, we greet you well.

"The Affection we have to our good Towne of Edinburgh, and the Expressions we have received of their Dutie and Fidelitie in our Service by William Thomsons your Agent and Clerk, hath inclined us to grant a Ratification and new Gift of

K. Let. in
Arch. Edin.

"the voluntarie Imposition on Aile, Beer and Wyn. We have also thought fit to let you know, that we intend in dew Tyme to grant a more particular Confirmation of your former Charters, Rights and Privileges; and what other can in Justice be proposed for the Improvement of the same: So, not doubting of the Continuance of your Zeal in our Service, we bid you fairwell."

Given at our Court at Whythall, the 26th Day of September, 1660, and of our Regne, the 12th Yier.

By his Majestie's Command.

Lauderdale.

Soon after, the Common Council granted Liberty to William Woodcock to set up a Coach to go between Edinburgh and Leith, the whole Fare to be One Shilling Sterling, and singly, for each Person, Four Pence. This was the first Stage-Coach that ever went betwixt these Towns.

Ibid. f. 215.
28th Dec.

Edinburgh being indebted in no less a Sum than that of Seven hundred and ninety two thousand, nine hundred and twenty one Pounds, Scotch Money; the Citizens, to inable them to discharge the said grievous Burden, obtained of the King a Grant of the following Duties, for the Term of eleven Years, viz. Four Pence on every Pint of Ale and Beer sold within Edinburgh, Leith, Canongate, Portsburgh, and their Dependencies; Two Shillings on the Pint of all French Wines, and Four Shillings on every Pint of Sack, Rhenish Wine, and strong Waters, all Scotch Money.

This Grant being by many of the Senators of the College of Justice, Gentlemen, and Brewers of the County of Edinburgh and divers of the Citizens regarded as a great Grievance, they applied to the Committee of the States of the Kingdom for Redress. The Common Council, under the greatest Uneasiness and Apprehensions of losing this advantageous Grant, if not timely accommodated, which must have terminated in the Ruin of their City; for preventing of which, proposed a Conference for an amicable Agreement; which being accepted, Commissioners were appointed on both Sides; by whom it was agreed, that in lieu of Four Pence in the Pint on Ale and Beer, they shall only take Two Pence; the Duty on Wine to be continued, exclusive of Eight Pence per Pint by a former Grant; and for every Boll of Malt brewed within the City and Places aforesaid, Two Marks Scotch; but in this Case, no Duty to be taken on Ale and Beer; and for every twenty Gallons of Ale and Beer, Scotch Measure, brought from the Country into Edinburgh, and Places above-named, to pay Two Marks instead of Two Pence in the Pint above mentioned.

Ibid. f. 214.

At this Time, the Brewery in the Candle-maker Row, called the Society, with all the Kills, Brewhouses, Maltmaking and brewing

1661.

Ibid. f. 240.

20th March.

ing

1661.

ing Utensils were let to *Thomas Robertsons*, for the Term of eleven Years, for which he was to pay for each of the three first Years, the Sum of Twelve hundred Marks, *Scotish Money*; and for every Year after, the Sum of Fifteen hundred Marks, of the same Money: The several Buildings and Utensils to be kept in good Repair, and at the Expiration of the Tack or Lease, to be returned in good Order to the Proprietors.

Ibid. f. 276.
17th July.

It appears by a Grant of this Time, from the Common Council of *Edinburgh*, to *William Johnston*, Baron Bailiff of *Broughton*, that the Goods and Chattels of Women condemned for Witchcraft, escheated to the said Bailiff; wherefore, it is not to be wondered at, that innocent Persons should be convicted of a Crime they could not be guilty of, when their Effects fall to their Judge or Judges!

Coun. Regist.
vol. XXI. f.
54. 20th Nov.

The Dean of Gild of *Edinburgh*, as Moderator of the extraordinary Convention of Boroughs held at this Time in this City, reported to the Common Council, that there was due from the said Boroughs, to the Earl of *Lauderdale*, the Sum of Three thousand four hundred Pounds, *Scotish Money*, the Arrears of a Pension given by them to the said Earl. And seeing there was a Necessity for paying the same, the Council ordered Money to be borrowed on the Town's account to discharge it.

Remark. We have numerous Instances of the Rapacity and wicked Extortions of avaritious Ministers: But, for a Person to be so wicked, and of such a mean, and mercenary Spirit, to let himself out, as it were, for a yearly Pension to commit Iniquity, is a Crime of so deep a Dye, that I have nowhere heard or read of the like.

1662.
Ibid. f. 77.
8th Jan.

The Lord Provost having, in the Name of the Common Council, wrote a Letter to the Duke of *Albemarle*, (the late General *Monk* their good Friend), he received an Answer of the 31st *December*, setting forth, "That he had received a Letter from the Lord Provost, in Name of the Counsell, desyring, that the hundred and fiftie Pound, in Arrear of the Assessment for the Soldierie, might be rebated and discharged in respect to the poor People, who in Arrear of their Proportions are not able to pay, and many of them had abandoned their Habitations; and that he had condescended to their Desyre, and had written to Major General *Morgan*, to forbear the pressing of the same. Lykeas, his Lordship produced a few Lynes, written by the Major General, subjoined to the Duke his Letter, promising according to Order, that he would accordingly forbear. And his Lordship also declared, that the Major General had promised, so soon as Commissarie *Baynes* should come heir, he would give us a full Discharge."

For the above Favour, the Common

Council ordered a Letter of Thanks to be sent the Duke, but, it not being copied in the City Register, I cannot insert the same.

1662.

The Earl of *Lauderdale* having procured for himself of King *Charles II.* a Grant of the Citadel of *Leith*, with the towering Privileges of a free Burgh of Barony and Regality, the Office of Bailliary, a weekly Market, and a yearly Fair; with other Immunities, and the specious Name of *Charles-Town*, seemingly calculated to impose on the *Edinburghers*: For the said Earl soon after proposed to dispose of this new vamped Gift, of an imaginary Value, to the Magistrates and Town Council of *Edinburgh*, who, finding themselves under a Necessity to treat with him concerning the same, appointed a Committee for that Purpose; who indeavoured to obtain this Toy on reasonable Terms; but it not being to be had under the exorbitant Price of Six thousand Pounds *Sterling*, they were forced to comply, to prevent their falling under the Displeasure of this mighty Prime Minister, in whose Power it was to distress them at Pleasure; especially at this Juncture, when they were to apply to him for certain Grants, to inable them to discharge the oppressive Load of Debts wherewith the Town was burdened.

1663.

Coun. Regist.
vol. XXII. f.
58. 62.

At this Time the *Edinburghers* entertained the Earl of *Middleton*, Commissioner to the Parliament, in a very elegant and sumptuous Manner, at the Expence of Eight thousand and forty four Pound, four Shillings, *Scotish Money*.

1664.
Coun. Regist.
vol. XXII.
1st Jan.

Persecution on account of Religion reigning in *Scotland* to a great Degree, the Magistrates of *Edinburgh* were by the Privy Council compelled to give a Bond, with a Penalty of to prevent the erecting of Conventicles, and to suffer no private Meeting on Religious Affairs within their Jurisdiction.

The Government judging it necessary to provide for the Accommodation of the Court of Justiciary, the King sent a Letter to the Magistrates of *Edinburgh* on that Occasion; of which the following is a Copy.

CHARLES R.

Trusty and well beloved, we greet you well.

"Having considered how necessary it is for the Good of our Service, that all Causes Criminal, wherein the Lives, Liberties, Persons, and Fortunes of our Subjects may be concerned, be heard and determined in an orderly and solemn Manner. We have therefore thought fit to grant a new Commission of Justiciary to our Justice General, Justice Clerk, and five of the Senators of the Colledge of Justice, who are to sitt weekly, or oftner, during the Time of the sitting of the Session. And it being of Importance to the Honour and Splendor of that Court, that

"our

1664.

"our Judges and all other Persons concerned therein, be provided with fitt and convenient Roomes and Benches for their Meetings and Administration of Justice to our People.

"These are therefore to require you, to provide sufficient Accomodation, and fitt Roomes, Benches, and Places for Judges, those of the Assize, and for the Pursuers, Defenders, Officers of Court, and all others attending the same. And that this you doe with all Diligence at the Sight and by the Advice of the Commissioners of our Treasury, who are also to give in a ready Account of your Care therein; and so we bid you farewell."

Given at our Court at *Whitehall*, the 13th Day of *January* 1671, and of our Reign the 22d Year."

By his Majestie's Command,

Lauderdale.

Remark. That the Inhabitants of one Town, should be compelled to be at the Expence of providing Rooms and other Necessaries, wherein to transact the Affairs of the Kingdom, is highly unreasonable as well as dishonourable to the Government to impose on one Place what ought to be done at the Expence of the Nation: But the *Edinburghers* now as formerly, must bear the Burden, and be the Pack-horse of the State, though ever so inconsistent with Justice, and the Welfare of the Town.

1671.

Coun. Regist.
vol. XXVII. f.
14th 15th
March 22d.

At this Time the Common Council executed a Bond of Five thousand Pounds, to be given to the Duke of *Lauderdale*, the King's Commissioner to the Parliament, to obtain for them a perpetual Grant of the Duties upon Wine, Spirits, and Mum; till which Time the said Bond was to remain in the Hands of the Town Clerk. The said Grant being obtained under the Great Seal, and delivered by Sir *William Sharp*, he received the said Bond in Exchange for the Use of the said Duke.

1675.

Coun. Regist.
vol. XXVIII.
f. 106. 15th
Oct.

The King having in an arbitrary Manner, frequently interposed in the City Elections by putting them off, continuing the Magistrates, and discharging Persons from the Common Council, he was at last prevailed on to restore to the Citizens the Right of electing their Magistrates; for which the Common Council returned hearty Thanks by the following Letter.

Most sacred Sovereigne,

Id. ibid.

"We doe presume with most thankful Hearts, humbly to acknowledge your Majestie's princelie Favour and Clemencie, in taking off the Restraint lyeing upon the Electione of the Magistrates of this your ancient Citie of *Edinburgh*; which is an eminent Testimonie of the transcendent Goodness of so merciful a Prince. This Act of your Majestie's great Goodness is so acceptable, and has refreshed the

1675.

whole Bodie of this Incorporation, that we doe humbly beg Leave for our selves, and in their Names, to returne to your Majestie our most humble and heartie Thanks for the same, and our most dewtifull Acknowledgments for this your so transcendent Bountie.

"And though we have not Words sufficient to expresse the same, yet we do presume in their Name, and for our selves, as your Magistrates thereof, humbly to make offer of our Lives and Fortunes, and all that is dear to us, to bestow them thankfullie in your Majestie's Service, and in all Things wherein your Royall Government and Interest may at any Time be concerned. And we are verie hopeful that the future Deportment of this your Majestie's Citie will be such as may at all Times give true Evidence of their dewtifull Loyaltie and Faithfulness to your Majestie, and of the deep Sense of this your Royall Favour.

"In obedience and conforme to your Majestie's Commands, the last Election has been dewly carried on, according to the Rewles of our Sett, (so much justlie owened by your Majestie) and we being thereby called to your Majestie's Service, as your Magistrates in this Place; we do humbly profess, as it is our Dewtie, so it is our greatest Ambition, and shall be our constant Caire therein to demean ourselves obedient, dewtifull and faithfull Servants to your Majestie; and this we resolve not onlie jointlie as your Magistrates and Common Council of this your good Town, but severallie in our particular Stations; and to this Effect, with sincere Hearts, at all Tymes, we resolve to make such Acts, and to take such effectual Courtes, and apply all our utmost Endeavours for preventing and suppressing all seditious Conventicles, and all other Disorders.

"And that your Majestie's Lawes may be put in dew Execution, so far as is incumbent on us, and prestable by us in all these Affairs. We shall be cairfull also to preserve this your Majestie's Citie peaceable and orderlie under your Majestie's Royall Government; and in everie Point of our Administration to advance and prosecute your Majestie's Service: And in all this by our Alledgeance attested to evidence how sincere we are, most sacred Sovereigne, your Majestie's most humble and most obedient Subjects and Servants."

The King took this Letter in so good Part, that he honoured the Common Council with the following Answer.

CHARLES R.

Trusty and weill beloved, we greit you weill.

"We have received your Letter acknowledging

Ibid. f. 113.
2d Nov.

1675.

"ledging our princelie Favour and Clemencie, in taking off the Restraint that was laid upon the Election of the Magistrates of our ancient Citie of *Edinburgh*; and as weill for your selves, as for the whole Body of that Incorporation, making Offer of your Lives and Fortunes, and all that is dear unto you, to bestow them chearfullie in our Service, and in all Things wherein our Royall Government and Interest may be at any Time concerned. As also, giving an Account of the last Election's having been dewlie carried on, according to the Rewles of your Sett (which was, and upon all Occasions shall be owned by us) and of your Resolution, to demean your selves obedient, and dewtiful Servants to us, not onlie jointlie as Magistrates and Common Council of that our good Town, but also severallie in your particular Stationes; and at all Tymes to prosecute our Service in all Matters both Ecclesiasticall and Civill.

"In Answer to which, we doe assure you, that as we are very weill satisfied with these ample Expressions of your Dewtie and Loyaltie, so we will countenance and protect you in the faithfull Discharge of your severall Offices, and will mainteine and preserve the Rights and Priviledges of that our ancient and Loyall Citie, according to your Sett. Whereof we doe hereby authorize you to give our Royall Assurance to the whole Body of the Incorporation: And that shall not be wanting on our Part, that which will promote their Weill and Happines; and so we bid you adieu."

Given at our Court at *Whitehall*, the 26th Day of *October*, 1675 Years.

1676.
Ibid. f. 208.
15th Dec.

The Common Council having taken into Consideration, the many great and signal Services done to the City by Sir *James Dalrymple*, President of the Court of Session; in Return for which, they not only ordered his House Rent to be paid by the Town during Life, but likewise that of all his Successors in that Office; which continued a Burden upon the Town till the Year 1741, when the truly honourable and worthy *Duncan Forbes* of *Gulloden*, President of the said Court of Session, considering the great Debt the City was loaded with, generously gave up the same; wherein it is to be hoped he will be followed by all his Successors, both in regard to Justice and Welfare of the Town.

Remark. This undoubtedly was a very impolitick Step, as well as an Imposition on the Citizens for the good Offices of one Man, to intail a perpetual Burden on the Town, by granting the same Favour to succeeding Presidents, from whom it was uncertain whether they ever should receive any Favour; whereas, had they had a Mind to have secured the President's Successors in their Interest, it would have been much bet-

ter Policy generously to have returned the Favour when received. Beside, by making this Gift as it were hereditary, it would be dangerous to repeal the Act of Settlement, though no Favours were conferred; lest by so doing, they might incur the officiating President's Displeasure, which might prove disadvantageous to them.

Extravagant Prices having been exacted at Penny Weddings, the Common Council, to redress this Enormity, ordered, that, in time coming, no Person presume on these Occasions, to take more for a Man's Dinner than Twenty four Shillings, and from Women, eighteen Shillings, *Scotish* Money.

Many Disasters by Fire having been occasioned in *Edinburgh* by wooden Buildings, covered with Thatch; for preventing the like thereafter, it was by the Town Council enacted, that no Person presume to build a House with Wood, or cover a new Building with Thatch; but in time coming, all Houses to be built with Stones and covered with Slates or Tiles, under the Penalty of Five hundred Marks, and the House to be demolished.

The Common Council intending to licence Coffee-houses newly set up in *Edinburgh*, enjoined all Persons within the City and Liberties thereof, not to presume to keep a Coffee-house after the first Day of the ensuing Month of *January* without Leave from them.

Persecution on the account of Religion continuing to rage, occasioned new Troubles to arise in the Western Parts of the Kingdom; wherefore the Government enjoined the Magistrates of *Edinburgh* to take an Account of the Number of the Inhabitants within the City and Suburbs both Men and Women, from the Age of sixteen to that of sixty, to be delivered to the Privy Council. And the said Magistrates were likewise ordered to take Accounts of the Names, Quality, and Professions of all Lodgers or Inmates within the Districts aforesaid, together with those of such Persons as should thereafter arrive, to be delivered nightly to the Bailiffs of the respective Quarters, and by them, before ten of the Clock, to the Captain of the Guard, and by him to the Major General, or the Officer next in Command, under the Penalty of One hundred Marks, *Scotish* Money. And the Magistrates were also strictly commanded, to turn out of the City and Liberties of *Edinburgh*, the Wives and Families of all the outed Presbyterian Ministers, under the Penalty of One hundred Pounds *Sterling* for each of the said Families that shall remain in the Town after the twenty fifth of the approaching Month of *March*; which was only seven Days from the Date of the Order, for those unhappy Families, in the utmost Misery and Distress, to prepare for their

1676.

1677.

Coun. Regist.
vol. XXVIII. f. 252. 8th June.

Coun. Regist.
vol. XXIX. f. 7. 12th Sept.

1679.

Ibid. f. 130.
14th March.

1679. their woful Departure! This dreadful Calamity and doleful Sufferings of those very unhappy People, is not to be wondered at, considering the Ministry stuck at nothing to distress and ruin the wild and simple Enthusiasts of those Times, who rather deserved Compassion than Persecution.

Ibid. f. 150. In this Time of Danger, the *Edinburghers* began to prepare for the Security of their City, by mustering the Inhabitants, repairing the Town Walls, providing Artillery, and ordering their Regiment of Trained-bands to join the King's Army, under Command of the Duke of *Monmouth*, to march and attack the Male-contents.

Ibid. f. 154. At this Time, the *Edinburghers* having entertained the Duke of *Balclugh* and *Monmouth*, Commander in Chief of the Army, in an elegant and sumptuous Manner, presented him with the Freedom of their City in a Golden Box, with another of the same Metal for holding the Seal, which was appended to the Instrument by a Golden Chain.

1680. The Lord Chancellor having acquainted the Provost of *Edinburgh*, that the Duke of *Albany* and *York*, the King's Brother, was soon to be in *Scotland*; the Common Council, to receive him in the most pompous Manner, ordered the Captains of their Trained-bands, to select sixty Men out of each of the sixteen Companies of Citizens, to attend his Royal Highness, who were to be apparelled and accoutred in the best Manner, under the Penalty of One thousand Marks for each of the said Captains, and Five hundred Marks for each of the Persons chosen in case of Non-attendance, to be exacted without Favour. And for the greater Splendor at the Duke's publick Entry, the sixteen Companies of Trained-bands were ordered to march on that Occasion. And the Entertainment given to the Duke amounted to the Sum of Fourteen thousand seven hundred and seventy nine Pounds, fifteen Shillings, and ten Pence, *Scotish* Money. And the Duke, to honour the Citizens on this Occasion, accepted of the Freedom of their City; at which Time no less than One hundred and twenty three of his Attendants and Domesticks were admitted Freemen of *Edinburgh*.

Ibid. f. 275. The *Edinburghers* having applied to the Duke of *Lauderdale* to obtain for them a certain Duty to inable them to discharge their publick Debts; pursuant to which, the said Duke procured for them from the King a Grant of Two Marks, *Scotish*, on every Boll of Bear, (a Sort of Barley) consumed in Ale and Beer within the City and Liberties of *Edinburgh*, for the Term of twenty one Years. In Consideration whereof the Citizens gave him the Sum of Six thousand Pounds *Sterling*; which, together with the Sum of Five thousand Pounds, of the same Money, given him in the Year 1671, as a-

bove mentioned, he received from the *Edinburghers*, within the Space of nine Years, no less a Sum than that of Eleven thousand Pounds *Sterling*!

Remark. By this Method of Management, the People become a Prey to rapacious Ministers and mercenary Agents; an Instance of the former is manifest in *Lauderdale*, and of the latter in *Rocbeid*, one of the Town Clerks of *Edinburgh*, who having formerly received from the Town Council a Gratuity of no less a Sum than that of One thousand Pounds *Sterling*;—complained it was not enough! By these and the like Practices are wicked Men enriched, while the injured Citizens grone under the heavy Load of a grievous Debt. For, by the Eleven thousand Pounds given to *Lauderdale*, and about the Sum of three thousand Pounds to other Ministers soon after, the Expence of *Rocbeid's* Journey to, and long Stay at *London*, with a Reward of Four hundred and fifty Pounds *Sterling* given him for transacting the above Affair with *Lauderdale*; together with the Expence of the aforesaid Grant's passing the Seals, &c.; which amounted to Fourteen thousand two hundred and eighty three Pounds *Scotish*.

Now as the Expence of the said Grant cost so great a Sum, I think it is not to be doubted, but that of the perpetual Duty on Wine above mentioned, exclusive of *Lauderdale's* Gratuity, must have cost at least One thousand Pounds *Sterling*: Add to this the Sum of Two thousand four hundred and sixteen Pounds *Sterling*, the Amount of the Reward given the aforesaid *Rocbeid* and his Expences in a Journey to *London* in the Year 1687, for transacting an Affair belonging to the Town; the latter of which amounted to above Fourteen hundred Pounds of the said Sum! and if, to the above Sums we should add, by only reckoning one third of the Expence (paid to *Rocbeid* for his last Journey to *London*), for each of the nineteen Journeys to *London* by *John Hay*, one of the Town Clerks, in the Reigns of *James VI.* and *Charles I.* together with the Sum of Three thousand three hundred and thirty seven Pounds, *Sterling* Money, expended by, and given to Sir *John Thomson*, one of the Town Clerks, for transacting the City's Affairs at *London*: Add to this the Sum of Three thousand eight hundred and twenty Pounds *Sterling*, for obtaining a Grant upon Ale and Beer in the Year 1693, and for two Prolongations of the said Act since, for the Term of Thirty eight Years; it will then appear, without reckoning other considerable Sums, that the Money expended by the *Edinburghers* in purchasing Grants to inable them to discharge their publick Debts, amounts to above the Sum of Forty thousand Pounds *Sterling*; to which, if we add the Money of late, said not to have been so well applied as it ought, it will then be found to amount to about Fifty two thousand

1680.

thousand and seventy Pounds *Sterling*, which is more than the Town's Debts are at present said to amount to; whereby there is, as it were, a perpetual Debt intailed upon the City, which, by good Management, might either have been prevented, or long ere now paid off.

Remark. Although the publishing of the above Accounts may be censured by some; yet, as it is the Duty of every faithful Historian, to give a full and impartial Account of the Transactions of those he writes, I flatter my self, that Reflections on this Occasion will not be many; more especially when my Readers consider that I can have no mercenary View in the Publication thereof; and that it would have been an unpardonable Crime in me to recede from the true Laws of History, and embrace their greatest Enemy, Partiality, by concealing Men's Vices, and publishing their Virtues only.

To avoid Censure on this Occasion, I have chosen faithfully to relate both the good and bad Actions of the *Edinburghers* as they occurred, without Favour or Affection, always regarding Truth and Impartiality as the true Standard of every Writer; which no Consideration whatever ought to bias him in: For, were an Author only to write the good Actions of Men, there would be no Room for Reformation; whereas, by giving Accounts both of their good and bad Works, good Men will be encouraged to promote virtuous Deeds, whilst the wicked will be deterred from committing Evil, to the Welfare of the Publick, and Discouragement of Vice and Immorality; and the Citizens hereafter be rescued from becoming a Prey to rapacious Ministers and mercenary Agents. And every Historian, who shall in time coming, endeavour to conceal the bad Actions of Men, ought to be deemed a Partaker of their Crimes, and as such be spurned at by all Men of Honour, and rendered obnoxious to the Censure of Posterity.

Wherefore I think it will not be amiss on this Occasion to caution all Persons concerned in the Direction of Affairs, belonging either to a Town, or other Body corporate, that whenever they shall be favoured with a Grant from the Crown, to enable them to discharge publick Incumbrances, that the Money arising thereby be solely applied in paying off the common Debts, and that particular Care be taken, that no new publick Work be begun, or old repaired, unless the last cannot be deferred without Prejudice to the Community; and then no more to be done than is absolutely necessary, till all Incumbrances be discharged. Then, whatever shall be found necessary, for the Benefit of the Incorporation, may be cheerfully gone about, at the Expence of the old and new Revenues of the Community.

But above all, great Care ought to be had, not to take any Money on Interest, for

that is the Bane of all, by incessantly loading the Society with new Debts, which should never be incurred without an absolute Necessity; and in such Cases they ought, with all Expedition and good Management, to be discharged. And for the better and more speedy Payment of the publick Debts, it is the Duty of those in the Direction of the Town's Affairs, to retrench all needless Expences, whether Intertainments, Presents, or unnecessary Favours conferred, which in some Cities amount yearly to a very great Sum; which may well be spared to the Advantage of the Citizens, and Honour of those concerned in the Government of the Place.

Having represented the unjustifiable Practices of the Magistrates and Town Council of *Edinburgh* in Times past, it is reasonable to caution their Successors against the like Dealings hereafter. For the Parliament, in their late Session, having added thirty eight Years to a former Grant of the Duty of Two Pence, *Scotish*, on every Pint of Ale and Beer sold within the City and Suburbs of *Edinburgh*, which, together with the Remainder of the former Grant, amounts to about forty eight Years, which is a Gift scarce to be paralleled; for if we reckon the annual Produce thereof only at Five thousand Pounds *Sterling*, the whole, during the aforesaid long Term of Years, will amount to about Two hundred and forty thousand Pounds *Sterling*, whereby the Citizens with good Management, will not only be enabled to discharge their present Debts (which now are said to be about Fifty two thousand Pounds *Sterling* as aforesaid) in less than twenty Years; but they will be in a Condition by laying out the Superpluse arising by the said Grant, for the Space of twenty eight Years after, to increase the Town's Revenues by Purchases to such a Height, which will, (I had almost said) put it out of the Power of petty male Practices to occasion a Re-application to Parliament for a further Aid; which if ever it should happen to be the Case, their Management ought to be inquired into by inspecting the City's Books; and if any Imbezlement or Misapplication be discovered, the Money ought to be refunded by those principally concerned, and not suffered by bad Practices to intail a perpetual Debt on the Town, at the Expence of the distressed Citizens and their Neighbours.

To discharge this great Incumbrance wherewith the Citizens are so heavily oppressed, it was of late proposed to inspect the Town Treasurer's Accounts, to see what Savings might be made in the City's Expences (which I have Reason to believe would be very considerable); but as this Method was not approved of, Things must remain as they are, till some publick spirited Men arise to accomplish the same.

The

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1683.
Coun. Regist.
vol. XXX. f.
223. 21st Sept.

The Duke of York having by Letters to the Lords Chancellor and Treasurer signified, that it was the King's Pleasure, that the Sum of Eighteen thousand Marks, Part of the Money given by the late *Thomas Moodie*, in the Year 1649, for building a Church in the *Grafts Market*, should be employed towards the erecting or building a House for the Bishop of *Edinburgh* to reside in; but this Gift being appropriated to pious Uses, the Council imagined it would be a great Discouragement to well disposed Persons to give Money towards the like Uses, if the Sums given were perverted and employed to other Ends without the Consent of the Persons in Trust, or that of the Heirs or Representatives of the Donor; which being represented to the Bishop, it had so good an Effect, that he declared he would not insist thereon, or make any farther use of the Duke's Letter for that Purpose.

This generous Deportment of the Bishop's, was so kindly taken by the Town Council, that they not only returned him Thanks for this Act of Benevolence, but made him an Offer of Six hundred Marks yearly in Name of House Rent, to be annually paid him during his Incumbency in the Bishoprick of *Edinburgh*. In Answer to this Resolution, the Bishop sent a Letter to the Lord Provost to be communicated to the Council; of which the following is a Copy.

My Lord,

Ibid. f. 229.
26th Sept.

"By an Act of the Town Counsell, I find the Rent of ane Hows yearly granted to me by way of ane Offer; I cannot bot kindly thank your Lordship and all the Counsell for that kynd Offer. Bot not being willing to be burthenfome to the Cittie in one single Farthing, I beg Leave to consider till *Fryday* nixt, whither it be fitt for me to accept or not. In the mean whyle, I most remember your Lordship, that I was called to be a Minister in this Cittie, in *October* 1662, and served in the Trone Church a full Year before any Colleague was settled with me, which was to me a heavie Burthen; and therefore in Justice I ought to be payed for that Service; what is justly dew to me, I may freely receive. But I am very unwilling to accept of any thing otherwayes; and what is trewly dew to me, I think your Lordship and Counsell will chearfully give; and the rather that I nor myne never had a Groat of Gratuity from the Cittie, thoe I know others have gotten both to themselves and ther Children, which I envy not. This I presume to signify to your Lordship, and am to the whole Counsell and to yourself, your Lordship's most faithfull Servant,

Jo. Edinburgen.

This Letter being taken into Consideration by the Council, they ordered the Sum of Two thousand Marks to be paid to the said Bishop for his extraordinary Service; when Parson of the Trone Church Parish; on which, and other Accounts, the Bishop sent the following Letter to the Lord Provost.

My Lord,

"By an Act of Counsell, ane House Rent was offered yearly to me, during my Incumbencie in this See of *Edinburgh*, and therefore must look on it as ane Act of Kyndnes and Respect; yet I must beg Pardon to refuse the Offer, in Regaird I have never bein, and never intend to be burthenfome to this Cittie; and his Majesty is gratioously pleased to think of settling and provyding of a Loadging to the Bishop of *Edinburgh*, by ane Fond which will put this Cittie to no Charges. I live amongst you, and spend the Rent the King gives me, bot never had, and by God's Grace shall never have Sixpence of the Town's Money; I hate all Brybers and Bryberie!

"Indeed for my Service as one of your Town's Ministers (having served more than a Year alone, without ane second Minister) I thought some Compensation was in Justice dew to me; and accordingly, upon my Representation of that Service, the lait Provost, your Lordship's self, and the other Counsellors were pleased to grant me the Sum dew to a second Minister, viz. Two thousand Marks; which if your Lordship and the present Magistrates think too much, I freely submit to yourselves; though still I think it my just Right: And you have bein in use to do Justice to all your Ministers in such Causes; as particularly to *Mr. Macquie* and *Mr. Trotter*. I have known Gratuities to severall of your Ministers and to their Children; in which the good Town did verie well. Bot as I nor myne never had, nor ever shall have any Gratuity, so I hope your Lordship and honourable Counsell will not grudge to allow me what is just and dew for my Service, as you would doe to any Person who had served in the Ministrie amongst you in my Circumstances.

"My Lord, because the Act of Counsell is on Record, which made Offer of a House Rent to me; I humbly desyre this Letter of myne, refusing to accept thereof, or to lay that Burthing on the good Town upon my Account, may be also put upon Record in your Counsell Books. I beg Pardon for this Trouble occasioned by that Offer; and am to your Lordship and all the honourable Counsell, my Lord, a most faithfull Servant."

Jo. Edinburgen.

The King never could have had a better Opportu-

1683.

Ibid. f. 248.
31st Oct.

1683.

Opportunity to destroy the Liberties of the *Edinburghers* than at present; for the servile Common Council, instead of vindicating their Rights and Privileges, basely gave them up, by shewing themselves Enemies to Freedom, and strong Supporters of a despotical Power, as will appear by their following Letters to the King, and Duke of *Tork*.

Most sacred Sovereigne,

Ibid. f. 243.
19th Oct.

"The Obedience we owe to your Majesty's Comands, in what way soever express to us, and the deep Sense we have of your Majesty's special Care of the good Government of this your ancient Citty, made us chearfully comply with your Majesty's Pleasure, signified to us by the Earl of *Middletoun* your Secretary, of the 15th of *September* last past, recommending *George Drummond* to be elected Provost of this Citty: In performance whereof, we have, to the general Satisfaction of the whole Citty, made choyse of the said *George Drummond* for our Provost, and have been verie cairfull to elect such Persons for Bailies and other Magistrates, as your Majesty and the Government may justlie confide in; and are disinterested in those Malversations and Imbezilments of the Citty's Revenues, which is so justlie complained of, and who will be verie much concerned for the Good of the Citty, and just Manadgement of the common Interest and Affairs of the same.

"And as we are resolved seriously to concur in the Prosecution of the Comptes and Reckoning before your Majesty's Theasury and Exchequer, for bringing those who have been Mismanadgers and Imbezlers of the common Good of this Citty (and particularly that Pairt thereof which we enjoy by your Majesty's Favour and Bountie) to ane just Accmpt for the same, as being Matter wherein the future Tranquillitie and Happines of this our good Town is much concerned: And as we are deeply sensible of your Majesty's Caire of this your ancient Citty, so we shall endeavour to walk worthie thereof in dew Obedience to, and cairfull Execution of your Majesty's Lawes, against all the Disturbers of the Peace of your Government; and shall be readie upon everie Occasion, wherein your Royal Majesty's Interest, or the Interest of your lawfull Successors may be concerned, with our Lives and Fortunes, to demean ourselves, most sacred Sovereigne, your Majesty's most humble, most faithfull, and most obedient Subjects and Servants."

And the Common Council of *Edinburgh* to ingratiate themselves further into Favour with the Duke of *Tork*, sent him the following Letter:

May it please your Royal Highness,

Ibid. f. 244.
19th Oct.

"The Earl of *Middletoun* having by

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"Letter to the Lord High Chancellor, signified his Majesty's Royall Pleasure, to intimate to the Magistrates of this Citty, that upon most important Considerations, his Majesty was pleased to recommend *George Drummond* to be elected Provost for the ensuing Year, to the great Satisfaction of the whole Citty.

"We give your Royall Highness our most humble and heartie Thanks for your princelie Care of this our ancient Citty, in interposing with his Majesty on our Behalf. We shall endeavour what we can to answer your Royall Highness's Expectation, and use the utmost of our Power for suppressing of Conventicles, and that no vagrant or seditious Preachers (who are a Pest in a Kingdome) be harbored within the Citty or Suburbs, or in any other Place within its Jurisdiction; but that all shall be regularly and orderly done according to Law, otherwayes the Law shall be put in Execution against them with all Rigor. As also, we shall concur to the utmost of our Power with the Lord High Theasaurer, and Theasaurer Depute, to carry on that Action of Compt and Reckoning, depending before the Lords of his Majesty's Exchequer, that it may be discovered how the common Good of this Citty has been employed these several Years past.

"And shall take caire, that during our Administration, what has been bestowed upon this Citty by his Majesty's Bountie and his Royall Predecessors, shall be employed to the Good and Welfare of the Place, which was the End for which it was destinate. And we do assure your Royall Highness, that in all other Things whatsoever, wherein his sacred Majesty or your Royall Highness's Service may be concerned, we shall endeavour to behave ourselves as becomes. May it please your Royall Highness, your Royall Highness's most humble, most faithfull, and most obedient Servants."

The above Letters being sent to the Earl of *Middletoun* at *London*, to be delivered by him, he return'd the following Answer to the Lord Provost.

My Lord,

"I received yours, with the Two inclosed to his Majesty and his Royall Highness, which I delivered that Evening. His Majesty was well pleased with their Expressions of Thankfulness and Dewty; and as he expects, that the Abuses that have crept into the Government of the good Town, should be for the future rectified, and the past Malversations fully exposed, so you may be confident, that he will have a special Regard to the just Rights and Privileges thereof. For my own pairt, I assure you, I shall be readie to solicit the Interest of all the honest Citizens,

Ibid. f. 248.
2d Nov.

1683. "tizens, and yours in particular, with all
"the Affection that becomes a true Bur-
"gefs, and, my Lord, your moft faithfull
"and humble Servant,"

MIDDLETOUN.

CHAP. VII.

*A Continuation of the Transactions of the Ci-
tizens, in the short Reign of King James
VII. and that of King William; with an
Abstract of the City Rental, and a Specifica-
tion of the feveral Sums, whereby Edin-
burgh became fo deeply indebted.*

1684.
Coun. Regift.
vol. XXXI.
f. 41. 18th
July.

EDINBURGH having for many Years
been at a great Expence in Coach-
hire; nay more, 'tis faid, than would have
kept Two Coaches and Four Horfes;
wherefore the Council ordered Two Coaches
to be bought at London for the Ufe of the
Magiftrates, with Four Horfes.

Coun. Regift.
vol. XXXI. f.
91. 29th Oct.

The Bowets that were formerly ordered
by the Common Council to be hung out,
for illuminating the Streets by Night, it
feems, not answering, a new Order was
made at this Time, for a Lantern and
Candle to be hung out at the First Storey of
every Tenement or Land, at Five of the
Clock in the Evening, to burn till Ten,
from the Twenty ninth of October to the
First of March, on the Penalty of Five
Marks *Scotifh* for every Omission.

1685.
Ibid. f. 133.
7th Jan.

The Town Council having fometime fince
made an Ordinance, to erect an Equeftrian
Statue in Honour of the King, the fame
(which is an admirable Performance) was
put up in the Parliament Clofe about this
Time, where it continues the Admiration
of all.

Ibid. f. 138.
24th Jan.

Matters regarding the Duke of York's
Succession to the Crown having a gloomy
Aspect, the Common Council of *Edinburgh*,
to fupport the Duke's Intereft, voluntarily
and unanimously agreed to offer to King
Charles II. a Supply of Seven Months Ceffs,
and drew up an Addrefs to acquaint him
therewith.

The King, who furvived this Refolution
but a few Days, was fucceeded in the Throne
by *James* his Brother, the faid Duke of
York, who not unmindful of the hearty and
zealous Attachment of the *Edinburghers* to
his Intereft, fent the following Letter to the
Common Council.

JAMES REX.

Trustie and weel beloved, we greit you well.

Ibid. f. 152.
5th March.

"Having receaved Yefterday from our
"Secretarie *Loudone* your verie loyall and
"dewtyfull Addrefs, we have thought fit
"to let you know, that it was verie ac-
"ceptable to us, and fwitable to that Zeal
"and Loyalty you have at all Times ex-
"preffed in the Reign of our lait deareft
"and Royall Brother of bleffed Memory;
"and from thefe early and ample Expres-
"fions of your Dewty to us, we are fae

1685. "much perfwaded of your fincere Refolu-
"tions to continew the fame; that we are
"highly fatisfied therewith; and doe affure
"you, that upon all Occafiones we will
"fhaw our Kyndnes to you, and that to our
"good Toun, of whose Concearnes in eve-
"rie Thing that may contribute to your
"and ther Weell-being, we will have a par-
"ticular Caire; affuring you withall, that
"we are fo fenfible of your former Services,
"fince you entered into the Magiftracie of
"that our good Toun, as we think fitt to
"returne you our heartie Thanks, and to
"affure you, that you fhall meit with the
"good Effects thereof, when an Opportu-
"nity fhall be offered to us for the fame.

"So not doubting your continewing to
"act faithfully and vigorously in our Ser-
"vice, we bid you fairweell."

Given at our Court at *Whytball*, the
Twenty eight Day of February, 1684
Years, and of our Reign the First
Year. By his Majeftie's Command.

Signed, *Drummond.*

The *Edinburghers*, on the Receipt of this
very gracious Letter, were fo transported
with Joy, that the Common Council or-
dered a Cafe to be made for its Conferva-
tion. On the Lid of this Box (which is of
Ebony, of the Length of feven Inches,
Breadth of Five, and about Two in Depth)
is J. R. in a Cypher with the Letters VII. 2
Crown, Thistle, Rose, Flower-de-luce and
Harp, are curiously inlaid; round the Side
and Ends, in mafive filvern Letters, are fi-
nired the Provost's Name and Date of the
Year; and the Bottom of the faid Box, with-
in a Border, is beautifully imbellifhed with Birds
and Flowers, finely decorated. The making
of this Letter Cafe, which probably is the
finest of its kind any where to be feen, muft
have been attended with a very confiderable
Expence.

Soon after, the Town Council ordered
the City Treasurer to prefent to the Lord
Viscount *Melfort*, one of the principal Se-
cretaries of State, a Jewel of the Value of
Five hundred Pounds *Sterling*, as an Evi-
dence of their grateful Acknowledgments;
for the many eminent Services done by him
to the City. And Three Days after pre-
fented to the faid *Melfort* the Sum of Three
hundred Pounds *Sterling*, for delivering the
Town's Addrefs to the King, and procuring
the Royal Miffive aforefaid, which the
Common Council ordered to be put up in a
Box by itfelf, and depofited in the City's Ar-
chives, wherein it ftill remains a Monu-
ment of their great Esteem.

Ibid. f. 176.
23d May.

The Revenues of *Edinburgh* being by the
Town's Enemies represented to the King to
be much greater than they really were, in or-
der to encourage the Government to flecte
the Citizens, the Common Council were
thereby induced to undeceive his Majefty in
that Refpect, by a Letter to Secretary *Mel-*

D d *fort;*

1686. fort; of which the following is a Copy.

My Lord,

Ibid. f. 295.
10th March.

"The Malice of some, and Ignorance of others, have occasioned great Misrepresentations of our Affairs: And it has been by these Means, that our Rents have been called much greater, and our necessary Expences much less than they truly are; and therefore we have thought it our Dewtie to present by you to his sacred Majestie, an true Account of what we may gett in, and what we must give out; and to assure your Lordship, that it is a true Accompt; we will allow your Lordship to tell his Majestie, we will be answerable for the Trewth of it at our highest Perill; and are content that it ly in the Secretarie's Hands, to be a Check upon us, to remitt the Canvassing and Examination of it to any whom his Majestie shall be pleased to name.

"But how can it be imagined, that we could dissemble with your Lordship, who has by Authority lately examined all the Accompts of this Place for many Years, and knows the same more exactly than any of ourselves do. By this Paper we hope his Majestie will see verie clearlie, First, That all the Revenues bestowed on this Place, is only employed for his Majestie's Service, for preserving the Peace, and defraying the Expence which necessarily must be laid out at ordinarie and extraordinary Occasions in his Majestie's Service. And, in the next Place, That we are not able to subsist; and consequently, that his Majestie's Service cannot be supported by us, except we be maintained in our just Rights and Interests.

"For which End we have sent Sir James Rocheid, our Clerk, to inform your Lordship of our just Pretensions, who will satisfie your Lordship to any Scruple you can have, hoping that your Lordship will take such Pains for us, in this Juncture, as may inable and encourage us to serve his sacred Majestie with a firm and constant Zeall; and to be your Lordship's most humble and faithfull Servants."

To the above Letter Melfort returned the following Answer to the Lord Provost of Edinburgh.

Right Honourable,

Ibid. f. 302.
26th March.

"I received your Letter, and am heartily forrie that the Affairs of the Cittie should be in so bad a Condition; my Inclination leads me so much to serve it, that I acknowledge the Opportunity ye putt into my Hands as an additional obligation on me, and I shall endeavour to improve it to your Advantage; in which I am convinced the King's Service is much concerned.

"I delayed to give this Trouble till

"Sir James Rocheid's Arrivall, in whose Hands, I think, you have safely trusted your Concerns. He is one, of whose Diligence and Zeall for your Interest I have good Experience; and he, with the Lord Bishop of Edinburgh, who has been, on all Occasions, and still is most forward to serve you, and to promote your Good, shall be my Witnes with how much Affection and Readines, I am, Right honourable, your most humble Servant."

Melfort.

The Parliament, in the Year 1681, having discharged the Summer Session, that instead of two Terms in the Year, for trying Causes by the Lords of Session or College of Justice, only one was appointed to be held from the first of November to the last of March inclusive. But this Constitution proving prejudicial to the People in general, and to the Edinburghers in particular, the Act was repealed, and the Summer Session or Term restored by Parliament in the Reign of King James II. for which the Edinburghers returned James Thanks by the following Letter.

May it please your most sacred Majestie,

"To allow of this humble Address in paying our dewtifull and graittfull acknowledgments to your Majestie, for your constant Royal Protection, Favour, and Kyndness to this your Royal Majestie's, ancient and capital Cittie, and particularly for your Majestie's late Kyndness in returning to us the Summer Session, which your Majestie's Parliament have found to be equally necessary for the Exigencies of your Government, and the universall Benefit of your Leidges, as well as for the Good of this Place; for which, and for all your Majestie's other Royall Favours, we presume humbly to offer and assure your Majestie of our most heartie Devotion to your Service; being ready, with our Lives and Fortunes, to stand by your sacred Person and Royall Interest, upon all Occasions, and against all your Enemies. And we humbly pray the Continuance of your Majestie's princelie Goodness and Care towards this your Cittie, which so much needs your Majestie's speciall Support and Bounty, for rendering it capable to answer the hearty and dewtiful Inclinations of its Magistrates and Inhabitants for your Majestie's Service, as well as the true Ends of your Majestie's Monarchie and Government.

"We humbly crave Leave to represent to your sacred Majestie, that your Majestie's gracious remitting to us, to doe Justice to Sir James Rocheid: We have proceeded in that Affair with all dew Caution and Regard; and having for our Assistance called our Assessors who are eminent Lawyers to advyse us in Poynt of Law; and having considered the Articles

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1686.

" exhibited against him, and he having used for Witnesses even those who without hearing of him did condemn him; but have upon Oath asserted his Innocence, we find ourselves obliged in Justice to repon him to his Office of common Clerk of this your ancient Cittie, from which he was so unjustly turned out; in which we hope your Majestie's Goodness will approve of.

" And we most humbly beseech your Majestie's Royall Protection to him as a Person who will be faithfull and usefull to your Service; and whose Faithfullness to the Monarchy and Service of your Royall Brother King Charles II. of ever blessed Memory, did expose him to the Malice of his Adversaries, and we shall fervently pray for your Majestie's sacred Life, and for your long, happie, and glorious Reign over us, is the bounden Dewtie of, may it please your most sacred Majestie, your Majestie's most humble, most faithfull and most obedient Subjects and Servants."

Signed, *Tbo. Kennedy*, Provost.

King Charles II. granted to the Citizens of Edinburgh a Duty upon Ale and Beer, to enable them to discharge their publick Debts; but the same being by the Treasury applied to other Uses, the Town Council addressed themselves to the King for a Remedy by the following Petition.

To the King's most excellent Majestie.

The humble Petition of the Magistrates and Council of Edinburgh, humbly representeth,

" That whereas our Predecessors were necessitated to contract great Debts, partly upon publick and National Accompts, and partly for building of Churches, the Parliament-house, and other publick Concerns of the City; and borrowed the same from the Lords of Session, Hospitals, Colleges, many Widows and Orphans, and others the Town's Creditors, and represented their Case to his late Majestie, of ever blessed Memory, they did obtain in July, anno 1680, for their Relief and Payment of the said Debts, a certain Imposition on Ale and drinking Beer consumed within the City and Suburbs thereof.

" And yet, when they were to receive the full Benefite and Improvement thereof, not only setting the same to their own Tacksmen, by publick Roup, (according to the Custom and Power given by the said Gift) was taken from them, but likewise, a considerable Part of the Profit thereof was drawn into the Treasury, contrary to the Opinion of the chief and ablest Lawyers in the Kingdome: And since, now, not only the City is lyable to the Burden of these old Debts, but likewise to a supervenient heavy Burden of a hundred and eight Souldiers, besides Commanders; which renders the Com-

1687.

mon Good in such Distress and Perplexity, that both the City will be disgraced rendered incapable to serve your Majestie's Interest, as they ought to doe, and their Creditors will suffer great Loss, (unless your Majestie, of your Royall Goodness and princely Commiseration, pity our Case) as will evidently appear by the present State of the City, as to its Revenues, and inevitable yearly Disbursements, whereby its Burdens exceed its Incomes; and it is herewith humbly offered to your Majestie's Royall Consideration.

" May it therefore please your sacred Majestie to restore the City to the free Benefite and Improvement of their said Gift, conform to the Tenor thereof; especially considering that a great Part of the Incomes of the same is employed for Payment of the most numerous Company of Souldiers your Majestie has in the Kingdom. And as the City has given signal Evidence of their Forwardness in suppressing all Commotions and publick Disturbances, and particularly the Rebellion at Pentland, Bothwell Bridge, and Argyle's Rebellion, and were put to great Charges thereby: So are most willing and ready on all Occasions, to the utmost of their Power, to advance your Majestie's Interest and Service; as likewise, Consideration being had, that there is no other Corporation in the three Kingdoms, burdened with the Payment of Souldiers, but this City; albeit, many of them possess the Benefite of the lyke Imposition. And all that is craved by your Petitioners, is, that your Majestie will be graciously pleased to permit them to enjoy their own Imposition as others doe theirs. And that the City is at present put to great Charges in repairing the Wester Bulwark of Leith; which, if neglected, will ruin the Trade and Navigation of the Place, and thereby much prejudice your Majestie's Customes and Excise."

This Petition being presented to the King in Council, the Consideration thereof was referred to the Lords of the Treasury, as will appear by the following Reference.

Whitehall 7th May, 1687.

" His Majestie is graciously pleased to refer this Petition to the Right honourable the Earl of Perth, Lord High Chancellor of Scotland, and the rest of the Commissioners of his Majestie's Theasury there, who are by his Majestie requyred to examine the Contents thereof, and particularly what is asserted by the Petitioners in Reference to the Gift of Imposition therein mentioned; and if their Lordships shall find the same to be true, and that their Condition is so necessitous as they represent it, to report to his Majestie with all convenient Diligence, what Me-

Id. ibid.

thod

1687.
Coun. Regist.
vol. XXXII.
f. 117. 3d.
June.

1687.

"thod is proper for him to afford them Relief in that Matter. His Majestie being very sensible of the good and acceptable Service being rendered by them, as well to himself as to his Royall Brother of ever blessed Memory, and of the great Expences they have often bein at, upon that Accompt, especially in the Tymes of Rebellion, besides many other Occasions wherein they have been at considerable Charges in the publick Concerns, and the Performance of their Dewties to his Majestie, who therefore is graciously resolved by any reasonable Thing, to promote the Wealth and Welfare as well as to support the Interest of that his good Town."

Signed, Melfort.

1688.
Ibid. f. 233.
12th Oct.

The King on this Occasion, to shew the great Obligations he lay under to the *Edinburghers*, not only granted their Request, by restoring the Imposition on Ale and Beer, but added the Term of Twelve Years to their former Grant; and reduced the Town's Company of Fuzileers from one hundred and eight to fifty private Men; with a Declaration, that the said Company should never be augmented at the Town's Expence. By these Favours, the Sum of Eighteen thousand Pounds *Scotish* was yearly saved to the Town.

Ibid. f. 233.
234.

Besides the above Favours, the King granted to the *Edinburghers* the following, namely, That when they should have Occasion to enlarge their City, by purchasing Ground without the Town, Clofes, or Tenements within, or to build Bridges or Arches for accomplishing the same, the Proprietors of such Lands and Tenements are not only obliged to part with the same on reasonable Terms, but when in possession thereof, they are to be erected into a Regality, in favour of the Citizens, and after finishing the *Canongate Church*, the City was to have the Surplus of the Sum of Twenty thousand Marks (given many Years before by *Thomas Mudie*, for building a Church), with the Interest thereof, which must have been very considerable; and as all publick Streets belong to the King, the Vaults and Cellars under those of *Edinburgh* being forfeited to the Crown, by their being built without Leave or Consent of his Majesty, he granted all the said Cellars or Vaults to the Town, together with a Power of granting Licences to build Vaults or Cellars elsewhere within the City on reasonable Terms; and to oblige the Proprietors of Houses to lay before their respective Tenements large flat Stones for the Convenience of walking.

Ibid. f. 247.
249. 22d &
24th Oct.

For the above mentioned Grants and Privileges which the *Edinburghers* received just before the Abdication of the late unhappy King *James VII.*; besides the Sum of Two Thousand Pounds *Sterling*, they gave in Presents to such as was serviceable in procuring

the said Grants: They obliged themselves to pay to *Heriot's Hospital* the Sum of Fifty eight thousand four hundred and three Pounds ten Shillings, *Scotish Money*, which was due to said Hospital, by the Earl of *Argyle*, who was lately beheaded.

The *Edinburghers* having received Advice of the Prince of *Orange's* landing in *England*, and of King *James's* Abdication, they transmitted the following Address to his Highness.

Sir,

Ibid. f. 277
28th Dec.

"We now see our Fears of Popery and Slavery have been as just as they were great; and we are perswaded that the Almighty God hath raised your Highness to counteract the restless and malicious Designs of *Rome* against this Island. We cannot on this Occasion hide the Satisfaction and Joy wherewith our Hearts are filled; when we hear daily that your Highness's Expedition into *Britain*, (equally hazardous as it is generous) hath been hitherto prosperous, and without Effusion of Blood. May the Heavens crown all your glorious Undertakings with constant Success, as they are now attended with the Prayers and Acclamations of all good Men.

"We have on all Occasions, since the Reformation, and particularly in our last Parliament, testified a stedfast and unshaken Zeal for the Protestant Religion, maugre the Insinuations and Machinations of evil Men, thought it our Duty, in the humblest Manner, to offer your Highness our Service; and to intreat that we, our Persons, City, and Privileges may be under your Protection; and it shall be our Endeavour in our Stations cheerfully and unanimously to concur with your Highness, for the Preservation of Religion, Laws, and Liberties; for Security of our ancient Monarchy and the Royal Succession, that we may for ever be secured against all the hellish Attempts of *Romish* Incendiaries, and our Church settled upon a lasting Foundation; that Peace and Piety may be transmitted to our Posterity, and the just Grievances of all Men (relating either to Conscience, Liberty, or Property), may be fully heard and redressed, by the ancient and legall Method of a free Parliament.

"So we hope and pray, all Animosities and Factions amongs us be for ever buried under your Highness's auspicious Conduct. All our Acknowledgments must fall short of your Highness's seasonable and religious Care for our Safety. Yet we are desirous all Men should know, how much we are in all Gratitude and Sincerity, Sir, your Highness's most humble and most dutifull Servants."

Signed by the Lord Provost, and all the Members of the Common Council.

As

1688.

As the Debts due by the Citizens of *Edinburgh*, in their publick Capacity, are amounted to a very great and grievous Sum; I think it will not be amiss to shew the Reader the Particulars of the Town's Revenues, whereby the *Edinburghers* are enabled to pay the Interest of the said enormous Debt, as well as to defray the great yearly Expences attending the Transactions

of their common Affairs; which will appear by the following Account taken in the Year 1690, by a Committee appointed by the Town Council for that Purpose, to serve as a Directory for the Town's Treasurer to receive the Profits arising by the common Good, and by the Grant upon Ale and Beer, &c.

1690.

1690.
Coun. Regist.
vol. XXXIII.
26th Nov.

An Abstract of the Rental of the Common Good belonging to Edinburgh.

	L.	s.	d.
By the Duty upon Ale and Beer	48000	0	0
By the Society	2333	6	8
By the Rents of the Seats in the Churches	13733	6	8
By the Fore-moor	60	0	0
By the Back-moor	33	6	8
By the Mills on the Water of <i>Leith</i>	8333	6	8
By the Duty on Wine	23333	6	8
By the Shore of <i>Leith</i> Duties	466	13	4
By the Weigh-houses of <i>Edinburgh</i> and <i>Leith</i>	3000	0	0
By the Meal-market	933	6	8
By the Tolls of the <i>Netherbow</i> , <i>Cowgate</i> and <i>New Ports</i>	733	6	8
By the Toll of the <i>West Port</i>	1266	13	4
By the Tolls of the Society and <i>Potter-row</i> Ports	800	0	0
By the House of the Moor	2160	0	0
By the Sheep Flakes or Pins	266	13	4
By the Bread and Poultry Markets	893	6	8
By the Duties on Tallow and Iron	106	13	4
By Boards and Flesh-boards or Stalls	166	13	4
By the Fish-market	533	6	8
By Fruit-measures	206	13	4
By the Corn and Leather Markets	373	6	8
By the Veal-boards or Stalls	323	6	8
By Shod Carts	746	13	4
By the Mark on the Pack	273	6	8
By the Timber-bush or Wood-yard in <i>Leith</i>	506	13	4
By the Mark on the Tun and Pack at <i>Leith</i>	2633	6	8

By the Duty on foreign Woollen Cloth	L. 2466	s. 13	d. 4
By the Back <i>Gray-frier</i> Yard	166	13	4
By the <i>Bonnington</i> Mills	933	6	8
By the Borough Loch and broad Meadows	800	0	0
By the middle Flesh-market	200	0	0
By the Links of <i>South Leith</i> and a House	203	6	8
By the Inclosures about the Church of <i>South Leith</i>	30	0	0
By the Gallow-green	72	0	0
By the Church, College Rents and Tithes	5264	1	11
By Houses and Shops about the New Church, Tolbooth, &c.	803	6	8
By Rents in the Tron-church Parish	126	0	0
By Rents in the <i>Candlemaker-row</i>	138	13	4
By Rents in divers Parts	256	8	8
By Rents in <i>Leith</i>	369	3	4
By the Apartments over the <i>Netherbow</i> Gate	112	0	0
By Rents in <i>Newhaven</i>	34	6	8
By Rents in <i>North Leith</i> and its Citadel	52	6	8
By Corn-Rents in the Borough-moor	1476	0	0
By Money-rents in the Borough-moor	47	14	2
By Feu-rent for the Common Mire	6	13	4
By Feu-rent from the Laird of <i>Grange</i>	27	0	0

Sum Total L. 126580 18 1

Remark. As the Sum Total of the above Account only amounts to 126,580 l. 18 s. 1 d. there must either be Errors in the Particulars, or a Mistake in the Sum Total of the Rental; but as the said Sum Total is expressed in Words at length, both at the Beginning and End of the Rental in the Council Register, and is there said to amount to the Sum of One hundred and twenty eight thousand seven hundred and

one Pounds, five Shillings and three Pence, *Scotish* Money, I think it must be right.

Now, as the Debts and Disbursements incurred and expended by the *Edinburghers*, for which the above large annual Sum was raised to pay off and defray, were very great, I think it will not be amiss to acquaint the Reader with the Causes which occasioned this enormous Debt, which happened in the following Years.

	L.	s.	d.
1597. To appeasing the King, and re-obtaining his Favour lost by the great Tumult, besides a great Sum in Jewels, and other Things of Value presented to the Queen at her Marriage	20000	0	0
1604. To the Purchase of the Superiority of <i>Leith</i> , and great Expences attending it, about	30000	0	0
1614. To a Present to the Princess <i>Elizabeth</i> at the Time of her Marriage, beside a rich Carrat of Pearls	15000	0	0
1616. To Sixty thousand Marks owing by King <i>James VI.</i> to the City, for which they were obliged to accept of 20,000 Marks	40000	0	0
1617. To the great Expence at King <i>James's</i> publick Entry and sumptuous Entertainment, about	47000	0	0
— To a great Sum of the College's Money either misapplied or imbezzled	21000	0	0

E e

1633.

		L.	s.	d.	
1690.	1633. To Disbursements at the publick Entry and Entertainment given to King <i>Charles I.</i>	57000	0	0	1690.
	1636. To the Purchase of the Superiorities of the <i>Canongate, North Leith, the Coal-hill, and the Pleasants</i>	42100	0	0	
	1641. To the building of the Tron-church	36000	0	0	
	— To the Purchase of the Lease of the Bishoprick of <i>Orkney</i> and Expences	36000	0	0	
	1642. To King <i>Charles I.</i> 's Entertainment	20000	0	0	
	— To the raising and maintaining of Five hundred Men to besiege the Castle of <i>Edinburgh</i>	115000	0	0	
	1647. To the fitting out a Regiment of Foot for an Expedition against <i>England</i>	59700	0	0	
	— To the Purchase of the King's Work at <i>Leith</i>	45000	0	0	
	1648. To the Purchase of the <i>West-port</i> and <i>Potter-row</i>	27500	0	0	
	— To the building Part of an intended Church on the Castle-hill	2400	0	0	
	1648. To Money borrowed to pay the Interest of the Town's Debts	20000	0	0	
	1648. To Money in lieu of Twelve hundred Soldiers the City was obliged to raise by Act of Parliament	60000	0	0	
	1649. To the buying Arms and Ammunition for the Service of the Kingdom	31500	0	0	
	1649. To fortifying the Town of <i>Leith</i>	30000	0	0	
	1650. To Maintenance	39660	0	0	
	1650. To a Present to King <i>Charles II.</i> at his Arrival from abroad at <i>Edinburgh</i>	20000	0	0	
	1650. To the raising of Soldiers	28000	0	0	
	1650. To the Deficiencies of Taxes from the Years 1650 to 1654	33000	0	0	
	1654. To Payment of the Ministers Stipends from the Year 1645 to 1654	54000	0	0	
	— To Money lent the Committee of State	6000	0	0	
	— To building the Parliament-house, over and above the great Sums collected towards its Erection	84000	0	0	
	Sum Total	L. 1019800	0	0	

Having shewn the Reader the Manner how the Debts of *Edinburgh* were incurred; I shall now acquaint him with the Methods used by the Citizens to inable them to exonerate themselves of that grievous Burden.

By the above Account it appears, that the first Article of the Town's Debt was by Money given to King *James VI.* in Compensation for the great Indignity done him, in a Tumult raised by the *Edinburghers* in the Year 1597; from which Time the said Debt continuing to increase, King *Charles I.* granted the Citizens the Revenues of the Bishoprick of *Orkney* to inable them to discharge the same; but, the Incumbrance still increasing, the said Debt, in the Year 1654, amounted to the Sum of One Million, two hundred thousand Marks. And the Revenues of the City being appropriated to certain Uses, were not in a Condition to pay any Part of the Interest of that vast Sum, much less to discharge any Part of the intolerable Burden; which occasioning the Town's Creditors, through Necessity, to become very clamorous, the Common Council were obliged to apply to *Oliver Cromwell* for Relief, who, in Consideration thereof, granted to them in the said Year 1654, a Plack, or Four Pence, *Scotish*, on every Pint of Ale and Beer sold within the City and Liberties of *Edinburgh*, for the Term of three Years and a half; whereby the publick Debts were reduced to the Sum of Nine hundred and seventy one

thousand one hundred and sixty six Marks, two Shillings and five Pence.

After the Expiration of the above Grant in the Year 1657, the *Edinburghers* were greatly imbarassed, insomuch, that the Common Council, by their own Authority, with Consent of the Lords of Session, did, in the Year 1658, presume to continue the aforesaid Duty of a Plack on the Pint; whereby the said Debt, in the Year 1669, was reduced to the Sum of Eight hundred and nine thousand, one hundred and eighty two Marks, six Shillings and eight Pence. And the heavy Load still continuing, King *Charles II.* in the Year 1671, to inable them to discharge the same, granted them a perpetual Duty of Two Shillings *Scotish* on each Pint of *French* Wine, Four Shillings on every Pint of *Spanish, Rbenish*, and Brandy Wines, and on all foreign Spirits; and Twelve Pence of the same Money on every Pint of *Mum*, foreign Beer, and Ale sold within the City and Liberties of *Edinburgh*.

But this Gift still proving insufficient to exonerate the City of its grievous Burden, the said King, in the Year 1680, granted to the *Edinburghers* a Duty of Two Marks *Scotish* on every Boll of Bear (Barley) consumed within the said City and Liberties, for the Term of nine Years; whereby, in the Year 1683, the Town's Debt was reduced to the Sum of Six hundred thousand Marks; but tho' *James VII.* added the Term of nine Years

Coun. Regist.
vol. XXXIII.
f. 314.

Id. ibid.

Chart. Ch. II.
in Arch. Edin.

Id. ibid.

1690. Coun. Regist. from *Commission* to supply the City and other publick Works with; the Town's Debt within a few Years was increased again to the Sum of One Million, two hundred thousand Marks; towards the discharging of which, the Parliament, in the Year 1693, granted the Citizens a Duty of Two Pence *Scotish* on each Pint of Ale and Beer for the Term of fifteen Years, and during the King's Pleasure, not exceeding the Space of twenty Years; to which Term, the Parliament, in the Year 1716, added nineteen Years: And in the Year 1722, the Parliament granted the *Edinburghers* an other Term of nineteen Years.

1693. A. Parl. 4. W. M. A. Parl. 3. G. I. Ibid. Parl. 9. Notwithstanding of the numerous Favours above mentioned, granted by our Kings and Parliaments to the *Edinburghers*, yet, with Concern I say it, that by the bad Management of a few conceited Projectors in the Magistracy of the City, the Town's Debts were again increased to an enormous Sum; nay, much greater than at any Time before!

Mary the Queen Consort being dead, to the general Regret of the Nation, the Common Council of *Edinburgh*, on that melancholy Occasion, addressed the King as follows.

May it please your Majesty,

1695. Coun. Regist. vol. XXXV. f. 113. 2d Jan. "The Accompt we have of the Removal of your Royal Consort our gracious Sovereigne Queen *Mary*, hath filled our Hearts with Sorrow and Affliction. Your Majesty's particular and inexpressible Loss doth oblige us to the deepest Sympathy. But when we consider the Loss, that the whole Protestant Religion, with your Majesty's good and faithfull Subjects, and more especially this City, the Capital of this your antient Kingdom do sustain, by this most sudden and surprising Stroke: Nor have any Relief in this so sad and sinking a Calamity, save that it pleases our gracious God to preserve your sacred Person, as our only Stay and Support in this great Distress.

"And therefore in the first place, we do most humble and earnestly beseech the Lord, seasonably to comfort, and mercifully continew to preserve your Majesty in Health and Safety; and that by the doubling of his Blessings upon you, he would be pleased to repaire both to your Majesty and all your People's Loss, otherways irreparable. And in the next place, Having had, by your Majesty's happy Accession to the Throne, the most desirable and comfortable Relief that ever happened to a poor City, which was otherwise readie to perish under insupportable Burdens and Grievances; We cannot but out of the Abundance of our Hearts declare, promise, and assure to your Majesty, that we shall be ever ready

"to maintain, defend and support your Majesty's sacred Person, Title and Government, with our Lives and Fortunes, to the utmost, against all Enemies whatsoever.

"There being indeed nothing more certain in Truth, and in the most inward Sense of our Souls and Affections, than that upon your Majesty's Preservation and Prosperity depends (under God) our Peace, with the comfortable Enjoyment of all that can be dear to us, either as Men or Christians. And this our most hearty and most humble Address (which we have desired your Secretary Mr. *Johnstone* to present to your Majesty in our Behalf) we hope your Majesty will accept of, as proceeding from the most sincere and most intire Devotion of, *Great Sir*, your Majesty's most humble, most faithful and most obedient Servants."

For preventing Lewdness and Debauchery within the City and Liberties of *Edinburgh* in publick Houses, it was by the Common Council at this Time enacted, That no Vintner, Inn-keeper, or Ale-seller, shall hereafter presume to employ any Female Servant in drawing or selling any Ale or other Liquors in any of their Houses, under the Penalty of Three Pounds *Scotish* Money; nor any Woman to keep any of the said Places for the Sale of Liquors, or to hire herself to any Person, to be employed in that Service, under the like Penalty. And whoever shall not give due Obedience to the said Act, to incur a double Penalty.

The *Edinburghers* at this Time appear to have been heartily in King *William's* Interest; for they no sooner received an Account of the Conspiracy formed against him, and the intended Invasion in Favour of King *James*, than they resolved to raise a Regiment of Men at their own Expence for the King's Service, with which they acquainted the Privy Council, and sent the following Address to Court.

May it please your sacred Majesty,

"How soon as the Accompt of the signal Preservation God had vouchsafed to your Royal Person, from the villanous Designs of barbarous Traitours, was made known to us, the Magistrates and Common Council of your good Town of *Edinburgh*, we thought it our Duty, when solemnly convened, most heartily to congratulate your Majesty's Safety and Deliverance, and in all Humility to give Thanks to the wife and merciful God, for bringing to Light, and thereby disappointing the villanous Designe of assassinating your Majesty's Person, to the Confusion of them who contrived it; hoping also, that God will so bless and prosper your Majesty's Endeavours, as utterly to defeat every Purpose to invade your Dominions.

"This solemn Occasion, and the Blessings we

1695.

Ibid. f. 141. 13th March.

1696. Ibid. f. 247. 10th April.

1696.

"we have received and enjoy under your Majesty's happy Government, obligeth us to renew the sincere Offers of our Lives and Fortunes, to serve and defend your Majesty's Person and Government, against all our Enemies at Home and Abroad; and upon all Occasions a dutifull Obedience to your Majesty's Commands, to shew how much we are, may it please your Majesty, your Majesty's most humble, most faithfull and most obedient Subjects and Servants."

To this very loyal and dutiful Address, the King by his Letter was pleased to return the following Answer.

To our right trusty and well beloved Counsellor, and our trusty and well beloved Sir Robert Cheilie, Lord Provost, and the rest of the Magistrates and Town Council of our City of Edinburgh.

WILLIAM R.

Id. ibid.

"We have had many convincing Proofs of your Loyalty and constant Adherence to our Interest and Government, upon all Occasions, but more especially in this Juncture of our Affairs, when the Malice of our Enemies had brought them to form a most wicked Design of assassinating our Royal Person, which was to have been followed by an Invasion, for the utter Destruction of our Dominions; the which, by the Providence of God, is discovered, and we hope disappointed. You did then by your loyal Address, give us new Assurance of your firm and sincere Resolutions to defend our Person and Government against all our Enemies at Home and Abroad, which was to us most acceptable.

"And we are the more convinced of your Zeal for our Service, that we have also received Information of your free and voluntary Offer to the Lords of our Privy Council, of your raising and maintaining a Regiment of Foot upon your own Charges for some Time for our Service; for which we return you our hearty Thanks: And withall do assure you, that if the Concerns of that your City, or of any of you in particular, come before us, we will give satisfying and convincing Marks of our Royal Favour. And so we bid you heartily farewell."

Given at our Court at *Kensington*, the 4th Day of *April* 1696, and of our Reign the Seventh Year.

1698.
A. 1. Parl.
W. 7. c.
8.

The Parliament taking into Consideration the great Danger the *Edinburghers* were exposed to by the excessive Height of their Houses, both in respect to Fire and Falling; they enacted, That no Building to be erected in the City thereafter, shall exceed Five Storys in Height, the Front-wall in the Ground-story to be Three Feet in Thickness, the second Two Feet nine Inches, the third Two Feet six, the fourth Two Feet

three, and the fifth Two Feet.

By a dreadful Fire that broke out at the North-eastern Corner of the Meal Market, about ten of the Clock on *Saturday Night*, on the third of *February*, all that magnificent Pile of Buildings, (exclusive of the Treasury Room), on the Eastern and Southern Sides of the Parliament Close, with the Exchange, were destroyed.

At this Time, the Common Council appointed a Chamberlain to receive and pay all the Cash belonging to the City, and in which the Town Treasurer was not in the least to be concerned. But this Office proving of no long Duration, the Office of Treasurer was restored.

Remark. I think it would have been much better for the *Edinburghers* to have continued the Office of Chamberlain than to have restored that of Treasurer; for by changing the latter before he becomes Master of his Business, and their Indolence when in Office, in not collecting divers Branches of the Town's Revenues, in several Years; which the iniquitous Tenants taking Advantage of, (which is the Case at present) plead Prescription, whereby their several Rents must be lost, to the irreparable Loss of the injured Citizens; whereas, were a Chamberlain continually employed, it would be his sole Business to look after the Commonwealth, and effectually prevent Frauds from being committed, to the Prejudice of the City.

C H A P. VIII.

Comprehends the Transactions of the Edinburghers during the Reigns of Queen Anne and King George I.; with some Account of the Rebellion in that of the latter.

IN obedience to an Act of the Privy Council were burnt at the Cross of *Edinburgh*, divers Popish Tinkets, consisting of Sacerdotal Habiliments, Communion Table-Linnen, Portraits, Chalice, Crucifixes, Whipping-cords, Strings of Beads, consecrated Stones, Relicks, Remissions, and Indulgencies; amongst which was the following.

"The Archbishop of *Mechlin* has granted Indulgence of fortie Days to those who shall bow the Knee before this Image once a Day; considering devoutly the infinite Charity of Jesus Christ who has suffered for us the bitter Death of the Cross: And if any will perform this Devotion oftner, he shall so oft have a new Indulgence for five Days more."

The Almighty having blessed the Arms of Queen Anne in *Flanders*, under the Conduct of the Duke of *Mariborough*, with amazing Success against the *French*; the *Edinburghers* on this joyful Occasion, unwilling to be behind the rest of their fellow Subjects in congratulating her Majesty on so happy an Event, sent her the following Address for that Purpose.

"We your Majesty's most faithful, Joy-
al,

1700.

Coun. Regist.
vol. XXXVI.
p. 475. 7th
Feb.

Ibid. p. 632.
11th Sept.

1704.
Coun. Regist.
vol. XXXVII.
p. 761. 15th
March.

1706.

1766.
Coun. Regist.
vol. XXXVIII
p. 00. 12th
June.

"al, and obedient Subjects, the Lord Provost, Bailies, and Town Council of *Edinburgh*, for ourselves and our Community, do most humbly, with all Joy and Duty congratulate your Majesty, upon the account of the surprizing and wonderful Success wherewith it hath pleased Almighty God to bless the Arms of your Majesty and your Allies against the *French* King and his Adherents: Never did a Campaign open with a more glorious Scene; in the very Entry whereof may be reckoned, more Victories than Battles, and more Conquests than Victories; and that he who for several Years, hath made it his Glory to cause his Terror even against the Mighty in the Lands of the living, should be thus suddenly brought down by your Majesty's Hand, is such a visible and signal Mark of the Divine Favour, as must infinitely indear your Majesty and your Government to all your Subjects and Allies.

"That God may long prosper your Majesty to the Comfort of all your good Subjects, and Relief of all oppressed, is, and shall be, the fervent and constant Prayer of your Majesty's most humble and devoted Subjects and Servants."

N. B. In this and several of the following Pages, through the Indolence of those who record the Acts of the Town Council in the City's Register, many of the Pages thereof are left unnumbered, to the great Hindrance of those who search for the Transactions therein; which, without Redress, an Index cannot be made for the said Registers; without which the said Registers will almost be rendered useless.

The *French* having fitted out a Fleet to invade *Britain*, in favour of the Pretender, the *Edinburghers*, to shew their hearty Zeal and sincere Attachment to the Queen's Person and Government on this Occasion, sent the following very loyal and dutiful Address to her Majesty.

To the Queen's most excellent Majesty.

1768.
Coun. Regist.
vol. XXXIX.
p. 00. 11th
March.

"That we, being alwayes under the deepest Impressions and most lively Sense of our Duty to your Majesty, as becomes your most loyal and faithful Subjects, cannot but at this Time, upon the Occasion of an intended Invasion by your Enemies, against your Person and Government, threatening the Destruction of our Country and of our Religion, Laws, and Liberties, and all what is dear to Men, judge it our Part to make Offer to your Majesty our best Services, to the utmost of our Capacity, both publick and private, with our Lives and Fortunes, to adhere to, and defend your Majesty's Person and Government; and to maintain, in the present happy Establishment against all Popish Successors, and Pretend-

1768.

ers, especially the late pretended Prince of *Wales*, and all his Abettors."

"As also, oppose the present Invasion, in Defence of our Religion, Laws, and Liberties, and of your Majesty's Kingdom of *Great Britain*, to the utmost of our Power; and that we may give more real Proof of these our Expressions of our Duty and Loyalty; we further most humbly propose, that, according to the Example here practised by this your loyal City of *Edinburgh* in the Year 1692, upon the like Occasion of a threatened Invasion; We are resolved, and hereby most humbly offer to levy and rig out a certain Number of Soldiers for the Ends above mentioned, upon our own private Expence, and according to the Proportion that each of us shall engage and subscribe to, with forty Days Provisions. If so be it shall please your Majesty to authorize us thereto, and these to be modelled and commanded by such Officers as your Majesty shall be pleased to appoint.

"Protesting solemnly, that in whatever may or shall regard the Safety and Honour of your Majesty's Person and Government, and the Defence of our Religion, Laws, and Liberties against the present Invasion, and all your Majesty's Enemies, We are, and shall be ready to obey all your Majesty's Royal Commands; and that God may long preserve your Majesty's Person, and ever bless and advance your Reign over us with all Prosperity and Happiness, is, and shall be the constant Prayer of, may it please your Majesty, your Majesty's most humble, most faithful, and most obedient Subjects and Servants."

The *Edinburghers*, to make good their Address, heartily went to work, to provide against the intended Invasion, by adding thirty Men to the Town's Company of Fusileers, and put the City into such a State of Defence, as might enable them to defend themselves in case of an Attack by their Enemies. And soon after, the Lord Provost received the following Letter from the Earl of *Mar*, one of the principal Secretaries of State.

My Lord,

"To Day I had the Pleasure of introducing Sir *Patrick Johnston* to the Queen; Ibid. p. 00. to present the Address from the good Town; her Majesty received it very graciously, and is very sensible of the Zeal and Affection you and your Town have shewn for her Preservation and Service at this Juncture; and ordered me to return you her heartie Thanks; and to assure you of her Protection and Favour. I hope the Danger is now over; but I doubt not of their continuing their Zeal and Care in any Thing that may tend to her Majesty's Service: If it be in my Power at any

F f

"Time

1708.

"Time to serve you in particular, or the
"good Town, you may be assured of it;
"for I heartily wish the Prosperity of the
"Town, and am, &c."

1709.
Ibid. p. 00.
25th Nov.

At this Time the Common Council ordered the Sum of Three hundred Pounds *Sterling* to be yearly paid to Sir *Patrick Johnston*, their Representative in Parliament, for his Service in that Station. Were this antient and laudable Custom revived in all Places, it would probably be better both for the Represented and Representatives.

1710.
Ibid. p. 00.
30th Aug.

A Project being formed by the *Edinburghers* for improving their Harbour of *Leith*, a Petition for that Purpose was presented to the Queen in the Month of *April*, anno 1710, humbly praying, that her Majesty would be graciously pleased, out of her wonted and benign Goodness, to give the necessary Directions for establishing at *Leith*, the Port of her antient and loyal City of *Edinburgh*, a wet and dry Docks, for the Convenience of building, fitting and careening her Majesty's Ships of War and trading Vessels; which would greatly conduce to the Interest of Trade in general, as set forth in the said Petition and Memorial delivered therewith.

The Petition and Memorial being read in the Queen's Presence, she referred the same to her Privy Council, by whom they were transmitted to the Cabinet Council, and by them to the Lords of the Admiralty, who, by their Report, unanimously approving of the Design, it was sent to the Commissioners of the Treasury, with her Majesty's Command to raise Money for carrying on the Work: But little Regard being had to *Leith* in those Transactions, the Common Council drew up the following Petition and Memorial to be presented to the Queen.

Unto the Queen's most excellent Majesty, the
Petition of the Lord Provost, Baillies, Town
Council, Community, and Inhabitants of your
Majesty's ancient and loyal City of *Edinburgh*,

Humbly sheweth,

Id. ibid.

"That your Petitioners did presume
"with all dutifull Respect, in *April* last, to
"supplicate your most excellent Majesty,
"that some Encouragement be given for
"Trade and Navigation, by making wet
"and dry Docks at *Leith*, (the Port of *Edinburgh*) in the Frith of *Forth*; setting
"forth Reasons, both concerning the Advantage of Trade in general, Accommodation of your Majesty's Ships, and the
"present Danger that your Majesty's said
"ancient City of *Edinburgh* is in by Decay
"and Ruine, by the great Alterations that
"have been made for the publick Good, in
"the Settlement of the happy Union of
"your Kingdoms; which Decay of your
"Majesty's said ancient City, nothing can
"more effectually discourage; not only
"your Majesty's most loyal and faithful

1710.

"Subjects of *Edinburgh*, but the whole Body of your People in *Scotland*; who, from
"the declining State of that Place, the Seat
"of the Judicatories, and where there is
"the greatest Resort of People of all Sorts
"in that Part of the Island, will be ready
"to draw Conclusions prejudicial to the present State of that Part of your Majesty's
"Kingdom, as it is united. And on the other hand, nothing can really more convince your People in these Parts, of the
"Advantages of that happy Conjunction, than the Marks of your Royal Care and
"Bountie, shewen at the Center and Heart
"of that Part of the Island, and from
"whence Life and good Disposition will easily diffuse itself through all the Parts of
"it; which otherways being at so great a
"Distance from the ordinary Place of your
"Royal Residence, and Meeting of the Parliament, must otherways languish.

"That your Majesty having communicated to your Privy Council the aforesaid Petition, you were afterwards most graciously pleased to recommend to the then
"Lord Treasurer, that a Survey might be made and reported, in order to the making the foresaid Docks: And his Lordship pursuant thereto, did give Directions to the Navy Board, that certain Persons from the Trinity House, and some Officers out of the Docks should be sent into
"Scotland, to take a Survey of the Shoars and Bays on both Sides of the Frith of
"Forth in North Britain, as well with regard to the Conveniencies which are already in the said Frith, or which may be made for careening, cleaning, and refitting her Majesty's Ships that may be employed on the said Coast of North Britain. But in this Order there being no particular of the Port of *Leith*, We did again
"presume to address your Majesty, that Directions in particular might be given to that. Whereupon your Majesty was again pleased to recommend to the said
"Lord High Admiral, to survey where and in what Manner a wet and dry Docks might be made and sunk at *Leith*, and his Lordship was pleased to give Directions accordingly.

"That, pursuant to those Directions, Surveys have been made in the River of
"Forth, and of the Harbour of *Leith* in particular, and the Report was made by the Persons employed in that Service; which was presented to your Majesty by my Lord High Admiral; but there has been nothing further done upon it. That
"the Necessity of doing something speedily for the Service of your Majesty's Ships, and to revive and quicken Trade upon that Side, and particularly at *Edinburgh*, (where it every Day does decrease; and we are hopefull, that the Improvement
"of the said Harbour of *Leith* will be found

1710.

" a Matter of no great Difficulty, when the
" Report of the foresaid Persons is consider-
" ed; and which Report is confirmed by an-
" other Report from the Trinity House at
" *Leith*. And that it will appear to your
" Majesty, that there is no Proportion be-
" tween the Expence necessary for perfyting
" so good a Work, and the great Advantage
" that will thereby accrue to your Majesty's
" Service, to Trade in general, and parti-
" cular Happiness and Contentment of the
" People of *Scotland*. And that, though
" the Charges of making Docks at *Leith*,
" were greater perhaps than would be ne-
" cessary for compleating them in some other
" Place in the River of *Forth*; yet the Ad-
" vantage of a Dock so near the Center,
" where your Majesty's Officers, Civil and
" Military, and the greatest Confluence of
" your People are at hand, with the sensible
" Satisfaction it might give to the Body of
" your People in *Scotland*, will abundantly
" counterbalance the Difference.

" May it therefore please your most ex-
" cellent Majesty, graciously to consider the
" foresaid Report made of the Harbour of
" *Leith*, and likewise the Report from the
" Trinity House at *Leith*; whereby we hope
" it will appear, that upon no great Charge,
" your Majesty may have there twenty Foot
" Water within your said Harbour and Con-
" veniencies of wet and dry Docks; which
" will be of great Use for the publick Ser-
" vice, and for the Happiness of your
" People; and give such Directions in the
" Matter, as to your Majesty, in your great
" Wisdom, shall seem meet.

The Memorial.

" Our most gracious Sovereign, and her
" most honourable Privy Council, having
" taken into their Consideration, that hither-
" to there has been no Provision made for
" the Security, cleaning, careening and re-
" fitting her Majesty's Ships of War in that
" long Tract of Shore of *North Britain*, did
" in *April* last, as well upon that Account,
" as for the Encouragement of Trade, and
" a Mark of her Majesty's Bounty, to her
" most ancient City of *Edinburgh*, think it
" most needfull and convenient, that a Dock
" should be established in the Frith of *Forth*,
" the common Resort of her Majesty's
" Ships of War.

" In Pursuance to this Resolution, the
" Earle of *Pembroke*, then Lord High Ad-
" miral, gave Directions to the Commis-
" sioners of the Navy, to send to *North Bri-*
" *tain* some of the Members of the Trinity
" House, and some Officers out of the
" Docks, with Instructions to survey the
" Frith of *Forth* on both Sides, and parti-
" cularly to survey the Harbour of *Leith*;
" and how far it might be improved for the
" establishing of a wet and dry Docks, and
" to make their Report to him.

" Accordingly, three of the Trinity

1710.

" House, and two Officers of the Docks
" were sent, who surveyed all the Harbours
" on both Sides, but made a particular Re-
" port of the Harbour of *Leith*, and what
" was necessary to improve it, pursuant to
" a special Direction from her Majesty to
" that Effect, and made an Estimate of the
" Charge; which Estimate amounts to Thir-
" ty thousand Pounds (*Sterling*), and that for
" building out the two Piers, sinking a wet
" Dock, making a dry Dock, building a
" Sluce above the Bridge, and all other
" Conveniencies of a Dock; which Report
" was made to the Lord High Admiral,
" who sent it to the Commissioners of the
" Navy for their Opinion and Approbation,
" who seemed very much disposed to give
" their Opinion in Favour of *Leith*, but did
" afterwards (probably to save the Govern-
" ment Money) alter their Opinion, and
" gave it in favour of the *Queensferry*, the
" Estimate of which amounts to nineteen
" thousand eight hundred Pounds, and that
" for building a dry Dock only.

" So that *Leith*, (in the Opinion of those
" that were sent down) is the most conveni-
" ent Place; which is likewise confirmed
" by a Report, and Declaration subscribed
" by the whole Members of the Trinity
" House at *Leith*; wherein they declare, that
" the building out of the Pier and making
" a Sluce above the Bridge, will occasion
" twenty Foot Water upon the Bar; and
" that there are Docks there already, where-
" in Ships of thirty and forty Tuns have
" been built and repaired, even in the bad
" State they now are in: And likewise Keys
" and Store Houses of all Manner of Me-
" chanicks; which Docks, with a very small
" Expence, may be made usefull for her Ma-
" jesty's Shipping; and that they had bored
" the Ground twenty Foot Deep, and found
" nothing but hard Clay; which is most
" convenient for sinking a wet Dock.

" It is necessary for preventing of Mistakes,
" to observe, that the Report made by those
" who were especially employed by the Lord
" High Admiral, take notice, that the Wa-
" ter, when they were there, did only rise
" above the Bar of *Leith* fourteen Foot;
" Whereas that Report from the Trinity
" House at *Leith*, subscribed by the whole
" Members, bears that the Water rises fif-
" teen, sixteen, and seventeen Foot, both
" of which are true; and the Reason of the
" seeming Difference is, because the Gentle-
" men who were sent from the Admiralty,
" visited that Harbour in *May* last, where
" there had been, as it happens sometimes,
" a long Tract of Easterly Winds which
" had cast in a great deal of Sand upon the
" Bar; and which, by the carrying out of
" the Pier, according to both Opinions, will
" certainly occasion and raise the Water to
" twenty Foot; which its presumed will be
" sufficient for the Service of her Majesty's
" largest

1710.

" largest Ships, and what Use that may be to the Government, is apparent.

" And likewise, *Leith* being the Port to *Edinburgh*, there will be greater Plenty of Provisions, Materials, and Artificers for Service: And upon Occasion, great Numbers of People to assist in every Exigence; and *Edinburgh* being the Seat of the said Judicatories, will most probably be the best affected to the Government, and where the Government will always have the greatest Number of Troops and Officers of all Kinds, and more immediate Inspection.

" And in case there were any Occasion of employing Ships to the North, a Dock at *Leith* would be most convenient, especially a wet Dock, in which half a Dozen of Ships of War might always ly afloat, ready upon Occasion, either in Peace or War. It's hoped the Queen and Government will readily incline to have it at *Leith*, not only because it is the most convenient Place; but likewise because the City of *Edinburgh* has lost (by the Union) the Benefit of the frequent Meeting of the Parliament, the Privy Council, and the Residence of several considerable Persons that were in eminent Posts in the Government; and by these Means the City of *Edinburgh* begins to decay very fast and sensibly; which is an universal Discouragement to all people in that Part of the Country, whereof the City of *Edinburgh* is the Center and Heart; and therefore it seems expedient, that some Thing should be done for the Encouragement of that Place, which will be most natural and easy by setting a Dock at *Leith*; especially seeing the reviving of that Place will gratify the greatest Body of the People of *Scotland*, will remove Jealousie and Discontents of disaffected People to the Union; and by the Improvement of the Harbour, will contribute very much to her Majesty's Service and Trade in general; and to make it any where else will not at all answer the afore said Ends; but it will be a great Disappointment and Discouragement to the greatest Body of her Majesty's Subjects.

" And therefore it is hoped, that the afore said Reasons will much more than counterbalance the Odds between Twenty and thirty thousand Pounds; especially considering that there is both a wet and dry Dock included in the Estimate of *Leith*; and nothing but a dry Dock at the *Queen's Ferry*.

Remark. This Project seems to have been as wild and weak as expensive; and the Town Council being under the Direction of a few self-conceited and inconsiderate Men, instead of paying off the Town's Debts, (which previous to all other Considerations

ought to have been done) unjustifiably borrowed very great Sums of Money, whereby, to their great Reproach, they have burdened the City with such an intolerable Load of Debts, that they justly rendered themselves obnoxious to Censure; whilst the Part of the Work erected will remain a Monument of their Indolence and Folly, in not taking Care to have it well performed; for before it was raised to the intended Height, it gave way in divers Arts, which were repaired at a great Expence; and the said Work continuing to part, it will probably in a few Years become a Prey to the Sea and the Ignorance of its Constructors: And the Materials, both Stones and Mortar wherewith it is built being the worst of their Kinds, that many of the former, tho' laid only about twenty six Years ago, are preyed upon by the Weather to such a Degree, that many of them are impaired above an Inch on the exterior Parts.

Happy was it for the present and future Generations, that those rash and inconsiderate Men were restrained by Parliament from borrowing Money above a certain Sum; had they not, they might have loaded the City with such a Debt, as would in all Probability have rendered the Citizens miserable, by putting it out of their Power to discharge the same: Nay, that neither the Produce of the Parliamentary Fund, or that of all the Town's Revenues would have been sufficient to have paid the Interest of the enormous Incumbrance. And this for a Work, which by the Meanness of the Performance, is unable to withstand the Assaults of the Sea which almost demolished it; and would undoubtedly long ere now, were it not fortified at a vast Expence, by a prodigious Quantity of large Field Stones, erected for its Defence against that raging Element.

The People at this Time being apprehensive that the Government intended to call home the Pretender and place him on the Throne of these Dominions: The Ministry, to ease the People of their Fears in that Respect, issued a Proclamation with a Reward for apprehending the said Pretender. This was so highly approved of by the *Edinburghers*, that they sent the following Address to the Queen on that Occasion.

" We your Majesty's dutiful and loyal Coun. Regist. Subjects, do humbly beg Leave to express vol. XLI. 7th
" our deep Sense of your Majesty's great July, p. 60.
" Concern for the Religion and Liberties of
" your People, in issuing your Royal Proclamation for apprehending the Pretender
" to your Crown. The many Blessings we
" receive under your Majesty's Reign, do
" necessarily unite our Duty, our Interest,
" and our ardent Desires to support that
" Title whereby we enjoy them; and do increase our Aversion, to the Pretensions
" of a Person attainted by your Laws, U-
" furper

1710.

1714.

1714.

"surper of your Royal Titles, and Invader
"of your Dominions.

"We are very sensible how little we offer
"when we declare ourselves firmly determi-
"ned to sacrifice ourselves and Fortunes for
"the Defence of your Majesty and the Pro-
"testant Succession in the illustrious House
"of *Hanover*; since, by that Defence we
"can only hope to call them our own.

"Secured by the Declaration of your
"Majesty, and your frequent and solemn
"Promises from the Throne, we shall quiet
"our Minds, we shall abate our Fears,
"and be the less apprehensive of Danger,
"when we shall see our great Queen gra-
"ciously pleased, herself to inforce her Sub-
"jects Diligence, and Zeal for her Right
"to the Crown, our Religion and Liberties,
"and the Peace of her Kingdoms.

"We cannot wonder if the restless and
"traiterous Practices of the Papists, and the
"Faction disaffected to your Majesty and
"the Protestant Succession, should at first
"have appeared incredible, especially when
"covered with specious Pretences of Loy-
"alty and Religion; and even manifest and
"notorious as they are now, we can hardly
"otherwise account for their unwilling and
"precarious Submission to your Majesty
"as their Queen; but from their own Con-
"sciousness of their not deserving to be
"happy as your Subjects.

"Their Designs are now indeed unhap-
"pily plain, and would have been fatally
"so, if your Majesty had not, with a pro-
"vident Care of yourself and your Subjects,
"given check to their Pride, and stopped
"the current of the eager and wicked Ex-
"pectations of those who favoured the In-
"terest of the Pretender to your King-
"doms. May your Majesty long continue
"your Health and gracious Affection for
"your People; may all your Subjects,
"who have any Regard for their Religion
"or their Civil Rights, now at last unite in
"defeating the Attempts against the Consti-
"tution as established by Law; and make
"your two Churches, however divided in
"Ecclesiastical Matters, contend now on-
"ly in their Zeal for your Majesty and the
"Protestant Succession, as secured to Fu-
"turity in the illustrious House of *Han-
"nover*."

The People being eased of their Fears by
the Demise of Queen *Anne*, and Accession
of *George*, Elector of *Brunswick and Lunen-
burg* to the Crown, the *Edinburgers* joy-
fully congratulated the King on his Arri-
val in *Britain* by the following Address.

May it please your Majesty,

"We your Majesty's most dutiful and
"loyal Subjects, the Lord Provost, Magi-
"strates, and Council of the City of *Edin-
"burgh*, do with Hearts full of unfeigned
"Joy, presume to congratulate your Maje-
"sty, upon your Accession to the Crown,

1714.

"and your happy Arrival to your Domi-
"nions: Such is the Awe and Reverence
"paid to your sacred Majesty; that you are
"not more beloved by the best, than you
"are feared by the worst of your Subjects;
"and while you are received with the repeat-
"ed Acclamations of all true Friends, Hy-
"pocrisy is become necessary to the Ene-
"mies of *Britain*, and even Treason itself,
"which so lately triumphed in its own Co-
"lours, is now compelled to put on the
"Appearance of Loyalty.

"We cannot sufficiently express the Bless-
"ings attending your Majesty's peaceable
"Possession of the Crown; the real retrieving
"the Honour, and rescuing the Religi-
"on, Laws, and Liberties of *Britain* from
"immediate Danger, are the happy Conse-
"quences of it. Your Majesty is not only
"the Cause of the Happiness of your own
"Subjects, but all your Allies must now
"find themselves relieved by the Advance-
"ment of a Prince who has so long been in-
"violably devoted to support the Liberties
"of *Europe*.

"The Time we hope is now come, when
"it shall appear whether those who have
"been zealous for the Protestant Succession
"in your Majesty's Royal Family, or the
"Favourers of the Pretender to your
"Crown, do most deserve the odious Name
"of Faction; when the sacred Terms of
"Loyalty and Religion shall no more be
"prostituted for the Concealment of De-
"signs for Popery and arbitrary Power;
"when Ministers shall no more cover their
"Crimes, by sheltering themselves under
"the Name of their Sovereign; when Truth
"and Integrity shall be inseparable from
"great Officers; and when, to the Terror
"of Offenders, Justice shall take place, it
"is in Compassion to the innocent that the
"Laws ordain the guilty to be punished.

"We humbly beg your Majesty will be
"graciously pleased to accept this our du-
"tiful Tender of our Loyalty; we shall al-
"ways continue, to the utmost of our Power
"to signalize ourselves in the Support of
"those Laws by which we are now blessed
"with your Majesty to reign over us."

John Duncan, one of the Bailiffs of *Edin-
burgh*, acquainted the Common Council that
he had received a Letter from the Duke of
Montrose, one of the principal Secretaries of
State, and another from the Lord Provost,
then at *London*, acquainting him, that the
King had signified to the Parliament, that
the Pretender intended to invade his Domi-
nions; wherefore they recommended to the
Magistrates to take particular Care of the
Peace of the City. The Common Council
being summoned on this Occasion, to deli-
berate on the present Situation of Affairs,
forthwith resolved to put the City into a
good State of Defence: To which End, they
ordered forty Men to be added to the Town

1715.

Coun. Regist.
vol. XLII.
p. 60.
25th July.

Ibid. p. 60.
9th Sept.

G g

Guard,

1715.
Ibid. 27th
July.

Guard, appointed a Committee of Safety for providing against all Dangers, ordered one or more Companies of the Trained-bands, to keep Guard in the lower Council-House, and (drew up an Address to be presented to the King. But this, like many other Transactions of the Council, through Carelessness, not being entered in the Register, cannot infer it) caused a Number of Arms from the City Armoury to be distributed amongst certain of the Citizens, who, on this Occasion were to be trained in military Exercises.

Ibid. 26th
Aug.

And just after, ordered four hundred Men to be raised for preserving the Peace in *Edinburgh*, to be allowed Sixpence Sterling per Day, each Drummer Eight Pence, and Captains One Guinea weekly, for the Space of forty Days; to be commanded by the Provost, and such Officers as the Magistrates should think proper to appoint. And to enable the Inhabitants of *Leith* to defend that Town, ordered one hundred Stands of Arms to be lent them out of the Town's Armoury. And the Commissioners of the Customs having, at the Desire of the Lord Provost, fitted out divers Sloops to cruise in the Frith of *Forth*, to prevent the Rebels crossing from the County of *Fife*; they were likewise supplied with small Arms from the Town's Armoury; wherewith they performed good Service by taking divers Boats full of Men, commanded by Brigadier *Mackintosh*.

Ibid. 30th
Aug.

And as a further Security to *Edinburgh*, ordered the Sluice of the *Nord Loch* to be shut for raising the Water therein; made several Trenches or Ditches, erected divers Forts, walled up some of the Gates and fortified others, repaired the Parapet of the Town Wall, laid in great Store of Provisions, and did every Thing necessary to defend themselves in case of an Attack. Of all which the Lord Provost acquainted the King by Letters. These and other Measures entered into by the *Edinburghers* were so acceptable to the Government, that the Lord *Townshend*, one of the principal Secretaries of State, soon after wrote the following Letter to the Lord Provost.

My Lord,

Coun. Regist.
vol. XLIII.
p. 60. 26th
Oct.

"I received Yesterday Morning by the flying Pacquet, your Letter of the tenth, which I have laid before his Majesty, who does very much approve of your Lordship's and the other Magistrates of your City's Zeal and Diligence, on the Attempt to surprize the Castle of *Edinburgh*, and of the precedent Measures you took to defeat the same. I know not what Reason General *Witbam* had for removing Lord *Shannon's* Regiment; but there was a Necessity of leaving that Matter intirely to the Discretion of the Commander in Chief, who can best judge what Forces may be

spared in this Juncture from other Services.

1715.

"And as the Duke of *Argyll* is now with you, his Grace will undoubtedly have all possible Regard to the Security of your City, which is certainly, on many Accounts, of very great Consequence. But if the Circumstances of his Majesty's Service will not allow of his Grace's detaching any of the Forces for *Edinburgh*, I am directed to tell your Lordship, that if you will augment the ordinary Town Guard to two hundred Men more than their present Compliment, his Majesty will order the defraying the Expence of the additional two hundred Men, so long as it shall be thought necessary for the Security of the Place that they be kept on Foot; for which I shall procure the necessary Dispositions as soon as your Lordship lets me know what Resolutions are taken upon this. I am, with great Truth, your Lordship's most obedient humble Servant."

Townshend.

Whitehall, September

15th 1715.

The Expence that the *Edinburghers* were at on this Occasion, amounting to the Sum of One thousand seven hundred and thirty six Pounds sixteen Shillings and eight Pence Sterling; it was paid by the Government anno 1721.

The above mentioned Brigadier *Mackintosh* having found Means to cross the Frith of *Forth* by Night, with about fifteen hundred Men; and landing in the County of *East Lothian*, began his March for *Edinburgh*: But receiving Advice of the great Preparations made by the Citizens for their Defence, and that the Duke of *Argyll* was marching from *Stirling* for their Relief, he turned short, and possessed himself of the Town of *Leith*; which *Argyll* receiving Advice of, marched thither to attack him; but finding him advantageously posted in the Citadel, judged it not safe to attempt to dislodge him without Cannon. *Mackintosh* apprehensive of the Duke's Return the Day after, as was intended, wisely took the Advantage of the Tide, and at low Water marched off about Midnight over the Sands by the End of the Pier back into *East Lothian*.

For this great Service done the *Edinburghers* by *Argyll* in driving the Enemy as it were from before their Gates, the Common Council sent a Deputation of their Members to return his Grace their hearty Thanks; and to intreat him to grant them a Number of Troops sufficient to repel the Enemy in case of a Return; to which the Duke returned for Answer,

"That he should always be ready and willing to exert himself for the Interest and Safety of their City; and would give Orders, that One hundred Dragoons, with their Officers, and One hundred and fifty of

Ibid. p. 60.
17th Oct.

1715.

"of his best Infantry, with Lord *Pokuart's*
"Regiment of Trained-bands, should re-
"main here for the Defence of the Place,
"to be commanded and disposed of in such
"a Manner as the Lord Provost should
"think proper; which he doubted not, by
"the Assistance of the Citizens and the
"Noblemen and Gentlemen Volunteers both
"of Horse and Foot in the City, together
"with the Horse Militia, of the Mid and
"East *Lothians*, would be sufficient for their
"Defence against any Enemy that could
"attack them: But if, contrary to Expecta-
"tion, the Enemy should return with any
"formidable Number of Forces, the good
"Town might assure themselves of his
"speedy Assistance."

The Enemy's Army, under the Command
of the Earl of *Mar*, being still on the North-
ern Side of the Frith of *Forth*, the *Edin-*
burghers ordered seven Sloops well armed,
to be fitted out to assist the Ships of War
in preventing the Rebels from crossing the
said Frith. But News arriving soon after,
of *Argyll's* having defeated the said Rebels
on the 13th of *November*, the Town Council
on that happy Event, sent the following
congratulatory Letter to the Duke.

My Lord,

Ibid. p. 00.
17th Nov

"Since divine Providence had suffered so
"many of the Friends of the Pretender,
"and Enemies to our happy Constitution;
"to raise an unnatural Rebellion amongst
"us, and lay such a Scene of Bloodshed
"and Confusion before us: We cannot but
"be truly thankful for the Victory over
"them by the King's Troops under your
"Grace's Command. When we look back
"upon the Difficulty your Grace has lyen
"under since the Time of your Arrival in
"this Country, we cannot too much admire
"your Fortitude; nor in the midst of it
"too greatly extoll the Conduct and Cou-
"rage you have shewn in forcing so great
"a Body of the Rebels to fly with the ut-
"most Confusion from so small a Number.
"And when we reflected upon the many
"Virtues of your Grace's Ancestors, the
"Zeal and active Spirit they shewed for the
"Protestant Religion, and the Blood which
"has been spilt in your Family, (for the
"same Cause, your Grace has at this Jun-
"cture so liberally ventured your own) we
"had always Hopes, under the Blessing of
"God, of Success from your Undertaking.

"It is upon this glorious Occasion and
"fair Prospect from thence of Peace and
"Tranquillity to his Majesty's Kingdoms
"and lasting Security of our Religion and
"Liberty (those inestimable Blessings) under
"the present Royal Line, that we the Lord
"Provost, Magistrates, and Council of the
"City of *Edinburgh* have the Pleasure of
"congratulating your Grace: We crave
"Leave to assure your Grace, that as long
"as this City is under our Government,

1715.

"we shall be vigilant and active in this just
"and religious Cause; and have a grateful
"Remembrance of your late signal Favours
"to us in protecting our City from the
"merciless Hands of the Enemy.

"That his Majesty and the Protestant In-
"terest may never be without so faithful a
"Subject, and so good a Friend, nor your
"Country so zealous a Promoter of its Safe-
"ty and Interest as your Grace: And that
"God may still bless your Arms with Vi-
"ctory against the Remains of your Ene-
"mies, are the hearty Prayers of, my Lord,
"your Grace's most dutiful and faithful
"humble Servant."

To this Letter the Duke returned the fol-
lowing Answer.

My Lord,

"I sometime ago received a Letter from Ibid. p. 00.
"your Lordship in the Name of the Magi-
"strates and Town Council of *Edinburgh*,
"expressing your great Satisfaction for the
"Success of the King's Arms under my
"Command in the late Battle near *Dum-*
blane, and, in a very obliging Manner,
"the Respect and the Regard you have for
"me and my Family; for all which I re-
"turn your Lordship and the Council my
"heartly Thanks.

"I am very sensible of the Loyalty and
"good Affection of the Town of *Edinburgh*,
"to our most gracious Sovereign, King
"*George*, the Prince of *Wales*, and the rest
"of the Royal Family; and of the Endeavours
"used by your Lordship and the o-
"ther Magistrates for the Preservation of
"the Town, and the Peace of the Country,
"to the utmost of your Power. And I
"shall not be wanting to represent your
"good Behaviour to the King and Prince,
"or doing the Town any good Offices in
"my Power as Occasions offer; and am,
"my Lord, your Lordship's most faithful
"and most obedient Servant."

Argyll.

Stirling, 28th *November*, 1715.

And that nothing might be wanting to
secure the Peace of the City in this danger-
ous Juncture; the Common Council order-
ed the several Incorporations to give in
Lists of the Apprentices and other Servants
belonging to their respective Companies,
and give Security for their good Behaviour.
And enjoined the Dean of *Gild* to summon
before him all Unfreemen, and oblige them
to give Security for their several Servants
keeping the Peace.

The Rebellion still continuing to subsist,
divers Regiments of *Dutch* Troops were
sent over to assist in quashing the same, who
at their Arrival were so kindly and gene-
rously entertained by the *Edinburghers*, that
it occasioned the Duke of *Argyll* to send the
following Letter to the Lord Provost.

My Lord,

"I think myself obliged to return your
"Lord-

Ibid. p. 00.
28th Dec.

1715.

" Lordship and the Magistrates of *Edinburgh* Thanks, for the extraordinary Civility and kind Usages the *Dutch* Troops already arrived have met with from you; and to assure you, that your continuing to treat such of them as are not yet arrived with the same Regard, will be very acceptable Service to his Majesty.

" Your sending a Detachment over to *Bruntisland*, in Conjunction with the King's Troops, to take Possession of that Place for his Majesty, is a seasonable Proof of your Zeal and Firmness to the Protestant Succession. I think it my Duty to assure you, that I shall take care to do you Justice in representing the same to his Majesty when I have a proper Occasion." I am, &c.

Argyll.

Stirling, the 22d December, 1715.

1716.
Ibid. p. 00.
3d March.

The Rebellion being happily over, the Town Council caused the Gates to be un-
walled, the new Trenches to be levelled, and the Barricadoes to be removed; and soon after sent the following Address to the King.

May it please your Majesty,

Ibid. p. 00.
26th March.

" Hearts fraughted with Joy must express their Gladness, Men relieved from the Brink of Destruction, cannot help testifying their sincere Pleasure; no more can we your Majesty's faithful Subjects, plucked from the Jaws of Tyranny and Oppression, by the Gallantry of your Troops, led by your victorious General, hinder ourselves from proclaiming our Happiness, and congratulating our King upon his Triumph over treasonable Rebellion.

" Your Majesty's peaceable Accession to your Throne, had lulled us into Security, and filled our Minds with pleasing Prospects of lasting Happiness and Tranquillity under your auspicious Government; when unexpected, the dire Rebellion burst forth, amazing your Majesty's best Subjects, who could not know the Extent of the pernicious Treason, and who saw so weak Forces to repel it. In this universal Consternation, the Providence and Wisdom of our King sent his intrepid General amongst us, whose Presence and Example soon dispelled our Fears, and called forth to the Defence of our Liberties, those whom the common Danger formerly could not, and spirited up to Action your faithful Subjects.

" Allow us, Great Sir, to talk thus warmly of his Grace the Duke of Argyll, to whom in particular our City owes its Safety from Rapine and Destruction, when Multitudes of Rebels threatened your Troops at *Stirling*; we saw him alarmed at our Danger, from the insolent Traitors who marched toward us; we saw him with incredible Celerity steal a

" March for our Preservation; and when, by his surprizing Expedition, he had chased the Enemy from our Gates, we saw his restless Vigilance carry him back in Time to *Stirling*, to baffle the Rebels Purposes, and drive them to their former Quarters.

" Amidst the numerous Mischiefs which attended the late pernicious Rebellion, we find one Cause of Joy: It is, that we have approved our Loyalty and Duty to the best of Kings; and that by so doing, your Majesty will credit us, when we declare, that with Lives and Fortunes we ever will defend that Constitution, whereby our Religion and Liberty are inseparably linked, with the Maintenance of our Protestant Sovereign, and his illustrious Family upon the Throne. We are, may it please your Majesty, your Majesty's most loyal, most faithful, and most obedient Subjects and Servants."

The Provost of *Edinburgh*, as chief Magistrate of the City, being obliged to be at considerable Expences on account of his Office, the Common Council, in Consideration thereof, granted to him and his Successors, the yearly Sum of Three hundred Pounds *Sterling*, to defray the same, and support the Dignity of his Place.

Coun. Regist.
vol. XLVI.
p. 00. 10th
Sept.

The Affair of *Leith* Docks being again brought on the Carpet, the Government, it seems, unwilling to encourage that Project at a national Expence, animated the *Edinburghers* to undertake it themselves by Virtue of an Act of Parliament, (the obtaining of which cost the City the Sum of One thousand nine hundred and twenty Pounds *Sterling*), at this Time; which added the Term of nineteen Years to a former Grant *anno* 1693, of Two Pence *Scotish* on every Pint of Ale and Beer sold within the City and Liberties of *Edinburgh*. Thus provided, the Citizens forthwith began to prepare for the intended Work, Part whereof being an Addition to the Pier of *Leith*, it was agreed to extend it into the Frith of *Forth*, twelve hundred Feet in Length, thirty Feet in Height, and twenty four Feet in Breadth; the whole Work to consist of thirty two thousand cubical Yards of solid stonern Work.

1717.
Coun. Regist.
vol. L. p. 78.
26th June.

The Debts of *Edinburgh*, which on the first Day of *July*, *anno* 1718. only amounted to the Sum of Twenty five thousand four hundred and eighteen Pounds, one Shilling, and three Pence, and three Fourths of a Penny *Sterling*, were (by the Project of making Docks, and extending the Piers of *Leith*) in the Year 1725, increased to above the Sum of Forty five thousand Pounds *Sterling*, to the no great Credit of the Projectors.

Sederunt book
P. 13.

The Common Council of *Edinburgh* considering how necessary it was for the City Magistrates to distinguish themselves by their Drefs, recommended to those who shall happen

1718.
Ibid. p. 00.
17th Sept.

1718.

happen to be chosen into that Office at the approaching Election of Magistrates, that they and their Successors in all Times coming, wear Coats of black Velvet during their respective Offices: And in consideration thereof, ordered the Sum of Ten Pounds *Sterling* to be paid to each of the Bailiffs, Dean of Guild, and Town Treasurer, the Lord Provost having the above mentioned Annuity granted him for defraying all the Expence of his Office: But the said Velvet Coats being now but little used (as if they were ashamed of them) at present, it were but Justice in the Magistrates to lay them aside, and apply the Money towards discharging the Town's Debts, than to employ so considerable a Sum as Sixty Pounds *Sterling* yearly in that way, seeing the Dress of Distinction by Magistrates on private Occasions, is unknown in *England* and other Countries: For the Habit granted them by their Sovereigns, to distinguish them when on Duty, and in the Administration of their respective Offices, are stately Robes and Gowns, much preferable in Dignity to a plain Velvet Coat, which every one may wear; whereas the other being a Garment of Honour and Respect, none will, nay, dare not presume to wear it, as is manifest by those worn by Officers of State, of Justice, and all Civil and Ecclesiastical Dignities whatever, without Imitation.

1719.
Coun. Regist.
vol. XLVIII.
p. 60. 4th
Nov.

The *Edinburghers* having received Advice, that the *Spaniards* were making great Preparations to invade *Britain* in favour of the Pretender, in revenge for the Destruction of their Fleet off *Sicily* in the *Mediterranean Sea*, by ours, under the Command of Sir *George Bing*, in the preceeding Year 1718. the Town Council on this Occasion ordered the City to be put into a good State of Defence, by augmenting the Town's Company of Fusileers, and providing all Things necessary to defend themselves, and offend their Enemies.

1722.
Coun. Regist.
vol. XLIX.
p. 233. 16th
May.

A Conspiracy being carried on in *England* by *Francis Atterbury* Bishop of *Rochester*, and his Abettors, against the Government, in favour of the Pretender, the Lord *Townshend*, one of the Principal Secretaries of State, by the King's Command, acquainted the Magistrates and Common Council of *Edinburgh* therewith; but his Letter not being registered, cannot insert it: However, it occasioned the following Address from the Citizens to his Majesty.

May it please your Majesty,

Id. ibid.

"With Hearts full of Gratitude for the tender Care your Majesty shews towards your faithful Subjects of this City, and with Indignation against the Enemies of your Majesty, and our Prosperity: We received the Intimation, which your Majesty has been pleased to make to us, of a wicked Conspiracy for raising a Rebellion against your Majesty, in favour of a Popish Pretender. We render

1722.

"humble and hearty Thanks to Almighty God, who has always so remarkably appeared for your Majesty's just Right and Government, that your Majesty got timely Notice of those hellish Machinations, and has been directed to proper Measures for defeating them; and that the Authors thereof neither are, nor will be supported, nor ever countenanced by any foreign Power.

"It is astonishing to us, that Men should be found so very perverse, as to be desirous of exchanging the Happiness of Liberty, for the despicable State and Misery of Slavery; of parting with that inestimable Blessing the reformed Religion, for the gross Absurdities, the Superstition and Idolatry of Antichristianism, which must be unavoidably the Consequences of fetching from *Rome* a Disciple and Votary of the Pope's, to be King of a Protestant Nation; one bred up in the destructive Arts of arbitrary Power, to rule over a People, who justly esteem the Law to be their best earthly Inheritance. Every honest Heart is filled with Abhorrence of so wicked an Attempt, to disquiet your Majesty's Government, and to disturb your Subjects in enjoying and improving their Happiness under it: And we hope it will have no other Effect, but more firmly to unite all faithful and loyal *Britons*; that ever laying aside all private Differences and Contentions, they may be still more zealous in asserting and maintaining your Majesty's Right, and that of your Royal Posterity, and thereby, through the Divine Blessing, render inviolable their own Rights both sacred and civil.

"None in your Majesty's Dominions have more Reason, than your loyal Subjects of *Scotland*, vigorously to oppose the Enemies of the Protestant Interest; their Spite against our Church is so peculiar, that laying aside their vain Pretences, whereby they endeavour in other Matters to delude the simple, they openly boast of their impious Intention to destroy it, and to deprive us of the happy Establishment of the Doctrine, Worship, and Government of the Church of *Scotland*, which we by Law enjoy in your Majesty's Reign; and which through the great Mercy and Goodness of God to this Church and Land, have been transmitted to us by the Faithfulness and Sufferings of our Ancestors.

"Your Majesty's City of *Edinburgh* had the Honour to exert themselves at the late unnatural Rebellion, and in Defence of your Majesty's Crown and Government; and nothing has been able to frighten or discourage us from our Loyalty to your Majesty, and Duty to our Country: And as we most humbly beg Leave on this Occasion, to assure your Majesty, with the greatest Faithfulness

H h

"and

1722.

"and Truth, that we are ready to do our utmost to support your Majesty's Throne against the Pretender and his Adherents, with that Firmness which becomes Men, who have Motives so strong as Religion towards God, Loyalty to their Prince, and Love to their Country and Posterity. That your Majesty, and your Royal Protestant Family may, so long as the Earth endures, reign gloriously over a happy and free Protestant People, is the most fervent Prayers of, may it please your most gracious Majesty, your Majesty's most faithful, most loyal, and obedient Subjects.

C H A P. IX.

Contains the Affairs of the Citizens during Part of the Reign of King George II.; with an Account of their Sufferings by the Rebellion in the Year 1745.

THE Parliament having laid a Duty on *Scotch Malt*, it occasioned great Commotions in divers Parts of the Country, but especially in the City of *Glasgow*, where a dangerous Tumult happened. But the *Edinburghers* behaving themselves in a quiet and peaceable Manner, their dutiful Deportment was so very acceptable to the Government, that the King commanded the Lord *Townshend*, one of his principal Secretaries of State, to write to the Lord Provost as follows.

1725.
Coun. Regist.
vol. L. p. 585.
30th July.

My Lord,

"The King having received Information of the wise, steady and loyal Conduct of his good City of *Edinburgh* at this Time, when riotous and evil minded People, have, in a most outrageous Manner obstructed the Execution of the Law at *Glasgow*; his Majesty has commanded me to write to your Lordship, that you may acquaint the Magistrates and others of the City of *Edinburgh*, who have exerted their Zeal and Loyalty on this Occasion; how graciously his Majesty takes this their good Behaviour and seasonable Firmness to his Government: And his Majesty is very sensible of the good Effects of their prudent Administration, by the ready Obedience which is paid to the Laws, by those under their Care. His Majesty will be ready on all proper Occasions, to give them Marks of his Royal Favour and Protection.

"I take this Opportunity of congratulating your Lordship and the Magistrates, on his Majesty's gracious Approbation of your Loyalty and dutiful Behaviour in keeping all Things quiet under your Direction. And I hope your Lordship will do me the Justice to believe that I am, with great Truth and Esteem, my Lord, your Lordship's most humble Servant."

Townshend.

Hanover, 16-27th July 1725.

To the above most gracious Approbation and Declaration of the King's, the Lord Provost, by the Appointment of the Common Council, sent the following Answer to the Lord *Townshend*.

My Lord,

1725.

Ibid. p. 587.
31st July.

"I am honoured with your Lordship's Letter of the 16-27th instant, which I have communicated to the Magistrates and Council of this City, and have it in Charge from them to assure your Lordship in Return, that they conceive their utmost Endeavours to express their Zeal to the best of Kings, by a dutiful Behaviour upon this and all other Occasions, is the least Return they can make for the many Blessings they enjoy in common with the rest of his Subjects, under his Majesty's wise and gracious Administration; and for the distinguishing Marks of Favour, he has been pleased to bestow on his City of *Edinburgh* in particular.

"It is with Regret we observe, that the Poverty of this Country has furnished an Opportunity to turbulent Men among us, to work the Spirits to Tumults and outrageous Riots; and that notwithstanding of the great Care and Skill with which the Judges, General *Wade*, and his Majesty's other Servants did exert themselves; we cannot be absolutely sure, that *Glasgow* will be singular in a criminal Obstruction of the Laws.

"But as we do with absolute Confidence rely upon his Majesty's Justice and Goodness, and on the Wisdom of his Ministry for procuring such Alterations in a proper Time, in the Way and Manner of levying the Malt Tax, as may render it easier to the Subject, and yet secure to the Revenue. We think the paying already an dutiful Obedience to the Laws is the most reasonable Method of obtaining the same: And I can with Truth assure your Lordship, that in all our Stations we will readily concur to exert ourselves to the utmost to preserve the publick Quiet, and so to behave ourselves, as not to forfeit the Grace and Goodness with which his Majesty has been pleased to accept of our past Conduct.

"We think ourselves extremely obliged to your Lordship, for the many good Offices you have, on former Occasions, done to this City; and at this Juncture think ourselves extremely happy in the Hopes we entertain; that by your Lordship's Means our sincere Endeavours to approve ourselves dutiful and loyal, will be favourably represented to his Majesty. I think it my good Fortune, in a very particular Manner, and beg Leave to assure you, that I am, with the utmost Respect, &c."

Edinburgh, 31st July, 1725.

King George II. being come to the Crown, the

1725.

the *Edinburghers* to shew their Loyalty on this Occasion, addressed his Majesty as follows.

May it please your Majesty,

"Our Duty and loyal Affection to your Majesty's sacred Person and Government, and the great Happiness which your Majesty's being on the Throne of your Ancestors, is to us and all your People, could only support us under the Loss of your Royal Father, our late most gracious Sovereign.

"The seasonable Accession of your Royal Father and Family to the Crown of Britain, gave us a sensible and joyful Proof of the Wisdom of those Acts, first made in the Reign of King William of immortal Memory; whereby the Right and Possession of the regal Power was so well secured to your Majesty's House; which could only enjoy it agreeably to the true Constitution, and to the Welfare and Prosperity of the British Dominions. And now your Majesty's happy Succession does with no less Gladness give us a visible Proof of our Felicity in your Royal Protestant Family, where such a Father is succeeded by such a Son; and whose numerous Royal Offspring promises the same Blessing to our latest Posterity.

"Your Majesty's gracious Declaration to your Privy Council answers our largest Expectations of a good and gracious King, that were justly raised in us by the Royal Virtues which, with Delight, we beheld in your Majesty when Prince of Wales: It is not only an Earnest of our future Happiness, but, being made by a King of such Royal Honour and Virtue, puts us in Possession of our Felicity.

"May the great Things of your Reign, for the Support, Vindication, and Enlargement of the true Protestant Interest at home and abroad, for the Maintenance and Increase of the Power and Wealth of your Dominions, for the Dignity and Honour of your Royal Family, and for defeating all the Designs and Attempts of the abjured Popish Pretender, and every other Enemy, be such as may obscure the Lustre of the most eminent of your Predecessors; and even render less observable the Glory of the Reigns since the late blessed Revolution: May your Royal Consort, and his Royal Highness the Prince of Wales (who has honoured this City with adding its Name to his Titles) and all your Progeny continue to be a Blessing to your Majesty and to your Kingdoms.

"These are the warm and ardent Wishes of your Majesty's good Town of *Edinburgh*, whose Glory it is to have been firm to the Interest of your Royal Family and Government in all Times: and we beg leave to add our fervent Prayers, that your Majesty's Reign may be so peaceable and prosperous as to afford no signal Oc-

casione for our being remarkable for our Loyalty: And, at the same time, suffer us, Great Sir, with the deepest Submission and Truth, to assure your Majesty, that from Principle, and our Duty to God and to you, from an inviolable regard to the Church of *Scotland* by Law established, and the Good of our native Country, we are ready, on every Occasion that may offer, to give the most real Proofs; and from which no Danger shall, through Divine Grace, deter us: That we are, may it please your Majesty, your Majesty's most loyal, most faithful and dutiful Subjects and Servants."

G. Drummond Provost.

1736.

Coun. Regist. vol. LVI. p. 331. 12th May.

After the Execution of one *Andrew Wilson*, a Robber, in the *Grass-market* of *Edinburgh*, on the 14th of April, Anno 1736, the Town Guard which attended the said Execution, was insulted and pelted with Stones by the Mob; *John Porteous* the Captain was irritated to such a Degree, that he commanded his Men to fire amongst the Populace, whereby divers Persons were killed, and many dangerously wounded. For which he was prosecuted at the Expence of the City, and condemned to die for the same: But a Reprieve being obtained to respite his Execution, the Mob (in the Night preceding the seventh Day of September, whereon *Porteous* was to have been executed pursuant to the Sentence) assembled in a very riotous manner, seized and disarmed the City Guard, possessed themselves of the Town Gates, and destroying the Tolbooth or Prison Door by Fire, brought forth the said *Porteous*, the Criminal, and hung him on a Dyer's Post or Frame in the *Grass-market*, on the said seventh Day of September, according to his Sentence.

For which the Magistrates, for not preventing the same, were called to an Account by the Parliament, and a Bill passed in the House of Lords, to take away the Town's Guard, and the Gate of the *Netherbow* Port; and by laying the City open, prevent all such wicked, illegal, and dangerous Practices in Time coming. But great Interest being made in the House of Commons to alter the said Bill, it was by Parliament enacted, that *Edinburgh*, for the Neglect of its Magistrates, be fined in the Sum of Two thousand Pounds Sterling, to be given to *Isobel Gordon*, Relict of the said *Porteous*; who, in consideration of the numerous Favours received by her from the Common Council, since the unfortunate Death of her late Husband, accepted of the Sum of Fifteen hundred Pounds Sterling, in full for the aforesaid Sum of Two thousand Pounds Sterling. To which being added the Sum of Fourteen hundred and forty six Pounds, two Shillings and seven Pence half-penny, Sterling Money, disbursed by the City Magistrates in their Journey to, Stay at, and Return

turn

1727.
Coun. Regist.
vol. LI. p. 371.
22d June.

1736.

turn from *London*; which, together with Lawyers Fees, and other necessary Expenses at *Edinburgh*, this unhappy Affair must have cost the *Edinburghers* a very considerable Sum of Money.

1737.
Coun. Regist.
vol. LVIII.
p. 83. 3d Aug.

The Town Council, to guard against the like dismal Catastrophe and fatal Event in Time coming, ordained, That, on the first Information or Appearance of an Insurrection, without waiting for Beat of Drum, Alarm-bell, other Warning or further Notice; that the Magistrates, Merchant Council, Master of the Merchant Company, with his Assistants, forthwith assemble in the Council Chamber; the Deacon Conveener, with the several Deacons of Crafts, their Box-masters and Quarter-masters; together with the Preses, Box-master and Quarter-masters of the Company of Barbers, in the Borough-room; the Society of Captains, Lieutenants and Ensigns, in the Lower Council-house; and the Fellowship of Fire-masters, with their several Companies, in the Parliament-house; to receive and execute such Orders as shall be given them by the Magistrates, for quashing of Insurrections and Tumults when they happen; on the Penalty of One hundred Pounds *Scotish* Money, for every Omission of the respective Parties.

1740.

In this Year was a great Scarcity of Victual, and it appears from the Council's Records, that the Magistrates used all possible Means for the Relief of the necessitous. They ordered their Treasurer to purchase such Quantities of Grain as should be found necessary for the Exigencies of the Poor; caused grind it, and carry it to the Market, to be sold at a much easier Rate than otherwise could be had. Both Banks lent the City Money, without Interest, to pay for the Corn bought; and Mr. *Couts*, and other Gentlemen, who dealt in the Corn Trade, did import great Quantities of Victual, which they delivered to the City at prime Cost, which reduced the Price very considerably; insomuch that the People lived in Plenty in the midst of Famine.

The King having acquainted the Parliament, that he had received certain Advice of the Arrival of the Pretender's eldest Son, in *France*, where great Preparations were making to enable him to invade *Britain*; on which Occasion, the Marquis of *Tweeddale*, one of the principal Secretaries of State, sent a Letter to the Lord Provost of *Edinburgh*, of which the following is a Copy.

My Lord,

1744.
Coun. Regist.
vol. LXIV. p.
co. 22d Feb.

" I transmit to you inclosed, a Copy of the Message his Majesty sent this Day to both Houses of Parliament, together with their dutiful and loyal Address thereupon; which you will communicate to the rest of the Magistrates.

" The Zeal and Affection you have formerly shewn to his Majesty's Person and Government, leave no Room to doubt

" you will take such Precautions as you shall judge necessary for preserving the publick Tranquillity, and for preventing Tumults within your Jurisdiction: I am, my Lord, your Lordship's most humble Servant."

Tweeddale.

The above Message and Letter being laid before the Common Council, they, to shew their Loyalty at this dangerous Juncture, drew up the following Address to be presented to the King.

Most gracious Sovereign,

" We your Majesty's most dutiful and loyal Subjects, the Lord Provost, Magistrates, and Council of the City of *Edinburgh*, in Council assembled, having observed by your Majesty's Message to Parliament, that you have received undoubted Intelligence of the eldest Son of the Pretender's being arrived in *France*; and of the Preparations which are making there to invade this Kingdom, in Concert with disaffected Persons in *Britain*. And that such Invasion is to be supported by the Squadron of *French* Men of War which has dared so long to cruise in the *British* Channel: We take this Occasion to assure your Majesty of our utter Detestation of an Undertaking no less insolent, than wicked; and of our firm Determination to defend your Majesty's sacred Person, and the Settlement of the Crown upon your Royal Family, against the open Attempts of foreign Enemies, and against all treasonable Practices at home. The same Zeal, the same Spirit, that has remarkably distinguished this City, in asserting the Cause of Religion and Liberty against Popery and *France*, at the two grand Æras, the Reformation and Revolution; and in opposing and suppressing the unnatural Rebellion which broke out in this Country upon your Royal Father's Accession to the Throne, animates and determines us (as it must every true *Briton*) to act in Defence of your Majesty's Title to the Crown, and of the Religion, Laws, and Liberties of these Kingdoms.

" That your Majesty may long live and reign in the Hearts of a free and independent People, united in Sentiments to maintain the just Prerogative of the Crown and the Liberties of the Subject; and who shall hold as Enemies to your Majesty and to *Britain*, all such as dare in the least incroach on either; is the hearty Prayer of, may it please your Majesty, your Majesty's most obedient, most dutiful and loyal Subjects and Servants."

The Lord Provost, Magistrates, and Council of the City of *Edinburgh*, in Council assembled.

All Things being ready in *France* for invading of *Britain* by the Pretender's Son, as aforesaid, the Marquis of *Tweeddale* on that Occasion

1744.

1744

Occasion, sent the following Letter to the Lord Provost of this City.

Whitehall 13th August 1745.

My Lord,

1745.

Coun. Regist.
vol. LXV.
p. 60. 23d
Aug.

" Their Excellencies, the Lords Justices having received Intelligence, that the Pretender's Son is already landed, or intending to land in Scotland, have recommended it to me to give you Notice thereof; that you may exert your Care and Vigilance on this Occasion, and make use of such Precautions as you shall judge necessary for preserving the publick Peace within the Bounds of your Jurisdiction; I am, my Lord, your Lordship's most humble Servant."

Tweeddale.

To this Letter the Lord Provost returned the following Answer.

My Lord,

Id. ibid.

" I received the Honour of yours of the 13th current; and 'tis with Pleasure I assure your Lordship, that this Town was never better affected, nor more peaceable than at present. Nothing shall be neglected on my Part, to preserve People in their Duty towards their King and their Country: And we trust in God, that no threatened Danger shall ever reach us. At the same time, we are not to sit down in Security, but will keep a watchful Eye, in order to prevent, as far as it is in our Power, every Thing that may disturb the Peace of this Place. I beg you'll believe me to be with the highest and most profound Respect, &c."

Edinburgh, 17th August, 1745.

In this State was *Edinburgh*, when a Report prevailed, that *Charles*, the Pretender's eldest Son, accompanied with a few Gentlemen, were landed in the Country of *Lochaber*, in the North-western Parts of *Scotland*, which being confirmed on the Eighth of *August*, by Advices from those Parts, with an Account of his being joined by divers of the Clans in that Country; with whom he was preparing to march Southward: And Advice being brought soon after of their Arrival in the Country of *Athole*, the City was violently agitated, the Town's Drums beat to Arms, the Town Council ordered the Keys of the City into the Custody of the Captain of the Guard, reinforced the Town's Guard with a Company of the Train'd Bands, sent Arms to the Inhabitants of *Leith*, ordered the City Walls to be repaired, Cannons to be placed thereon, and a Ditch to be made from the Northern Side of the Castle Rock to the *Nordloch*; in which Works, Men were employed on the Sabbath, as well as on other Days.

Id. ibid.

The Common Council at this Time being sincerely attached to the Government, began to prepare for its and their own Security, by adding Thirty Men to the Town's Company of Fusileers; and soon after in-

creased the Number to One hundred and twenty six. And the more effectually to prevent Insurrections and Tumults in the City, recommended to the Magistrates; to give Orders to the several Officers belonging to the Train'd Bands, to make out Lists of the Men belonging to their respective Companies, and to command them to be ready at an Hour's Warning to appear in Arms at the usual Place of Rendezvous, to receive such Orders as shall be judged necessary to repress Insurrections, and keep Peace within the City. The Constables to make out Lists of the Inhabitants within their several Districts, and take an Account of all Strangers, who shall, from Time to Time, come to lodge within their said Districts. And farther recommended to the said Magistrates, to issue a Proclamation; strictly injoining all Inn-holders, Stable-keepers, and others entertaining Strangers; to send to the Captain of the Town Guard in Writing, the Names and Titles of all Strangers, with the Times of their Arrival and Departure, to be laid before the Magistrates every Morning, under the Penalty of Five Pounds *Sterling* for every Omission.

And the Magistrates at this critical and dangerous Juncture resolved, that the Advice of the most prudent, substantial, and best affected Citizens shall be taken, who being summoned to meet in the New Church, a great Number of them repaired thither, and unanimously approved of the Measures taken by the Town Council and Magistrates to secure the Peace of the City; and proposed, that the Council nominate some of their own Members, to be joined by such of the other Citizens, as they should think proper to chuse, as a Committee, to consult with, and take the Advice of the Officers of the Crown, Judges, and chief Lawyers in Town, as to such other Steps as were necessary to be taken, for preserving Peace in the City, and for defeating the dangerous and wicked Designs of the Enemies, both to Church and State. This Advice being approved of, the Council appointed a Committee of Six of their own Members, and Five other Citizens; and recommended to them, without Loss of Time, to advise with the Persons aforesaid, in respect to the Particulars above mentioned.

In this Time of common Danger, it was likewise judged necessary to provide for the Safety of the Town of *Leith*, to which End Officers were appointed for the Four Companies of Train'd Bands belonging to that Place, for whose Use one hundred Muskets, and thirty Bayonets were sent from the Town's Armoury.

The Lord Provost's Letter of the 17th *August*, above specified, being an Answer to the Marquis of *Tweeddale*'s of the 13th of the same Month, the said Marquis returned the following Answer.

I i

Whitehall,

1745:

Ibid. 28th
Aug.

Ibid. 2d Sept.

1745.

Whitehall, 31st August, 1745.

My Lord,

"I received yours of the 17th instant, in which you assure me, that the Town of Edinburgh was never better affected, nor more peaceable than at present; and that nothing should be neglected on your Part, to preserve the People in their Duty to their King and Country.

Ibid. 4th Sept.

"I have by this Post received a Copy of an Affidavit of one Daniel Maclean, a Chairman, and I do apprehend, it would have been for his Majesty's Service, that this Chairman had been secured on his making such Affidavit, till it had been discovered, whether what he said was true or false; since I hope you will agree with me, that the spreading false Reports at this Time, tends greatly to disturb the Quiet of his Majesty's good Subjects. I know his Majesty has entire Confidence in the Zeal and Activity of the Magistrates and Burgeses of Edinburgh, and does not in the least doubt of his receiving real Proofs of their Attachment to his Person and Government, in opposition to a Popish abjured Pretender. You will be pleased to communicate this to the Magistrates and Council of Edinburgh. I am, my Lord, your Lordship's most humble Servant.

Tweeddale.

"P. S. The King, God be thanked, arrived this Day in perfect Health at Kensington, about One o'Clock. As his Majesty passed through the City, he was welcomed with very joyful Acclamations of his faithful Subjects."

News being brought to Edinburgh of the King's Arrival at London from his Hanoverian Dominions in Germany, the Common Council of this City on that Occasion sent him the following very loyal Address.

Most Gracious Sovereign,

"We your Majesty's most dutiful and loyal Subjects, the Lord Provost, Magistrates, and Council of the City of Edinburgh, want Words to express the Satisfaction we felt, upon receiving the News of your Majesty's happy Arrival to these your Dominions, so long and ardently wished for by all your Majesty's faithful and dutiful Subjects; at a Time, when the Enemies to your Person and Government were daring enough to take up Arms, with a wicked Intention, to deprive us of our Religion, Liberty and Laws, Blessings we have so long possessed, derived down to us from the Revolution, and happily enjoyed under your Majesty's and Royal Father's auspicious Reigns.

"This City has always distinguished herself, by a firm and steady Attachment to Revolution and Whig Principles, and a hearty Abhorrence of all Popish and arbitrary Governments. And in the Year

1745, when a most unnatural Rebellion was kindled up against your Royal Father, our great Zeal for his Person and Government was equalled by few, surpassed by none. Since that Time, we have opposed, as far as was in our Power, every Measure that might flatter the Pretender's Hopes.

"We beg Leave at this Time to assure your Majesty, that we will stand by you and your Royal Family, with our Lives and Fortunes; employ every Power we are possessed of, and all the Means you shall put into our Hands, to disappoint the Views of France, and baffle the vain Hopes of this rash Adventurer, who has been audacious enough to attempt to darken and disturb the Tranquillity of your Majesty's happy Government. May it please your Majesty, your Majesty's most obedient, most dutiful and loyal Subjects and Servants, the Lord Provost, Magistrates, and Council of the City of Edinburgh, in Council assembled.

Signed, by our Order, by Archibald Stewart Provost.

The Town Council of Edinburgh, to enable themselves to put their Promises in the above Address in Execution, borrowed of General Gueff, Governor of Edinburgh Castle, six hundred Cartouch Boxes and Belts; and soon after two hundred Muskets, with the like Number of Bayonets, Cartouch Boxes and Flints, with a Barrel of Gun-powder, and Balls in Proportion; And soon after two hundred Stands of Arms more which were distributed among the Volunteers of the City Regiment.

And, for the better Defence of Edinburgh against the Attempts of the Enemy, certain of the best affected Citizens proposed to raise and maintain, at their own Expence, a Regiment of Foot to consist of one thousand men; and for that End applied to the Common Council for their Approbation; which being readily given, Application was made to the Government for a Power to enable them to raise the said Regiment; which being approved of, the King granted them his Sign manual for that Purpose; of which the following is a Copy.

GEORGE R.

"Whereas it has been represented to us, that our right trusty and well beloved, the Lord Provost, Magistrates, and Town Council, Burgeses and others of our City of Edinburgh, from their great Loyalty and Affection to our Person and Government, are, at this Juncture, willing and ready to raise and maintain, at their own proper Charge and Expence, by a voluntary Subscription and Contribution, one thousand Foot for the Defence of the said City, and Support of our Government; and that they are desirous of obtaining our

"Royal

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"Royal Licence and Authority for the same.

"We therefore reposing entire Trust and Confidence in the Lord Provost, Magistrates, and Town Council of our said City, do hereby authorize and empower them to raise, form, and discipline one thousand Foot to be employed for the Purposes above mentioned. And we do hereby further order and command, that the said one thousand Men, shall be under the Direction of the Lord Provost, Magistrates and Town Council of *Edinburgh*; for doing whereof, this shall be a sufficient Warrant."

Given at our Court at *Kensington*, the fourth Day of *September* 1745, in the Nineteenth Year of our Reign.

By his Majesty's Command.

Tweeddale.

Id. ibid.

The *Edinburghers* thus impowered, a Committee was appointed to consider of the most proper Methods for raising and maintaining the said Regiment for the Space of three Months; and to think what was further to be done for the Safety of the City and Support of the Government; which being duly weighed and considered, an Obligation was drawn up and approved of for carrying them into Execution; of which the following is a Copy.

Id. ibid.

"Whereas his Majesty, by his Royal Sign manual, of Date the fourth of *September* 1745, did authorize and empower the Lord Provost, Magistrates and Town Council of this City, to raise, form, discipline, and maintain, at their own proper Charge, by voluntary Subscription of them and the other Burghesses and Inhabitants, one thousand Foot for the Defence of the said City and Support of his Majesty's Government: To the End therefore, that the said one thousand Foot may be speedily raised and maintained for the Space of three Months from and after this Date, we the Persons subscribing bind and oblige us to pay to Mr. *John Forest*, late Treasurer to the City of *Edinburgh*, the several Sums annexed to our respective Subscriptions monthly, per Advance: The first Moiety to be paid at the Subscription hereof, to be by him paid out in levying and maintaining the said one thousand Foot; and such Officers as shall be named for commanding them, according as the Lord Provost, Magistrates, and Council shall direct. In Testimony whereof, &c.

Of this Regiment the Common Council appointed the Lord Provost to be Colonel under their Direction; and ordered sixty Stands of Arms to be delivered for the Use of the Inhabitants of the *Potter-row* and *Portsburgh*; and whilst Preparations were making by raising and arming of Men, the Town Walls were repairing with the utmost

Expedition, by heightening them in some Places, castellating them in others; and strengthening them elsewhere by additional Walls on the Inside; whilst wooden Floors were laid in divers of the Bulwarks and half-Moons whereon to mount Artillery.

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And that nothing might be wanting to defend *Edinburgh* in case of an Attack, a Subscription was opened for Volunteers; to which many of the chief Citizens crowded to sign, as others did to enlist themselves in the aforesaid Regiment; both of which were supplied with Arms from the Royal Magazine in the Castle of *Edinburgh*.

Id. ibid.

On the 13th of *September*, the young Pretender with his Highland Army, in their March Southwards, crossed the River *Forth* at a Ford a little below *Balquhnan*, a few Miles to the Westward of *Stirling*: Advice whereof no sooner reached *Edinburgh*, than the Trained-bands were ordered to mount Guard in the Parliament House, the Volunteers consisting of six Companies, in the Exchequer Chamber; and the *Edinburgh* Regiment in the Justiciary Hall. Besides these were three Volunteer Companies of Dissenters from the Established Church, called *Seceders*; the Town's Company of Fusileers, consisting of one hundred and twenty Men; and about two hundred Men from the County of *Mid-Lothian*, who came in Defence of *Edinburgh*.

Now all being in the greatest Hurry and Confusion in *Edinburgh*, the Cash of the two Banks, publick Offices, and most valuable Effects of private Citizens, were removed to the Castle of *Edinburgh* for Security. On the 14th and 15th of *September*, Men were employed in scaffolding some Parts of the Town Wall, erecting Palisadoes, barricading the Town's Gates, and placing Cannons on the City Wall, and other Places necessary.

On the 15th of the said Month, News was brought, that the Van of the Rebel Army was arrived at *Linlithgow*, and Detachments from it within a few Miles of *Edinburgh*, and *Gardner's* Regiment retreating before them, all was in Motion. *Hamilton's* Regiment of Dragoons decamped from the Links of *Leith*, to join *Gardner's* at *Corstorphine*, whither the City Guard, all the Men of the new-raised Regiment, who were not on Duty in the Town, marched out to reinforce them, to stop the Progress of the Enemy. But alas! instead of that, the Two Regiments of *Irish* Dragoons aforesaid, on their Approach, rode off with the greatest Expedition. This precipitate Flight of the Military, together with the Officers of the Crown, and many of the principal Inhabitants leaving the Town, occasioning a great Consternation, divers of the Citizens petitioned the Common Council to call to their Assistance the chief Inhabitants, to deliberate on the best Measures to be taken on

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on this dangerous and critical Juncture.

Pursuant to this Petition, the said Citizens were summoned to meet in the New Church; where being assembled, amongst other Things it was asked them, Whether the Dragoons should be called to their Assistance? It was answered, No Dragoons. The Question then was, Whether the Town should be defended? which being carried in the negative, it was resolved to treat with the Enemy, to obtain the best Terms they could. And being about to chuse Commissioners for that Purpose, a Letter from the young Pretender, addressed to the Lord Provost and the rest of the Magistrates, was produced in Council, which being ordered to be read, it began as follows: "Whereas we are now to enter the beloved Metropolis of our ancient Kingdom of Scotland." Here the Reader was stopped, and asked by whom the Letter was signed. Having told it was superscribed, *Charles Prince of Wales, &c.* it was artfully refused to be heard.

Now all Thoughts of defending the Town being over, the City Volunteers and Town Regiment returned their Arms to the Castle, whilst the Trained Bands and Town Company of Fusileers mounted Guard the following Night.

The Commissioners aforesaid having met certain of the Highland Chiefs at Gray's Mill, they discoursed on Matters relating to a Surrender; but what was concluded on, remains still a Secret. However, that it was either at this Meeting, or by a private Contract, agreed to admit the Rebels into the Town, I think cannot be justly controverted; especially if we consider, that the very next Morning, about Four of the Clock, a Party of the Highlanders were got before the Eastern Gate of the City, called the *Netherbow*, when the said Gate (as was ridiculously alledged) was in this Time of imminent Danger opened to let out a Coach. Then the Enemy entered, secured that and the other Gates; and possessing themselves of the Town Guard House, disarmed and imprisoned the Guard, and seized on the Artillery, Arms and Ammunition belonging to the City.

General *Guest*, Governor of the Castle, was no sooner apprised of the Rebels having possessed themselves of *Edinburgh*, than he displayed the Flag, and fired divers Cannon, as a Warning to the *Edinburghers* not to approach the Castle-hill.

The Highland Party which entered the City in the Morning, having secured the Heralds, Pursevants, &c. repaired with them about Noon to the Market Cross of *Edinburgh*, in their Formalities, and, by Sound of Trumpet, read the Pretender's Declaration and Commission of Regency given to his Son, superscribed *J. R.* dated at *Rome* December the 23d, anno 1743, and a Manifesto superscribed, *Charles, P. R.* and sub-

scribed, *C. P. R.* dated at *Paris* May 16th, in the Year 1745. In the said Declaration and Manifesto, was a general Pardon for all Treasons, &c. committed before their Publication, and ample Promises to secure Protestants in the free Exercise of their Religion, and in the full Enjoyment of all their Rights and Privileges.

On the 17th of September, about Noon, the Highland Army arrived in the King's Park, at *Edinburgh*, and the young Pretender in a Highland Dress, at the Palace of *Holyroodhouse*, whither the People crowded in great Numbers, to see him. And on the 18th of September, he published the following thundering Proclamation.

CHARLES, &c.

"These are ordering and requiring the whole Inhabitants of the Town of *Edinburgh*, and Suburbs thereof, and the County of *Mid-Lothian*, forthwith to surrender and give up to us, or the Officers appointed by us, to receive them, the whole Arms and Ammunition in their Custody and Possession, to be used for his Majesty's Service; certifying all those who neglect the due Observance of the Premises, shall be deemed Rebels, or disaffected Persons to our Interest, and treated as such; excepting herefrom such as voluntarily engage in our Service. And we hereby further order and require, that such Persons as give their Arms shall deliver them at their own Expence, at his Majesty's Palace of *Holyroodhouse*. These our Orders we appoint to be publicly proclaimed at the Market Cross of *Edinburgh*, that none may pretend Ignorance. Given at his Majesty's Palace of *Holyroodhouse*, this 18th of September, 1745. By his Highness's Command."

J. Murray.

On the 19th of the same Month, a Message was sent to *Edinburgh*, superscribed *Charles P. R.* and subscribed *C. P. R.* demanding, on pain of military Execution, one thousand Tents, two thousand Targets, six thousand Pair of Shoes, and a proportionable Number of Water Cantines, to be furnished for the Use of the Army, against the 23d instant, promising to pay for the same, as soon as the Troubles were over. There being no Time for Delay, the Inhabitants were summoned to deliberate thereon, who, considering no Favour was to be expected, ordered the said Necessaries to be forthwith provided, and to pay for the same; laid on a Rate of Two Shillings and six Pence *Sterling* in the Pound on all Lands and Tenements within the City and Liberties of *Edinburgh*.

Many of the Highlanders and others, under the Badge of a Cockade, extorted both Money and Goods from the *Edinburghers* and others: For preventing the like Practices and Impositions in Time coming, a Proclamation was published on the 23d,

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17th Sept.

19th Sept.

by

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by the pretended Regent; of which the following is a Copy.

"These are declaring, That it is his Royal Highness the Prince Regent's Will, that it be proclaimed immediately over the Market Cross of *Edinburgh*; that if any Soldier, or other in his Royal Highness's Army, shall be guilty of any Abuse in taking, pillaging, or disturbing any of the good People of *Edinburgh*, or in the Country, by forcibly taking away any of their Goods, without making a fair Bargain, and Payment made, shall be punished when taken up, and found guilty of the above Offences by a Court Martial, and shall suffer Death, or whatever other Punishment the Court Martial shall think fit to inflict upon them; it being his Royal Highness's unalterable Resolution to protect the Country in the full Enjoyment of their Rights and Privileges.

"It is also declared, That no Officer, or Soldier, shall of themselves seize or take any Horse, upon any Account whatsoever (except Horses belonging to the Enemy in Time of Action, in Arms against his Royal Highness) without an Order signed by a General Officer."

Signed, by his Royal Highness's Order,
by me *George Murray*.

20th Sept.

The Highlanders having supplied themselves with Abundance of Necessaries in *Edinburgh* and its Neighbourhood, marched on the 20th in the Morning from their Camp at *Duddingston*, to fight the King's Army under General *Cope* on its March to *Edinburgh*; and, on the Day following, about Three of the Clock in the Morning, attacked and routed him near *Prestonpans*, in the County of *East Lothian*, with the Loss of all his Artillery, Baggage, and Military Chest, and returned the next Day with the Army to their Camp at *Duddingston*, and the pretended Regent to the Palace of *Holyroodhouse*; where he no sooner arrived, than he sent a Message to the several Incumbents of *Edinburgh*, desiring them to continue publick Worship as usual, with a Promise of Security and Protection, but without mentioning Names, when they prayed for the King or Royal Family: But no Regard being had to the said Message, the Ministers deserted their Churches, and left their Flocks a Prey to Popish Priests and zealous Missionaries, who, on this and all other Occasions, deem it their Duty to make Profelytes, at the Expence of Protestantism, by seducing weak and ignorant Persons from Protestantism to Popery.

Remark. *Edinburgh* thus abandoned by its Ministers (for their being desired by the young Pretender not to name any Person, when they prayed for the King or Royal Family) and their Flocks left destitute of Pastors, when there never was more Occasion for Protestant Ministers to exert them-

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selves than at this Time, when our Religion, Laws and Liberties, and all that's dear and valuable to us as Men and Christians, lay at Stake, and the People in danger of being perverted, by the delusive Arts of Popish Priests, deceitful Sycophants, and Friends to Slavery and arbitrary Power.

Surely these great and invaluable Blessings were worth contending for, and some Hazard run (though there appears to have been none at this Time) for their Preservation. This Behaviour is probably not to be paralleled; for good Men would have had a strict Regard to, and religiously have obeyed the just Command of God, by watching over their Flocks; for we are told by *Ezek. c. xxxiv.* him, that he will require his Flocks at the v. 10. Hands of the Shepherds; and wo to the Shepherd that leaveth the Flock, whose Punishment was to be attended with a Curse, *Zach. c. xi. v. 17.* by having his Arm wither, and his right Eye to become blind.

And we are told by Jesus Christ, the Shepherd of Souls, that a good Shepherd will give his Life for his Sheep; and that he lays down his Life for the Sheep: But our Shepherds, instead of giving their Lives for their Sheep, fled when none pursued, and left them to be preyed upon by the Enemies to their Religion; when, as already hinted, there was not the least Appearance of Danger or Hurt either to their Persons or Properties, as is evident in the Case of the Ministers of the West Church. Had the Apostles and primitive Pastors acted in this unjustifiable, dastardly, and unchristian Manner, we should have remained in our forlorn State, without ever hearing the Sound of, or reaping the Benefits of the glorious Gospel.

In this great Exigence of spiritual Assistance, the truly pious, loyal, and worthy *Niel Macvicar*, Minister of *St. Cuthbert's*, or the West Church, with his Colleague; *John Pitcairn*, with a noble and laudable Zeal, bravely stood in the Gap, to stem the Torrent of Popery and arbitrary Power flowing in upon us. And to keep the People in their Duty to God and their Prince, continued to pray for the King by Name, without the least Molestation from, or Fear of disobliging the Rebels, though some of them frequently repaired to hear them.

The Bank of *Scotland*, and the Royal Bank, as already hinted, being willing to secure their several Properties, from becoming a Prey to the Highlanders, carried their Cash to the Castle of *Edinburgh* for Safety. Wherefore the pretended Regent, on the 27th of *September*, caused publish the following Proclamation.

"Whereas we are informed that great Distress and many Inconveniencies have attended the Removal of the two Banks into the Castle, and that the Credit of the said Banks have suffered much, from an Opinion industriously spread, that we
K k intend-

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"intended to seize on Money where-ever it was to be found, to the Detriment of our Father's Subjects.

"We therefore judge it proper, for the Good of all his Majesty's Subjects, and as a Security to the several Proprietors of the Banks, to declare, that their Money and Effects lodged therein, shall be intirely sure under our Protection, and free from all Contribution to be exacted by us in any Time coming, so that the Proprietors may return with Safety to their former Business of Banking, under this our special Protection; and we ourselves shall contribute so far, in the Re-establishment of publick Credit, as to receive Bank Notes in Payment made to us, of publick or other Monies, and shall issue the same in Payments to be made by us; so that our Arrival in this Kingdom, shall in no wise hurt or influence the Credit formerly established."

Given at our Palace of *Holyroodhouse*, the 25th Day of *September*, 1745.

CHARLES P. R.

The Highlanders, from their entering *Edinburgh* on the 17th of *September*, received no Disturbance from the Castle for the Space of eight Days: But, in the Night of the 25th of the said Month, the Garrison being alarmed by a rustling Noise on the Southern Side of the Rock whereon the Castle is situate, imagined the same to proceed from an Attempt of the said Highlanders to surprise it: But the Rebels gave out, it was occasioned by certain Goats feeding on the said Rock. Be that as it will, a Number of Cannon and small Arms were fired from the Castle on the Highlanders Guard-house at the West Port. This Act of Hostility so enraged the pretended Regent, that on the twenty ninth Day of the same Month, he ordered the Rebel Guard in the Weigh-house, at the upper End of the Strait Bow, to prevent all Communication with the said Castle.

This Order, which was likely in a short Time to distress the Garrison of the Castle, for Want of Provisions, was highly resented by General *Guest* the Governor; who, being a Gentleman of great Humanity, rather than proceed to Extremities, whereby the Lives and Fortunes of many innocent Citizens must have suffered with those of the guilty, chose by Letter to acquaint the late Lord Provost, that if the Communication with the Castle were not quickly opened, he would, by his Artillery, dislodge the Rebels from their several Posts on the Castle-hill.

To prevent the Destruction and Misery that would befall the City, were those Threatenings put in Execution, the Citizens, on this melancholy Occasion, sent a Deputation to the young Pretender, to lay before him the General's Letter: But alas! instead of commiserating their unhappy Condition, by

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reversing the aforesaid Order, returned an Answer, importing, "That he was equally surprised and concerned at the Barbarity of the Order for bringing Distress on the City, for not doing what was not in its Power to do: That, should he, out of Compassion to the City, remove his Guards from before the Castle, he might with equal Reason summon him to quit the Town, and abandon the Advantages which Providence had granted him: That he would be heartily sorry for any Mischiefs that might befall the City, and should make it his peculiar Care to indemnify it in the most ample Manner; and in the mean time he should make full Reprisals upon the Estates of all those who were in the Castle; and even upon all who were known to be open Abettors of the present Government, if he were forced to it by such Inhumanities.

The *Edinburghers*, in this melancholy Situation, applied to General *Guest*, humbly intreating a longer Respite from Hostilities; he granted them one Day, and soon after six days more (provided the Communication with the Castle was kept open) that the Citizens might have Time to receive an Answer to their Express sent to *London*. This Respite gave the People a Joy inexpressible; for they had been under dreadful Apprehensions of a Bombardment.

The Communication with the Castle being opened again; as divers Persons, on the first of *October*, were carrying Provisions into it, they were fired at by the Centinels of the Highland Guard: This enraged the Garrison to such a Degree, that they discharged a Number of Cannon and small Arms at them; which damaged divers Houses, and wounded several Persons: And no sooner a Highlander appeared in Sight of the Castle than they fired at him.

Charles, the pretended Regent, being greatly incensed at the Reprisals made by the Castle, forthwith issued a Proclamation; whereof the following is a Copy.

CHARLES P. R.

"Being resolved, that no Communication shall be open between the Castle and Town of *Edinburgh*, during our Residence in this Capital: And to prevent the bad Effects of reciprocal firing from thence, and from our Troops, whereby the Houses and Inhabitants of our City may innocently suffer; we hereby make publick Intimation, that none shall dare, without a special Pass, signed by our Secretary, upon Pain of Death, either to resort to, or come from the said Castle, upon any Pretence whatsoever; with Certification, that any Person convicted of having had any such Intercourse, after this our Proclamation, shall immediately be carried to Execution."

Given at our Palace of *Holyroodhouse*,

1745.

house, the 2d Day of October 1745.

J. Murray:

And the more effectually to block up the said Castle, on the 3d of October, a Guard was placed at *St. Cuthbert's Church*, and another in *Livingston's Yards*; but the said Guards were no sooner posted, than a Soldier from the Castle set Fire to the Guard-house, and at the latter of those Places killed one of the Guard, and returned to the Castle; and, a Sally from thence being made soon after, attacked and defeated the said Guard, killed some, and took an Officer and a few common Men Prisoners.

On the 4th of the said Month, at Noon, the Governor of the Castle gave Warning to the Inhabitants to remove from the Northern Side of *James's Court*, lest some Chance-shot should happen to come that way. Then a dreadful cannonading began, and, in a Sally the Night following, burnt a Foundry and some Houses on the Eastern Side of the Castle-hill, fronting the Castle, wherein the Rebels used to shelter themselves. Now was seen a terrible Scene of Fire and Destruction! This struck the People with such a Consternation, that the most exposed to Danger, instead of removing their Goods, were employed in carrying off their infirm, sick, and aged, whilst others at a Distance, less exposed, were busied in sending away their most valuable Effects, and following them into the Country.

5th Oct.

To remedy this, and remove the dismal Scene, the young Pretender, on the 5th of October, published a Proclamation, intimating, "That it was with the greatest Regret, he was hourly informed of the many Murders that were committed upon the innocent Inhabitants of the City, by the inhuman Commanders and Garrison of the Castle, so contrary to all the Laws of War, the Time granted to the City, and even exceeding the Orders given up on this Occasion: That as he had threatened, he might justly proceed to use the Powers which God had put into his Hands, to chastise those who were instrumental in the Ruin of this Capital, by Reprisals upon the Estates and Fortunes of those who warred against him: But that he thought it noways derogatory to the Glory of a Prince, to suspend Punishment, or alter a Resolution, when thereby the Lives of innocent Men could be saved: That, in consequence of this Sentiment, his Humanity had yielded to the Barbarity of his Enemies, that the Blockade of the Castle was taken off, and threatened Punishment suspended."

31st Oct.

This is the last Transaction of Moment betwixt the Castle, City, and the young Pretender: For he having set out from *Edinburgh* on the 31st of October, on his March to *England*, and followed the next Day by the last Division of his little Army,

put an End to all Affairs between him and *Edinburgh*; for, on his Return from *England* to *Scotland*, he came not near it.

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There being no Civil Government in *Edinburgh* for the Space of fourteen Months, occasioned by the late Rebellion; for *Michaelmas* being the usual Time for electing the Magistrates and Town Council of *Edinburgh*; preparatory to which, the long Leets or Lifts being made out by the several Incorporations of Crafts or Trades, each containing the Names of six Persons, put in nomination for the Office of Deacon for the respective Companies; which being delivered to the Common Council for Choice, they selected three Persons out of each of the said Lifts, and returned them to their several Corporations, for each to chuse a Deacon for their own Crafts out of the said Numbers. But in the interim, the young Pretender, with his Highland Host, being let into the City, a Stop was put to the Election, by a Panick which seized the Council, occasioned by Commotions and armed Men passing and repassing before the Council House; which so intimidated the Council, that they were afraid to proceed in the Election; wherefore it was judged necessary to have the Opinion of certain of the most eminent Lawyers thereon, who returned the following Answer to the Queries delivered them on this Occasion.

"That it was absolutely necessary, for the avoiding Anarchy and Confusion in the City, by the want of Government, it is the indispensable Duty of the Magistrates and Council to make an Election; and if, by reason of the present Troubles, they cannot proceed in so regular a Manner as usual, yet to go on in the best Way they can, which, if not challenged in due Time, would stand good: Therefore they ought by all Means to proceed in the chusing of Magistrates and Council."

This, with the other Answers to the Queries aforesaid, being approved of by the Council, they went on with the Election; and by reason of the Absence of some of their Members (who left the Town on account of the Rebels) chose Proxies to supply their Places, by whom the Council being filled up, they, on the 25th of September, received and admitted the new Deacons into their respective Offices, elected the Council Deacons, chose the Merchants and Crafts Counsellors, and adjourned to the 27th of the said Month.

The Council being met at the Time and Place prefixed, to make Leets or Lifts preparatory to the Election of Magistrates; but the Court being very defective in its Number, by reason of the Absence of many of its Members; but Proxies being chosen to supply their Places, they proceeded in the Election, and chose the proper Number of Persons to be on the Lifts, where out of

to

1745.

to chuse the Provost, Bailiffs, Dean of Gild, and Town Treasurer; and after an Adjournment of three Days, met on the First of *October* to elect their Magistrates: But there being a great Defect of Members, by the Refusal not only of divers of the new-elected Members to serve, but likewise a Number of the Proxies who would not accept; which, together with the Non-appearance of some on the Leets for Magistrates, who left the Town on purpose; and others on the said Lists, who were in Town, though spoken to, absolutely declined standing, which put an effectual Stop to all further Proceedings in the Election, and made way for divers Protestations.

Edinburgh having been in a State of Anarchy since the Feast of *Michaelmas*, anno 1745, Application was made by the Citizens to the King, for a Power to enable them to chuse their Magistrates and Council as formerly; which his Majesty was graciously pleased to grant, as will appear by the following Order of the Privy Council.

1746.
Ord. Priv.
Coun.

Whitehall, the 30th Day of *October*, 1746.

"Whereas a Petition has been presented to his Majesty, at this Board in the Name of the Committee, appointed by a general Meeting of such Burghesses, who have at any Time been Magistrates and Common Council-men of his Majesty's antient City of *Edinburgh*, setting forth, That at *Michaelmas* last, the Rebel Army were in Possession of the said City, whereby the annual Election of Provost, Bailies, Common Council and other Office-bearers for the said City could not be performed: That by the Sett or Constitution, and by the Laws of the said City, such Elections can be only at *Michaelmas* yearly; that through the foresaid Impediment, the City has wanted, and till his Majesty shall please to interpose, must want Magistrates, Common Council, and ordinary Governors and Officers: And therefore, humbly praying such Remedy in the Premises as to his Majesty shall seem meet.

"And whereas his Majesty's Attorney General, the Lord Advocate of *Scotland*, and his Majesty's Solicitor General (to whom his Majesty had thought proper to refer the said Petition, together with a Memorial thereto annexed) have this Day reported, that they have taken the said Petition and Memorial into their Consideration; and are of opinion, that the Method proposed by the said Memorial of electing by Poll, may be proper to be pursued on this Occasion; and for this Purpose they have certified to his Majesty, that by the Constitution of the City of *Edinburgh*, the ordinary Council consists of seven Magistrates, viz. the Provost, four Bailies, a Dean of Gild, and Treasurer,

1746.

"who must be all Merchants; ten Merchant Counsellors, two Trades Counsellors, and six of the fourteen Deacons of Crafts, who are annually chosen by their respective Companies before the annual Election of the Magistrates and Counsellors for the Year ensuing; and this Election of the Deacons is so far under the Controul of the Council, when there is one subsisting, that every Trade presents to the Council a Leet or List of six Persons of their Number, of which the Council strikes out three, and out of the remaining three, the Trade itself chuses one for Deacon; and of the fourteen Deacons thus chosen, six must be elected by the Town Council, as Part of the twenty five ordinary Counsellors for the Year ensuing; and the other eight are also of Course Members of the Council on certain Occasions, and are called *Extraordinary Deacons*; and when they are present, the whole Council is in Number thirty three.

"Which Report being this Day taken into Consideration, it is hereupon ordered in Council, that for restoring the Peace and good Government of the said City, the fourteen Incorporations of Crafts within the said City, be, and they are hereby authorized, and commanded to assemble themselves upon *Friday*, the fourteenth Day of *November* next, at their usual Places of meeting; then and there, each of them elect a fit Person to be Deacon of their respective Crafts for the Year ensuing, and forthwith to give Notice in Writing, of the Names of the Persons elected to the Town Clerks of the said City; and out of the fourteen Persons so to be elected, six to be chosen to make Part of the ordinary Council of twenty five; and the other eight to be extraordinary Deacons in Council for the Year ensuing, with all the accustomed Powers and Privileges; and that the Election of the six Deacons out of the said fourteen, and of the Magistrates and others of the ordinary Council of twenty five, be, by the Burghesses, Merchants, and Tradesmen residing within the Town and Liberties thereof, excluding the honorary Burghesses, Servants, and Pensioners of the Town, Merchant Companies, or any of the Incorporations of Crafts; and that the Magistrates and Members of Council, who shall be elected by a Majority of the Burghesses aforesaid, shall continue from that Time Magistrates and Counsellors, till the usual Time of Election in the Year 1747; and that the first Meeting for the said Election, be held in the New Church Isle, at ten o' Clock before Noon, upon *Monday* the twenty fourth Day of *November* next, with Continuation of Days, of which the Town Clerks of the City are hereby required to give publick Notice, not less

"than

1746. " than Eight Days before the Day of Election; and that all Persons claiming to vote do give in their Burgeſſs Tickets three Days at leaſt before the Day of Election to the Clerks, that their Names may be inrolled before the Day of Election.

" And it is hereby further ordered, that William Grant of Preſtongrange, Eſquire, Lord Advocate for Scotland, Hugh Dalrymple of Drummore, Eſquire, one of the Judges of the Court of Seſſion of Scotland, Patrick Grant of Elchies, Eſquire, another of the Judges of the ſaid Court of Seſſion; Charles Aſſkine of Tintwald Eſquire, one of his Maſteſty's Solicitors for Scotland, or any three of them ſhall, and they are hereby authoriſed and required to attend, overſee and direct ſuch Election according to Law, and the Rules in uſe in ſuch Caſes; and to form an authentick Inſtrument thereupon under their Subſcription manual, to be reported to his Maſteſty in Council for his Royal Confirmation; and that they do adminiſter to the Electors before they be admitted to Poll, the Oaths appointed by Law to be taken in Scotland, by the Electors at ordinary Elections of Magiſtrates and Counſellors of Burghs; of all which the Perſons before named, and all others whom it may concern are to take Notice, and pay due Obedience hereto."

Signed, W. Sharpe

The Edinburghers, in obedience to the above Order, having choſen their Magiſtrates and Town Council, the Gentlemen above named, who were appointed Judges of the Election, returned a Certificate of the ſame, as will appear by his Maſteſty's Act of Approbation; of which the following is a Copy.

At the Court at St. James's, the 17th of December, 1746.

The King's moſt excellent Maſteſty in Council.

" Whereas the Lords of his Maſteſty's moſt honourable Privy Council, did, in their Order, bearing Date the 30th Day of October laſt, (for reſtoring the Peace and good Government of the City of Edinburgh), authoriſe and require William Grant of Preſtongrange, Eſq; Lord Advocate for Scotland, Hugh Dalrymple of Drummore, Eſq; one of the Judges of the Court of Seſſion of Scotland, Patrick Grant of Elchies, Eſq; another of the Judges of the Court of Seſſion; Charles Aſſkine of Tintwald, Eſq; another of the Judges of the ſaid Court of Seſſion, and Patrick Halden, Eſq; one of his Maſteſty's Solicitors for Scotland, or any three of them to attend, overſee and direct an Election of Magiſtrates, Counſellors, and Deacons of Crafts for the ſaid City of Edinburgh, according

to Law, and the Rules in uſe to be obſerved in ſuch Caſes, to continue until the uſual Time of Election in the Year 1747.

" And they having cauſed ſuch Magiſtrates, Counſellors, and Deacons of Crafts to be elected accordingly, and returned an Inſtrument of the ſame under their Hands and Seals (a Copy whereof is hereto annexed) which having been this Day preſented to his Maſteſty, and read at the Board, his Maſteſty was graciouſly pleaſed to accept the ſaid Inſtrument, and to approve and confirm the aforeſaid Election of Magiſtrates, Counſellors, and Deacons of Crafts, of the ſaid City of Edinburgh; and the ſame is hereby declared to be approved and confirmed accordingly."

Signed, Temple Stanyan.

The above Royal Confirmation of the Election being read in the Common Council, they unanimouſly agreed to addreſs the King as follows.

Moſt gracious Sovereign,

" We your Maſteſty's moſt dutiful and loyal Subjects, the Lord Provost, Magiſtrates and Council of the City of Edinburgh, beg Leave, in all Humility, to return our Thanks to your Maſteſty, for your having been graciouſly pleaſed, by an open and free Election, to reſtore to this City the Exerciſe of their antient Rights and Privileges, which the late infamous Rebellion had interrupted and deſtroyed."

" In our Election now confirmed by your Maſteſty's Royal Prerogative, which has never been uſed, but for the Good of your Subjects, there appeared no Conteſt, but who were the beſt affected to your Maſteſty's Perſon and Government: And we ſhall think it our Duty in Gratitude to our fellow Citizens who choſe us, to behave ourſelves, in all our Proceedings, with ſuch Zeal, in Support of your Maſteſty's Authority, and ſuch a diſintereſted, unfeigned, and unallayed Attachment to the Conſtitution, both in Church and State, as to deſerve their good Opinion, and to recommend this City to your Maſteſty's Favour and Protection."

" As the Almighty Providence ſeems to have reſerved to his Royal Highneſs the Duke of Cumberland alone, the reſtoring the Tranquillity of this Country, we hope the ſame Activity, Valour, and Abilities, which have been ſo ſucceſſful againſt rebellious Subjects at home, will alſo lead him to Victory over your Maſteſty's Enemies abroad, the Diſturbers of the Peace and Liberties of Europe. May it pleaſe your Maſteſty, your Maſteſty's moſt dutiful and loyal Subjects and Servants, the Lord Provost, Magiſtrates, and Council

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1746.

1747.

Id. ibid. p. 60.

1747.

"cil of the City of Edinburgh, in Council
"assembled."

Signed, *George Drummond*, Provost.

The above Address was no sooner agreed to, than the Common Council, remembering the great and signal Service done the Nation by the Duke of *Cumberland*, in his late Victory over the Rebels at *Culloden*, than they, as an Evidence of their sincere and grateful Acknowledgment, resolved to present his Royal Highness with the Freedom of their City; whereof the following is a Copy.

Edinburgh, the first Day of April, One thousand seven hundred and forty seven Years.

Ibid. p. oo.
8th April.

"The which Day, his Royal Highness *William Augustus*, Duke of *Cumberland*, *Brunswick*, *Lunenburgh*, &c. &c. &c. Captain General of all his Majesty's Land-forces, and Commander in Chief of the allied Army, &c. was, by the Right Honourable *George Drummond*, Esq; Lord Provost of the City of *Edinburgh*, *Robert Montgomery*, *William Hamilton*, *John Brown*, and *Andrew Wardrop*, Baillics of the said City, *Thomas Allan*, Dean of Gild, and the Gild Council, invested with the Freedom of this City, as a Testimony of their grateful Sense of the glorious Services done by his Royal Highness to his sacred Majesty and the *British* Nation, in happily crushing the late detestable Rebellion, giving a total Overthrow to the Rebels, in the memorable Battle of *Culloden*; restoring the publick Tranquillity, making Way for the Exercise of Government in this City, securing the Trade, Liberties, and Laws of *Great Britain*, and transmitting to Posterity, along with the immortal Honour of a young Hero, the invaluable Blessings enjoyed under the auspicious Reigns of the Protestant Princes of the illustrious House of *Hanover*, conform to an Act of the Town Council, of the Date of the third Day of *January* last, 1747, and the Seal of the City affixed."

And for the better Conservation of the above Charter of his Royal Highness's Freedom of this City, a Golden Box of curious Workmanship was prepared for its Reception; which was decorated on the Outside of the Lid with the City's Arms, finely imbossed; and on the Inside, the Duke's Arms, with the following Inscription beneath them.

S. P. Q. E.

Gulielmum
Georgii Filium,
Cumbriae Ducem,
Sub cujus Auspiciis,
Magistratibus Autoritas,
Senatui Majestas,
Reip. Pax reddita,
Civitate donavit:
Civis Civitate

*Decus et Tutamen
Præstitit:
Civitas Civi
Obsequium et Fidem
Pollicetur.*

1747.

With the above mentioned golden Box, Id. ibid. p. oo. was sent a Letter to the Duke; of which the following is a Copy.

S I R,

"Our most gracious Sovereign, having been pleased to restore to the Burgesies of *Edinburgh*, the free Exercise of their ancient Rights and Privileges, which had been interrupted by the late detestable Rebellion; the Magistrates and Council, chosen by an open and free Election, upon their first coming together, did immediately, after paying their dutiful Thanks to his Majesty, unanimously order the Freedom of the City to be presented to your Royal Highness, to whom, as we owed in common, with the rest of the Nation, our Peace and Liberty, so in particular, the Order and Government we now enjoy under his Majesty's auspicious Reign.

"We humbly offer this Freedom, as a Testimony of our most grateful Sense of the invaluable Blessings which your victorious Arms have purchased and secured to us, and of our inviolable Attachment to your Royal Highness. May the Great Sovereign of the Universe, who distinguished your Royal Highness with the Honour of subduing his Majesty's rebellious Subjects at Home, lead to Victory over all his Enemies Abroad, the Disturbers of the Peace, and Invaders of the Liberties of *Europe*. And may the Glory you have already acquired by your Conduct and Courage, be for ever established, by an uninterrupted Train of Successes in all your great Designs, and transmitted as an Incitement to future Princes and Heroes, to be the Guardians of the Liberties of their Country.

"Sir, I look upon it as the greatest Happiness of my Life, to be in an Office, which intitles me in Name, and by Order of the Magistrates and Town Council of this City, to transmit this publick and sincere Declaration of their Duty to your Royal Highness, and your gracious Acceptance thereof will do the City the greatest Honour.

"I have the Honour to be, with the most profound Respect, Sir, your Royal Highness's most devoted, most obedient, and most humble Servant."

George Drummond, Provost.

Edinburgh, 6th April, 1747.

The aforesaid Box, together with the Charter of Freedom and Letter, being sent to the Duke, then abroad at the Head of the Allied Army near the Town of *Maastricht*

1747. *strict* in the Province of *Brabant*, he received the same at his Head Quarters at *Herentbout*, from which Place his Royal Highness was pleased, on the 23d of *June* 1747, to return the following Answer.

My Lord Provost Drummond,

Ibid. co. 22d
July.

"I have received your Letter of the 6th of *April*, with the Act, by which the Magistrates of the City of *Edinburgh* give me the Freedom of that City.

"I desire you to acquaint them, that I accept with great Satisfaction this Testimony of their Good-will, which will be an Obligation upon me, to interest myself more particularly and intimately in whatever may make for the Prosperity of their City; and I shall be ready, as often as Occasions, in which I can be of Use to them, may offer, to give them Proofs of these Dispositions.

"If, under his Majesty's Auspices and Orders, I may have contributed towards

"suppressing the late wicked and unnatural Rebellion, I shall ever look upon it as the greatest Happiness which could have befallen me, as I reap the Benefit of the Successes of my Endeavours in common with all the King my Father's good Subjects.

"The Danger we have escaped, will, I hope, be a constant Caution against all such Principles and Practices, as have brought these Mischiefs upon us, which threatened our total Ruin, and of which, it is to be feared, good Part of *Europe*, as well as *Great Britain*, will long feel the Effects, and wear the Scars. The Mercies of God will be our surest Relief, which we may hope will not fail us, if we are not wanting to ourselves.

"I thank you for the Cordiality with which you have executed the Trust reposed in you by your Brethren, and am your affectionate Friend."

(Signed) WILLIAM.

The End of the First Book.



T H E

HISTORY of EDINBURGH.

B O O K II.

An Account of the antient and present State of the several Parishes, Churches, Liberties, and Precincts within the City and Suburbs of Edinburgh, alphabetically digested, with the Names of all the Streets, Squares, Wynds, Courts, and Clofes therein.

EDINBURGH, the capital City of Scotland, is pleasantly situated upon a Hill, in the Northern Part of the County of *Mid-Lothian*, about two Miles besouth the noble Estuary of the Frith of *Forth*, in the fifty fifth Degree and fifty five Minutes of Northern Latitude; and of Longitude, three Degrees West from *London*: And, at certain Distances from it, by the Hills of *Pentland*, *Corstorphine*, *Caldton*, *Arthur's-seat*, and *Salisbury-craigs*, placed as it were by Nature, as so many Fences against the impetuous Blasts of violent Storms of Wind from the South-west, West, North-west, North-east and South-east, which often rage to a great Degree in these Parts.

The Hill whereon *Edinburgh* stands, lies almost East and West in a right Line, which from the Castle-gate on the West, to the Gate of the Outer-court of the Palace of *Holyroodhouse* on the East, is one Mile, four Poles, and nine Links; or one Mile and twenty five Yards. But the Length of the whole Town, from the Western End of *Portsburgh*, leading to *Fountain-bridge*, to the Eastern End of the Church of *Holyroodhouse*, is one Mile, two Furlongs, twenty four Poles, and two Links; or one Mile, one Quarter, one hundred and thirty two Yards and two Feet. And *Edinburgh*, from the Southern End of the Path-way leading to *Leith*, at the Northern End of the *Caldton* to the upper or Southern End of the *Pleasant*, is in Breadth five Furlongs, eighteen Poles, and thirteen Links; or half a Mile, three hundred and twenty three Yards, and one Foot. And the Breadth of the Town, from the Western End of the Cross-causeway on the South, to the Northern End of *Mary King's Close* on the North, is four Furlongs, twelve Poles, and four Links; or half a Mile, sixty six Yards, and two Feet. This Hill is in Height two hundred and seventy four Feet, viz. from the high Water-mark at *Leith*, to the Palace of *Holy-*

roodhouse, at the lower or Eastern End of the Town, ninety four Feet; and from thence almost in a direct Line, to the Western or upper End of the Castle-hill Street, one hundred and eighty Feet.

This Eminence, which may not improperly be called the Central-hill, whereon the antient and principal Part of the Town is built, is inclosed on the Northern and Southern Sides by two Hills, which in fact are but one Hill (which rising at the Eastern Extremity of the said Hill, runs along the Northern Side of the Town, and by a semicircular Winding, passeth on the Western Side of the Castle, whence turning eastwards, incloseth the Southern Side of the said Eminence) which runs parallel thereto. Between this invironing Hill or Hills, and that whereon the City stands, runs a narrow Bottom, in the Northern Part whereof is an artificial Lake or Canal, called the *Nord-loch*, as hereafter will more plainly appear; the Appellation of which has given Rise to a very improbable and ridiculous Story (as shall likewise in its proper Place be shewn) of there having been antiently a Lake or Loch, where the *Cowgate* Street is at present situate, in the Southern Part of the said Bottom, denominated the *South Loch*.

Edinburgh, by its lofty Situation, has the Advantage of a pure Air, and a beautiful Prospect of a great Extent into the Counties of East, Mid, and West *Lothians*, *Stirling*, *Perth*, and *Fife* Shires: And even from the Street, at the Market-cross, whither Gentlemen and Merchants resort at Noon, is not only a fine View of the Frith of *Forth*, but the Prospect is terminated by the *German Ocean*, at the Distance of above twenty Miles. Besides, it is situate in a fine Country, enriched with a Number of Towns and Villages, adorned with many noble Seats, handsome Gardens and Inclosures, which being interspersed with beautiful green Hills and Eminencies, form an agreeable Variety

riety of pleasant and delightful Objects.

This City is not more happily seated in respect to Health and Prospect, than it is for several other Advantages; some whereof I shall just mention. For Convenience in Building, here is great Plenty both of Free and Lime-stones, and the best of Stones for paving the Streets; but Wood being scarce, the Defect is amply supplied by Water-carriage: And for Fuel, no Place can be better supplied, and at very reasonable Rates. And though there be no sweet Water near the Town, wherewith to supply the Inhabitants; yet the Town is tolerably furnished with Water brought from *Comiston* in a Leaden Pipe, about three Miles distant. And with Choice of Bread, Flesh, Fish, Fruits, Garden-stuff, and a Variety of Liquors, wherewith it is supplied in great Abundance. And by its being built on a rocky Soil, not only contributes to the Health of the Citizens, but to the Strength of their vastly high Houses, by supporting the most ponderous Superstructures.

The Situation of this City plainly shews, that its Origin is owing to the Castle; and by its standing in *St. Cutbert's* Parish, which still surrounds it on all Sides (exclusive of the Head of the *Canongate*, which likewise appears to have antiently belonged to the said Parish) I imagine the Site thereof to have antiently been the Precinct of the said Castle: For the People who at first settled in this Place, undoubtedly did it with a View of Protection from that Fortrefs, as already mentioned: since there are many Places in this Neighbourhood, much more convenient to be built upon, in respect to both the Advantages of Situation and Commerce; wherfore this Town for many Ages seems to have been mean, and of little Note, as already hinted: For it does not appear to have been either much inhabited or frequented by Persons of Distinction, since there was no publick Convention held therein till the Year 1436, when King *James I.* held his thirteenth Parliament here. For those Assemblies, in *English* Histories called Parliaments, said to have been held in *Edinburgh*, were only Councils held by *Edward Baliol*, during his short Reign, which only consisted of a few of the Nobility, &c. in his Interest. But after the Year 1456, in the Reign of King *James II.* when the States of the Nation continued to hold their Conventions therein, I think we may, from that Period, date its first being reckoned the chief Town of the Kingdom.

And that the Site of *Edinburgh* was the Precinct of the Castle, as above mentioned, I think, is in some measure demonstrated, by the Parliament's having granted and united to this City certain Districts in the Parishes of *St. Cutbert's* and *Holyroodhouse*, lying within the Wall thereof. The first of which, extending Westward from the Out-

side of the Over or Strait-bow or Port, along the Southern Side of the Old Town Wall, and Northern Side of the *Grass-market*, to the West-port, was added to the North-western Quarter of the City; and the second, that ran from the West-port, along the Southern Sides of the *Grass-market* and *Cowgate*, to the New Well at the Corner of the Horse-wynd, was annexed to the South-western Quarter; and the third, which extended from the said New Well to the *Cowgate* Port, was added to the South-eastern Quarter of the Town.

Edinburgh having for many Ages continued open and fenceless, it became a great Sufferer by the numerous Attacks of Enemies, who frequently sacked and burnt it. For the avoiding whereof in Time coming, King *James II.* of Scotland granted to the Inhabitants the following Charter.

James, by the Grace of God, King of Scotland, till all and findry our Lieges and Subdittis, to quibais Knowlege yir oure Letters fall come, Greting.

In Archiv. Edin.

"Foralsmykle as we ar informit be oure well belovettis the Provest and Communitie of *Edynburgh*, yat yai dreid the Evil and Skeith of oure Ennemies of *England*; we have in Favour of yairie, and for the Zele and Affectioun that we have to the Provest and Communitie of oure said Burgh; and for the Comoune Profit grauntit to thaim, full Licence and Leiff to fosse, bulwark, wall, toure, turate, and uther wais to strength oure forsaids Burgh, in quhat Maner of wise or Degre that beis sene maiste spedefull to thaim."

Given under our Grete Seale, at *Strive-lyn*, the last Day of *Aprile*, and of oure Regne, the Thretene Yhere, anno 1450.

The King having, by the above Grant, impowered the *Edinburghers* to fortify their Town, he likewise, by a new Grant, inabled them to raise Money for that Purpose, as will appear by the following Charter.

James, by the Grace of God, King of Scotland, till all and findry our Lieges, and Subdittis, to quibais Knowlege thir oure Letters fall come, Greting.

"Foralsmekle as we have for the comoun Profit, the Zele and Love yat we have to oure wele belovettis, the Burges and Commonte of *Edinburgh*, grauntit to thaim Licence to fosse, bullwark, wall, toure, and turate the said Burgh for the keping and Defens thereof, in case oure ald Enemyis of *England*, adrefs thaim to invade the said oure Comburgis. It is oure Will, and we charge all and findry the Burges, Nychtbours and Indwellaris of the said Toune; and alsa, thaim yat hes Landis, Annualis, or Possessiones, wythin it, to help contribit and supple to the said

Ibid.

M m

"fortyffing

"fortyffeing and strenthing of oure said Burgh eiter the Valew of thair Rentis, Landis, Possessionis, Annellis, and Faculte of thair Gudis being within the said Burgh, and at the Ordinance and Avise of the Consull and Commonte of the said Toune; and, that alsweil the Oute-burges and Occupiaris of the Fredome of the said Burgh: And Personis having Landis or Annellis within it, contribit thereto as Indwellaris and Inhabitantis thereof.

"Quharefore, straitlie we commande and charges oure Sheriff and his Deputis of *Edinburgh*, oure Provost, and Bailies of the samyn Burgh, yat gif ony Oute-burges or Occupiaris of the Fredome of the said Burgh disobeis or refusis to help and contribit to the making of the forsaide Thingis, yat thai compell and distrenyhe thaim thereto as efferis. And that thai cast down and remove quhatsumevir houses biggit upon oure Wall, or uncouth; the quhilkis ar needful to be castin doun, for the strenthing of the said Toune, and Defens thereof. Here attouer, we charge all and findry Personis, having Tenementis or Landis, withiin the said Burgh, that thai strenth and fortify thair Hederoomys in gude and sekerwise as fall be sene maist spedful to the Provoste, and Consoule of the said Toune; alsa, gif ony withdrawis or removis thairfra the said Toune for the said Cause: It is oure Wil that the Sheriff, Provoste, and Bailies of the said Burgh, mak thair Gudis be arrestit quhairrevir thai may be ourtane, and yat of the Gudis thair Taxis be pait: And that fra thencefurth, thai and thair Ayeres be desherysit for alwais of the Fredome of the said Burgh. And the forsaide Thingis we charge to be done, fulfillit, and executit as before writtin, is under all the hieft Pains and Charge that efter may follow."

Given under our Prive Seale at *Striveline*, the 28th Day of *Aprile*, and of oure Regne, the 13th Yhere.

The Wall which was erected for the Security of *Edinburgh*, by Virtue of the above Grants being the first wherewith this City was fortified; it began at the North Eastern Part of the Rock, whereon the Castle of *Edinburgh* is situate; where, for its better Defence, was erected a strong stonern Tower, denominated the *Wellhouse Tower*, from its Vicinity to a Well; and not as it is commonly and corruptly called *Wallace's Tower*. This Edifice, the Ruins whereof are still to be seen, was entered on the Inside of the Wall by two Doors, which led to the first and second Stories; the exterior Parts of this Fortrefs, regarding the West and Northwest, of a circular Form, were perforated with narrow Lights and Loop-holes for Defence; as were the flat Sides of the said Tower, regarding the

North and South, with small Apertures both for Light and Resistance. The small Half-moon between the End of the Wall and the Tower, seems to have been added since the Erection of the said Wall and Tower. And without the said Tower, to the Westward, at the Distance of about eighty Yards seems to have been an Outwork, by the Remains of a strong stonern Wall adjoining to the Castle Rock. The Wall from this Fortrefs running Eastward along the Northern Foot of the Castle-hill and Southern Side of the *Nordloch*, parallel with the Buildings at the Western End of the Town, and winding Southward, ascended the Hill; on the Top of which it was intersected by a Gate, called the *outer Castle-gate*: That this was one of the Town Gates is manifest, by the Common Council's ordering it, together with the Spur without it to be taken down, they being of no longer Service, since the Extension of the Wall with an interior Gate.

From this Port the Wall descended the Southern Side of the Hill to *Currey's Close*, and winding Eastwards; Part thereof is still to be seen on the Northern Side of the said Close, and at the Southern End of *Johnson's Close*, in the Street denominated the *Castle-hill*; and continuing its Course Eastwards, on the Northern Side of the Street, called the *Strait-bow*, there was another Aperture therein, named the *Upper-bow*, (to distinguish it from the *Nether-bow* or Eastern Port of the Town); in the Eastern Side of which, with the Hooks whereon the Gate hung, are still to be seen, at the Easternmost Turning of the said Street; whence the Wall proceeding Eastwards, is again intersected by a Port still remaining in *Gray's Close*, about thirty Paces besouth the High Street, leading to the Mint, but how denominated, I cannot learn: And running Eastwards towards *St. Mary's Wynd*, with a gentle turning went on and joined the *Nether-bow* contiguous to the House near the Southwestern Corner of *Leith Wynd*. But the Houses on the Western Side of the said Wynd becoming ruinous, the Proprietors were enjoined by Parliament, either to repair them within the Space of a Year and a Day, or dispose of them to those that would; and if they could not be disposed of, the Magistrates of *Edinburgh* were impowered to pull them down, and with the Materials to erect a Wall from the said *Netherbow* to the Trinity Hospital, for the Security of the City on that Side: And the said Wall being since extended to the *Nordloch*, the Ports of the Trinity Hospital, College Church, and *Halkersston's Wynd* were erected therein for the Convenience of Passage.

Remark. By what has been said, it does appear, that the first Wall of *Edinburgh* only inclosed the Town on Part of the Western and Eastern Ends, and Southern Side; for the Houses on the Western Side of *Leith Wynd*

Coun. Reg.
vol. XVII.
261.

Ja. V. Parl.
c. 102.

Wynd served instead of a Wall in that Place, as did the *Nordloch* towards the North, which was made to save the Expence of a Wall on that Side, by erecting a Dam across the Bottom, at the Foot of *Halkerston's* Wynd, to keep in the Water; whereby was formed an artificial Loch where there was none before; as may be observed by the curious, and demonstrated by opening the Sluce in the said Dam, at the Eastern End of the said Loch to let out the Water, as was done in the Year 1743, when it became dry.

Munst. Conf.
mog. De In-
sul. Brit. p. 51.

Coun. Regist.
vol. I. f. 4. 5.

Edinburgh being greatly increased by a Number of additional Buildings, erected on the Southern Side without the Wall, denominated the *Cowgate*, which was become the principal Street of *Edinburgh*, wherein, according to *Allesius*, stood the Houses of the Nobility and Senators of the College of Justice, above two hundred Years ago; and having, as already observed, that the Defeat of our Army at *Flodun*, in the North of *England*, anno 1513, threw *Edinburgh* into the greatest Hurry and Confusion, by mustering and exercising all the Citizens fit to bear Arms, some whereof were to march and join the Army, and the rest to defend the Town: And for the better enabling them to perform the same, the Common Council, by the King's Command, raised Money to fortify the City; and in the mean time, the better to prevent the Approach of the Enemy, all Persons having Gardens without the Town were ordered to fortify the same with Walls.

That the fortifying of *Edinburgh* at this Time, was only the Extension of its Walls, I think is manifest; for the first Wall having been built but about sixty Years before, it could want no Reparation: And, by what is above observed, of the *Cowgate's* lying without the Town Wall, it was very necessary to secure it from the Ravages of an Enemy, by fortifying it with a Rampart on the Southern Side.

This Extension of the Town Wall or new Fence, which began at the South-eastern Part of the Rock, whereon the Castle stands, and where it is at present situated; whence descending the Hill, it is intersected by the West Port, and ascending Part of the Highrigs-hill, turns Eastward, and running along the Northern Side of the Gardens of *Heriot's* Hospital, crosseth the Northern Avenue leading to the said Hospital, and passeth thro' the *Gray Friar's* Church-yard to the *Bristow* Port; and continuing its Course Eastwards, is intersected by the *Potterrow* Port; whence going on the Southern Side of the College, Infirmary, and High School of *Edinburgh* to the *Pleasants*, winds Northward to the *Cowgate* Port, and ascending *St. Mary's* Wynd Street, joins the Old Town Wall a little below the *Netherbow* Port.

The Common Council, as already men-

tioned, having purchased ten Acres of Land, called the *High-rigs*, resolved to inclose the same within the Town Wall: Pursuant to which, they in the Year 1620, agreed with *John Talipber* a Mason, to erect the said Wall, and to extend it from the West Port to that of the Society or *Bristow* Port (which is the present Fence, that surrounds *Heriot's* Hospital and Gardens, Part of the *Gray Friars* Church-yard, and the Charity Work-house) of the Height of five Ells and three Quarters to the Battlement, and the Parapet above two Ells in Height; and from the Ground to the Battlement, to be of the Thickness of five Feet, and the Parapet of two Feet; for which the said *Talipber* was paid the Sum of sixteen Pounds *Scotish* for each Rood of the said Work, he only providing Workmen, and the Town to find all Materials, with Labourers to dig the Foundation. This is the third and last Extension of the Wall of *Edinburgh*.

Although the City Wall was extended as above specified, yet it proving insufficient for the Security of the Town, the Common Council in the Year 1560, agreed with *Murdoch Walker*, a Mason, to extend the said Fence by a new Wall, to reach from *Leith* Wynd to the Eastern End of the *Nordloch*, with a House at the Western End for the Keeper of the new Port to reside in; for which they were to pay the said *Walker* the Sum of Four Pounds ten Shilling *Scotish* Money per Rood, from the Foundation to the Battlement of the said Wall, and two Pounds of the same Money for each Rood of the Parapet above the Battlement.

The Ports or Gates in the Town Wall of *Edinburgh*, till of late, were Nine in Number; but that in *Leith* Wynd, called the *Dung-port*, being walled up, they were reduced to Eight: But a Door-way or Passage, called the Workhouse Postern, being made in the said Wall, in the Neighbourhood of the Charity Work-house, anno 1744, (for the Convenience of the Citizens to repair to the Park or Meadow) they are again restored to their former Number, of which I shall give the following short Accounts.

WEST Port.

This Port, which is denominated the West-port, from its Situation at the Western End of the City, stands at the lower End of the *Grass-market*, in a Bottom between the Foot of the Castle-hill on the North, and that of the High-rigs on the South, was erected about the Year 1514, and still retains its antient Name. Through this Gate lie the Roads to the Southern, Western and Northern Parts of the Kingdom.

B R I S T O W Port.

To the South-east of the West Port stands that of *Bristow*, so denominated from the present Suburb of this Name; but how its antient Name of the *Gallowgate* came to give way to this of *Bristow*, I cannot learn:

However,

Coun. Regist.

1560.
Coun. Regist.
vol. III. f. 58.
15th Nov.

1560.
Coun. Regist.
vol. III. f. 58.
15th Nov.

However, at its first Erection, about the Year 1515, it was from its Vicinity to the Monastery of *Gray Friars*, called the *Gray Friars Port*; and at the Erection of the Society of Brewers, who settled almost adjoining to it within, it received the Name of the *Society Port*, and at last the present Name, which it is likely to hold.

POTTERROW Port.

This Gate, which is situate a little to the Eastward of the *Bristow Port*, seems to owe its Name to a neighbouring Pottery. Be that as it will, the first Name it went by, was that of the *Kirk of Field Port*, from its Vicinity to the Collegiate Church of *St. Mary's* in the Fields; and since it was called *St. Mary's Port* from the said Church, and at present, as above mentioned, the *Potterrow Port*.

COWGATE Port.

North-east from the *Potterrow Port*, stands this of the *Cowgate*, so denominated from the Street of that Name; and being erected about the Year 1516, still retains its first Name.

NETHERBOW Port.

Crawf. Mem.
p. 220.

A short Way to the Northward of the *Cowgate* is situate the *Netherbow*, so called from its Position at the Eastern and lower End of the City. The first Gate of this Name stood about fifty Yards higher in the Street, and contiguous to the present Corner-house on the Northern Side of the said Street; and standing so far in an Area within the Wall, was not so fit for Defence: Wherefore a new Gate was erected in the Year 1571 by the Loyalists, Adherents to *Queen Mary*, which being since pulled down, the present beautiful Gate was built anno 1606, a little be-east the former.

This Port has been much noted of late; for, by an Insurrection in *Edinburgh* (as above related) in the Year 1736, the Populace publicly executed *John Porteous*, a Captain of the Town Guard, for which the City was prosecuted before the Parliament, and a Bill passed in the House of Lords, wherein, amongst other Punishments to be inflicted on the Town, this Gate was to be demolished, and the City laid open on this Side: But great Interest being made in the House of Commons to alter the said Bill, both this Gate and the Town Guard were to remain as formerly; but the City was fined in a pecuniary Mulct of Two thousand Pounds *Sterling*, for the Use of the *Widow Porteous*.

Through this Port, which stands at the lower End of the High-street, and upper End of the *Canongate*, lie the Roads to the Northern, Southern, and Eastern Parts of the Kingdom.

The Hospital Postern Gate.

Having already taken notice, that the Houses on the Western Side of *Leith Wynd*, were about the Year 1520, by Par-

liament, ordered to be repaired or taken down; and for securing the Town on that Side, to erect a Fence in lieu of them, the latter whereof seeming the most likely, a Wall was erected in place thereof; and this Port I take to have been built about the same Time.

The College Church Postern, and that of Halkerton's Wynd.

These Posterns, as above mentioned, were built by Order of the Town Council, by *Murdoch Walker*, about the Year 1560, thro' which lie Foot-path Ways to the neighbouring Fields.

Although *Edinburgh* consists only of few Streets, and a Number of Wynds, or Lanes, Courts, and Clofes, yet the Houses are very magnificent Stonern Buildings, from one to twelve Stories in Height, both inclusive; the highest whereof fronts the *Cowgate*, and Parliament Clofe: But the Houses in this Place, before the Conflagration in the Year 1690, are said to have been three Stories higher.

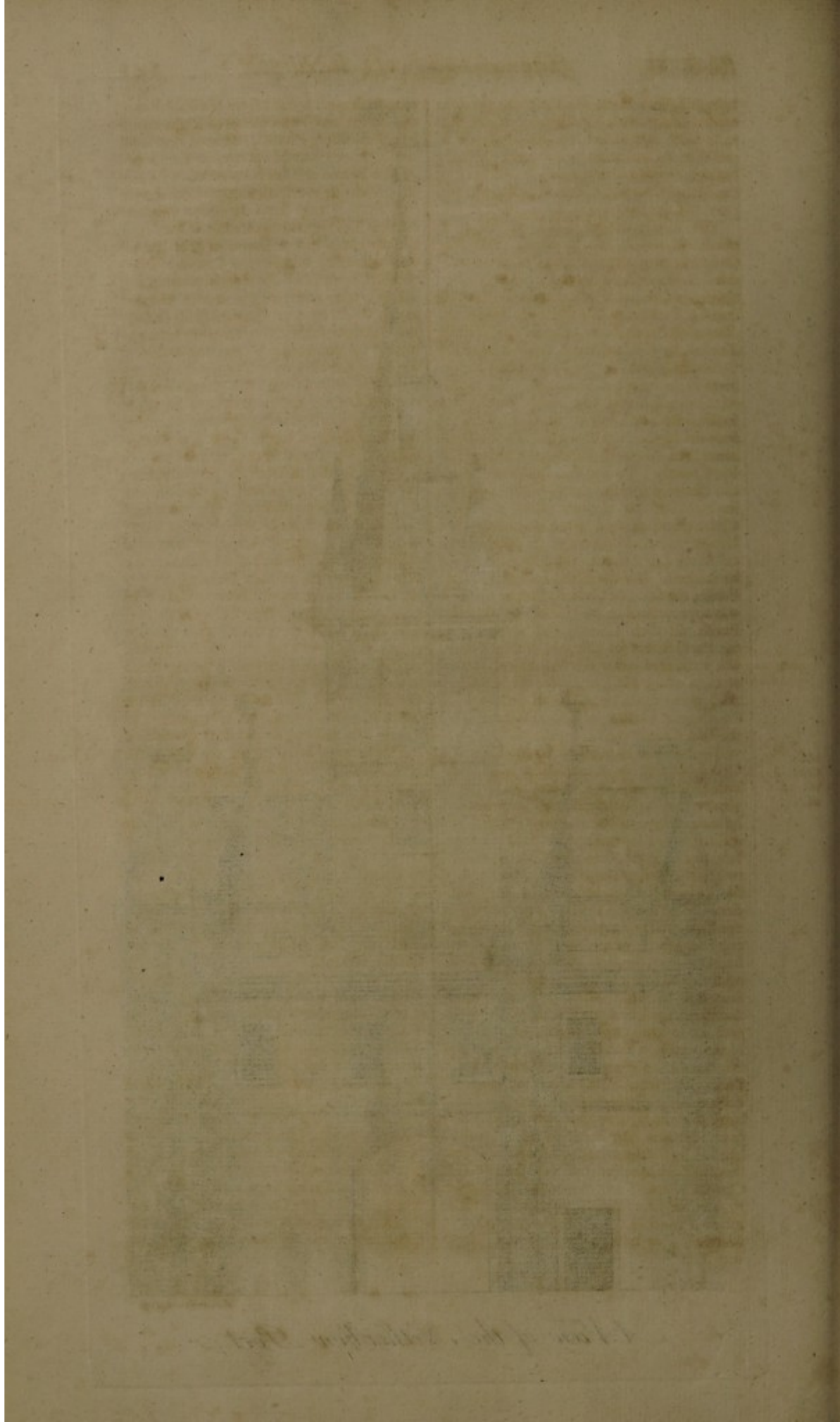
The Buildings here, elsewhere called *Houses*, are denominated *Lands*; and the Apartments, in other Places named *Stories*, here called *Houses*, are so many Freeholds, inhabited by different Families, whereby the Houses are so excessively crowded with People, that the Inhabitants of this City may justly be presumed to be more numerous than those of some Towns of triple its Dimensions. And the Ground Floors in *Edinburgh* are not only employed for Shops, as in other Places, but many of the Cellars, and the first, second, third, and fourth Stories are used as such: Nor is it in this Town deemed mean, to dwell or lodge in the highest Apartments; for even Merchants and Bankers transact their Affairs in the third and fourth Stories; and many Persons of Distinction lodge higher. But by the great Inconvenience of the several Floors or Stories being separate Properties, the Inhabitants are deprived of Cellars, which is attended with many Disadvantages. And the said Houses or Apartments being so many separate Dwellings, are ascended to by publick Stairs (like the Chambers of the Inns of Court at *London*, and the Houses in the City of *Paris* in *France*: From the latter, I am persuaded the *Edinburghers* learnt both their Method of building, and Manner of Dwelling), those of antient Construction being dark and wynding, but the modern are spacioussly square with proper landing Places, and well lighted like those of *London*.

Remark. What the Impropriety of Speech denominating a *House*, by the Appellation of *Land* is owing to, I know not, unless it be to a Spot of Ground, long known by the Name of a certain Man's Land; which being built upon, at last the Appellation was continued to the House or Building; which being



T. Fordyce Sculp.

A View of the Nether-bow Port



being of some Note, the same was given to other Houses till it became general; be that as it will, this is not the only Instance of the Word *Land* being improperly applied; for it is likewise commonly used instead of the Word *Ground*; whereas it properly imports a Country.

The Inhabitants of *Edinburgh* being so much increased in Number, that four Churches were not sufficient to accommodate them at divine Service; wherefore the Common Council resolved to divide the City into six Parishes. To the first, called the *Northwest* Parish, was assigned the Western Part of *St. Giles's* Church (now named the *Tolbooth* Church) for the Parishioners to perform their religious Duties in. To the second, denominated the *North* Parish, the Eastern End or Choir of *St. Giles's* Church, now called the *New Church*. To the third, named the *Northeast* Parish, the *Trinity College* Church. To the fourth, denominated the *Southeast* Parish, the *New Church* then in building, at present called the *Trone* Church, and allotted to the Parishioners the Use of the middle Part of *St. Giles's*, now called the *Old Church*, till their own should be finished. To the fifth, called the *South* Parish, the said *Old Church*: But, as the same was appropriated to the Use of the *Southeast* Parish till their Church was finished, to the Parishioners of the said *South* Parish, was appointed either the Parliament House, or the College Hall, as best could be spared. And to the sixth, to be named the *Southwest* Parish, the Church at present denominated the *Old Grayfriars*.

1662. 1663. Though it was resolved by the Common Council of *Edinburgh*, in the Year 1641, to divide the City into six Parishes, yet the same was not accomplished till this Time when two Ministers being allowed to each Parish, Ten thereof were allowed Stipends of Two thousand five hundred Marks *Scotish* each; and the two youngest only One thousand three hundred Marks each; which being taken into Consideration by the subsequent Town Council in the Year after, they justly judged the Disparity too great; wherefore they ordered that six of the said Ministers, to be called the *Principal*, should be allowed the Sum of Two thousand five hundred Marks *per annum* each; and the other six to be called the *Second* Ministers, to have One thousand five hundred Marks each; which together amounting to the Sum of Twenty four thousand Marks yearly; the said Sum, according to an Estimate made by the said Council, was raised by the following Imposts, *viz.* By the Duty on Houses, the Sum of Ten thousand Marks; by the Seats in the Churches, Three thousand six hundred Marks; by the Old Church Rents, Three thousand Marks; and by the Duty on Wine, Three thousand four hundred Marks; together, Twenty thousand Marks. The other Four thousand Marks

were to be paid out of the Town's Revenues, till relieved by a Grant of Eight Pence *Scotish* on every Pint of Ale and Beer sold within the City and Liberties of *Edinburgh*.

The Bishop of *Brechin* was at this Time chosen one of the Incumbents of *Edinburgh*; and allowed the Sum of Five hundred Marks Transportation Money. Hence it is observable, that Bishops, at this Period, were not above accepting a Common Cure. 1674. Ibid. vol. 27. f. 235.

The Churches in *Edinburgh* proving still insufficient to accommodate the Inhabitants in the Celebration of their religious Duties, the Common Council resolved to add another, by converting a Meeting-house in the *Land-market* into a Parish Church, by the Appellation of the *New North Church*; and the District for its Parish to be taken out of the four following Parishes; namely, the *Old* and *New Church*, *Tolbooth*, and *Grayfriars*. But the designed Settlements not proving to the Satisfaction of the Incumbents, whose Parishes were to be castrated, they not only complained, but petitioned against the said Resolution, setting forth, that, should it take Effect, they would be deprived of their principal Inhabitants, out of whom they chose their Deacons, to pay the weekly Pensions, and otherwise to take care of the Poor; which being taken into Consideration by the Council, they appointed another District for the intended Parish. And, on viewing the afore said Meeting-house, it was found not to be so fit for a Parish Church as the Northwestern Part of *St. Giles's* Church, called *Haddow's-hold*: The former was ordered to be taken down, and the latter to be fitted up for the Use of the New Parish; which was accordingly performed at the Expence of about Two thousand Marks, *Scotish* Money. 1698. Ibid. vol. 36. f. 65.

The Common Council having at this Time seemingly partially augmented the Stipends of three of the Town's Ministers, to Two thousand five hundred Marks each; which *Dundas*, the Town Treasurer, regarding as a Grievance, and great Injury done the Citizens, solemnly protested against the said Augmentation for the following Reasons.

1. "That this Resolution was contrary to an Act of Council, still in Force, which expressly forbids augmenting the Ministers Stipends; and this at a Time, when the Town was in much better Circumstances than at present."
2. "That when the said three Ministers were chosen, the said Act for fixing the Ministers Stipends at Two thousand Marks yearly, being notified to them, it was the Condition on which they accepted their respective Charges."
3. "The Town's Debt being greatly increased since the Commencement of the said Act; instead of adding to the publick Burden, it was highly necessary to think

N n " of

"of all Ways and Means to reduce the Town's Expences; to which end it was judged expedient, not only to stop the daily Charity to poor indigent Persons, but likewise the settled Pensions of others, with several other Reductions too large to be enumerated."

4. "The assenting to the said Resolution, seems to tend to a Violation of the Oath taken by the Magistrates and other Members of the Council, whereby they are obliged to act for the Good and Interest of the City."

5. "Besides the publick Expences, which have of late increased on divers Occasions, we have before our Eyes a melancholy View of the vast annual Charges in repairing the Water-pipes and other publick Works."

Remark. The Reasons in this Protest are so laudable, just and nervous, that they richly deserve, not only a Place in the Cabinets of all good and virtuous Men, but to be stored up in the Hearts and Minds of all Persons intrusted with the Government and Direction of publick Affairs, to remind them of their Duty to the People whom they represent: And in like Manner it should be a Caution to all those who assume the Title of God's Ministers, to prevent their dishonouring their Great and Good Master, by iniquitously enriching themselves at the Expence of their injured Flocks.

Although the Parishes within the City and Suburbs of *Edinburgh*, are only Eleven in Number, I shall nevertheless add the Castle as one, seeing it has both a Church and District, which, together with the several Parishes, I shall treat of in alphabetical Order; and, for the better Description of the sundry Parts of the Town, shall insert the several Antiquities, Curiosities, and Things remarkable in the respective Parishes.

But, before I proceed, I think it will not be amiss to observe, that, by the Establishment of the Presbyterian Hierarchy in *Scotland*, the Churches are not only unfainted, but such is the Aversion of the present Ministers to Sainthood, that they will not allow any of their Places of Worship to be called after the Name of any of those Men or Women, who have been dignified with the Title of Saint, though ever so justly obtained; wherefore the Churches in *Edinburgh* are chiefly denominated in respect to Time, Vicinity, Situation, and Bearing, viz. The Old, New, Tolbooth, Trone, College, Canongate, and West Churches. Therefore it is to be bewailed, that the Presbyterian Clergy, by their malevolent Treatment of holy Men, without Distinction, have drawn upon themselves the Censures of their Enemies; for, by putting Christ and his Apostles on the same Footing with others in that respect, are not only charged

with Ingratitude and Breach of Charity, but with being Enemies to Sanctity. Be this as it will, I shall not take upon me to determine; but, without the Breach of Charity, I think it may be truly said, they are irreconcilable Enemies to Sainthood.

CANONGATE Church.

To the Church of this Abbey the Inhabitants of this District formerly repaired to perform their religious Duties. But King *James VII.* about the Year 1686, having converted the said Church into a Chapel Royal, for the Exercise of the Popish Religion, the People were deprived of a Place of Worship; which occasioned them to acquaint the King, that one *Thomas Moodie*, in the Year 1649, gave the Sum of Twenty thousand Marks to the Common Council of *Edinburgh*, to erect a Church withal; which being unperformed, the said Sum, by the growing Interest in so long a Course of Years, was greatly increased: Wherefore they humbly intreated, he would be graciously pleased to grant them as much of the said Money, as were sufficient to build them a Church. But for the better Illustration of this Affair, I shall subjoin a Copy of the King's Letter to his Privy Council concerning the same.

JAMES R.

Right trusty, we greet you well,

"Whereas out of our Royal Favour and Affection towards that our antient Kingdom, and the great Regard we bear to the Honour and Interest thereof, we have lately thought fit to revive and restore the most antient and most noble Order of the Thistle to its former Lustre and Splendour: And whereas the Great Church of *St. Andrew's*, where formerly the Instalments and other Solemnities of that Order were solemnized, we are informed was long since ruined, and is now in a Condition altogether useless for that Purpose: Upon Consideration whereof, we have now thought fit to make choice of, and to appoint the Church of *Holyroodhouse* (for a long Time since made use of as the Paroch Kirk of the *Canongate*, though properly belonging to that our Palace) to be the Chapel of that Order in Time coming, as the Place not only at present most fit and convenient for that Effect, but also most proper for the Performance of religious Worship and Exercise of our Household, when we shall have Occasion to be there; our present Chapel in that Palace not being large enough for the same.

"It is now our Will and Pleasure, and we do hereby authorize and require you, forthwith to order and require the Lord Provost, the rest of the Magistrates and Town Council of our City of *Edinburgh*, to deliver up the Keys of the Church of *Holyroodhouse* to the Earl of *Pertb* our

"Chan-

Pub. Rec. in
Low Parl.
House.

“Chancellor, to the end it may be left, and
 “by us fitted to be the Chapel of the said
 “Order in Time coming: And to cause
 “the Baillies and Inhabitants of the *Canon-*
 “*gate* to resort unto, and make use of that
 “Church in *Edinburgh*, commonly called
 “the *Lady Tetter’s* Church, for performing
 “their religious Exercises and Worship
 “therein (which is more convenient for ma-
 “ny of them than the other was), until the
 “said Magistrates and Town Council shall,
 “by your Advice, Approbation and Dire-
 “ction, cause a new Church to be built for
 “them in some convenient Place of the *Ca-*
 “*nongate*, the Charge whereof we do hereby
 “appoint to be out of the Fund of the Mo-
 “ney long ago mortified by *Thomas Moo-*
 “*die*, sometime Merchant in *Edinburgh*, of
 “which the Disposal is by Act of Parlia-
 “ment left unto us.

“In the mean while, we do hereby au-
 “thorize you, to require the said Provost
 “and Magistrates aforesaid, and the Bail-
 “lies of the *Canongate*, with all convenient
 “Speed, to remove all the Lofts and Gal-
 “leries, and Seats or Pews, or other Things
 “within the said Church of *Holyroodhouse*,
 “that are made of Timber or Wood, whe-
 “ther the same have been erected at ours
 “or the publick Charge, or the Expence
 “of the Trades or private Persons; the
 “Magistrates being still obliged to preserve
 “the same, to be made use of in the new
 “Church when built; to the end, that the
 “Right of the Trades, and private Persons
 “formerly concerned therein, may be re-
 “served entire; we being also graciously
 “pleased hereby to bestow upon the Parish
 “of the *Canongate*, all Lofts and Galleries,
 “and Pews now within the said Church
 “of *Holyroodhouse*, which formerly did be-
 “long to us, or to which we can claim
 “Right any manner of way.

“And in regard that several Persons
 “of Quality, and others, have a long Time
 “had the Use of Lofts and Ground for Bu-
 “rial Places in the said Church, to which
 “they may pretend Right, by long Posses-
 “sion: It is likewise our Will and Plea-
 “sure, that you cause the Magistrates take
 “care that the said Persons have Lofts and
 “Ground for Burial-places assigned them
 “in convenient Places in the New Church
 “when built; for all which these Presents
 “shall be to you, as also, to the said Lord
 “Provost, and Town Council, and all o-
 “thers respectively, who may be any Ways
 “therein concerned, sufficient Warrant; so
 “bid you heartily farewell.”

Given at our Court at *Windfor*, the 28th
 of *June*, 1687, and of our Reign the
 Fourth Year. By his Majesty’s Com-
 mand. *Melfort.*

Pursuant to this Royal Mandate, the
 Lords Commissioners of the Treasury di-
 rected an Order to the Magistrates and

Council of *Edinburgh*, for them to pay out
 of the aforesaid *Moodie’s* improved Gift, the
 Sum of Thirty four thousand Marks, for
 building the intended Church, which was
 accordingly performed: But *James Smith*
 the Architect, having added certain Decora-
 tions to the Building beyond what he was
 obliged to by Contract, he was by the Par-
 liament allowed the Sum of Nine thousand
 Marks for the same; whereby is shewn that
 this Church cost the Sum of Forty three
 thousand Marks; viz. for the Ground
 whereon the Church is erected, and the Ce-
 metery thereunto belonging, the Sum of Nine
 thousand Marks; and the Disbursements
 on account of the Building and Church-yard
 Wall, Thirty four thousand Marks; toge-
 ther, Forty three thousand Marks, *Scotish*
 Money.

The Contents of this Parish are as fol-
 loweth: The incompassing Line which be-
 gins at the Northeastern Corner of *Leith*
Wynd, runs on the Northern Side of the
 Southern Row of Houses in the Back of
 the *Canongate*, to the Water-gate; thence
 wynding Northeastwards, incloses the *Ten-*
nis Court, and passing on to *Grovesend* or
Croft-angry, turns Southward; and joins the
 Wall of the Sanctuary, on the Northern
 Side of the *Abbey* Church-yard; and run-
 ning on the Western Side of the *Clack-mill*
 House, to the Turnstile in the *King’s Park*
 Wall, surrounds the said Park; and from
 the Northern Gate thereof, passeth on the
 Western Side of the *King’s* Garden to the
 Foot of the *Horse-wynd*; whence, running
 Westward, incloseth the Wall at the Foot
 of the Gardens of the *Canongate* to that
 Part of it which lieth South of *St. John’s*
 Cross, and turning Northwards, intersects
 the Row of Houses on the Southern Side
 of the *Canongate*; and crossing the Street,
 passeth on the Southern side of the North-
 ern Row of Houses of the said Street, and
 turning the Southeastern Corner of *Leith-*
wynd, incloses the Eastern Row of Buildings
 of the said Wynd, and terminates at the
 Northeastern Corner of the said Wynd.

Besides the above Inclosure, there is a
 small District lying in the Northern Parts
 of the *Potter-row* and *Bristow*, containing
 forty six Families, which belong to this Pa-
 rish.

The Patrons of this Church are the King,
 and the Magistrates, Town Council and
 Heritors of the Parish; by the former is
 collated the first Minister, and by the lat-
 ter the second; each whereof has a Stipend
 of above One hundred Pounds *Sterling*,
 (with a Dwelling-house) which by Act of
 Parliament is raised by a Rate of six *per*
Centum on the Rents of Houses, Gardens,
&c. with a Duty of Four Pounds *Scotish*
 on every Tun of Wine sold within the
 Burgh of the *Canongate*, with Money arising
 from the Bishop’s Lands; and Six hundred
 Marks

Marks yearly, out of the Duty on Ale and Beer in *Edinburgh*.

The Rents of the Seats in this Church; exclusive of those belonging to the Nobility, Gentry and Corporations of the *Canongate*, amounting yearly to the Sum of Four hundred and fifty Pounds *Scotish Money*: It is applied towards paying the second Minister's Stipend; and the Number of Houses or Families in this Parish are Nine hundred and forty eight.

CANONGATE Parish.

On the Place where the *Canongate* is at present situated, antiently stood the Town of *Herbergare*, at the Eastern End whereof King *David I.* in the Year 1128, founded the *Abbey of Holyroodhouse*, as 'tis said, on the following Occasion, *viz.*

Boeth Hist.
lib. 2.

In the early Times of Popery, nothing of Moment was undertaken without a Miracle: One of the first Magnitude ushered in the founding of this Abbey and Church; for King *David I.* its Founder, being a-hunting in the Forest of *Drumsech*, in the Neighbourhood of *Edinburgh* Castle, on Rood-day or Exaltation of the Cross, was attacked by a large Hart, who overbore both him and his Horse; but luckily for *David*, while he was endeavouring with his Hands to defend himself from the furious Assaults of the Buck, a Cross from Heaven slipt into his Hand, which so frightened the Stag, that he forthwith turned tail, and ran away in the greatest Confusion, to the great Joy of the King and his Followers, who congratulated him on his happy Delivery. The Texture of this heavenly Cross, no Wonder, was such, that none could tell, whether it was Wood or Metal!

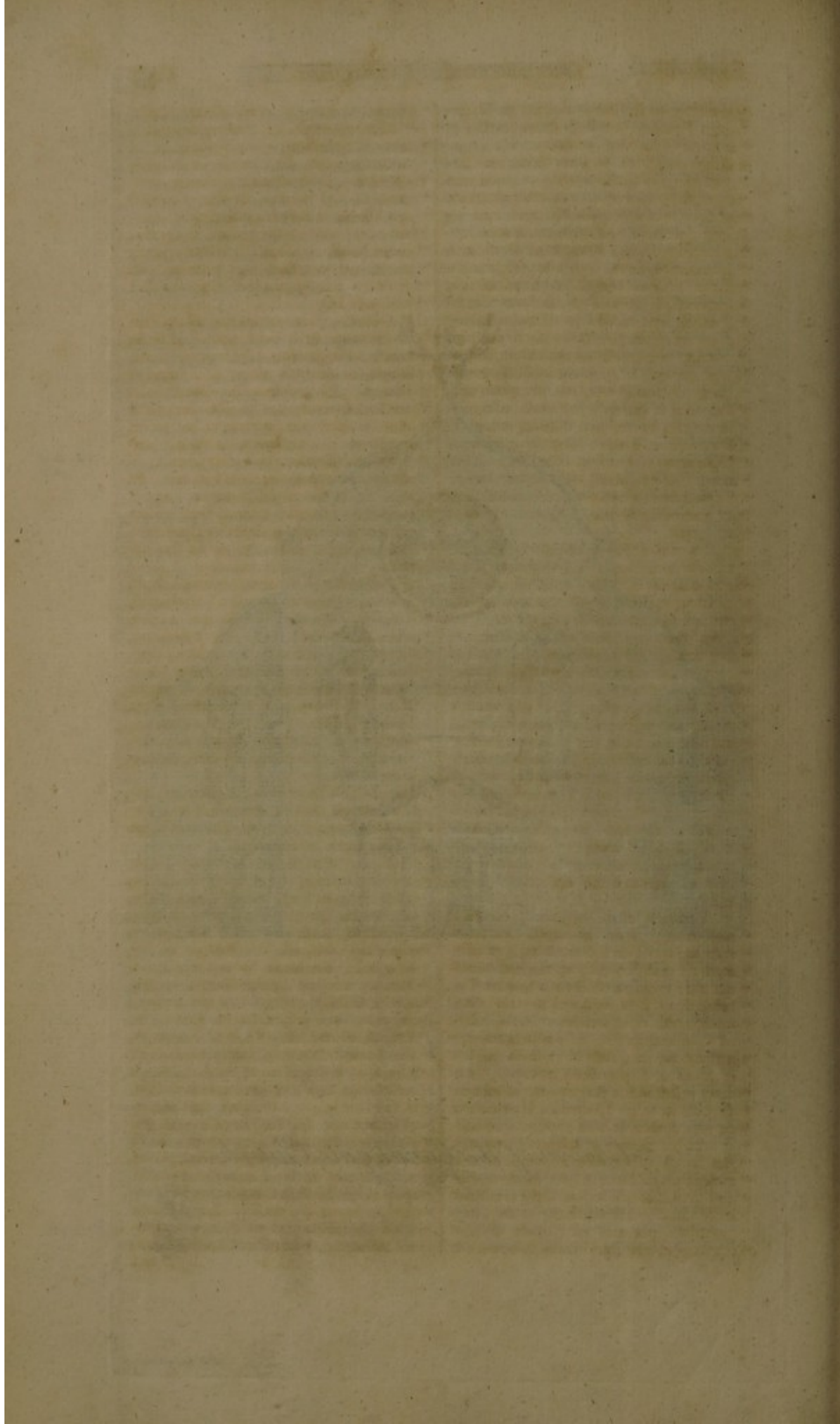
This Attack of the Hart's having put an End to the Chace, *David* repaired to his Castle of *Edinburgh*, where, in the Night following, he was in a Dream advised to erect an Abbey or House for Canons Regular, on the Spot where the celestial Cross was put into his Hand. In obedience to this visionary Command, the King erected a House for the said Canons, and dedicating it to the Honour of the aforesaid Cross, deposited the same therein, where it is said to have remained till the Reign of King *David II.* whom it unluckily could not protect, as it did his Predecessor his Name's Sake; for both he and it were taken by the *English* at the Battle of *Durham*; in which City it is said to have been held in great Veneration for Ages after.

Be that as it will, I shall, for the better Information of the Reader, subjoin a Copy of the Charter of Foundation of this Abbey and Church, taken from the beautiful Original in the Archives of *Edinburgh*, which is as follows.

In Arch. Edin.

"In nomine Domini nostri Jesu Christi,
"et in honore sanctæ crucis, et sanctæ Ma-

"riæ Virginis, omniumque sanctorum;
"Ego David, Dei gratia, Rex Scotorum,
"Regali auctoritate, assensu Henrici filii
"mei, et episcoporum regni mei, comi-
"tum quoque baronumque confirmatione
"et testimonio, clero etiam acquiescente, et
"populo, divino instinctu, omnia subscripta.
"Concedo ecclesiæ sanctæ crucis Ed-
"winesburgensi, et pace perpetua confir-
"mo hæc, itaque sicut, quæ ecclesiæ præ-
"fatæ, et canonicis regularibus in eadem
"Deo servientibus, in liberam et perpetuam
"eleemosinam, concedimus ecclesiam, sci-
"licet castelli cum omnibus appendiciis, et
"rectitudinibus suis; et examen duelli, aquæ
"et terræ callidi, quantum ad ecclesiasticam
"dignitatem pertinet: et cum Selectuna per
"suas rectas divisas, et ecclesiam sancti Cuth-
"berti cum parochia et omnibus rebus quæ
"eidem ecclesiæ pertinent; et cum Kirche-
"tune per rectas divisas suas; et cum terra
"in qua ipsa ecclesia sita est; et cum alia
"terra qui sub castello jacet, viz. à fonte,
"qui oritur juxta angulum gardini mei,
"per viam qua itur ad ecclesiam sancti
"Cuthberti. Et ex alia parte sub castello,
"usque quo pervenitur ad unam craggam,
"quæ sub eodem castello versus orientem;
"et cum duabus capellis quæ ad eandem
"ecclesiam sancti Cuthberti pertinent; scilicet
"ceter, Crostorsin cum duabus bovates terræ
"et sex acris; et illa capella de Libertune
"cum duabus bovates terræ; et cum omni-
"bus decimis et rectitudinibus, tam de vi-
"vis quam de mortuis de Legbernard, quas
"Macbetver eidem ecclesiæ dedit et ego
"concessi; et ecclesiam de Hereth cum ter-
"ra quæ ad eandem ecclesiam pertinet; et
"cum tota terra, quam ego ei augmenta-
"vi, et dedi; sicut ministri mei, et probi ho-
"mines perambulaverunt et tradiderunt
"Alwino abbati, cum una salina in Hereth,
"et viginti sex acris terræ, quam ecclesiam
"et terram prænominatam, volo ut cano-
"nici sanctæ crucis, teneant, ut possideant
"in perpetuum, liberè et quietè; et prohi-
"beo firmiter ne aliquis canonicos sive ho-
"mines eorum qui in eadem terra manent,
"injustè gravent aut disturbent; neque
"aliquas operationes, sive auxilia, sive con-
"suetudines seculares injustè ab eis exi-
"gant.
"Volo etiam, ut iidem canonici habeant
"libertatem molendini faciendi in eadem
"terra; et ut habeant in Hereth omnes
"consuetudines illas et rectitudines, et ai-
"samenta, viz. in aquis, in piscationibus,
"in pratis, in pascuis, et in omnibus aliis
"necessariis rebus, sicut melius habuerunt;
"die illa qua illam habui in meo dominio.
"Et Broctunam cum suis rectis divisis; et
"Inverlet, illam quæ vicinior est portui, cum
"rectis divisis suis, et cum ipso portu, et
"cum medietate piscationis, et cum tota
"decima totius piscationis, quæ ad ecclesi-
"am sancti Cuthberti pertinet, et Peten-
"dreiam



“ dreiam cum suis rectis divis; et Hame-
 “ re et Fordam cum suis rectis divis; et
 “ hospitale cum una carucata terræ, et qua-
 “ draginta solidos de meo burgo de Ed-
 “ wineburg singulis annis; et redditum
 “ centum solidorum singulis annis, ad in-
 “ dumenta canonicorum de cano meo de
 “ Pert; et hoc de primis navibus quæ, ne-
 “ gotiationis causa, veniunt ad Pert; et si
 “ forte non veniunt, concedo præfatæ ec-
 “ clesiæ de meo redditu de Edwineburg,
 “ quadraginta solidos; et de Striveline vi-
 “ ginti solidos; et de Pert quadraginta foli-
 “ dos; et unum tostum in Striveline; et
 “ tractum unius retis ad piscandum; et u-
 “ num tostum in burgo meo de Edwinef-
 “ burg, liberum et quietum ab omni con-
 “ suetudine et exactione, et unum tostum in
 “ Berewick; et tractum duorum retium in
 “ Scypwell, et unum in Remfry; quinque
 “ partiarum et tractum unius retis ad sal-
 “ mones, et ibi piscari ad allechtia liberi.
 “ Et prohibeo ne aliquis inde a vobis, sive
 “ ab hominibus vestris, aliquas consuetudi-
 “ nes exigit.

“ Concedo etiam præfatis canonicis de
 “ canero meo singulis annis, decem libras
 “ ad luminaria ecclesiæ, et ad operationes
 “ ejusdem ecclesiæ, et ad reparationem ea-
 “ rundem operationum in perpetuum. Præ-
 “ cipio etiam omnibus ministris meis, et
 “ forestariis de Strivelinsire et de Clacman-
 “ nant, quod abbas et conventus habeant
 “ liberam potestatem in omnibus nemoribus
 “ meis et forestis, capiendi tantum de materia
 “ quantum eis placuerint et voluerint, ad ædi-
 “ ficationem ecclesiæ suæ et domorum sua-
 “ rum, et ad quælibet negotia sua facienda: et
 “ præcipio quod homines eorum, qui ad
 “ eorum negotia in eisdem nemoribus ma-
 “ teriam capiunt, meam firmam pacem ha-
 “ beant; et ita quod non permittatis, quod
 “ in aliquo disturbentur; et porcos domi-
 “ nios supradictæ ecclesiæ in omnibus ne-
 “ moribus meis concedo esse quietos de pa-
 “ nagio.

“ Concedo etiam præfatis canonicis
 “ medietatem sepui et uncti et corio-
 “ rum de occisa de Edwineburg; et deci-
 “ mam de omnibus cetis et marinis belluis
 “ qui mihi eveniunt ab Avin usque ad Col-
 “ brandespaide; et decimam omnium placi-
 “ torum meorum et lucrorum Avin, usque
 “ ad Colbrandespaide; et medietatem meæ
 “ decimæ de meo cano et de meis placitis
 “ et lucris de Kentyr et de Errogeil; et om-
 “ nes pelles arietinas et ovinas, et agninas
 “ de castello et de Linlitcu, qui moriuntur
 “ de mea domo; et octo cheldras de brasio,
 “ et octo de farina; et triginta carratas de
 “ Busche de Libertune; et unum de meis
 “ molendinis de Dene, et decimam molen-
 “ dini de Libertune et de Dene; et novi
 “ molendini de Edwineburg et de Crag-
 “ genmarf, quantum inde habeo in meo
 “ dominio, et quantum Vineth Albus, eis de

“ eodem craggio in elemosinam dedit.
 “ Concedo etiam eis Herbergare, quod-
 “ dam burgum inter eandem ecclesiam et
 “ meum burgum. Et concedo ut burgen-
 “ ses eorum habeant communionem ven-
 “ dendi res suas venales, et emendi in foro
 “ meo liberè, et absque calumpnia et con-
 “ suetudine, sicut mei proprii burgeneses.
 “ Et prohibeo, ne aliquis in burgo eorum,
 “ panem vel cervisiam, aut pannum, aut
 “ aliquid venale capiat per vim, aut sine
 “ voluntate burgenfium.

“ Concedo etiam canonicos esse quietos
 “ de tholoneo, et de omni consuetudine in
 “ omnibus burgis meis, et per totam meam,
 “ scilicet, de omnibus rebus, quas ement et
 “ vendent. Et prohibeo, ne aliquis capiat
 “ pandum super terram sanctæ crucis, nisi
 “ abbas ejusdem loci, rectum et jus facere
 “ recusaverit. Volo autem ut omnia præ-
 “ scripta ita liberaliter et quiete teneant, si-
 “ cut ego meas proprias terras possideo. Et
 “ volo, ut abbas curiam suam ita libere et
 “ plenarie et honorifice habeat, sicut episco-
 “ pus sancti Andree, et abbas de Dunferme-
 “ line, et abbas de Kelcu, curias suas ha-
 “ bent.

“ His testibus Roberto, episcopo sancti
 “ Andree, Joanne, episcopo Glasguensi,
 “ Henrico, filio meo, Wilhelmo, nepote
 “ meo, Edwardo cancellario, Hereberto,
 “ Camerario, Gillemichell Comite, Gos-
 “ patricio fratre Delphini, Roberto Mon-
 “ tacuto, Roberto de Burnevile, Petro de
 “ Brus, Normanno, vice comite, Ogo
 “ Leifing, Gillife, Wilhelmo de Graham,
 “ Turstano de Crestune, Blemo archidia-
 “ cono, Alfrico capellano, Walteranno ca-
 “ pellano.”

This curious Charter being in *Latin*, a Lan-
 guage unknown to most Readers, I shall sub-
 join a Copy thereof as rendered into *English*
 for their better Information.

“ In the Name of our Lord Jesus Christ,
 “ and in Honour of the Holy Cross, the
 “ blessed Virgin *Mary*, and all Saints, I *Da-*
 “ *vid*, by the Grace of God, King of *Scots*,
 “ by Royal Authority, and Consent of
 “ *Henry* my Son, and the Bishops of my
 “ Kingdom, confirmed by my Earls and
 “ Barons, attested by the Clergy, and by
 “ divine Instinct approved by the People;
 “ do grant, and perpetually confirm to the
 “ Church of the Holy Cross at *Edinburgh*;
 “ the several Things hereafter mentioned;
 “ that is to say, I grant to the said Church
 “ and Canons regularly serving God therein,
 “ in free and perpetual Alms, the Church
 “ of the Castle (of *Edinburgh*); with the
 “ Appurtenances and Rights thereof; Trial
 “ by Duel, Water and Fire Ordeal, so far
 “ as appertains to the Ecclesiastical Digni-
 “ ty with the Town of *Saughton* and its seve-
 “ ral Divisions; and the Church and Parish
 “ of *St. Cuthbert's* with all Things thereun-
 “ to belonging, with the Church, Town,

“and its Divisions, and the Ground whereon
 “the Church is situate; together with all the
 “Lands lying under the Castle, viz. from
 “the Well which riseth or springeth near the
 “Corner of my Garden, by the Way which
 “leads to the Church of *St. Cuthbert's*.”
 (This Way I take not to have been the present, which leads thro' the West Port to *St. Cuthbert's* Church, but that which antiently led down the Northern Side of the Castle-hill, to the said Church of *St. Cuthbert's*). “And
 “on the other hand, along the Foot of the
 “Castle-hill, to a Rock at the Eastern Side
 “of the said Castle-hill, with two Chapels belonging to the said Church of *St. Cuthbert*,
 “namely, *Corstorphin*, with two Bovates, (thirty Acres) and six Acres of Land; and the
 “Chapel of *Liberton*, with two Ovgans (thirty Acres) together with all the Rights
 “and Tithes, as well of the dead as the
 “living in *Legbarnard*, which *Macbeth* gave
 “to the said Church, and I have confirmed: Also the Church of *Hereth*, (*Airth*
 “in *Stirling* Shire) with the Lands thereunto
 “belonging; together with the several Lands
 “by me thereunto annexed, as surveyed by
 “my Officers and others, I have given to
 “*Alwinus* the Abbot, with a Salt-Pan, and
 “Twenty six Acres of Land in the said
 “Town of *Hereth*; which Church and
 “Lands I will, that the said Canons of the
 “Holy Cross freely hold and quietly possess
 “for ever. And I hereby strictly injoin,
 “that no Person presume to molest or disturb
 “any of the said Canons, their Vassals,
 “or Servants residing on the said Lands, or
 “that any Work, auxiliary, or secular Customs
 “be unjustly exacted from them.

“I likewise grant to the said Canons, Liberty
 “to erect a Mill upon the said Lands,
 “and to have and enjoy in *Hereth*, all the
 “following Rights, Customs, and Conveniencies,
 “viz. in Rivers, Fishings, Meadows, and Pastures;
 “and to enjoy all Things necessary, in as full and ample
 “Manner, as when they were in my own Possession.
 “Together with the Town of *Broughton* and its
 “respective Divisions; the Lands of *Inverleith*,
 “in the Neighbourhood of the Harbour, with the
 “said Harbour, half of the Fishings and Tithes
 “of the several Fisheries belonging to the Church
 “of *St. Cuthbert*. The Towns of *Pittendrich*,
 “*Hamar*, and *Fordam*, with their several
 “Divisions; and the Hospital with a Carnate
 “or Plough of Land, with a perpetual Annuity
 “of Forty Shillings out of my Town of *Edinburgh*;
 “and for supplying the said Canons with Apparel,
 “I give to them One hundred Shillings out of
 “my Cain (petty Tithes) at *Pertb*, and from the
 “Duties which arise to me out of the first
 “Merchant Ships which arrive at *Pertb*; and
 “if none shall happen to arrive, I then give to
 “the said Church, out of my Revenues in *Edinburgh*,
 “the Sum of Forty

“eight Shillings; out of *Stirling*, Twenty
 “Shillings, with a House, and one Draught
 “of a Fishing-net at the said Place; and
 “Forty Shillings out of *Pertb*, with a
 “House in my Town of *Edinburgh*, free of
 “all Duties and Customs whatsoever; together
 “with a House in the Town of *Berwick*,
 “a Draught of two Nets in *Scyptwell*;
 “a House in *Renfrew*, five Particates, and
 “one Draught of a Net for Salmon, with
 “a Right to fish for Herrings. And I
 “strictly command, that no Person whatsoever
 “presume to take of any of the said
 “Canons, their Vassals, or Servants, any
 “Toll, or Duty whatever.

“I also give to the said Canons, out of
 “my Exchequer, a perpetual Annuity of
 “Ten Pounds for lighting and repairing
 “their Church. And I command my
 “respective Officers and Foresters in the
 “Counties of *Stirling* and *Clackmannan*, that
 “they permit the said Abbot and Canons,
 “to take out of my several Woods and Forests,
 “as much Wood as they shall have
 “Occasion for, towards building their
 “Church, Houses, and other necessary
 “Constructions. I likewise order and direct,
 “that the Vassals and Servants of the
 “said Canons, shall have Liberty to take
 “out of my said Woods or Forests, whatever
 “Wood they may have Occasion for,
 “without Molestation. And I also grant,
 “that the Swine belonging to the Masters
 “or Canons of the said Church be free from
 “Pannage.

“I also give and grant to the said Canons,
 “one Half of the Tallow, Lard and Hides
 “of the Beasts killed in *Edinburgh*, with the
 “Tithes of Whales and Sea Monsters due to me,
 “from the River *Avon* to *Coldbrandspath*,
 “with the Tithes of all my Pleas and Profits
 “from the said *Avon* to the said *Coldbrandspath*,
 “and the Half of my Pleas and Profits of
 “*Kintyre* and *Argyll*; with the Skins of all the
 “Rams, Sheep and Lambs, belonging to my
 “Castle of *Linlithgow*, which die naturally;
 “and eight Chaldrons of Malt, eight of Meal,
 “thirty Cart-loads of Brushwood of *Liberton*,
 “one of my Mills of *Dene*, with the Tenth
 “of my Mills of *Liberton* and *Dene*, and those
 “of my new Mill of *Edinburgh* and *Craigendsmark*,
 “as far as they appertain to me; with all that
 “belonged to *Vineib* *White* on the said Rock,
 “to be held in free and perpetual Alms.

“I likewise grant to the said Canons the
 “Town of *Herbergare*, lying betwixt the said
 “Church and my Town (of *Edinburgh*), and
 “that the Burgeses thereof have the Liberty
 “of buying and selling Goods and Merchandise
 “in open Market, as freely, and without
 “Molestation and Reproach, as any of my
 “own Burgeses. And I strictly injoin,
 “that no Person presume to take by Force
 “any Bread, Ale, or other vendible
 “Com-

"Commodity, without the Consent of the said Burgesſes.

"I alſo grant, that the ſaid Canons be free from all Tolls and Cuſtoms in my ſeveral Burghs and Lands, in all Things they deal in. And I ſtrictly forbid all Perſons from taking a Poind, or making a Seizure in or upon the Lands of the ſaid Holy Croſs, unleſs the Abbot reſuſe to do Juſtice to the Perſon injured. I will likewiſe, that the ſaid Canons hold all the aforeſaid Things, as fully as I enjoy my Lands. And I grant, that the ſaid Abbot ſhall have his Court in as full, free and honourable a Manner, as the Biſhop of *St. Andrew's*, Abbot of *Dunfermline*, and Abbot of *Kelſo* enjoy theirs.

"Atteſted by theſe Witneſſes, *Robert Biſhop of St. Andrew's*, *John Biſhop of Glaſgow*, *Henry my Son*, *William my Nephew*, *Edward the Chancellor*, *Herbert the Treafurer*, *Gillembell Comite*, *Geſpatricio Brother of Delphin*, *Robert Montague*, *Robert de Burnevill*, *Peter de Bruce*, *Norman the Sheriſſ*, *Ogu*, *Leifing*, *Gilliſe*, *William de Grabam*, *Turſtan de Creſtune*, *Blemon the Archdeacon*, *Alſric the Chaplain*, and *Waleran the Chaplain*."

Befides the Privileges mentioned in the above recited Charter, *Robert*, Abbot of *Holyroodhouſe*, granted to the Inhabitants of the *Canongate* divers other Privileges; which were not only confirmed by the Kings, *David II.* *Robert III.* and *James II.* and *III.* but the ſaid Kings granted to the Baillies, Conſuls, and Community of the Burgh of the *Canongate*, the ſeveral Annuities payable at the Exchequer by the ſaid Burgh, the Common Moor, lying between the Lands of *Broughton* on the Weſt, thoſe of *Pilrigg* on the Eaſt, and the Way leading from *Edinburgh* to *Leith* on the South, with all the Rights and Cuſtoms thereunto belonging; together with all the Liberties, Commodities, Privileges and Immunities appertaining to a Burgh of Regality. And that it ſhall be lawful for the Burgeſſes of the ſaid Borough to ſell Wax, Salt, Iron, Wool, Skins, Hides, Bread, Ale, Cloth, and other ſtaple Commodities; with a Right to have Bakers, Cloth-workers, and a Number of other Artificers, ſufficient to ſupply the Market, and to carry on Commerce; with a Power to elect annually, at *Michaelmaſs*, two or three Bailliffs, a Treafurer, with a proper Number of Officers, for the Adminiſtration of Juſtice within the ſaid Burgh, who ſhall continue in Office during the Space of one Year, and ſhall yearly account for the Adminiſtration of their reſpective Offices, to a Committee of Burgeſſes to be choſen for that Purpoſe. And the ſaid Burgeſſes were likewiſe empowered to hold Courts both Civil and Criminal, for the Adminiſtration of Juſtice, and the Fines ariſing therefrom to be employed in the Service of the Town; provi-

ded always that the Acts and Statutes for preſerving Peace within the ſaid Burgh, be conform to the Laws and Statutes of the Kingdom. And the ſaid Burgeſſes were to have and hold all their Rights, Privileges, and Immunities aforeſaid in free Burgage, as fully, freely, and honourably, as any other Burgh of Regality within the Kingdom, rendering yearly at the Exchequer for the ſame, the Sum of Four Pence, *Scotiſh Money*.

There being divers technical Terms in in the above recited Charter, which very few Readers underſtand, I ſhall, for the Information of thoſe who are unacquainted therewith, explain the ſame as follows.

D U E L.

It was antiently lawful in a doubtful Caſe for the Truth, for a Perſon accuſed (by the King's Permiſſion) to juſtify himſelf, by challenging his Accuſers to fight him in a publick Duel; but iniquitous Men depending on their Courage and Skill in the Science of Defence, taking Advantage of this wicked Law, frequently in Revenge for the ſmalleſt perſonal Indignity, falſly accuſed Perſons of treaſonable Practices, who having no other Way to juſtify their Innocence, than by challenging their Accuſers to fight, it often ended in the Death of the innocent and injured Perſon; which occaſioned the Abrogation of that unjuſt and deſtructive Law; and inſtead thereof, Trials by Juries were inſtituted, to the great Benefit and Security of the Nation.

Ordeal. This antient Method of Purga-Jacob's Law tion was by Trial two Ways, one by Wa-Dictionary. ter, the other by Fire: The former was either in hot or cold Water: If in cold; the Parties ſuſpected were adjudged innocent, if their Bodies, contrary to the Courſe of Nature, did float on the Water: If in hot Water the Arms and Legs of the Perſon accuſed were put bare into boiling Water, and, if brought forth unhurt, were held innocent of the Crime he or ſhe were charged with: And thoſe that were tried by Fire Ordeal, walked bare footed and blindfolded over nine glowing Plough Shares; or were to carry in their Hands burning Irons uſually of a Pound Weight, which was called *ſimple Ordeal*; thoſe of two Pounds, *double Ordeal*, and they of three Pounds, *triple Ordeal*; and if they remained unhurt by the ſaid Irons, were acquitted, and on the contrary condemned. The Fire Ordeal was for the Trial of Freemen and Perſons of Diſtinction; and that by Water for Bondmen and Ruſticks. But thoſe wicked and deceitful Cuſtoms are long ſince aboliſhed, to the Eaſe and Happineſs of the People.

Bovate or *Bovata Terra*, is an Oxgate of Land, which is commonly taken to be fifteen Acres, or as much as an Ox can plough in a Year.

Corucate,

Skene de Verb. significat. *Carucate*, or *Carucata Terra*, is a Plough Land, which by *Skene* is said to be as much Ground as may be tilled within a Year and Day by one Plough, which in *England*, is reckoned at one hundred Acres.

Ibid. *Gain*, Is a Duty paid to the Superior, or Lord of the Manour by his Tenants, more especially for Lands held of the Church, and for Tithes paid to the Clergy.

Jacob. Law Diction. *Pannage*. By *Pannage*, is not only meant the Mast of Beech, Acorns, &c. but also, as in the above Charter, it is a Duty taken for Swine that feed in the King's Woods, or Forests, or those of other Landlords.

Skene de Verb. significat. *Particulate*, or *Particata Terra*, is a Rood, or the fourth Part of an Acre of Land.

Brushwood is small Wood made up in little Bundles, brushways, of small Boughs and Twigs.

By the above Charter, as already hinted, appears antiently to have stood the Town of *Herbergare*, on the Spot where the *Canongate* is at present situated; what this Appellation is derived from I know not, unless it be from the *Saxon*, *Herberg*, an Inn or House for the Intertainment of Travellers: Be that as it will, it shews it to have been a Place of considerable Antiquity, probably co-eval with the Conquest of the Country by the *Saxons* about the Year 452.: But on the Erection of the said *Abbey*, and Church, with the Canons Houses in their Neighbourhood, the antient Name of *Herbergare*, was obliged to make way for the present Appellation of the *Canongate*; so called from the Houses of the said Canons, and the Street wherein they stood.

This Monastery denominated *Sanctæ Crucis*, or *Holyroodhouse*, founded by King *David I.* as aforesaid, for the Intertainment of Canons regular of *St. Augustine*, brought hither from the Priory of *St. Andrew's* in the County of *Fife*, appears to have been the richest religious Foundation in *Scotland*; for besides the numerous Grants wherewith it was indowed by the Founder, there appears to have belonged to it, the Cells or Priors of *St. Mary's Isle*, *Blantire*, *Rowadill*, *Crusa*, and *Oransa*; which, together with its other Revenues at the Reformation of Religion in *Scotland*, amounted in Money to the yearly Sum of Two thousand nine hundred and twenty six Pounds, eight Shillings and six Pence *Scotish*; Twenty seven Chaldern, and ten Bolls of Wheat, forty chaldern and nine Bolls of Bear (a Sort of Barley), thirty four Chaldern, fifteen Bolls, three Firlets, three Pecks and a half of Oats, five hundred and one Capons, twenty four Hens, twenty four Salmon, twelve Loads of Salt, and Swine, the Number not mentioned.

This stately Abbey, together with the Choir and Cross of its Church, were destroyed by the *English* about the Middle of the sixteenth Century, and nothing left standing but the Body of the Church, which

is a magnificent *Gotbick* Edifice; whence the brazen Font was carried away by *Sir Richard Lea*, Knight, Captain of the *English* Pioneers, who presented it to the Church of *St. Albans* in *Hertfordshire*, after he had caused the following haughty and imperious Inscription to be engraven thereon.

"Cum Læthia, oppidum apud Scotos Cambd. Brit. in com. Hert.
"non incelebre, et Edinburgus primaria
"apud eos civitas incendio conflagrant, Ri-
"cardus Leus, eques auratus, me flammis
"ereptum ad Anglos perduxit. Hujus ego
"tanti beneficii memor, non nisi regum li-
"beros lavare solitus, nunc meam operam
"etiam in fines Anglorum libenter condixi.
"Leus victor sic voluit. Vale. Anno
"Domini M.D.XLIII. et anno Henrici
"octavi, xxxvi.

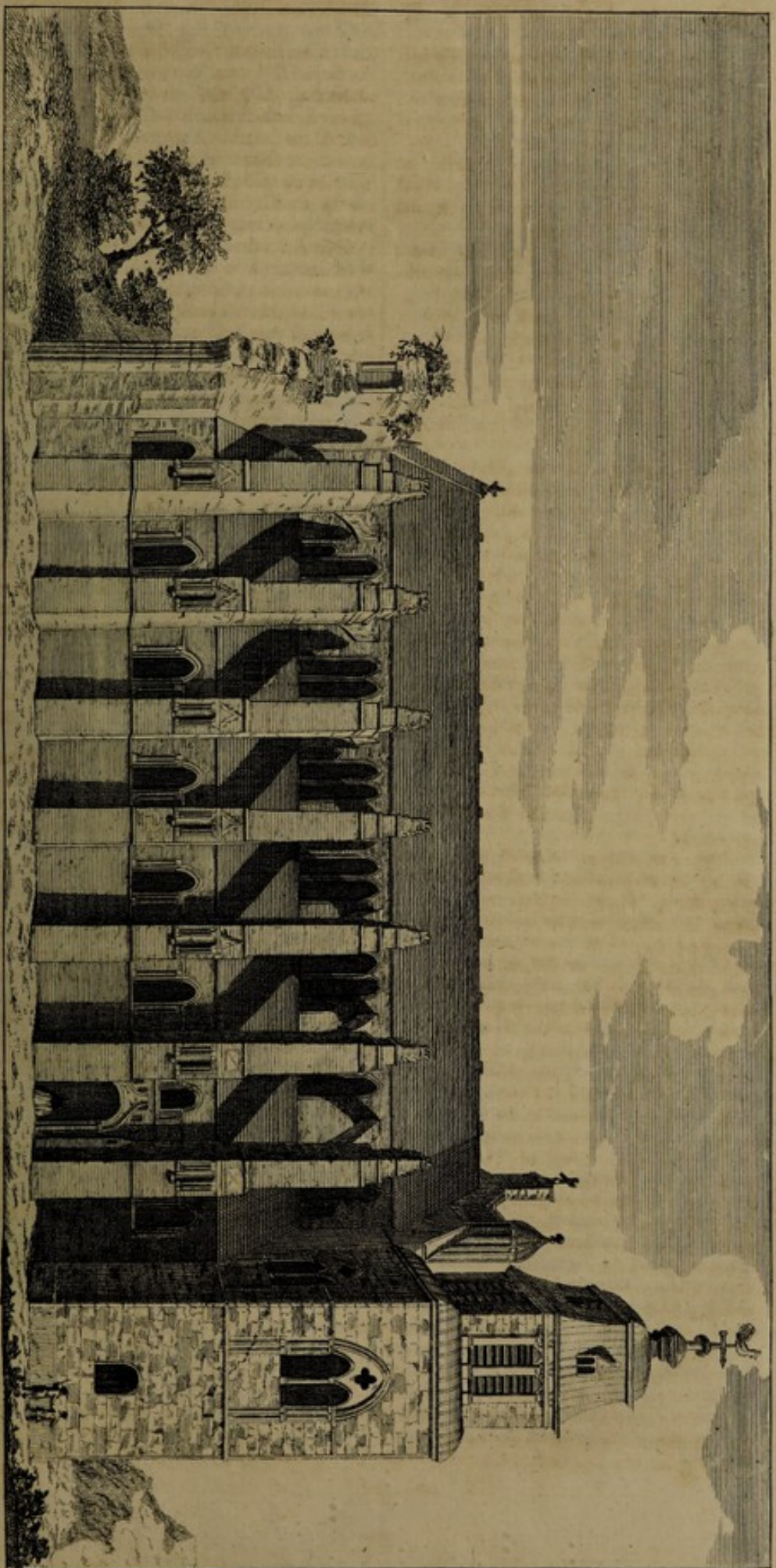
Englished thus:

"When *Leith*, a Town of good Account
"in *Scotland*, and *Edinburgh* the principal
"City of that Nation were on Fire, *Sir*
"*Richard Lea*, Knight, saved me out of
"the Flames, and brought me into *Eng-*
"*land*. In Gratitude to him for his Kind-
"ness, I who heretofore served only at the
"Baptism of the Children of Kings, do now
"most willingly offer the same Service even
"to the meanest of the *English* Nation. *Let*
"the Conqueror hath so commanded. A-
"dieu. A. D. 1543, in the thirty sixth
"Year of *Henry VIII.*"

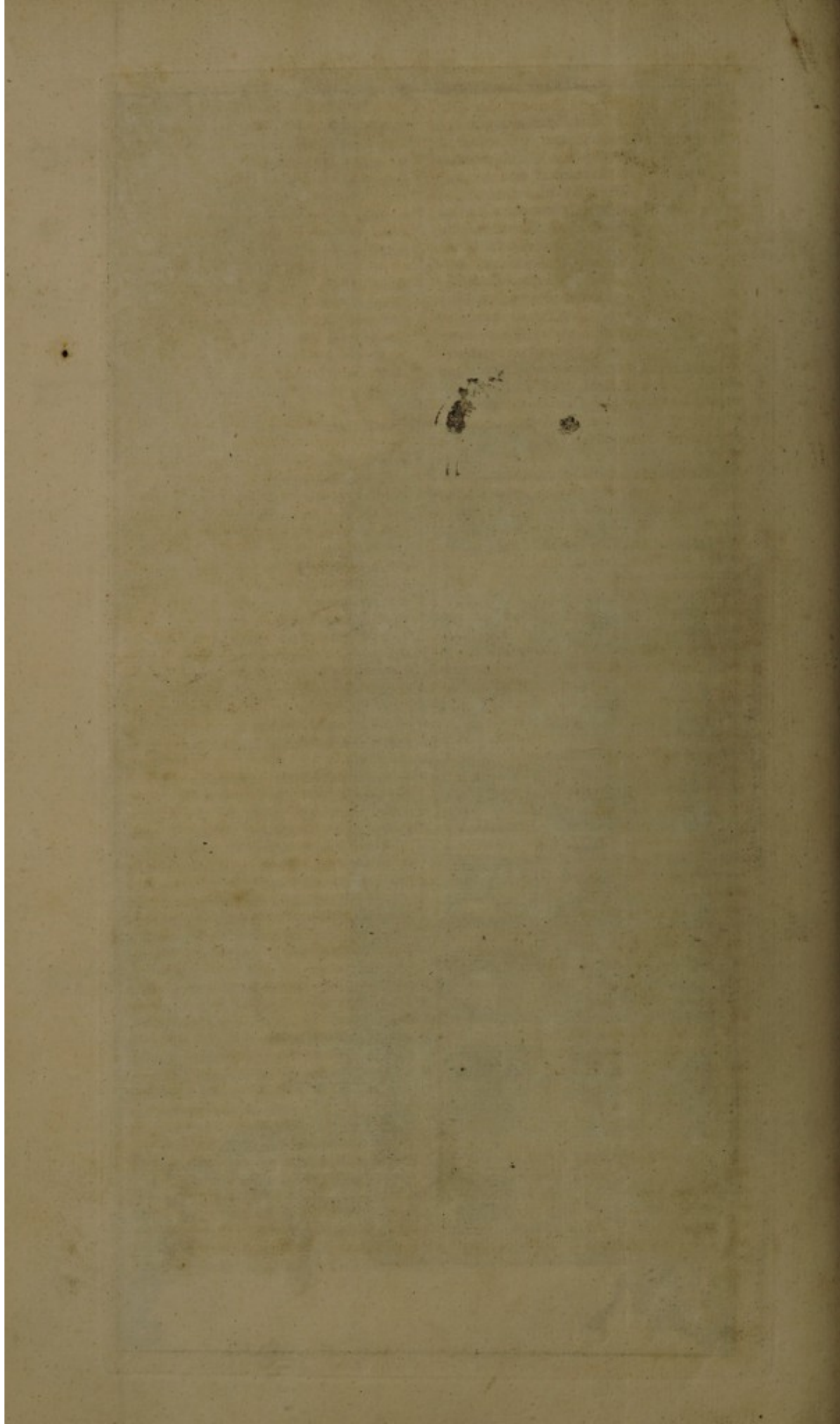
This Font, according to the Style of our learned Knight, being a second time conquered in the civil War, in the Reign of *Charles I.* it was converted into Money, and probably destroyed.

The *Canongaters* having enjoyed the aforesaid Privileges during the Government of the Abbots and Canons, but, by the Reformation of Religion in *Scotland* in the sixteenth Century, the Popish Hierarchy being abolished, and Protestantism established in its stead, the Magistrates and Town Council of *Edinburgh*, on the 18th of *August* 1636, bought of the Earl of *Roxburg* Coun. Regist. vol. XIV. f. 390.
the Superiority of the *Canongate*, together with the Town of *North Leith*, Part of the Barony of *Broughton*, adjoining to the Water or River of *Leith*, and Part of the Village called the *Pleasants*, for the Sum of Forty two thousand and one hundred Marks *Scotish* Money, which was confirmed by a Charter of King *Charles I.*; of which the following is a Translation from the Latin.

"*Charles*, by the Grace of God, King of
"Great Britain, France, and Ireland, De-
"fender of the Faith, to all our faithful
"Subjects, both Clergy and Laity, greeting: Rec. Low Parl. House. B. 16. N^o 116.
"Know ye, that by the Advice and Con-
"sent of our trusty Cousen and Counsellor,
"*John* Earl of *Traquair*, &c. our Lord
"High Treasurer, and Comptroller of this
"our Kingdom of *Scotland*, and our faith-
"ful Counsellor, *Sir James Carmichael* of
"that



The Abbey Church of Holyrood-House .



“ that Ilk, Knight and Baronet, our Deputy in the said Office; with the Consent of the other Lords of our Exchequer of our said Kingdom, our Commissioners, to have given and granted, and by this our Charter confirmed; and for us and our Heirs perpetually confirm to our well-beloved, the Provost, Bailiffs, Council, and Community of our Town of *Edinburgh*, and their Successors, heritably, all the several Lands, Burgh of Regality, Superiority, and Right of Regality, with other Things hereafter mentioned, viz. the whole Borough of Regality of the *Canongate*, adjacent to our Town of *Edinburgh* and Monastery of *Holyroodhouse*; those Parts of the Town of *Leith*, lying on the Northern Side of the River and Bridge of *Leith*, with that Part of *Leith* lying on the Southern Side of the said River, and Western Side of the *black Vaults*, which antiently belonged to the Monastery of the said *Holyroodhouse*; with all the Lands, Tenements, Houses, Buildings, Gardens, Orchards, Tails, Hills, Barns, and other Edifices within the said Burgh; Towns, Tenants, Tenancies of free Tenants and Cottaries, with their Appurtenances; Feus, Feu-farms, Burgage-feus, and other Duties, which belonged to the said Monastery; with the Right, Title and Claim of Fishing, Port, and Haven Dues, Customs and Tithes, with all other Immunities, which formerly appertained to the said Convent.

“ Also all that Part of the Town, Houses and Gardens in *St. Leonard's*, called *Dearenough*, or the *Pleasants*; together with the Right and Privilege of a Regality, Chapel and Chancery, within the said Borough of the *Canongate*, the Parts above mentioned on the Northern and Southern Sides of the said River and Bridge of *Leith*; together with the aforesaid Town, Houses, and Gardens in that Part of *St. Leonard's*, called *Dearenough* or *Pleasants*; with a Right and Privilege of serving Brieves, making Returns, and administering Justice in all Causes and Actions, both civil and criminal, belonging to a free Regality within the Jurisdiction aforesaid; with a Right and Liberty to elect, constitute and qualify one or more Bailiffs, with their Deputies; Assessors, Clerks, Serjeants, and other necessary Officers for holding a Court; with a Power of holding Courts of Regality and Justiciary, as often as shall be found necessary, for the Trial of Actions both civil and criminal, according to the Laws of this our Kingdom of *Scotland*; with a Right of judging and determining, as fully and freely, as any other Lord of Regality within our said Kingdom.

“ With a Power of entring Heirs to the Lands and Possessions of their Predecessors;

by Precept, to receive Resignations, grant Infeoffments, levy and receive Profits of Non-entry, with other Advantages belonging to the Superiority of the said Lands and Lords of Regality; with all and sundry the Offices of Justiciary and Bailiffry in the said Burgh of the *Canongate*, the Parts of the Town of *Leith* aforesaid, and those of *St. Leonard's* above mentioned; always excepting from this our present Charter the Back-lands called the *Cone House*, or Tenements belonging to the Chaplainry of *St. Mary* the Virgin, founded in the Parish Isle within the Church of *Holyroodhouse*, by the late Sir *John Liston* Curate, with the two Tenements built by the late *John Kinloch* and his Spouse, situate on the Eastern and Southern Sides of the said Lands; with the Gardens, Orchards, Tennis-court, Bake-house, and Buildings adjoining, with Ingress and Regress to and from the same, through the Gate of the Westernmost of the said Tenements; with a Tenement and its Appurtenances on the Southern Side of the *Canongate*, between the Back-lands of the aforesaid Tenements, sometime belonging to *Robert Beton* on the North, and bounded on the East, West and South by the Lands of *William Lafries*, &c. excepting likewise from this our present Charter, six Tenements with their Appurtenances on the Southern Side of the said Street of the *Canongate*, betwixt the Lands belonging to the Heirs of *John Thomson* on the West; and on the East, North and South, by the Lands of the Heirs of *John Black*, &c. on the Conditions contained in a Contract, concluded between our trusty Cousin and Counsellor, *Robert Earl of Roxburgh*, &c. Keeper of our Privy Seal, by our Consent, and for our Interest.

“ And we for ourselves, with Consent of our said Treasurer and his Deputy, and other Lords of our Exchequer, our Commissioners aforesaid, with the unanimous Assent of the said *Robert Earl of Roxburgh*, *Elizabeth Ker*, Lady *Broughton*, and others, as aforesaid, on the one Part; and the said Provost, Bailiffs, Ministers, and Counsellors of our said Town of *Edinburgh*, as Feoffees in Trust, and Governors of *Heriot's Hospital*; and the said Provost, Bailiffs, and Counsellors of our said Burgh, for themselves and Successors, representing the Body and Community of our said Burgh, on the other Part, of the Date the nineteenth and eleventh Days of the Months of *November* and *December*, in the Year of our Lord 1639; which Lands, Burgh of Regality, Superiority and Privilege of Regality, and Offices above specified, formerly belonging to our trusty Cousin and Counsellor, *Robert Earl of Roxburgh*, and held by him

“ immediately of us ; and by our Consent,
 “ he and the said *Elizabeth Ker*, Lady
 “ *Broughton*, by their Procurators and Let-
 “ ters Patent, contained in the said Con-
 “ tract, of the Date aforesaid, in the Hands
 “ of the said Lords of our Exchequer, who
 “ have our full and ample Commission to re-
 “ ceive Resignations, and grant new Infeoff-
 “ ments of the Lands, &c. held of us by
 “ Staff and Batoon, which, according to
 “ Custom, were resigned at *Holyroodhouse* ;
 “ together with all the Right, Title, Inte-
 “ rest, Claim of Right, Property and Pos-
 “ session, which our said trusty Cousin and
 “ Counsellor, *Robert Earl of Roxburgh*, his
 “ Heirs and Assigns had thereunto, have,
 “ or any manner of Way could have Claim
 “ to this our heritable Infeoffment and Sa-
 “ fine of the same (excepting as above ex-
 “ cepted) to our said Provost, Bailiffs, Coun-
 “ sellors, and Community of our said Town
 “ of *Edinburgh*, and their Successors, re-
 “ presenting the said Body and Community
 “ in due Form, by delivering up, and mak-
 “ ing over, as is more fully expressed in
 “ certain authentick Instruments or Wri-
 “ tings made thereupon.

“ Moreover, we now after our lawful
 “ and perfect Age of twenty five Years, and
 “ all our Revocations, both special and ge-
 “ neral ; and according to an Act of the
 “ Parliament held at *Edinburgh* in the Month
 “ of *June*, anno 1633, concerning the E-
 “ rection of Superiorities belonging to us ;
 “ and by a general Resignation of the same
 “ into our Hands by the Titulars of Ere-
 “ ctions, perpetually to remain, and our
 “ Decree and Determination following there-
 “ upon ; and according to the Act of An-
 “ nexation, and other Acts of Parliament
 “ made concerning Church Lands and
 “ Tithes ; and for the good and faithful
 “ Service done to our late deceased Father,
 “ of eternal Memory, and his Predecessors,
 “ by the said Provost, Bailiffs, Counsellors,
 “ and Community of our City of *Edinburgh*,
 “ with divers other good Causes and Consi-
 “ derations us thereunto moving ; with
 “ Consent of the aforesaid Persons : We
 “ have of new given and granted, and by
 “ this our present Charter confirmed, and
 “ of new, for us and our Successors, give,
 “ grant, and confirm to the aforesaid Pro-
 “ vost, Bailiffs, Counsellors, and Commu-
 “ nity of our said Town of *Edinburgh*, and
 “ their Successors, all the Lands, Burgh of
 “ Regality, Superiority, and Privilege of
 “ Regality, and Things above specified,
 “ viz. all the aforesaid Burgh of Regality
 “ of the *Canongate*, and Parts of the Town
 “ of *Leith*, on the Northern and Southern
 “ Sides of the River and Bridge of the said
 “ Town of *Leith*, as aforesaid ; with all the
 “ Divisions, Lands, Tenements, Houses,
 “ Gardens, Orchards, Tails, Hills, Barns,
 “ and other Things within the said Burgh

“ and Towns ; Tenants, free Tenancies,
 “ Cottaries, Pendicles, Feus, Feu-farms,
 “ Burgage-feus, and other Duties above
 “ mentioned ; with all the Right, Title,
 “ and Claim of Fishing, Port and Haven
 “ Customs, Tithes and Privileges thereunto
 “ belonging, which antiently appertained to
 “ the said Monastery of *Holyroodhouse*, and
 “ the Town, Houses, and Gardens of the
 “ aforesaid Part of *St. Leonard's*, called
 “ *Dearenough*, alias *Pleasants* ; together
 “ with the Right and Privilege of Regality,
 “ Chapel, Chancery, and Offices of Justi-
 “ ciary and Bailiffry within the Districts a-
 “ foresaid ; with all the Feus, Casualties,
 “ and Liberties thereunto belonging (ex-
 “ cepting as above excepted) ; with all Right,
 “ Title, Interest, and Claim of Right, as
 “ well petitory as possessory, Property and
 “ Possession, which we, our Predecessors or
 “ Successors had, have, or any manner of
 “ way may have or claim in and to the
 “ same ; or to the Rents, Feus, Profits,
 “ Duties, and Casualties thereof bypast, on
 “ account of Ward, Relief, Non-entry,
 “ Escheat, Forfeiture, Recognition, Dis-
 “ claim, Bastardy, Purpresture of all or
 “ the major Part of Alienation, or Defect of
 “ Confirmation, Feu-farms and Duties,
 “ Non-payment of Infeoffments retoured,
 “ and Reductions of Safines on the same or
 “ other way whatsoever, for whatever Cause
 “ or Occasion bypast ; renouncing and trans-
 “ ferring the same from us and our Succes-
 “ sors, in favour of the said Provost, Bai-
 “ liffs, Counsellors, and Community of our
 “ said Town of *Edinburgh*, and their Suc-
 “ cessors ; with Covenant of not asking, and
 “ a Supply of all Defects, as well not men-
 “ tioned as mentioned, which shall be
 “ deemed as expressed in this our present
 “ Charter.

“ Moreover, with the Consent aforesaid,
 “ from our certain Knowledge and mere
 “ Motion determine ; and for us and our
 “ Successors, appoint and ordain, that one
 “ Safine be taken by the aforesaid Provost,
 “ Bailiffs, Counsellors, and Community of
 “ *Edinburgh*, as Representatives of the Bo-
 “ dy and Community thereof, at the Mar-
 “ ket Cross, within the said Burgh of Re-
 “ gality of the *Canongate* ; which shall serve
 “ in all Time coming for them and their
 “ Successors, Provost, Bailiffs, Counsellors,
 “ and Community ; and shall stand and be
 “ a sufficient Safine for all the Lands, Burgh
 “ of Regality, Towns, Superiority, Privi-
 “ lege of Regality and other Things above
 “ specified, notwithstanding of their Discon-
 “ tiguity.

“ And as to what concerns us, we have,
 “ with the Consent aforesaid, dispensed, and
 “ by this our present Charter dispenseth for
 “ ever ; to be held and enjoyed, all the fe-
 “ veral Lands, Burgh of Regality, Towns,
 “ Superiorities, Privilege of Regality, and
 “ other

“ other Things above mentioned, viz. all
 “ the aforesaid Burgh of Regality, called the
 “ *Canongate*, and Parts aforesaid of the said
 “ Town of *Leith*, lying on the Northern
 “ and Southern Sides of the River and
 “ Bridge of *Leith*; with the several Districts,
 “ Lands, Tenements, Houses, Gardens,
 “ Orchards, Tails, Hills, Barns, and other
 “ Things lying within the said Burgh and
 “ Towns; Tenants, Tenancies of free Te-
 “ nants, Cotters, Pendicles, Feus, Feu-
 “ farms, Burgage-feus, and other Duties
 “ above specified; with a Right, Title, and
 “ Claim of fishing, Port and Haven Dues,
 “ Customs, Tithes, and other Privileges,
 “ concerning the same, which formerly be-
 “ longed to the said *Abbey of Holyroodhouse*;
 “ and to the said Town, Houses, and Gar-
 “ dens of the aforesaid Part of *St. Leonard's*,
 “ called *Dearenough*, or the *Pleasants*; to-
 “ gether with the said Right and Privilege
 “ of Regality, Chapel, Chancery, and Of-
 “ fices of Justiciary and Bailiery above men-
 “ tioned, with the Districts aforesaid; to-
 “ gether with all Feus, Casualties, and Im-
 “ munities thereunto belonging; with other
 “ particular and general Privileges above
 “ specified (excepting as above excepted)
 “ to the said Provost, Bailiffs, Counsellors,
 “ and Community of our said City of *Edin-
 “ burgh*, and their Successors, Representa-
 “ tives of the whole Body and Community
 “ of our said Burgh; to be held of us and
 “ our Successors in Feu and Heritage for
 “ ever; with all their antient Rights, March-
 “ es, and Divisions, both in Length and
 “ Breadth, in Houses, Buildings, Eminen-
 “ cies, Low-grounds, Moors, Marshes,
 “ Ways, Paths, Waters, Ponds, Rivulets,
 “ Meadows, Grounds, Pastures, Mills, Mul-
 “ tures, with their Appurtenances; Fowl-
 “ ings, Huntings, Fishings, Peatmoſſes,
 “ Turfmoſſes, Coals, Coalpits, Conies, Co-
 “ nygers, Doves, Dove-cotes, Work-shops,
 “ Malt-barns, Breweries, Broomhills, Woods,
 “ Forests, Shrubs, Trees, Quarries of Free
 “ and Lime-stone, with Courts and their
 “ several Suits; Amerciaments, Blood-wits,
 “ and Women's Ransoms, with Pit and
 “ Gallows, Sack and Soke, Thole, Theam,
 “ Vertwrack, Waifs, Wair, Venifon, in-
 “ ſang Thief, outſang Thief, Common Pa-
 “ ſturage, free Iſh and Entry, with other
 “ Commodities, Profits, and Conveniencies,
 “ with their Appurtenances, as well not
 “ named as named, under, as well as above
 “ the Ground, far or near to the aforesaid
 “ Lands, Burgh of Regality, Superiorities,
 “ Privilege of Regality, and other Things,
 “ with their Pertinents, to be freely, quietly,
 “ intirely, honourably, and peaceably injoy-
 “ ed, without Revocation, Contradiction,
 “ Impediment, or Obſtacle whatsoever, to
 “ the said Provost, Bailiffs, Counsellors and
 “ Community of our said Town of *Edin-
 “ burgh*, and their Successors, paying to us

“ and our Successors the yearly Sum of
 “ Twenty Pounds, *Scotiſh Money* of *Blanche*
 “ Feu, in equal Payments, at the Terms of
 “ *Whitsunday* and *Martinmas*: And we faith-
 “ fully promise, on the Word of a Prince, to
 “ ratify and confirm this our present Infeoff-
 “ ment and Contract in our next Parliament
 “ to be held within our Kingdom of *Scot-
 “ land*; and to dissolve from our Crown the
 “ several Lands, Mills, Superiorities, and
 “ Things above specified, given as aforesaid;
 “ and to grant new Infeoffments of the same
 “ to the said Provost, Bailiffs, Counsellors,
 “ and Community of our said City of *E-
 “ dinburgh*, and their Successors.

“ In Witness whereof we have ordered
 “ our Great Seal to be put to this our pre-
 “ sent Charter, before these Witnesses, viz.
 “ our most beloved Cousens and Counsellors,
 “ *James*, Marquis of *Hamilton*, &c. *Wil-
 “ liam*, Earl of *Stirling*, &c. Lord *Alexander*,
 “ of *Tullibody*, our Secretary, our beloved
 “ Friends and Counsellors, Lord *John Hay*
 “ of *Barro*, Clerk to our Rolls, Register,
 “ and Council, *John Hamilton* of *Orbeifson*,
 “ our Justice Clerk, and *John Scot* of *Scotſar-
 “ vet*, Director of our Chancery, Knights.”

Given at our Court at *Whiteball*, the E-
 leventh Day of *December*, One thousand
 six hundred and thirty nine, in the Fif-
 teenth Year of our Reign.

The Town of the *Canongate*, which is an
 Appendage of, and a Suburb to *Edinburgh*,
 is situated at the Eastern End of the City;
 it consists of a spacious Street, extending
 from the *Netherbow* Port on the West, to
 the Palace of *Holyroodhouse* on the East, a-
 bout half a Mile in Length; whence run
 a Number of Closes down both Sides of the
 Hill, with Gardens below them. This Place
 has suffered more by the Union of the King-
 doms, than all the other Parts of *Scotland*:
 For having, before that Period, been the
 Residence of the chief of the *Scotiſh* Nobil-
 ity, it was then in a flourishing Condition;
 but being deserted by them, many of their
 Houses are fallen down, and others in a ruin-
 ous Condition; it is in a piteous Cafe!

The Citizens of *Edinburgh* as aforesaid, Coun. Regist.
 having, by Virtue of a Contract with the vol. XIV. f.
 Earl of *Roxburgh*, in the Year 1636, become ³⁹⁰.
 Superiors of the Regality of the *Canongate*,
North-Leith, that Part of the Barony of
Broughtoun, adjoining to the River of *Leith*,
 and the Village of the *Pleasants*, for the Sum
 of Forty two thousand, and one hundred
 Pounds, *Scotiſh Money*.

This Regality, in Subordination to the
Edinburghers, is governed by a Baron and a
 Bailiff; the former, who is one of the late
 Bailiffs of *Edinburgh*, and the latter his De-
 puty, are appointed by the Common Coun-
 cil of *Edinburgh*. The Bailiff presides in
 the Court of Regality, held in this Place;
 wherein are tried all Causes, both Civil and
 Criminal, other than in Capital Cases. The
 Officers

Officers in this Town are the Baron and his Bailiff, a Treasurer, Town Clerk, and Fiscal; eight Constables, and five Officers belonging to the Magistrates. The Companies or Incorporations of Trades are seven in Number, namely the Wrights, and Masons, Hammermen, Bakers, Taylors, Cordners, or Shoemakers, Weavers, Fleishers, or Butchers and Candlemakers, to whom belong a Conveeny. To this Regality, as mentioned in the above Charter, appertains the Town of *North Leith*, that Part of *South Leith*, called the *Coal-hill*, and that Part of *St. Leonard's*, denominated *Dear-enough*, or the *Pleasants*, adjoining to the Southwestern Part of the *Canongate*. And the Baron and Bailiff of this Burgh are Justices of the Peace in the County of *Mid-Lothian*.

Antiquities, and Things remarkable in this Parish.

The *Abbey of Holyroodhouse*, by the above Charter of King *David I.* appears to have been founded in the Year 1128.; but whether the remaining Part of the Church be Part of that at first erected, I cannot ascertain; though I am of opinion the Nave is, by its appearing to be of a much antienter Date than the Northern Isle and its Buttresses, which seem to be of a modern Construction. Be that as it will, this Church and Cloister, after having stood four hundred Years in the Fields by themselves, King *James V.* about the Year 1528, erected a House (to reside in at his coming to *Edinburgh*) near the Southwestern Corner of the Church, with a circular Turret at each Angle; which is the present Tower at the Northwestern Corner of the Palace; to which was added, by King *Charles II.* in the Year 1674, all the other Parts of the present magnificent Royal Mansion.

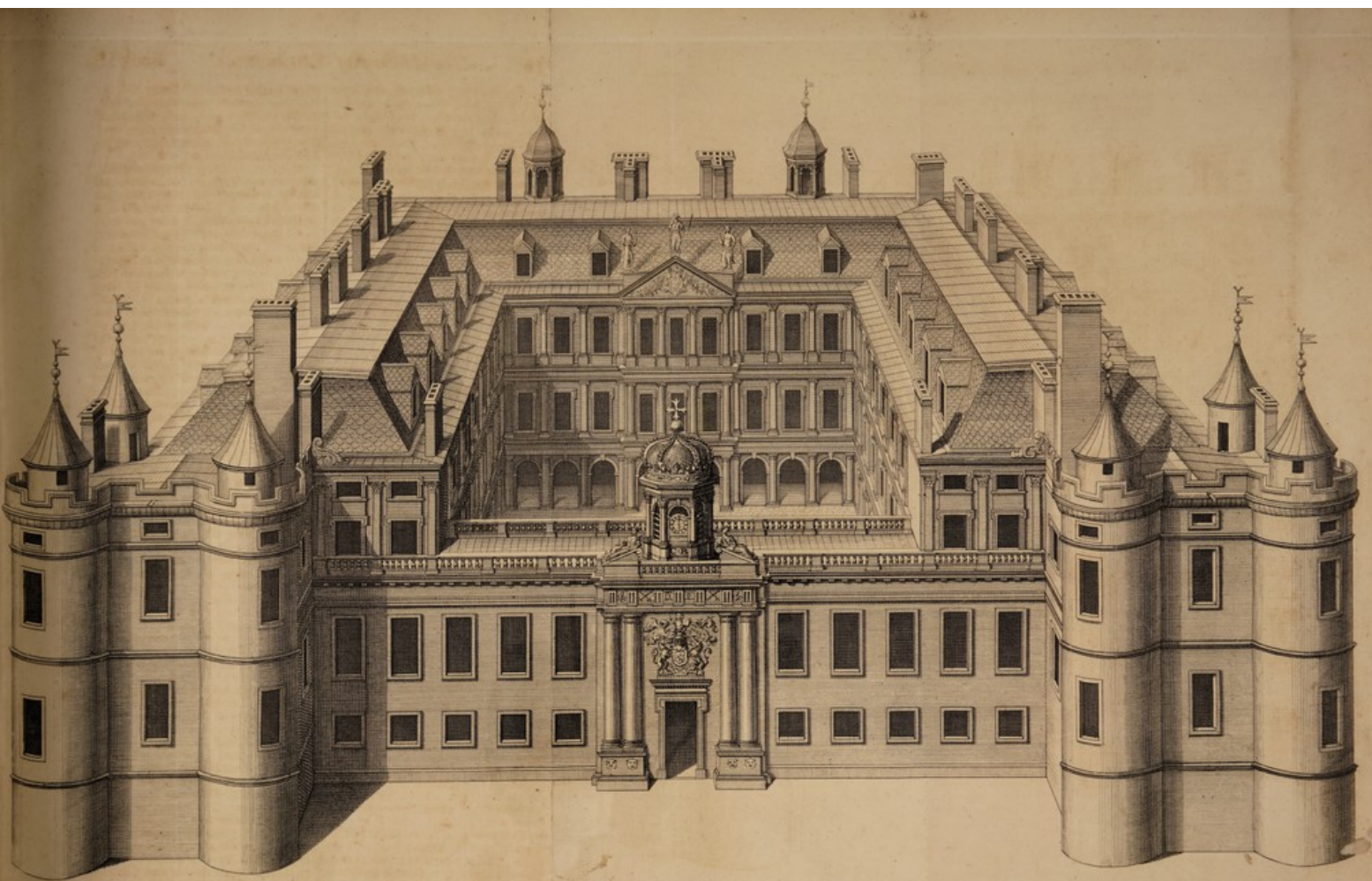
The said King *James*, to accommodate himself with a Park, inclosed a large Quantity of Ground in this Neighbourhood, with a stonern Wall, about three Miles in Circumference, which probably is no where to be paralleled; for, instead of Trees and Thickets for Cover, which other Parks abound with, I could not, after the strictest Search, discover one Tree therein; in lieu whereof, it is supplied with huge Rocks, and vast Declivities, which furnish the *Edinburghers* with the best of Stones to pave their Streets withal; as do the other Parts of the said Park yield good Pasturage and Meadow Grounds, with considerable Spots of arable Land. And as to those excellent Stones, I think it will not be amiss to observe, that were they squared and sent to *London*, where they are in great want of good Stones to pave the Foot Paths, or Sides of the Streets withal; I am persuaded they would turn to a good Account: For the Rag-stones im-

ployed in that Service are so very bad, that they wear out in a short Time; whereas, those of this Place are equal in Duration to Flint, and last for a Number of Years, even in a common Street, incessantly used by the most ponderous Carriages.

This Park, consisting chiefly of one Hill, arises into three Tops, the Southwesternmost whereof, is denominated *Arthur's Seat*; but that it should be so called, from *Arthur*, a British or Cumrian King, I cannot give into; for the Right Reverend (*Geffry of Monmouth*) Bishop of *St. Asaph's* Account of him is stuffed with such monstrous Fables and Absurdities; that it has given Reason to Men of great Eminence and Learning to think there never was such a Person in *Britain*, as King *Arthur*; much more Reason I think have they, who take the Appellation of *Arthur's Seat* to be a Corruption of the Gaelick *Ard-na said*, which implies, *the Height of Arrows*; than which nothing can be more probable: For no Spot of Ground is fitter for the Exercise of Archery, either at Butts or Rovers, than this; wherefore *Ard-na-said*, by an easy Transition, might well be changed to *Arthur's Seat*.

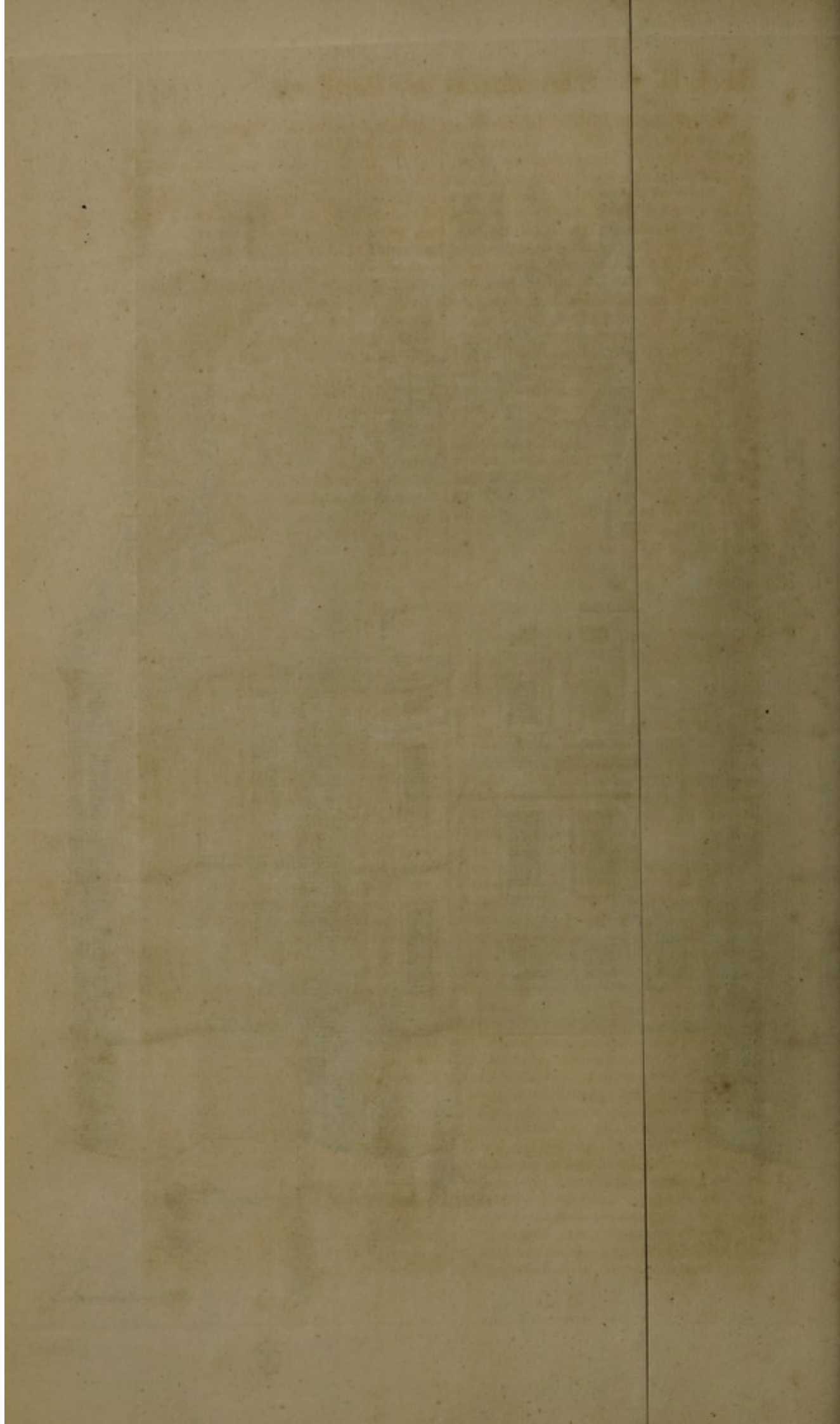
At the Northern Extremity of the Eastern Division, of this Hill, was an Hermitage, the Cell whereof is still to be seen, at the Distance of twenty seven Feet Southwest from the ruinous Chapel of *St. Anthony*: It is of the Length of sixteen Feet eight Inches, in Breadth, twelve Feet eight, and in Height eleven Feet; the Eastern End and South-eastern Corner are built on the Rock, which rises within two Feet of the Roof or stonern Arch which covers it; it appears to have had two Doors, near the Southwestern and Northeastern Corners, of the Height of five Feet and Width of two Feet, without the least Appearance of a Window, though probably there was one in the Western End, but demolished with the Gabel; and in the Inside of the Eastern End, were two Bolles or Cupboards.

The Hermitage Chapel, which is situated twenty seven Feet Eastward from the Cell, and dedicated to *St. Anthony*, is in Length forty three Feet and an half; in Breadth eighteen Feet, and the same in Height. At the Western End is a Tower of nineteen Feet Square; but of what Height at first I cannot ascertain, though by the Form of what is standing, I take it to have been about forty Feet. The Area of the Chapel is in Length thirty two Feet, and Breadth of twelve, and Height of fourteen Feet; it has two arched Door-ways, and two Windows on each Side of the same Form, with a handsome *Gothick* Roof of three Compartments: In the Southern Wall, near the Altar, is a small arched Niche, wherein was put the holy Water, and another opposite, of larger Dimensions, which was strongly fortified, for keeping the Pix with the consecrated



The Royal Palace of Holyrood House.

And I have not to read it yet



consecrated Bread. Beside, by the Door and Arch on the Inside, I imagine there must have been an Entry from the West; and the Room over the said Arch I take to have been the Vestuary, ascended to by a Ladder, and a few Steps above the said Arch: And without in the Wall, at the Eastern End, was a handsome stonern Seat. This Chapel appears to have been inclosed with a stonern Wall, extending from the Western Precipice of the Hill, along the Southern Side and Eastern End, to the Northern Precipice of the said Hill.

Below this Chapel, on the Northern and Western Sides of the said Hill, at the Distance of thirty one Feet below the said Cell, are a great Number of Stones, of a pentagonal Form, in divers Positions, viz. erect, protuberant, and recumbent, which, from their Figure, are denominated Asterites, from their resembling Stars; the two former as if growing out of the Earth, and the latter like large Rolls of Stones, with five Faces and Angles, with Joints at certain Distances, as if formed and placed there by Art. And opposite to these, at the South-western End of the aforesaid Hill, in a pendent Position, resembling at a Distance the Drapery of a Picture, are a Number of the said Stones, jointed and formed as above, but of larger Dimensions.

This Hill, as already mentioned, has three Tops; the highest whereof, denominated *Arthur's Seat*, according to Mr. Stewart, Mathematical Professor in the College of *Edinburgh's* Mensuration, is, from *St. Anne's Yards*, six hundred and fifty six Feet in Altitude; the uppermost Part of which, at a North-western View, seems to represent the Head and Back of a Camel; and that called *Salisbury Craigs*, a semicircular Body of Rocks, appear at Distance like a ruinous Amphitheatre.

The Abbey Church and Palace, which is surrounded with a Precinct or Liberty at present, used as an *Ashum* for insolvent Debtors; was antiently the Sanctuary belonging to the Monastery, for the Refuge and Protection of Criminals, is bounded as follows, viz. It begins at the Northern Gate of the King's Park, whence running Northward, it is bounded on the West by the King's Garden-wall, and the Gutter or Channel in the Horse-wynd, which continues its Boundary across the High-street to the Water-gate, and passing through the same, with a North-eastern and Eastern Course, is bounded by the Walls of the Tennis-court, Physick-garden and Grass-plot, whence the Wall winding Southward to the North-western Corner of the Abbey Church-yard, turns Eastward and running along the Northern Side of the said Church-yard, winds Southward, and joins the Northern Wall of *St. Anne's Yards*, and going Eastwards to the Clack-mill-house, turns South-

ward, and continues its Course to the Tirlis or Turn-style in the King's Park-wall, which, surrounding the Inclosure, includes the whole Park therein.

Various are the Opinions concerning the Appellation of the Inclosure denominated *St. Anne's Yards*, some deriving it from the vicinal Hermitage of *St. Anthony* aforesaid; but, as there is said to have been a Chapel adjoining to the Dean's House in the said Yards, the *Vestigia* whereof are still to be seen a little be-east the Bowling-green Wall belonging to the Palace, I think 'tis more probable, that this Inclosure received its Name from this Chapel, which we may presume was dedicated to *St. Anne*.

Be that as it will, King *James VII.* having fitted up this Conventual Church in a very elegant Manner, paved it with Marble, and erected a magnificent Throne therein for the Sovereign, and twelve Stalls for the Knights Companions, of the most antient Order of *St. Andrew*, with a large and beautiful Organ. But those Things relishing too much of Popery, they were demolished by the giddy Multitude and enthusiastical Mob, at the Revolution in the Year 1688; and to such a Degree did their Fury lead them, that they pulled up the fine Pavement, and carried off many of the Stones; since which Time, this stately Fabrick not being regarded, it is in a very ruinous Condition; and not likely to be repaired, must in a few Years become a Prey to Time, and the Inclemency of Weather.

Adjoining to this Church on the South, stands the Royal Palace of *Holyroodhouse*; the Tower at the North-western Angle thereof was erected by King *James V.* about the Year 1528, and the other Parts of this noble Edifice were begun to be built by King *Charles II.* anno 1674. We are told by *Slezer*, that this Palace, about the Year 1694, consisted of four Courts, but at present there are only two remaining; the first whereof is entered through the large and antient *Goibick* Gate-way of the outer Court of the late Abbey; this, which is a very spacious Court, is bounded on the East by the Palace, with Houses towards the West, and at the Northern and Southern Ends by Gardens; with the latter of which it has a Communication by several Door-ways.

This Palace, as appears by the annexed Print, is a very magnificent stonern Fabrick, consisting of one noble Square, which on all Sides, is decorated with a stately Piazza and spacious Walks; the Western Part or Front of this Edifice consists of two lofty double Towers, joined by a beautiful low Building or Gallery, adorned with a double Ballustrade above, in the Middle whereof, is a magnificent Portico, decorated with huge stonern Columns, which support a stately Cupola, in form of an imperial Crown: The other three Sides of the Square, are lofty and noble; and the Great Stair-case

Slez. Theat.
Scot.

and State Rooms are equal in Grandeur to the rest of the Building, and probably not to be outdone any where; and the Gallery on the Northern Side, which extends the Length of the House, is adorned with the Portraits of all the *Scottish Kings*.

The Duke of *Hamilton*, who antiently had his Apartments over the exterior Gate-way, as hereditary House-keeper of the Palace, resides at present in the Northern double Tower; and in the Southernmost, is the Great Council Chamber. The upper Apartments in the other Parts of the House, are inhabited by divers of the Nobility, who have Grants thereof during Life.

Behind, or to the Eastward of the Palace, was a Bowling-green, inclosed towards the North and South by two Wings, the former being the remaining Part of the Conventual Church, and the latter the Landry; which being fallen down, is deprived of that on the South, as it will, in all Probability, be soon of that on the North by the like Fate. And the Field be-east the said Bowling-green, denominated *St. Anne's Yards*, was designed to have been converted into a Flower Garden, to be decorated with Statues and Gravel Walks: But by the Abdication of King *James*, and Union of the Kingdoms, the Design is defeated; and the Palace not kept in proper Repair, will probably in a short Time undergo the Fate of its Offices, which are all tumbled down!

Nicol. Scot.
Hist. lib. p. 33.
34.

The Royal Garden, at the Northern End of the outer Court, is converted into a Physick Garden, with a proper Salary for an able Botanist to superintend the same. This Garden, according to the late ingenious and learned Dr. *Nicolson*, Archdeacon of *Carlisle*, was, above forty Years ago, in such a flourishing Condition, by the Skill and Industry of the ingenious and worthy Botanist, *James Sutherland*, who, the Dr. says, "In about twenty Years, has brought his Collection of Plants to such a Degree of Excellency as is truly admirable. His *Hortus Medicus Edinburgensis* surpasses most of them." And a little farther adds, "that the great Variety of Seeds and Plants, which his Correspondents abroad have furnished him with, have mightily increased his foreign Stock; and his late Personal View and Examination of the Shores and Mountains of *Annamdale*, *Niddale*, &c. have amply discovered to him the Riches of his own Country; so that we have sufficient Encouragement to hope that he will shortly oblige us with a new Prospect of one of the best furnished Gardens in *Europe*."

The Garden at the Southern End of the said Court, by its large Dimensions, beautiful Walks, and ever-green Inclosures, seems likewise to have belonged to the Palace. And on the Western Side of the said Court, in the Horse-wynd, were the King's Stables.

At the Foot of the *Canongate*, opposite to the outer Gate of the Abbey, is the Remains of a Cross, consisting of three Steps, the Base and the Shaft; it was antiently denominated the *Girth Cross* (now corruptly the *Girs* or *Grass Cross*) from its being the Western Limit of the Sanctuary; but since the making the Gutter or Channel above mentioned, it is become the Boundary of the Asylum, as aforesaid.

A little to the Northward of this Cross is situated *St. Thomas's Chapel* and Alms-house, (both very ruinous) founded by *George*, Bishop of *Dunkeld*; for whose Reasons, for founding and endowing the same, it will be necessary to give the Heads of the Charter of Foundation; whereby will likewise be shewn the Manner of Proceeding in such Erections in the Times of Popery.

George Creichtoun, by Divine Mercy, Bishop of *Dunkeld*, out of Love to God, for the Augmentation of his Worship; and for the Welfare and Prosperity of his Lord, *James V.* by the Grace of God, present King of *Scotland*; his dearest son *James*, Prince and Steward of *Scotland*, and Duke of *Rothsay*; and for the Souls of the illustrious Princes, *James III.* and *IV.* Kings of *Scots*, their Father, and Grandfather; and *Mary*, Queen of *Scotland*, Consort to the said *James III.*; the Soul of *Magdalen*, Daughter to *Francis*, King of *France*, and Consort to the said *James V.*; for the Soul of the serene Prince, *John*, Duke of *Albany*; for his own (the Founder's) Soul, and that of his dearest, *John*, Earl of *Mar*, Brother to the said *James IV.* King of *Scots*; the Souls of the Founder's Father, and Mother, Brethren, Sisters, and all his Relations, Predecessors, and Successors; and of all those whom he had in any way offended; from whom he had received any Benefit, and for such as he was obliged to pray; and all others departed this Life.

Give and grants, in pure and perpetual Alms, to the Honour of Almighty God, the most blessed Virgin *Mary* his Mother, and all Saints, all the Lands of *Lochflat*, with their Appurtenances, lying within the Sheriffdom of *Edinburgh*, which he devised in Trust to *James Greg* and *John Faw*, Chaplains, and their Successors, celebrating divine Service at the Altars of *St. Andrew* and *St. Katharine*, within the monastical Church of *Holyroodhouse*, near the Town of *Edinburgh*, in the Southern Chapel, adjoining to the high Altar of the said Church, the Rents and Profits whereof to be disposed of as follows, viz.

To each of the said Chaplains Twenty four Marks yearly; Forty Shillings to the Canons of the Conventual Church of *Holyroodhouse* aforesaid, to celebrate the Founder's Anniversary *Obit*, by solemnly singing in the Choir of the said Church, on the Day of his Death yearly, the *Placebo* and *Dirige*, with

with a Mass in the same Place, on the Day following, for the Repose of his Soul, and those of the above mentioned; Sixteen Shillings for eight waxen Candles, viz. two upon each of the said Chapels, two on the high Altar, and two upon the Founder's Tomb, decently adorned; Ten Shillings for six Tapers of three Pounds Weight to be lighted up and burnt on the said Anniversary during Mass; Three Shillings for ringing the great Bells, and Eight Pennies for ringing the small or Hand-bell through the Towns of *Edinburgh* and *Canongate*; Two Shillings to the Bearers of the Torches about the said Altar and Founder's Tomb; Thirty Shillings for the Support of four waxen Candles, to be kindled and burnt on the said Altar, decently adorned, during the first and second Vespers, and respective Festivals throughout the Year; Thirty Shillings to be given to thirty poor Persons; Ten Shillings for Bread and Wine, for the Celebration of Masses at the aforesaid Altars; Twenty Shillings to repair the Decorations of the said Altars; an Annuity of Four Pounds to the Church of *St. Mary* in the Field; and Eight Pounds yearly to the Abbot and Canons of the said Monastery, as a Feu-farm or Quit-rent for the said Lands of *Lochflat*; and to seven poor old Men, and their Successors, to be lodged in an Alms-house to be built by the Founder, near the Abbey of *Holyroodhouse* aforesaid, the yearly Sum of Twenty four Marks each.

And for defraying the annual Expenses above mentioned, certain Lands and Tenements were appropriated by the Founder, and the Charge thereof vested in the Chaplain, who officiated at the Altar of *St. Andrew* aforesaid, and his Successors, for which he and they were to receive an annual Salary of Twenty Shillings; and the Surplusage of the Revenues to be employed in repairing the House, Furniture, &c. But in case of Non-acceptance of the said Trust, or in Absence of the said principal Chaplain, the assistant Chaplain shall execute the said Trust, and receive the Salary above mentioned.

The Patronage of this Chapel and Alms-house was at first in the Founder; who by his Will constituted divers Persons of the Name of *Creighton*, and their Heirs, his Successors therein; and in case of Failure, to devolve to the Abbot and Canons of the Abbey of *Holyroodhouse*.

The Charter of Foundation above mentioned, besides the aforesaid, contains divers Rules and Constitutions for the said Chaplains and Alms-men.

1. That the said Chaplains shall say Mass daily at the said Altars; and at the Beginning of each Mass, to exhort the People to say one *Pater noster*, with an *Ave Maria*, for the Soul of the Founder, and those of the

Persons above mentioned; and after celebrating the Mass, clothed in white, shall repair to his Grave, with a Sprinkler dipt in Holy Water, and there say the Psalm *de profundis*, with Prayers requisite for the Souls aforesaid: When done, the said Chaplains shall sprinkle the Bishop's Tomb, and the People present with Holy Water, and weekly celebrate the *Placebo* and *Dirige* for the Repose of his Soul, and those of the Persons above named.

2. The Chaplains aforesaid shall have the Care and Government of the Alms-men, to correct, chastise, and punish them, if necessary; and if any of them be frequently guilty of breaking the Rules and Constitutions of the Alms-house, it shall be lawful for the Patrons of the Alms-house to remove them and place others in their Stead.

3. That the Alms-men shall rise about eight of the Clock in the Morning, and say fifteen *Pater noster*, the same Number of *Ave Marias*, and three *Credos in Deum Patrem*, in Honour of God, the blessed Virgin *Mary*, his Mother, and *St. Andrew*, and *St. Katharine* aforesaid; and shall sit and pray before the said Chapel for the Founder's Soul, and those of the Persons above mentioned; and on *Sundays* and Festivals, as often as they enter the Church for Divine Service, shall put on their red Gowns, and at High Mass sit before the Altar of the Chapel in the said Conventual Church, and there say fifty *Ave Marias*, five *Pater noster*, and one *Credo*: And in like Manner, in Time of *Vespers*, to say two *Rosarys* of the blessed Virgin; and in their red Gowns to walk at all publick Processions; to leave their Gowns to their Successors, and not to beg under the Pain of Ejection, seeing they have sufficient Allowances for their Maintenance. *Anno 1541.*

This Chapel and Alms-house, with their Appurtenances, was on the 31st of *March*, anno 1617, disposed of by the Chaplains, and Beadmen, to the Magistrates and Council of the *Canongate*, for a certain Sum of Money, with Consent of *David Creighton*, of *Lugtown*, the Patron, to be and remain an Hospital for the Use of the Poor of the said Burgh of the *Canongate*, to be presented thereto by the Bailiffs and Council of the same.

Some Time after, viz. on the 30th of *January*, anno 1634, the Bailiffs and Council of the *Canongate* disposed of the said Chapel, and Hospital, with their Appurtenances, to the Church Session of the Church of *Holyroodhouse*, and their Successors, for a certain Sum of Money, to be and remain an Hospital for the Poor of the *Canongate*, as aforesaid, to be presented by the Church Session, and their Successors.

This Chapel and Hospital seems to have been rebuilt in the Year 1617, from the following Inscription over the Entry into the latter, viz.

Helpe

*Helpe here the Poore, as ze vald God
did zov. June 19. 1617.*

Over this Infcription are the Figures of two Cripples, an old Man and Woman, with the *Canongate* Arms above them; the Chapel, in the Year 1747, was converted into Coach-houses.

Remark. Surely never was any Place more unjustly called an Hospital than this; for, instead of its being an Hospital, wherein the Inhabitants are supplied with all the Necessaries of Life, it hardly deserves the Name of an Alms-house: For, though it contains twelve Rooms, for the Reception of so many distressed Objects, yet there are only four inhabited, by as many poor Women, who have only an Allowance of Four Pence per Week each; but the House being in a very ruinous Condition, and the Roof almost gone, they must quickly leave it, or be buried in its Ruins.

I have since learnt, that those Women are Parish Pensioners, put in by the Church Session; for the Lands and Tenements which belonged to this Foundation being all lost or imbezelled, the Buildings must go to Ruin.

Adjoining to this Hospital is a Port, called the *Water-gate*, so denominated from its Vicinity to a Dub or Horse-pond opposite thereto, on the Northern Side: And just without the said Port, on the Eastern Side of the Street, was the Royal Tennis-court, antiently called the *Catchpel*, which is still standing, but now converted into a Linnen Manufactory.

In the Street opposite to the Place where the *Canongate* Church is situated, was antiently held the Market of the *Canongate*; since the Removal of which to the Head of the *Canongate*, where it is now only a Flesh-market, the Cross thereof, for the Convenience of Passage in the Street, was removed to, and erected against the Church-yard Wall, on the Eastern Side of the Gate-way leading to the said Church of the *Canongate*; it consists of four Steps and a Shaft, with the Town's Arms thereon.

On the Examination of Witnesses concerning King *Henry's* Murder, anno 1567, the Mint-office of Scotland seems to have stood on the Southern Side of the *Canongate*, opposite to the present *Canongate* Church and Tolbooth, which now I have discovered to be the House in the High-street, wherein the Duchess Dowager of *Gordon* at present resides.

A little higher in the said Street or *Canongate*, antiently stood another Cross, called *St. John's Cross*; which being likewise taken down, to free the Street from Incumbrances, a Cross is laid in the Pavement in the Middle of the Street, which serves as a Boundary to the *Trinity Church* Parish and that of the *Canongate*.

Although there be no weekly Market in

this Place for mercantile Wares at present, yet at the Head of the *Canongate* are daily a Number of Stands, with a Variety of Merchandize, which resemble a Market.

The Magistrates and Council of the *Canongate* were, by an Act of Parliament in the Year 1593, impowered to take Two Pennies of every loaded Cart, and one Penny for every Horse-load entering the *Water-gate*, to enable them to lay a Cause-way from *Holyroodhouse* to the *Netherbow*. This I take to be the Time when the *Canongate* was at first paved.

ABB EY Church.

In the Southeastern Corner of the Abbey Church, are deposited the Bodies of King *James V.* and his Queen *Magdalen*, a Son, and his natural Daughter; and the unfortunate King *Henry*, or Lord *Darnley*, who was cruelly murdered by the most abandonedly wicked Earl of *Bothwell*. On the two first are the following Inscriptions.

MONUMENTAL INSCRIPTIONS.

Illusttris Scotorum Rex, Jacobus, ejus nominis V. ætatis suæ anno 31, regni vero 30, mortem obiit in palatio de Falkland, 14. Decembris, anno Dom. 1542: Cujus corpus hic traditum est sepulchro.

That is,

The illustrious King of Scots, *James V.* of that Name, died in his Palace of *Falkland* the 14th of *December*, in the Year of our Lord 1542: Whose Body is committed to this Sepulchre.

Magdalena, Francisci Regis Franciæ primogenita, Regina Scotiæ, sponsa Jacobi V. Regis, anno Dom. 1537, obiit.

That is,

Magdalen, eldest Daughter to *Francis* King of France, Queen of Scotland, Consort to King *James V.* died in the Year of our Lord 1537.

In the Body of the Church.

D. I. H.

Here lyes ane Nobil and maist Vertuous Ladie, Deame *Jeane Hamilton*, Countas of *Eglington*, Dochter to *James Duke of Schatillart*, sometime Governour of this Realm. She deceased in *December* 1596.

ADAMUS BOTHUELIUS.

Hic reconditus jacet nobilissimus vir, Dominus Adamus Bothuelius, episcopus Orcadum et Zethlandiæ, commendatarius monasterii sanctæ crucis, senator et consiliarius regius: qui obiit anno ætatis 67, 23. die mensis Augusti, anno Dom. 1593.

EPITAPHIUM.

EPITAPHIUM.

Nate senatoris magni, magne ipse senator,
Magni senatoris, triplice laude, parens;
Tempore cujus opem poscens ecclesia sensit,
Amplexa est cujus cura forensis opem;
Vixisti ex animi voto: jam plenus honorum,
Plenus opum, senii jam quoque plenus
obis.

Sic nihil urna tui, nisi membra senilia celat,
Teque vetat virtus, vir tua magne mori.
Æternum vive, atque vale.

M. H. R.

Englished thus:

Here lies interred a most noble Man,
Lord *Adam Botbwell*, Bishop of *Orkney* and
Zetland, Commendator of the Monastery of
the Holy Cross, Senator of the College of
Justice, and one of the Lords of His Maje-
sty's Privy Council, who died in the 67th
Year of his Age, 23d Day of the Month of
August, in the Year of our Lord 1593.

EPITAPH.

Thy Praise is triple sure, thyself, thy Sire,
Thy Sons, all Senators, which Men admire.
The stagging State by thee was quickly
stay'd,
The troubled Church from thee got present
Aid.

Thou lived at thy Wish, thy good old Age
In Wealth and Honours, took you off the
Stage.

Thine aged Corps interred here now lie,
Thy Virtues great, forbid your Name to die.
Go happy Soul! and in thy last Repose,
Vanquish thou Death, and all its fatal Blows.
Thy fragrant Fame, shall thus eternal be,
Unto thy Country and Posterity.

D. O. M.

Here lyeth Dam *Margaret Ross*, Daugh-
ter to *James Lord Ross*; and Dam *Marga-
ret Scot*, Daughter to *Walter Lord Buc-
cleugh*, and Sister to *Walter Scot* Earl of
Buccleugh. She was married to Sir *George
Sterline of Keir*, Knight, and Chief of his
Name; and having lived a Pattern and Pa-
ragon for Piety and Debonairitie, beyond
her Sex and Age; when she had accom-
plished 17 Years, she was called from this
transitory Life to that eternal, 10th *March*
1633. She left behind her only one Daugh-
ter, *Margaret*, who in her pure Innocency
soon followed her Mother, the 11th Day of
May thereafter, when she had been twelve
Months shewn to this World: And here
lyeth near unto her interred.

D. Georgius Sterline de Keir, eques au-
ratus, familiæ princeps, conjugii dulcissimæ
poni curavit. MDCXXXIII.

Though Marble, Porphine and Mourning
touch,

May praise these Spoils; yet can they not
so much:

For Beauty, Last and Fame, this Stone
doth close

One, Earth's Delight, Heav'n's Care, a
purest Rose.

And shouldst thou, Reader, but vouchsafe
a Tear

Upon it, other Flow'rs shall soon appear;
Sad Violets and Hyacinths which grow,
With Marks of Grief, a publick Loss to
show.

In the Vestuary.

Quod reliquum apud nos est, hic con-
ditur, Roberti Vicecomitis de Belhaven,
Baronis de Spot, &c. Regi Carolo à secre-
tioribus consiliis, et inter familiares intimi;
quippe qui et prius Henrico Valliæ gratissi-
mus, ejusque stabulis præfectus erat: illo
vero fatis cedente, fratri Carolo, nunc re-
rum potito, in quæstorum domus adscitus
est, singulari favoris gradu acceptus, re et
honoribus auctus.

In juventute, Nicolæ Moraviæ, Aber-
carniæ Comarcho natæ, ad octodecim non
amplius menses, unicæ uxoris in puerperio
simul cum foetu extinctæ, lectissimo con-
sortio fruebatur. Ingravescente ab aulico
strepitu (ut morum illico et malorum tem-
porum pertæsus) se subtrahens, in patriam
reversus est. Archibaldum et Robertum
Duglassios, equites auratos, primævi fratris
filios, terris et bonis præterque testamento
legavit, æquâ lance divisit, hæredes scripsit;
qui memoriæ ejus, gratitudinis suæ pignus,
hoc monumentum poni curârunt.

Ingenium, quod literis cultura non im-
plevit, sagacitate natura supplevit; indolis
bonitate et candore nulli cessit. Facile suc-
cendi, at, dum loquimur, facilius defer-
vescere: ei in moribus, quod æquè ab o-
mnibus vix acciperetur, unicum erat. Fide
in regem, pietate in patriam, officiis in a-
micos, charitate in egenos, nulli secundus;
cui in prosperis modus et comitas, in ad-
versis constantia et magnanimitas, ad su-
premum usque diem invalere. Obiit E-
dinburgi prid. idus Januarii, anno ab in-
carnatione Messiæ, supra MDCXXXIX. æta-
tis verò ultra climactericum magnum, ter-
tio.

That is,

Here are interred the Remains of *Robert*
Viscount of *Belhaven*, Baron of *Spot*, &c.
Counsellor to King *Charles*, and most inti-
mately in Favour with him; because for-
merly he had been most dear to *Henry*
Prince of *Wales*, and Master of his Horses.
But he being dead, and *Charles* his Brother
now reigning, he was made Chamberlain to
the King's Household, and entertained with
a singular Degree of Favour, and advanced
to great Honours and Wealth.

In his Youth he enjoyed the sweet Society
of *Nicolas Murray*, Daughter to the Baron
of *Abercainny*, his only Wife, who lived
with him not above eighteen Months, and
died in Child-bed with her Child. When

R r

grievous

grievous old Age came upon him (as weary of bad Times and Customs) withdrawing himself from the Noise of the Court, he returned to his Country. He nominated Sir *Archibald* and Sir *Robert Douglass*, Barons, Sons to his eldest Brother, to be his Heirs, dividing equally amongst them, all his Lands and Goods, except some Legacies. And they erected this Monument to his Memory, as a Token of their Gratitude.

Nature supplied him with Sagacity, what his Mind wanted of Education. He was inferior to none in a good Capacity and Candour. One Thing he had in his Life, which scarcely would be acceptable to all: For Loyalty towards his Prince, Love to his Country, Kindness to his Relations, and charitable to the Poor, he was singular. In Prosperity he was meek and moderate; in Adversity, his Constancy and Magnanimity prevailed to his very End. He died at *Edinburgh* the 14th Day of *January*, and from the Incarnation of the *Messiah*, 1639, and of his Age the 66th, being the third Year above his great *Climacterick*.

GEORGIUS WISEHEART.

Hic recubat celebris doctor Sophocardius alter;

Entheus ille, *Zepec* *uxpdioc* agricola.

Orator fervore pio, facundior olim,

Doctiloquis rapiens pectora dura modis.

Ternus ut antistes Wisheart; ita ternus Edinem,

Candoris columen nobile, semper idem.

Plus octogenis hinc gens Sophocardia lustris,

Summis hic mitris claruit atque tholis:

Dum cancellarius regni Sophocardius idem

Præful erat Fani Regule sanctæ tui.

Atque ubi pro regno, ad Norham, contendit avito

Brussius, indomita mente, manumque potens;

Glasgous Robertus erat, Sophocardius alter;

Pro patria, qui se fortiter opposuit:

Nec pacis studiis, Gulielmo, animisve Roberto,

Agricola inferior; cætera forte prior.

Excelsus sine fastu animus, sine fraude benignus,

Largus qui miseris; intemerata fides;

Attica rara fides constantia raraque, nullis

Expugnata, licet mille petita, malis.

In Regem, obsequii exemplar, civisque fidelis;

Antiquam venerans, cum probitate, fidem.

Omnibus exutum ter, quem proscripserat carcer,

Exilium, lustris non domuere tribus.

Ast reduci Carolo plaudunt ubi regna secundo;

Doctori Wisheart insula plaudit ovans.

Olim ubi captivus, squalenteque carcere læsus,

Annos ter ternos, præful honoris obit.

Vixit olympiadas ter quinas; Nestoris annos
Vovit Edina: obitum Scotia mœsta do-
let:

Gestaque Montrosei, Latio celebrato Co-
thurno:

Quantula (proh) tanti sunt monumenta
viri!

Englisht thus.

Another famous Doctor *Wiseheart*, here
Divine *George Wiseheart* lyes, as may ap-
pear.

Great Orator, with Eloquence and Zeal;
Whereby, on hardest Hearts he did prevail.
Three *Wisehearts*, Bishops, so the third was
he,

When Bishop of fair *Ed'nburgh's* Diocle.

Candor in him was noble; free of Stain;

In Cases all, the same he did remain.

Above four hundred Years, great *Wise-
heart's* Name,

For Honours, has pure and untainted Fame;

While one thereof both Purse and Mitre
bore,

Chanc'lor, and Bishop near *St. Andrews*
Choir.

And when brave *Bruce* did for his Nation
plead,

At *Norham*, with undaunted Hand and
Head.

The *Robert Wiseheart* sat in *Glasgow's* Chair;

With Courage for his Country singular.

To these great *George* was not inferiour,

In Peace and War elsewhere Superiour.

High, without Pride; his Bounty had no
Guile;

His Charity to th' Poor nought could defile;

His Loyalty untainted; Faith most rare;

Athenian Faith was constant ev'ry where.

And though an thousand Evils did con-
troul,

None could o'ercome his high and lofty
Soul.

To King and Country he was faithful still;

Was good and just, ev'n from a constant
Will.

Thrice spoil'd and banish'd for full fifteen
Years,

His Mind unshaken, chearful still he bears.

Deadly Proscription, nor the nasty Goal-

Could not disturb his great seraphick Soul.

But when the Nation's King, *Charles* the se-
cond blest,

On his Return from sad Exile to rest;

They then receiv'd great Doctor *Wiseheart*;
he

Was welcome made, by Church and Laitie.

And where he had been long in Prison sore,

He nine Years Bishop, did them Good there-
fore.

At length he dy'd in Honour where his
Head

To much hard Usage was accustomed.

He liv'd 'bove seventy Years; and *Edinburg's*
Town,

Wish'd him old *Nestor's* Age, in great Re-
nown.

Yea

Yea Scotland, sad with Grief, condol'd his Fall;
And to his Merits, gave just Funeral.
Montrose's Acts, in *Latin* forth he drew;
Of one so great, ah, Monuments so few!

DE GEORGIO VICECOMITE SUTHERLANDIÆ.

Memoriæ illustrissimi Domini, Georgii Sutherlandiæ et Strathaverniæ, &c. Dynastæ; Sutherlandiæ et Strathaverniæ, jure hæreditario, Vicecomitis ac regalitatis Domini; ex sigilli magni custodibus unius; Regi Gulielmo à secretioribus consiliis, decimi noni comitis recta linea oriundi ab Allan Sutherlandiæ Thano; quem Milcolumbo tertio, hæredi legitimo regnum restituere conantem, è medio sustulit Macbethus; cum tyrannidem occupasset, circum annum æræ Christianæ 1057. Hoc famæ perennis monumentum defensus posuit vidua, Joanna Vemia, filiarum Davidis, comitis Vemii, natu maxima; quæ huic comiti peperit Joannem nunc Sutherlandiæ comitem, et Annam Arbuthnoti Vicecomitissam; priori verò marito, Archibaldo Angusiæ comiti, filio Marchionis Duglassiorum natu maximo, Archibaldum Forfar comitem, et Margaretam Vicecomitem de Kingstoun, in matrimonium datam. Quinque alii hujus Dominiæ liberi impuere decesserunt.

Natus in arce sua, de Dornach, 2do Novembris, 1633, denatus Edinburgi 4to Martii 1703.

That is,

To the Memory of the most illustrious Lord, George, Earl of Sutherland, Lord Strathnaver, &c. heretable Sheriff of the said Lands, and Lord of the Regality thereof; one of the Keepers of the Great Seal, under the most renowned Prince, King William, one of the Lords of Privy Council, and the Nineteenth Earl, descended in a Right Line from Allan Thane of Sutherland, whom Macbeth, in the Rage of his usurping Tyranny, about the Year of Christ 1057. made away with, for endeavouring to restore the Kingdom to Malcolm III. lawful Heir to the Crown. His Mournful Widow, Jean Wemys, eldest Daughter to David, Earl of Wemys, erected this Monument of lasting Fame.

To the defunct Earl, she brought forth John, now Earl of Sutherland, and Anne, Viscountess of Arbuthnot; and to her former Husband, Archibald, Earl of Angus, eldest Son to the Marquis of Douglas, she brought forth Archibald, Earl of Forfar, and Margaret, given in Marriage to the Viscount of Kingstoun. Five other Children of the said Lady Dowager died in their Nonage. The Earl himself was born in his own Castle of Dornach, 2d November, 1633, and died at Edinburgh, 4th March, 1703.

In the Site of the late Choir.

To the Memory of ANNA FOULLER.

Two virt'ous Hands, one Truth-expressing Tongue,
A furnish'd Heart, with Piety, Faith, and Love;
A fruitful Womb, whence hopeful Males are sprung;
Two Lust free Eyes, Thoughts tending far above
The Reach of Nature, motionless become;
Rest peaceably to this earthly Tomb.
She died 9th May, 1645. of her Age 48.

In clarissimum virum, Alexandrum Milnum, Lapidam egregium, hic sepultum, anno Dom. 1643, Feb. 20.
Siste hospes: clarus jacet hoc sub marmore Milnus,
Dignus cui Phariæ conderet ossa labor:
Quod vel in ære Myron fudit, vel pinxit Appelles,
Artificè hoc potuit hic lapicida manu.
Sex lustris tantum vixit (sine labe), senectam
Prodidit: et mediam clauserat ille diem.

That is,

Stay Passenger, here famous Milne doth rest,
Worthy in Egypt's Marble to be drest;
What Myron or Appelles could have done,
In Brass or painting, that he could in Stone.
But thirty Years he (blameless) lived; old Age
He did betray, and in's Prime left this Stage.

D. O. M.

Gulielmo Gramo de Hilton, et Margaretæ, conforti suæ, suisque terrena animæ, indumenta cum fata vocaverint, hic depomi concessum fuit, 6to cal. Septembris, 1646. Hoc in cœmeterio conditur hastenus progenies tota, Alexander, Margareta, Maria una, atque alteri liberi quidem, non posteris sed parentum suorum, ut in morte, ita in vita et hæreditate illa, æterna antecessores. O quam fluxa res humana, spes lubrica et mortalitates sæpe præpostera! O vitæ fugacis curriculum breve, in quo viator hæc legens sistis nec sistis!

In English.

August the 27th, 1646. It was granted to Captain William Graham of Hiltoun, and Margaret Stuart, his Spouse, and to their Children, that in this Place they lay down the earthly Clothings of their Souls when God shall call them by Death.

Here already is buried their whole Offspring, Alexander, Margaret, and Mary, and their other Children; not posthumous Children indeed, but Forerunners to their Parents, as in Death, so in the everlasting Inheritance

heritance and eternal Life. O how uncertain are all human Affairs, the Hope of them perishing, and Mortality often preposterous and backward !

O short Race of flying Life ! wherein thou Passenger, reading this, halts, yet stands not.

Mind Passenger, thy going hence,
From Captain *Graham*, his Providence ;
Nor envy thou this little Stone,
Here is no proud Mausoleon :
But rather emulate his Hopes,
In which he Earth far over-tops,
Nilus vast Pyramids : Lo here
A Wardrobe for his Soul's Attire,
He doth provide ; he trusts at last
This Coat incarnate not to cast.
But lay it off ; the World may burn,
Yet shall his Ashes, from his Urn
Must'ring his Outside, and present
Christ's all Monarchick Parli'ment.

WILLIAM GRAHAM.

Anagram.

Ah me, I Gravel am, and Dust !
And to the Grave descend I must ;
O painted Piece of living Clay !
Man, be not proud of thy short Day.

In the Church-Yard.

NICOLAUS PATERSON.

Hic habentur reliquiae Nicolai Paterfoni, nobilissimo Joanni, inclyto Rothusiae comiti, clarissimo Scotorum proregi, a secretioribus ministris. Obiit postridie Iduum Decemb. 1665.

That is,

Here are lodged the Remains of *Nicol Paterfoni*, Secretary to the most noble and excellent, *John*, Earl of *Rothes*, most famous Viceroy of *Scotland*, who died 14th *Novem.* 1665.

To groan, sigh, sob, weep and bemoan for him that's gone, is great Folly,
To rest, is best, in Confidence he's gone to Glory.

You see that neither Youth, nor Strength, nor Beauty,
Can privilege one Man from Nature's Duty,
Howe'er let none pass by without Repent ;
To Death itself, for his Death doth repent.

De JOANNE PATERSON.

Memoriae dilectissimi, conjugis, Joannis Paterfoni, qui cum suavissimo matrimonii vinculo, 35 plus minus annos transsegisset ; et aliquoties balivi munere, in vico (Canongate) functus esset ; obiit anno Christi, 1663. April 23. ætatis 63. amoris et officii ergo, monumentum hoc dicavit Agneta Lyell, quæ hæc ipsa obiit 1664, April 23. ætatis.

Ecce Paterfoni, mortis secunda Mens peregrinantes quæ peregranda monet.

Englisht thus.

To the Memory of her most beloved Husband, *John Paterfoni*, who, after he had lived about 35 Years, in the sweet Bond of Marriage, and several times had discharged the Office of a Bailey in the *Canongate*, died in the Year of Christ 1663, April 23, his Age 63. In Token of her Love and Duty, *Agnes Lyell* dedicated this Monument ; and who herself died in April 1664.

Lo, *Paterfoni's* kind Ghost, redeem'd from Hell,

To Sojourners their Duty clear doth tell ;
Stay Passenger, consider well,
That thou, ere long, with me must dwell.
Endeavouring while has Breath
How to avoid the second Death :
For, on this Moment, do depend
Torments and Pleasures without End.
See then, to sin, thou daily die,
So shalt thou live eternallie ;
And serve the Lord with all thy might :
The Day's far spent, fast comes the Night.
Mark well, my Son, what here you read,
The best Advice is from the Dead.

MARY MOSS.

Here lies *Mary Moss*, Daughter to *Edward Moss*, who departed this Life, in the Year of God, 1671. aged 18 Years.

Here lies interr'd chaste Beauty's Maid,
In whom Death Virtue had betray'd ;
Meek, modest, mild, sweet *Mary Moss*,
Perfections Flow'r, in primely Bloss,
Transformed now is into Dust ;
Had the Respect of all in Trust.
From Wedlock's Hope divorced here,
Stop Reader, and her Worth admire.

RICHARD and ROBERT HENDERSONS.

Two Brethren *Hendersons*, here lie below,
Sons to *Alexander Henderson* Gardiner ;
Struck in their Prime of Youth by Death's
sad Blow.

Richard could write and plead, *Robert* could cure,
Their Arts, Strength, Stature, seem'd them
to secure

Longer from this Attack ; but we may see,
Nothing impedes the Course of Destinie.

Richard died the 30th of *November*, 1677, his Age 33. *Robert Henderson* died 21st *June*, 1680, his Age 23.

In the *CANONGATE* Church.

Reverendus Dominus, *Thomas Wilkie*, qui primus hac in æde evangelium enun-
ciavit, quod caducum habuit hic deponi jus-
sit ; ad animarum curam, in vico canonico-
rum, admotus pastoralis munere ibidem, ad
annos

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1. The first part of the paper is devoted to a general discussion of the problem of the origin of life. It is shown that the problem is one of the most important and most difficult in the history of science. The author discusses the various theories of the origin of life, from the spontaneous generation of life from non-living matter to the theory of the origin of life from pre-existing life. The author concludes that the most probable theory is the theory of the origin of life from pre-existing life.

2. The second part of the paper is devoted to a discussion of the problem of the evolution of life. It is shown that the problem is one of the most important and most difficult in the history of science. The author discusses the various theories of the evolution of life, from the theory of the evolution of life from non-living matter to the theory of the evolution of life from pre-existing life. The author concludes that the most probable theory is the theory of the evolution of life from pre-existing life.

3. The third part of the paper is devoted to a discussion of the problem of the origin of man. It is shown that the problem is one of the most important and most difficult in the history of science. The author discusses the various theories of the origin of man, from the theory of the origin of man from non-living matter to the theory of the origin of man from pre-existing life. The author concludes that the most probable theory is the theory of the origin of man from pre-existing life.

4. The fourth part of the paper is devoted to a discussion of the problem of the evolution of man. It is shown that the problem is one of the most important and most difficult in the history of science. The author discusses the various theories of the evolution of man, from the theory of the evolution of man from non-living matter to the theory of the evolution of man from pre-existing life. The author concludes that the most probable theory is the theory of the evolution of man from pre-existing life.



T. Sandby Dolin

P. Fourdiner, Secy.

annos plus minus 24, summa cum laude, ad vitæ terminum functus est. Natus 9. Aprilis, 1645, denatus 19. Martii 1711. ejus memoriae, ejus vidua, Rachel Sinclair, amoris ergo posuit.

That is,

The Reverend Mr. *Thomas Wilkie*, who first preached the Gospel in this Church, ordered his Body to be laid here: Being advanced to the Ministry in the *Canongate*, he, with greatest Applause, discharged the Pastoral Office there, for about twenty four Years, to the End of his Life. He was born and died as above; to whose Memory, *Rachel Sinclair*, his Widow, erected this Monument as a Badge of her Love.

Who in this Church, the Gospel first did preach,

And by his Life, as well as Doctrine teach.
Here lies great *Wilkie*, who of late,
Was Minister of the *Canongate*.

Near twice twelve Years, he in that Office spent,

With greatest Praise, while Life to him was lent.

His Birth and Death, this little Stone doth bear,

Which *Rachel Sinclair*, his Widow, did up-rear

Unto his Memory; that of her Love,
To Ages all it might a Token prove.

The CASTLE Church.

The Western Part of the Hill whereon *Edinburgh* stands, rising into a very high and large Rock of exceeding hard black Marble, the Castle is situated thereon; the Area whereof is said to contain about five *Scotish* Acres of Ground, which make about six *English*. This Rock is on all Sides very steep, especially towards the North, where it is perpendicular for a considerable Way. This Fortrefs is only accessible on the Eastern Side, where its Entrance, is not only fortified in the strongest Manner by the natural Rock, but likewise by a very high Half-moon, of exceeding strong stonern Work, mounted with twelve beautiful brazen Guns of Eighteen Pounds; which, together with the several Forts below, and its natural Advantages, render it almost impregnable to all Efforts, other than that of Famine.

The chief Buildings in this Castle form a parallelogram Square; the Eastern End whereof is bounded by the antient Royal Palace; which by the Dates on the Eastern and Western Fronts thereof, appears either to have been new fronted or rebuilt in the Years 1556, and 1616: In the Southeastern Corner of this Edifice, in a small Room on the Ground-floor, *Mary*, Queen of *Scots*, was brought to bed on the 19th of June, anno 1566, of a Son, afterwards King *James VI.*; in Commemoration whereof, the following doggrel Lines are written on the Wall.

Lord Jesu Chryst, that crounit was with Thorne,

Preserve the Brith, quhais Badgie heir is borne,

And send her Sonne Succession to reign still,
Lang in this Realme, if that be thy Will.

Als grant, O Lord, whatever of her proceed;

Be to thy Honour and Prais, so be it.

The other Rooms on the Ground-floor are at present employed as a Cellar and Drinking-rooms for the Accommodation of the Garrison; and the Apartments above are appropriated for the Reception of Officers and State Prisoners; in one of which called the *Crown Room*, which is strongly secured, are deposited the *Regalia* of *Scotland*, as will appear by the following Writing.

Instrument upon the Lodgment of the *Regalia*, within the Crown Room of the Castle of *Edinburgh*, the 26th of *March*, 1707.

At the Castle of *Edinburgh*, and within the Crown-room there, betwixt the Hours of One and Two Afternoon, of the 26th Day of *March*, in the Year One thousand seven hundred and seventh Year of our Lord, and Sixth Year of the Reign of her Majesty, *Anne*, by the Grace of God, Queen of *Scotland*, *England*, *France* and *Ireland*, Defender of the Faith.

“ The which Day, in Presence of us Notaries publick, and Witnesses under subscribing, compeared personally *William Wilson*, one of the Under-clerks of Session, Depute Marischal, for himself, as Procurator for, and in Name and Behalf of *William Earl Marischal*, Lord *Keith*, and *Altrie*, &c. Great Marischal of the Kingdom of *Scotland*, heritable Keeper of the *Regalia* thereof, viz. Crown, Sceptre, and Sword; and there in Presence of *David Earl of Glasgow*, Lord *Boyle*, &c. Lord Treasurer Depute (who for himself, and in Name of the remanent Lords Commissioners of the Treasury, were present to receive the above *Regalia*) the said *William Wilson*, after producing and reading a Procuratory, granted by the said noble Earl to him, of the Contents therein and after mentioned, dated and registered in the Books of Council and Session, on the twenty fifth Day of *March* instant, did also produce to the said Lord Treasurer Depute a Schedule, signed by him and us Notaries-publick under subscribing, containing an Inventory, and particular Description of the said *Regalia*, as follows.

“ The Imperial Crown of *Scotland* is of pure Gold, enriched with many precious Stones, Diamonds, Pearls, and curious Ennamlings. Its Parts and specifick Forms are these: *Primo*, It is composed of a large broad Circle or Fillet, which goes round the Head, adorned with twenty two large precious Stones, viz. Topazes,

S f

“ Ame-

“ Amethyfts, Garnets, Emeraulds, Rubies, Hyacinths in Collects of Gold of various Forms, and with curious Enamplings; and betwixt each of those Collects and Stones, were interposed great Oriental Pearls, but one of them is now wanting. *Secundo*, Above the great Circle there is another small one, formed with twenty Points, adorned with the like Number of Diamonds and Sapphires alternatively, and the Points are topped with as many great Pearls: After which Form are the Coronets of our Lords Barons. *Tertio*, The upper Circle is elevate or heightned with ten Crosses-floree, each being adorned in the Center with a great Diamond, betwixt four great Pearls placed in Cross Saltire, 1 and 1; but some of the Pearls are wanting; and the Number extant upon the upper Part of the Crown, besides what are in the Under-circle and in the Cross-patee, are fifty one; and these Crosses-floree are interchanged with other ten high Fleurs de lis, all alternative with the foresaid great Pearls below, which top the Points of the second small Circle. *Nota*, This is said to be the antient Form of the Crown of Scotland, since the League made betwixt *Abaius* King of Scots and *Charles* the Great of France.

“ The specifick Form of our Crown differing from other Imperial Crowns, in that it is heightned or raised with Crosses-floree alternatively with Fleurs de lis. The Crown of France is heightned only with Fleurs de lis, and that of England with Crosses-patee alternatively with Fleurs de lis.

“ Our Crown of Scotland, since King *James VI.* went to England, has been ignorantly represented by Herald Painters, Engravers, and other Tradesmen, after the Form of the Crown of England, with Crosses-patee; whereas there is not one, but that which tops the Mond, but all Crosses-floree, such as we see upon our old Coins, and these which top our old Churches: These Crowns were not antiently arched or close.

“ *Charles VIII.* of France is said to be the first in France who took a close Crown, as appears by his Medals coined in the Year 1495, being designed *Imperator Orientis*. *Edward V.* of England, in the Year 1483, carried a close Crown, as is observed by *Selden*; and our Crown is arched thus. *Quarto*, From the upper Circle proceed four Arches, adorned with ennamled Figures, which meet and close at the Top, surmounted with a Mond of Gold, or celestial Globe, ennamled with blue Semee, or powdered with Stars crossed and ennamled with a large Cross-patee, adorned in the Extremities with great Pearls (such a Cross tops the Church of *Holyroodhouse*)

“ and cantoned with other Four in the Angles. In the Center of the Cross-patee, there is a square Amethyft, which points the Fore-part of the Crown; and behind, or on the other Side, is a great Pearl; and below it, on the Foot of the palar Part of the Cross, are these Characters, J. R. V. by which it would appear, that King *James V.* was the first that closed this Crown with Arches, and topped it with a Mond and Cross-patee.

“ Yet it is evident, that the Money and Medals coined in the Reigns of King *James III.* and *IV.* have a close Crown. And 'tis no less clear, that the Arches of the Crown were not put there from the Beginning, or at the making of the Crown; because, 1^{mo}, They are tacked by Tacks of Gold to the antient Crown. 2^{do}, The Workmanship of the Arch is not so good, and there is a small Distinction in the Fineness betwixt the first and last, the latter being superfine Gold, and the other not so exactly to that Standard, whereof Trial has been made. *Quinto*, The Tire or Bonnet of the Crown was of Purple Velvet; but in the Year 1685, it got a Cap of Crimfon Velvet, adorned as before, with four Plates of Gold, richly wrought and ennamled, and on each of them a great Pearl, half Inch in Diameter, which appears between the four Arches; and the Bonnet is turned up with Ermine. Upon the lowest Circle of the Crown, immediately above the Ermine, there are eight small Holes, disposed Two and Two together on the four Quarters of the Crown, in the middle Space betwixt the Arches, which were for lacing, or tying thereto Diamonds or precious Stones. The Crown is nine Inches broad in Diameter, being twenty seven Inches about; and in Height, from the Under-circle to the Top of the Cross-patee, six Inches and an half: It always stands on a square Cushion of Crimfon Velvet, adorned with Fringes and four Tassels of Gold Thread hanging down at each Corner.”

Remark. The Antiquity of Crowns is by Writers allowed to be very great: At first they were only used by the Gods, and being a religious Ornament, it appertains to the *Pontificalia*, rather than the *Regalia*, and came to be used by Kings, by virtue of their being Priests, as well as Princes.

The first Crowns were only a Bandelet, Fillet, or String around the Head, and tied behind; still to be seen on Medals, around the Head of *Jupiter*, and those of the Kings of *Egypt* and *Syria*. Another Bandelet being added, they were decorated with Branches of Trees and Flowers; and being since made of a Circle of Gold, radiated in form of our Coronets, were at last closed and crossed at Top, like our Crowns at present. However, the Use of this Gem seems not

to have been brought in use amongst us, till after the Conquest of the *Picts*, towards the Middle of the ninth Century.

THE SCEPTRE.

"The Stem or Stalk of the Sceptre being Silver double overgilt, is two Foot long of hexagon Form, with three Buttons or Knops answering thereto. Betwixt the first Button and the second is the Handle of hexagon Form, furling in the Middle and plain. Betwixt the second Button and the third, there are three Sides ingraven. Upon that under the Virgin *Mary*, one of the Statues on the Top of the Stalk, is the Letter *J*. upon the second Side, under *St. James*, the Letter *R*, and on the third, under *St. Andrew*, the Figure *V*. The Side betwixt *J* and *R*, is ingraven with fourteen *Fleurs de lis*; and on the Side betwixt the Figure *V*. and the Letter *J*, are ten Thistles continued from one Stem. From the third Button to the Capital, the three Sides under the Statues are plain; and on the other three, are antick Ingravings, viz. Sacramental Cups, antick *Medusa's* Heads, and Rullion Foliages. Upon the Top of the Stalk is an antick Capital of Leaves imbossed, upon the Abacus whereof arises round the prolonged Stem surrounded with Statues. First, That of the blessed Virgin crowned with an open Crown, holding in her Right-arm our blessed Saviour, and in her Left a Mond ensigned with a Cross.

"Next to her, on her Right-hand, stands the Statue of *St. Andrew* in an Apostolical Garment, and on his Head a Bonnet, like a *Scots* Bonnet, holding in his Right-hand a Cross or Saltire, a Part whereof is broken off; and in his Left, elevate, a Book open. On the blessed Virgin's Left-hand stands another Statue, seeming to represent *St. James*, with the like Apostolical Garment, and a hanging Neck superadded thereto, and upon his Head a little Hat, like to the *Roman Pileum*; in his Right-hand, half elevate, a Book open, and in his Left a pastoral Staff; the Head is broke off; and above each Statue, being two Inches and an half, excepting that of the Virgin, which is a little less, the finishing of a *Gothick* Niche. Betwixt each Statue arises a Rullion in Form of a Dolphin, very distinct, in Length four Inches Foliage along the Body; their Heads upwards, and effronted inwards, and the turning of their Tails ending in a Rose or Cinquefoil outward. Above these Rullions and Statues stands another hexagon Button or Knot, with Oak Leaves under every Corner, and above it a Chrystal Globe of two Inches and a Quarter Diameter, within three Bars jointed above, where it is surmounted with six Rullions; and here again with

"an oval Globe, topped with an Oriental Pearl, an half Inch Diameter. The whole Sceptre in Length is thirty four Inches."

THE SWORD.

"The Sword is in Length five Foot, the Handle and Pommel are of Silver overgilt, in Length fifteen Inches; the Pommel is round, and somewhat flat on the two Sides; on the Middle of each, there is of imbossed Work, a Garland, and in the Center there have been two ennamled Plates, which are broke off. The Traverse or Cross of the Sword being of Silver overgilt, is in Length seventeen Inches and an half; its Form is like two Dolphins, the Heads joining, and their Tails ending in Acorns; the Shell is hanging down towards the Point of the Sword, formed like an Escalop flourished, or rather like a green Oak-leaf. On the Blade of the Sword are indented with Gold these Letters, *Julius II. P. The Scabbard* is of Crimson Velvet, covered with Silver, gilded and wrought in Philagram Work, into Branches of the Oak-tree Leaves and Acorns. On the Scabbard are placed four round Plates of Silver overgilt; two of them near to the Crampet are ennamled blue, and thereon in golden Characters, *Julius II. Pont. MAX. N.* At the Mouth of the Scabbard, opposite to the Heck, is a large square Plate of Silver, ennamled Purple, in a Cartouche Azure, an Oak-tree eradicated and fructuated Or; and above the Cartouche the Papal Ensign, viz. Two Keys in Saltire Addorsed, their Bowls formed like Roses or Cinquefoils, tied with Trappings and Tassels hanging down. At each Side of the Cartouche above the Keys, is the Papal Tire, invironed with three Crowns, with two Labels turned up, adorned with Crosses.

"Pope *Julius II.* who gifted the Sword to King *James IV.* had for his Armorial Figures an Oak-tree fructuated (which is the Reason that the Sword is adorned with such Figures) a Hill and a Star; which two last Figures I find not on any Part of the Sword. If they have been on the two ennamled Plates, which are lost off from the Pommel, I know not; but 'tis certain, this Pope had such Figures, as appears by these Verses made by *Volturne*, a famous *Italian* Poet, as the same are mentioned by *Hermanines Hermes*, a German Writer, who gives us these Lines found in a Monastery.

*Quercus, mons, stella formant tua stemmata,
princeps,*

*Hisque tribus trinum stat diadema tuum.
Tuta Petri mediis navis non stetit undis,
Mons tegit à ventis, stellaque monstrat iter.*

"And thereafter, upon Delivery of the
"above

“ above *Regalia* to the said Lord Treasurer Depute, and upon lodging thereof, with the foresaid Description of the same, in an orderly Manner, in a Chest within the said Crown Room; the said *William Wilson*, as Procurator for, and in Name and Behalf of the said *William Earl of Marischal*, and in the Terms of the said Procuratory, protested, That the delivering up of the *Regalia* foresaid, shall not invalidate, or be prejudicial to the said *Earl Marischal* his heritable Right of keeping thereof, both in Time of Parliament and Intervals, either in the said *Earl* his Castle of *Dunnotter*, as hitherto his Ancestors have done, or any where else within the Kingdom of *Scotland*, that his Lordship and his Successors shall think secure and convenient.

“ As also, in the Terms of the Act, ratifying the Union betwixt the Kingdom of *Scotland* and the Kingdom of *England*; whereby it is stipulated and agreed by both Parliaments, that the Crown, Sceptre, and Sword of State shall be continued to be kept, as they are at present within the Kingdom of *Scotland*, and that they shall so remain in all Time coming, notwithstanding the Union: Protested, That they shall remain within the said Crown Room in the Castle of *Edinburgh*; and in case the Government shall find the Transportation thereof from *Edinburgh* Castle to any other secure Place within this Kingdom, at any Time hereafter necessary: Protested also, that the same may not be done, until Intimation be made to the said *Earl Marischal* and his Successors, to the effect his Lordship or they may attend, and see them safely transported, and securely lodged.

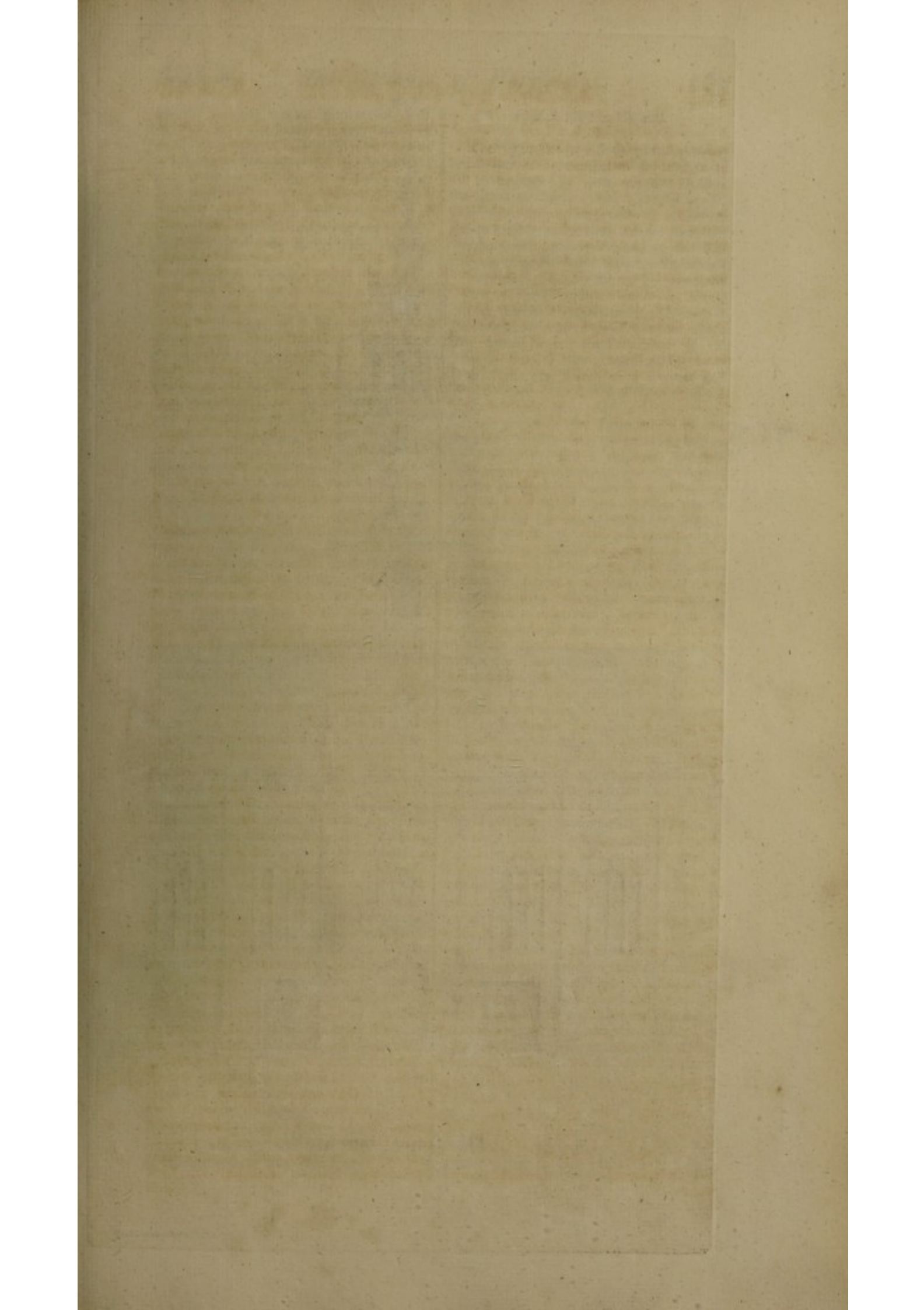
“ And made due and lawful Intimation of the Premises to Collonel *James Stewart*, Deputy Governor of the said Castle, then present, that he might not pretend Ignorance; as also, as Procurator foresaid; and likewise for himself, as continued Keeper of the said *Regalia*, by Deputation from the said *Earl Marischal*, and the deceased *George Earl Marischal* his Father, since the third Day of *August*, 1681, in the Reigns of King *Charles II.* King *James VII.* King *William*, and Queen *Mary*, and of her present Majesty Queen *Anne*, declared, that the same are now delivered to the said *David Earl of Glasgow*, Lord Treasurer Depute, for himself, and in Name foresaid, in the same State, Case and Condition he then received the same; and offered to give his Oath, that neither he the said *William Wilson*, nor any to his Knowledge, has ever directly, or indirectly, imbezeled or taken away from the said *Regalia*, any of the Jewels, Pearls, or others appertaining thereto.

“ And therefore, seeing he had with ex-

act Care and continued Fidelity, honestly discharged the said Trust reposed in him; did protest to be liberate and exonerated for his Administration in the said Office, during the said hail bygone Space; but Prejudice to the said *Earl Marischal*, of keeping the same in all Time coming, as formerly by himself, and the said *William* as his Depute, or any other whom his Lordship shall appoint. And upon all and sundry the Premises, the said *William Wilson*, as Procurator for, and in Name and Behalf of the said *William Earl Marischal*, asked and took Instruments, one or more, in the Hands of us Notaries Publick under subscribing. Thir Things were done Place and Time above mentioned, before, and in Presence of Mr. *David Lefly*, Son to the *Earl of Leven*, Governor of the Castle of *Edinburgh*, Sir *James Mackenzie*, Kt. and Bart. Clerk of the Treasury, and many other Witnesses needless to be mentioned; as are also the Attestations of divers Publick Notaries to the said Deed or Instrument.”

The Southern Side of the above mentioned Parallelogram Square, consists of a large antient Edifice, formerly the Parliament-house, now converted into a Barrack, for the Use of the Garrison. The Northern Side of the said Square is formed by a very long and large antient Church; which from its spacious Dimensions, I imagine that it was not only built for the Use of the small Garrison, but for the Service of the neighbouring Inhabitants, before *St. Giles's Church* was erected for their Accommodation: Be that as it will, this large Building at present is by two Floors divided into three Stories; the lowermost whereof is the Magazine of Ordnance, which contains a fine Train of Artillery, with its Appurtenances; the second Story is the Armoury, wherein is above Three thousand compleat Stands of Arms. And the third or uppermost Story contains a Number of Tents, and other Military Utensils. And the Western End of the Square is a double Building, with a paved Court in the Middle, containing the Officers Apartments. The other Buildings in this Fortrefs are the present small Church or Chapel, the Governor's House, a stately new Building, the Gunner and Store-keeper's Houses, the Magazine of Gun-powder, which consists of about Nine hundred Barrels; the Repositories of Bombs, Cannon, and Musket Balls, and the Store-houses for covered Waggon, and other Carriages.

Adjoining to the fourth or innermost Gate of this Castle, on the Ground, lyes a huge Piece of Ordnance, resembling an old fashioned Mortar, (such as I have seen in *Germany*, though not so large, nor hooped, but cast) denominated *Mounts-Megg*, small at the Breech, and large at the Mouth; composed of a Number of thick iron Bars, which,





The Trone Church.

which, by their inward Appearance, look as if welded; and being strongly bound by strong iron Hoops, seems to have been of considerable Strength; but there being a Breach in its Side, that is probably owing to a Burst the last Time it was discharged. It is in Length thirteen Feet, two Feet three Inches and a half in Diameter at the Mouth, and the Bore twenty Inches wide, tapering inwards.

The constant Garrison of this Castle, consists of a Governor, Lieutenant-Governor, Major, Lieutenant, Ensign, Chaplain, Surgeon, Master-gunner, Store-master, Deputy Store-master, three Under-gunners, four Serjeants, four Corporals, two Drummers, and one hundred and thirteen private Men. Other Men twenty three, Women sixty two, male Children thirteen, female Children fourteen, together, two hundred and forty eight; in which is twenty one Families. Though this be the Number of the Persons who generally reside in this Fortrefs, yet there is generally a Company or two of a marching Regiment quartered therein. The People in this Place are supplied with Water from a Draw-well, about one hundred and twenty Feet in Depth, the digging whereof must have been attended with an immense Labour, since the Rock is almost equal in Hardness to a Flint.

The only District at present belonging to this Castle, is that on the Eastern Part thereof, called *the Castle-hill*; this Eminence, which leads from the Town to the Castle, is about two hundred and seventy four Feet higher than the Frith of *Forth*, two Miles to the Northward; and the Upper Part of which being about five hundred Feet in Length, and eighty in Breadth, forms a most delicious Walk for the Citizens; whence they have a charming and extensive Prospect of the said Frith and beautiful Countries on both Sides thereof. The Height of this Hill from the *Grass-Market* on the South, I take to be about ninety Feet, and the Northern Side, regarding the *Nord Loch*, about one hundred and Twenty Feet: The Ascents of both are very steep; and though the Length of the said Hill be but about five hundred Feet, from the Houses at the Western End of the City, yet the Rise is so considerable, that the Foundation of the Castle is higher than the Tops of the said Houses.

The Precinct of the Castle above mentioned was fortified with a stonern Wall, about the Height of 8 Feet, which extended alongst the Northern Foot of the Hill, adjoining to the *Nord Loch*, from the Liberty of the City to the Well-house Tower, at the Northeastern Corner of the Rock whereon the Castle is situated; in which Tower, a Guard was placed to defend the short Wall, against all sudden Attacks which might have been made on it in dry Seasons, when the Loch was low in Water, and the Bog almost dry.

CHRIST's Church.

The Churches in *Edinburgh* still proving insufficient to accommodate the People in the Performance of their religious Duties; the Common Council resolved to fit up *St. Giles's Church* for their greater Convenience, and to erect two new Churches for their further Accommodation. Pursuant to this Resolution, they purchased Sites for the intended Fabricks: For that for the Northwestern Quarter of the Town in the Castle-hill Street, and for that for the Southeastern Quarter in the Neighbourhood of the Trone; for which they agreed to pay the Proprietors of the latter the Sum of Eleven thousand five hundred Marks, by Virtue of a Decreet and Modification of the Lords of Session, of the 31st of *March*, anno 1636.

Thus prepared, the Foundations of the intended Churches seem to have been laid in the Year 1637, and a voluntary Subscription begun towards carrying on the Works; but the People being weary of contributing, the Common Council ordered Money to be borrowed for the more effectually prosecuting the said Works: But this proving likewise very burdensome, it was judged proper to lay aside the Church on the Castle-hill, though the Building had been carried on at a great Expence: However, the Work was pulled down, and the Materials employed in the Erection of this Church.

At this Time the Building was well advanced, as doth appear by the following Inscription in the Front over the Doorway.

Ædem hanc Christo et Ecclesiæ sacrarunt Civis Edinburgen. ANNO DOM. MDCXLI.

That is,

This Temple was consecrated and dedicated to Christ, and the Church, by the Citizens of *Edinburgh*, in the Year of our Lord 1641.

By the above Inscription is plainly shewn, that this Edifice is denominated *Christ's Church*, and not that of the *Trone*; for the Appellation of the *Trone-Church*, by which it is at present called, it received from its Vicinity to the Trone, or publick Beam for the weighing of Merchandize, which then stood hard by.

And that no Materials might be wanting to carry on the Work with Expedition, the Common Council, anno 1644, by their Act of the 4th November, ordered one thousand Stones Weight of Copper to be bought in *Amsterdam* to cover the Roof withal; which being brought home, they sometime after ordered it to be sold, and the Church to be covered partly with Lead and Slates. And on the 18th of December following, the Treasurer to the Work was ordered to finish the same with all Expedition: Yet, notwithstanding of this Order, the Work seems to have been but little advanced in the Space of three Years;

T t

for,

for, at the latter End of the Year 1647, the wooden Work of the Roof only appears to have been erected, and for the present covered with Deals; which seems to have been owing to the want of Money, seeing the Council at this Time ordered a voluntary Collection to be made amongst the Parishioners towards finishing the same; and the Pews in the Church being fitted up, to the Number of one hundred and eight, the Profits arising thereby were to be employed to the same End.

The Accounts of the Building of this Church are so very confused and defective, I have not been able to come at the true Expence of Erection: However, by the best Discovery and Calculation I have made, it must, with the Cost of the Site, have amounted to about the Sum of Seventy five thousand Pounds *Scotish* Money. This appears to have been a very tedious Work; for, although the Foundation was laid in the Year 1637, yet the Roof was not covered in twenty six Years after: For, on the 21st of August, anno 1663, the Common Council having altered their Resolution of covering the same with Copper, ordered that provided for the Purpose to be sold; and the flat Part of the Southern End of the Church to be covered with Lead; and the raised Part toward the North to be slated. In the Year 1673, a Bell, which cost the Sum of Fourteen hundred and ninety Marks, and eight Shillings, *Scotish* Money, was hung up in the Steeple; and, five Years after, the Clock belonging to the Trone or Weigh-house, was put up in the said Steeple. However, the Church appears to have been preached in, anno 1647, by the first Rents of the Seats being collected for that Year.

The District belonging to this Church, called the *Southeast Parish*, begins at the Eastern End of the Church, and running Eastward down the High Street, to the *Netherbow Gate*, contains that Part of the Southern Side of the said Street, with all the Wynds and Clofes therein, which are Thoroughfares; viz. from *Marlin's Wynd* on the West, inclusive to the Town Wall on the East, exclusive of *Gray's Close*, which belongs to *Lady Yester's Parish*.

In the Year 1639, *David Makcall* Merchant of *Edinburgh*, in consideration of the great Goodness of God to him in his temporal Affairs, and the numerous Mercies and Deliverances from the imminent Dangers he had been exposed to in his Peregrinations, vowed to dedicate Part of his Substance, wherewith the Almighty had blessed him, to pious Uses; amongst which was the Sum of Three thousand five hundred Marks, given in Trust to the Magistrates of *Edinburgh*, to be laid out in a Purchase of Land, the Profits whereof to be employed in the Maintenance of a Minister, to preach and pray every Sunday Morning at six of the Clock,

till a Quarter after seven, in this Church which was then erecting, according to the Presbyterian Discipline. But the Magistrates, who are appointed Patrons of the Benefaction, are impowered to appoint the Time for preaching the said Sermon, as they shall think proper.

But, by the aforesaid Sum of Money's remaining unappropriated till the Year 1703, it must, by the growing Interest, have increased to a considerable Sum; in which Year, the Town Council, by their Act of the 17th November, ordered the Income of One thousand Pounds of the said Money to be employed for the Maintenance of two Morning Preachers, to preach alternately in this Church; and he whose Turn it is not, to preach at such Time and Place the same Day in the City, as shall be appointed by the Magistrates. But how the remaining Part of this Money is applied, is to me unknown.

This Morning Lecture has been as it were a Nursery for the Ministry; for young Clergymen have thereby an Opportunity to display their Parts, whereby many have been preferred to the most considerable Benefices.

This Parish consists of six Divisions, each of which in the Year 1742, according to the then Ministers Examination Rolls, contained the following Numbers of Families and Persons, viz. the first Division one hundred and two Families, consisting of four hundred and thirty three Persons; the second one hundred and one Families, of three hundred and ninety one Persons; the third one hundred and sixteen Families, of four hundred and ninety four Persons; the fourth one hundred and thirty one Families, of four hundred and seventy seven Persons; the fifth eighty two Families, of three hundred and twelve Persons, and the sixth of eighty Families, of three hundred and twenty four Persons. Total of Families, six hundred and twelve, and of Persons two thousand four hundred and thirty one.

The Patronage of this Parish, like that of all the other City Parishes, is in the Town Council. The Parish is governed by the Church Session, which consists of the two Ministers, six Elders, and six Deacons; and the Ministers Stipends, like those of the other Parishes, are Two thousand five hundred Marks each.

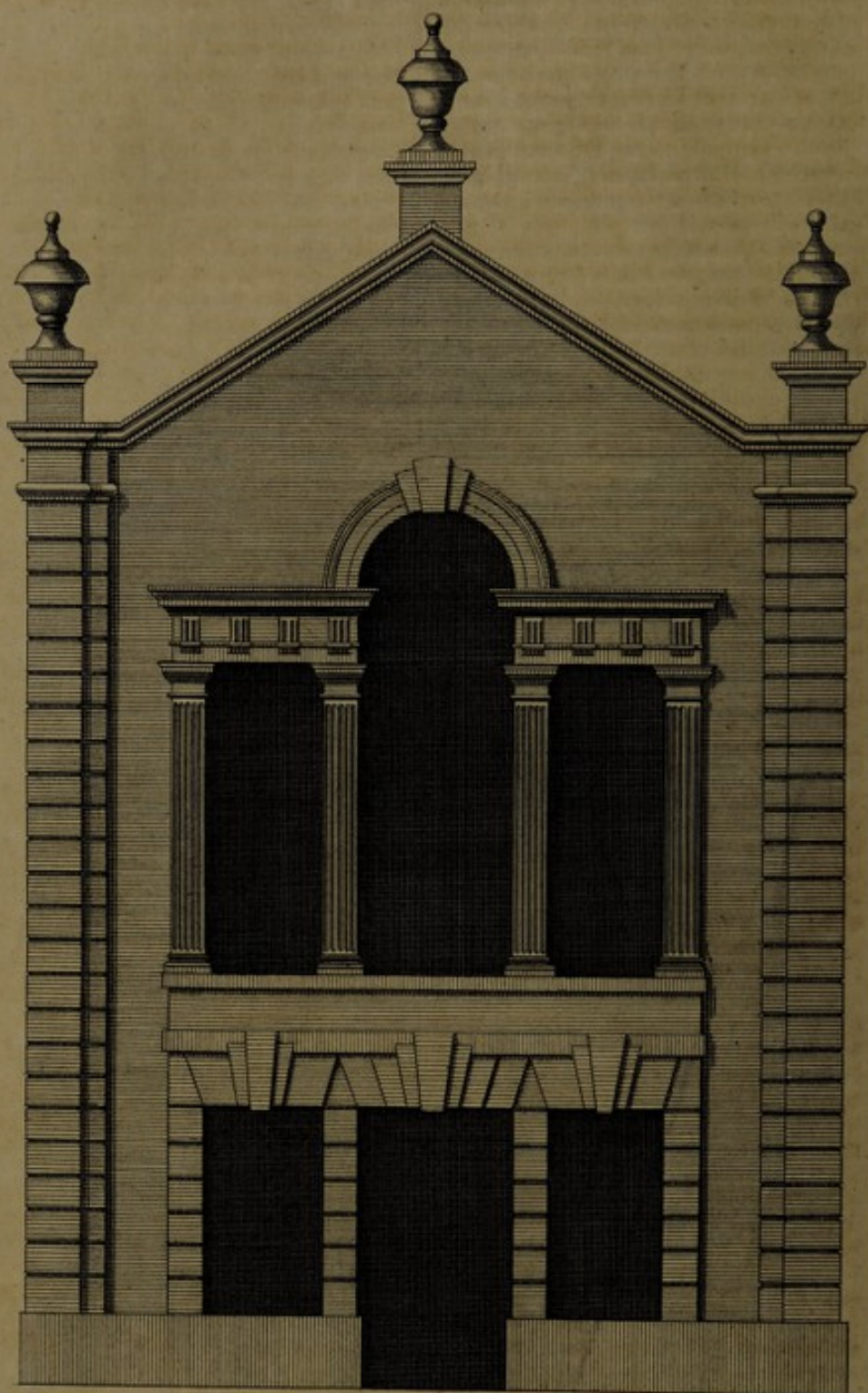
The Seats of this Church, in the Year 1746, being one hundred and twenty six in Number, they were let at the yearly Sum of One thousand three hundred and twenty five Pounds *Scotish* Money.

Antiquities and Things remarkable in this Parish.

Opposite to the Church, in the Middle of the High-street, is interred the Corpse of one *Marlin*, a *French* Paviour, who, according to his Desire, was there inhumed, probably

Coun. Regist. in twenty six Years after: For, on the 21st
vol. XXII. f. of August, anno 1663, the Common Council
59. having altered their Resolution of covering

Coun. Regist.
vol. XXXVII.
f. 686.



A View of S^t Mary's Chapel

probably in Commemoration of his being the Man, as 'tis said, who at first paved the said Street. Be that as it will, his Grave is known by a Row of six Stones laid in the Pavement, of the Form of a Lid of a flat Coffin, of the Length of six Feet.

Behind the Church, on the Eastern Side of *Marlin's Wynd*, so denominated from the Grave aforesaid, is situated the Poultry Market, wherein is sold, not only Fowls of all Sorts, but likewise Bread, Veal, Pigs, Hares, Rabbits, and Eggs, which pay the several Tolls or Duties to the City, as set forth in the following Table.

A Table.

Of the Poultry and Bread Market, with the Customs, Rents of Stands, and Boards therein.

	s.	d.
For every twenty Pair of Rabbits, and in Proportion for a smaller Number	2	0
Every Goose, wild, tame, and Solen	0	2
Every Turkey	0	6
Every Score of Wild-fowl, and in Proportion for a smaller Number	1	0
Every Score of Cocks, Hens, or Ducks, and in Proportion for a smaller Number	1	0
Every Load of Eggs, consisting of 600, and in Proportion for a Burden of three hundred	1	0
Every Pig	0	6
Every Dozen of Pidgeons	0	2
Every Dozen of Larks	0	1
Every Burden of Bread belonging to Unfreemen	1	0
Every Horse-load of Bread belonging to Unfreemen	2	0
Every Cart-load of Ditto	12	0
Every Calf	0	8
Each Calf, for Stall room	1	0
N. B. That all the above is <i>Scotish Money</i> .		

At the Southeastern Corner of *Marlin's Wynd* in the *Cowgate*, in a Square, inclosed with a stonern Wall, was antiently held the Corn Market: But the same being removed, *anno* 1716, to the Eastern End of the *Grass Market*; this Inclosure of late was employed for a Coal-fold or Market, and at present for a Fish Market.

On the Eastern Side of *Niddry's Wynd* is situate *St. Mary's Chapel*; which by the Charter of Foundation of the 31st December, *anno* 1504, appears to have been founded by *Elizabeth*, Countess of *Ross*, and to have been so denominated from its Dedication to the Virgin *Mary*. At present it is the Hall belonging to the *Wrights and Masons*, and the upper Part is employed by the Musical Society, who hold their weekly Concerts

therein; of which Erection I shall subjoin the following Account.

Certain Gentlemen of this City having in the Year 1728, proposed to erect a Musical Society in *Edinburgh*, for the Diversion of themselves and Friends; the Motion was so well approved of, that it was readily agreed to by a Number of Lovers of Harmony, who, forming themselves into a Fraternity, met and agreed on the following Regulations for their better Government.

At *Edinburgh*, the 29th March, 1728.

We the Members of the Musical Society, held weekly in *Mary's Chapel* in *Niddry's Wynd*, either now subscribing, or who shall subscribe on or before the second *Wednesday* of *June* next, being resolved, for our mutual Diversion and Entertainment, to continue the same, and to render it perpetual; have agreed, and do hereby agree to assemble ourselves weekly in the said Place, for the Performance of Concerts of Musick, as we have already done for these twelve Months past, under the following Articles and Regulations, which are hereby declared to be the fundamental Laws of the Society, to which we do respectively submit.

1. That the Society shall consist of a Number of Members, not exceeding seventy, unless it shall afterwards appear necessary in a General Meeting to increase the Number.

2. That for the Preservation of Order, and the Management of the Affairs of the Society, there shall be a Governor, Deputy Governor, Treasurer, and five Directors, elected in a General Meeting of the Subscribers, hereby appointed to be held upon the second *Wednesday* of *June* next ensuing, at Five o' Clock in the Afternoon in the Hall; and afterwards to be annually elected in General Meetings of the Society, hereby appointed to be held at the same Place, and at the same Hour, upon every second *Wednesday* of *June* yearly thereafter; and that the said Election shall proceed by way of Ballot.

3. That upon the second *Wednesday* of *June* ensuing, in the said first General Meeting, and every General Meeting yearly thereafter, before proceeding to the Election of the said Officers of the Society, every Member shall pay a Guinea into the Hands of Mr. *Robert Lumisden*, our present Cashier, or into the Hands of the Treasurer for the Time being, towards defraying the annual Charge of the Society, and the augmenting its Stock.

4. That a Book shall be kept, wherein shall be recorded the Minutes of Procedure in the said General Meetings, and likewise the Matters which shall occur in the ordinary Course of Administration of the Governor and Directors; which being fairly entered into the said Book, shall be duly signed by the Governor, or Deputy Governor,

nor, and Four of the Directors, hereby appointed to be a Quorum.

5. That the Society being thus regularly constituted, with a Governor and Directors, shall, after the said first General Meeting, proceed to consider the Requests of those who desire to be received and admitted as Members of the Society; and that the Question, *Admit or not*, shall be determined in a Meeting, consisting of the Governor, or Deputy Governor, and Quorum of Directors, and fifteen Members, by the Majority of Voices, declared after the Manner of Ballot: That the Member admitted shall pay at his Entry into the Hands of the Treasurer, a Guinea, to serve as his Contribution for that Year wherein he enters; and that a Record of such Admission and Payment shall be duly entered into the Book of the Society, and signed as aforesaid.

6. And to the end, that the yearly Contribution of the Members may be paid regularly and without Trouble to the Treasurer, every Member neglecting to pay the same, as directed by the third Article, shall *eo ipso* not only forfeit all Right in the Society, and be no longer deemed a Member thereof; but is hereby declared to be incapable of being again received as a Member, upon any After-application, unless he shall justify such a Cause of Admission, as excuses him from the apparent Contempt, and may induce the Society to admit him a-new, according to the fifth Article, upon Payment of such additional Contribution, as to the Meeting assembled for his Re-admission shall seem meet.

7. That a Concert of Musick shall be performed every *Friday* during the Time of Session, which shall begin precisely at Six o'Clock in the Afternoon in Summer, and at half an Hour after Five in the Winter.

8. That there shall be no Dividend made of any Money arising from the yearly Contributions, or otherwise, without the Consent of the Governor and Directors, and two Thirds of the Members.

9. That it shall belong to the Governor and Directors to appoint Concerts, for the Entertainment of the Ladies, at such Times as they shall think proper: That the Tickets, by which the Ladies are to be admitted, shall be issued by the Treasurer, not exceeding the Number of sixty, (except on the Feast of *St. Cecilia*), to be purchased from the Treasurer by the Members of the Society alone, at the Rate of half a Crown each, upon the *Wednesday* immediately preceding the Concert: And if any are to be returned, it shall only be on the Day following, before One o'Clock in the Afternoon.

10. That the Management of every Matter and Thing, whether touching the Performance of the Musick, or the Execution of the Rules and Orders of the Society, contained either in these Articles, or found af-

terwards convenient to be agreed to, for the better Government of the Society and its Concerns, shall be the Province of the Governor and Directors.

11. That the Treasurer shall fit his Accounts yearly with the Governor and Directors, sometime in the Month of *March*.

12. That the Governor, Deputy Governor, and Directors, shall each have the Privilege of inviting one or two of their Acquaintances, to share of the Musick performed in the said Concerts, other than those to which Ladies happen to be invited; to which none but Members are to be admitted, unless in some very particular Case it shall appear reasonable to the Governor and Directors to allow of the same.

The above Contract and Articles are subscribed by the seventy Members aforesaid. This Society was so highly approved of, that many Persons of Distinction applied to be admitted Members: But the Place of Meeting not being capacious enough to admit a great Number; a few Years after the Erection of the Society, thirty Persons were admitted, whereby the Members were increased to one hundred in Number, who continue to meet as aforesaid, to divert themselves and Friends in the most agreeable and delightful Manner, with both vocal and instrumental Musick, by a Number of the best Performers.

Adjoining to the *Cowgate*, at the South-western Corner of the *Black Friars Wynd*, is situated the new Chapel, founded by the late Lord Chief Baron *Smith*, in the Year 1722, for the Celebration of the Divine Offices, according to the Liturgy and Practice of the Church of *England*, and for the Use of the *English* residing in this City and Neighbourhood. But for a more particular Account thereof, and better Information of the Reader, I shall subjoin a Copy of the Deed of Foundation, which is as follows.

"Whereas I have purchased in the Name of *John Vicaridge* (but in Trust for my selfe) the Inheritance of a Piece of Ground lying at the Bottom of *Black Friars Wynd*, in *Edinburgh*, and have built thereupon a Chapel (which is to be called the *New Chapel*) for the more convenient carrying on the Worship and Service of God, according to the Liturgy and Usage of the Church of *England*.

"Now, I do by these Presents declare my Will and Intent to be, that the said Chapel, and the Seats which I have erected therein (except one reserved to my selfe during my Life, and that appointed for my Servants), shall be at the Disposition and Order of *Alexander Wedderburn*, and *David Ross* Esquires, two of the Honourable Commissioners of Excise in *Edinburgh*, *William Bowles*, Esquire, Deputy Remembrancer in his Majesty's Court of Exchequer in *Edinburgh*, *Charles Eyre* Esq; Solicitor

" Solicitor of the Customs in *Edinburgh*,
 " *John Colquitt*, Esq; Collector of the Cu-
 " stoms at *Leith*, and the said Mr. *John*
 " *Vicaridge*, one of the Attorneys in the
 " Court of Exchequer aforesaid, (and the
 " Right Honourable the Earl of *Ruglen*,
 " and such other Peers and Lords of the
 " Session and Exchequer, as shall be Mem-
 " bers of the Congregation assembling there
 " for Worship, who shall please to assist
 " therein) as a select Vestry, in such Man-
 " ner as they think will best contribute to-
 " wards the Support of the Ministers offi-
 " ciating therein; which I hope may be a
 " Fund for allowing to each of them Ten
 " Pounds yearly, over and above their pre-
 " sent Allowance.

" And my Will and Intent farther is,
 " that the Number of the said ordinary Ve-
 " stry-men above mentioned, as any of them
 " happen to die, or shall leave this Country,
 " shall be filled up by the Majority remain-
 " ing in *Scotland*, out of some of the best
 " qualified Members of the said Congrega-
 " tion, by an Instrument in writings, to be
 " signed by such Survivours, or the major
 " Part of them.

" I do reserve to my self, during my Life,
 " the Power of nominating the Ministers to
 " officiate in the said Chapel, where any Va-
 " cancy shall happen either by Death, or
 " removed for a just Cause, of the present
 " Ministers, or either of them, or of those
 " who shall hereafter succeed them; which
 " Power, after my Decease, shall be and re-
 " main in the said Vestry for ever.

" And my Will and Intent further is, that
 " no Minister shall be capable of officiating in
 " the said Chapel, who is not conformable to
 " the said Liturgy and Usage of the Church
 " of *England*; and who is not qualified by
 " taking the Oaths to the Government;
 " and who shall not expressly by Name pray
 " for his present Majesty King *George*, and
 " those who shall succeed him to the
 " Crown of *Great Britain*, according to
 " the Settlement thereof in the Protestant
 " Line, by the Acts of Parliament relative
 " thereto.

" I desire the Communion Service, when
 " there is no Sacrament, may be read in the
 " reading Desk, as is at present used; and
 " that the Ministers will, in their Sermons,
 " avoid controversial Points as far as may
 " be; and endeavour by their Lives and
 " Preaching to recommend to their Audi-
 " tors, solid and substantial Piety: And to
 " that End, I wish they would make the
 " Treatise called *The whole Duty of Man* a
 " Pattern for carrying on the whole Course
 " of their preaching, by pressing upon those
 " that hear them the Necessity of caring
 " for their Souls, and that that Care cannot
 " be as it ought, without performing the se-
 " veral Duties we owe to God, ourselves,
 " and our Neighbours, upon the particular

" Branches whereof they ought to enlarge;
 " that all that hear them may be fully in-
 " structed in all the Parts of those Duties.

" I heartily recommend to the said Mini-
 " sters, Temper and Charity towards one
 " another, and also towards those that dif-
 " fer in Opinion from them. And I wish,
 " for that End, that they would frequently
 " call to Remembrance our blessed Saviour's
 " Precept of Learning from him to be meek
 " and lowly, which will best advance their
 " own Credit, and the Religion and Wor-
 " ship they profess. And I pray to God, to
 " give his Blessing to what I have done to-
 " wards the promoting his Honour and Glo-
 " ry."

In witness whereof, I have subscribed these
 Presents, at *Edinburgh*, the 25th Day of
 July, 1722 Years, before these Wit-
 nesses, Mr. *James Stephen*, Usher to the
 Court of Exchequer in *Edinburgh*, and
 the said *William Granger*.

Sic subscribitur, J. Smith.

To the above Chapel belong two Cha-
 plains; the first whereof has a Salary of Sixty
 Pounds *Sterling per annum*, and the second
 Fifty Pounds of the same Money.

At the Southeastern Corner of the *Black-
 friers Wynd* stood the Archiepiscopal Palace
 belonging to the See of *St. Andrew's*, Part
 whereof is still to be seen.

A little within the *Netherbow*, between
 the Southern Side of the Street, and the
 Corner-house on the Northern Side, antient-
 ly stood the Port called the *Netherbow*;
 which was removed to the Place where it
 at present stands by the Loyalists, in the
 Year 1571.

Just below, in the Wall of a House in
Alto-Relievo and *Profil*, are the Heads of
 a Man and Woman, by People said to be
 those of *Adam* and *Eve*, and to have been
 removed from the Wall of a House on the
 Northern Side of the Street. Be that as it
 will, the Form of the Table whereon the
 said Busts were cut, is altered; and being
 halved, the Heads are divided, and a Stone
 fitted to the original Border inserted, where-
 on are engraven the following Words in *Go-
 thick* Characters, and not in *Saxon* as gene-
 rally asserted, viz.

In sudore vultus tui vesceris pane, anno
 1621,

That is,

In the Sweat of thy Face shalt thou eat
 Bread.

which being taken from the scriptural Hi-
 story of *Adam* and *Eve*, have given Occasion
 to think that they are the Busts of those Per-
 sons; but that they are not, I shall endeavour to
 shew, I hope, to the Satisfaction of the
 Reader.

These Stones being in a Wall over a Ba-
 ker's Shop, I imagine they were put up by
 one of that Profession, who, taking them
 to be the Heads of the said *Adam* and *Eve*,

U u

added

added the above Inscription, in some measure, alluding to his Trade; but whoever at first conferred on them those Names are greatly mistaken; for *Adam* and *Eve* were both naked, other than their Coats of Skins, notwithstanding of which they are both carved and painted naked; whereas the said Busts are clothed with the *Roman Chlamis*, which, with their elegant Sculpture, manifestly shews them to owe their Origin to that Nation.

These Figures by Antiquaries, are taken to be those of the Emperor *Severus* and *Julia* his Consort, by resembling the Figures on their Coins, more than of those of any other of the imperial Families. Hard by, on the same Side of the Street, was seated the Marquis of *Tweeddale's* House.

Before the Rebellion in the Year 1745, there were in this Parish one English Chapel, and six other Episcopal Meeting-houses, with an independent Meeting-place.

In this Parish are no sepulchral Inscriptions.

St. CUTHBERT's Church.

This Church, which at present is generally called the *West Church*, seems to be of an antient Foundation, by its being dedicated to *St. Cuthbert*, an *English* Bishop, who died about the Year 690: Now as the *Picts* were then in Possession of the Country wherein this Church is situated, and at war with the *English*, it cannot reasonably be imagined, that they would have dedicated one of their Churches to an Enemy, whose Nation sought their Destruction. But the *English* having soon after recovered the Province of *Lothian* from the *Picts*, it continued in their Possession till the Year 936, when it was given up to *Indulphus*, King of *Scotland*; before which Time, this Church, I think, must have been built by the *English*. And that it is of great Antiquity, is manifest, by King *David I.'s*, in the Year 1128, giving this Church to the Abbot and

Canons of the Abbey of *Holyroodhouse*; at which Time the Parish was of a much larger Extent than at present; for it antiently contained not only the Parishes of *Corstorphin* and *Liberton*, but it certainly did the City of *Edinburgh* and the Town of the *Canongate*, which I think is demonstrated by their still being almost surrounded by the same; which incloses them on all Sides, except that Space on the Back of the *Canongate*, which extends from *Ironside* without the *Watergate*, near the Abbey, to the *Caldton*. Now, as *Edinburgh* plainly appears to be situate within this Parish, the latter may probably be near coeval with the former; and without Doubt has been taken out of it, as the Town of the *Canongate* plainly appears to have been taken out of the Regality of *Broughton*, as I am of opinion both were antiently taken out of this Parish.

The Reverend and publick-spirited Divines, *Niel Macvicar*, and *Thomas Pitcairn*, Ministers of this Parish, being willing to contribute all they could to enable me to put the City of *Edinburgh* in the best Light I can; they, in the Year 1743, intreated the several Elders and Deacons of the Parish to take the exact Number of Families and Souls contained in their respective Divisions, which being twenty six in Number; in twenty thereof, the Persons employed according to their Instructions, took the Numbers of Men, Women, Boys, and Girls, respectively; but the other six, deviating from their Instructions, some have only taken the Numbers of the Men and Women, others, Men, Women and Children, without distinguishing Boys from Girls; some Males and Females, without mentioning Men, Women, Boys, or Girls; and others, Men, Women, Children, Lodgers, and Servants, without distinguishing Males from Females amongst the latter; whereby the general Account is not only rendered defective, but perplexed. However, as an Account of this Kind of a large Parish is rare to be met with, I shall subjoin the same in the Manner I received it; which is as follows.

Divisions.	Fam.	Men	Wom.	Boys	Girls	Males	Fem.	Total
First Division <i>Westport</i>	133	127	190	52	49	179	239	418
Second - - - - -	101	116	157	67	58	183	215	398
Third - - - - -	130	149	189	75	77	224	266	490
Fourth - - - - -	138	127	193	76	95	203	288	491
<i>Kirk-brae</i> - - - - -	178	278	348	0	0	278	348	626
First and second Divisions, <i>Potter-row</i> - - -	162	197	268	46	32	243	300	543
<i>Damhead and Dalry</i> - - -	48	53	71	46	31	99	102	201
<i>Ironside</i> - - - - -	12	28	27	10	13	38	40	78
<i>Pilrigg</i> - - - - -	42	106	80	13	9	119	89	208
<i>Burrowloch</i> - - - - -	89	128	169	49	62	177	231	408
<i>Braidbouses</i> - - - - -	30	0	0	0	0	50	53	103
<i>Craigleith and Innerleith</i> - -	28	52	49	14	16	66	65	131
<i>St. Nimians Row</i> - - - -	99	130	150	51	67	181	217	398
<i>North water of Leith</i> - - -	85	145	133	20	28	165	161	326

Marchistoun

Divisions	Fam.	Men	Wom.	Boys	Girls	Males	Fem.	Total.
Marchistoun - - -	73	76	95	48	68	124	163	287
Wrights Houses - - -	75	100	120	52	58	152	178	330
Saughton-hall - - -	62	95	134	25	16	122	150	270
Newington - - -	154	198	249	85	88	283	337	620
Bristow - - -	73	86	108	54	94	140	202	342
Grange - - -	57	91	109	27	47	118	156	274
Windmill - - -	63	70	88	44	37	114	125	239
Pleasants - - -	178	187	248	114	124	301	372	673
Dean - - -	85	107	157	68	63	175	220	395
Fountainbridge - - -	89	146	151	56	73	202	224	426
Dalry - - -	66	0	0	0	0	146	148	294
Stockbridge - - -	120	156	188	105	75	261	263	524

Divisions	Families	Males	Fem.	Total of Souls
Numbers total of the above Table - - - 26	2370	4341	5152	9493

Now, as in the above Account, the Division of the *Kirkbrae* only appears to be defective in the Number of Persons, by wanting the Numbers of Boys and Girls, I shall therefore attempt to supply the Defect, by a Comparison between it and the Division of the *Pleasants*, which comes the nearest of any, and instead of exceeding, it not coming up to the Number, nothing can be brought to charge it with an unjust Addition. Now, as the said Division of the *Pleasants* gives one hundred and fourteen Boys, and one hundred and twenty four Girls, these added to Nine thousand four hundred and ninety three, the Number of Souls in this Parish, will appear to amount to Nine thousand seven hundred and thirty one.

The above Account I received from the Reverend, and truly generous and publick-spirited Mr. *Niel Macvicar* senior Minister of the Parish, who on this Occasion did exert himself to prevail on the Elders and Deacons, to take accurate Accounts of the Numbers of Men, Women and Children, within their respective Divisions; that they nearly did, is manifest, by this being the highest Account that ever was taken of this Parish by some hundreds of Persons; for, on other Occasions, many of the Episcopalian Communion and Seceders, would give no Accounts of their Families; but now, by the earnest Solicitations of the said Elders and Deacons, they were prevailed on to give the above specified Accounts. Had the Incumbents of the other Parishes so laudably exerted themselves, I should have had almost an exact Account of the Number of Inhabitants in the City and Suburbs of *Edinburgh*. I must confess, that the Reverend Mr. *Robert Hamilton* and Mr. *Hugh Blair*, Ministers of *Lady Yester's* and the *Canongate* Churches, did something more than others of their Brethren, but their Accounts being likewise defective, are imperfect.

The King is Patron of this Parish, and

the Ministers, who are two in Number, are paid by the Heritors, or landed Gentlemen, chiefly in Corn, which makes the Amount of their Stipends in Money very uncertain: However, at a Medium, they yield above one hundred Pounds *Sterling* yearly.

The Church Session consists of the two Ministers, twenty six Elders, and twenty six Deacons, that is, an Elder and Deacon, as Representatives for the several parochial Districts.

Antiquities, and Things remarkable in this Parish.

In describing the Antiquities and Things observable in this Parish, I shall begin at the Village denominated the *Water of Leith*, about a Quarter of a Mile beneath the Church; and with a winding Course round the Wall of *Edinburgh*, describe the several Parts thereof, as they occur.

The Mills of *Edinburgh* and *Dene*, situate at the *Water of Leith*, as aforesaid, appear to be of considerable Antiquity, by divers Profits arising therefrom, given by King *David I.* to the Abbot and Canons of his new Foundation of *Holyroodhouse*, above six hundred Years since, and whereby is likewise shewn the Antiquity of the Seat of *Dene*.

The marshy Spot of Ground at the Head of the *Nordloch*, bounded by the Church-town of *St. Cuthbert's*, and the Way leading to *Edinburgh* on the West, the Castle-rock on the South, and Loch-bank on the North, and extended Eastwards to the ruinous Fort called the *Wellhouse Tower*, appears antiently to have been the King's Garden; no doubt for the Accommodation of our Princes, when they resided in *Edinburgh* Castle. By this Discovery manifestly appears, that there was no Head of Water formerly where the *Nordloch* is at present situate: For the Place occupied by the Water now, must have been a dry Bottom, and no other Water

Water therein than a very small Stripe or Rill, arising from the two Wells or small Springs issuing out of the Castle-rock, with some Springs in the Fields from the North; that the said *Nordloch*, as aforesaid, was made at the fortifying of *Edinburgh*, about the Middle of the fifteenth Century, to save the Expence of a Wall on that Side; which was done at the small Expence of erecting a Dam a-croſs the Bottom, to keep in the Water, whereby was formed the preſent artificial Loch, where there was none before; as may be obſerved by the curious, and demonſtrated, by opening the Sluice in the ſaid Dam, at the Eaſtern End of the Loch, to let out the Water, as was done in the Year 1743, when it became dry.

Bowmak. contin.
Ford. Chr.

That this little Vale was antiently a dry Bottom, is attested by *Walter Bowmaker*, Abbot of *Inchcolm*, in the Frith of *Forth*, and Continuer of *Fordun's Chronicle*; who tells us, that the Queen in the Year 1398, appointed a Tournament of twelve Knights (of whom *David Stuart* the Prince her Son was Chief) to be held in a Place adjoining to the Northern Side of the Town of *Edinburgh*, where the Loch is at preſent.

From the North-western Corner of the Castle-hill Street of *Edinburgh*, as already hinted, antiently lay a ſloping Way, which in a diagonal Poſition, ran down the Hill to the Kirktown of *St. Cuthbert's*. This Way I imagine was at firſt made, either as a Church-road, or Communication with the aforesaid Garden; for it would by no Means have answered to have gone to the ſaid Garden by the preſent Road to *St. Cuthbert's*, which leads almoſt round the Caſtle.

A little to the Southward of *St. Cuthbert's*, lies the Burgh of Barony denominated *Portsburgh*, ſo denominated, from its Vicinity to the Weſt-port or Gate of *Edinburgh*. The Origin of this Weſtern Suburb of *Edinburgh*, I take to be owing to the King's Stables, which were ſituate juſt without the ſaid Port, oppoſite to the Caſtle, on the Southern Side of the Way leading to *St. Cuthbert's*. At the Weſtern End of the ſaid Stables was a Chapel, dedicated to the Virgin *Mary*, the *Veſtigia* whereof are ſtill to be ſeen at the Foot of the Chapel-wynd. Adjoining to this Chapel on the Weſt is a pleaſant Green, of the Length of about one hundred and fifty Yards, and Breadth of about fifty Yards. This is the remaining Part of the Royal Tilting or Tournament Ground, whereon Feats of Arms or Martial Exercises were performed by the brave, whoſe Exploits might be ſeen by Royal and other Spectators, from the Walls and Windows of the ſaid Caſtle. And at a ſmall Diſtance Weſtward was ſituated the *Caſtlebarns*, likewise for the Accommodation of the Court, when it reſided in the Caſtle of *Edinburgh*; the Appellation whereof is ſtill remaining in a Place of that Name.

The Superiority of *Portsburgh* was bought by the Town Council of *Edinburgh* in the Year 1648, of Sir *Adam Hepburn* of *Humbly*, Knight, for the Sum of Twenty ſeven thousand five hundred Marks *Scotiſh Money*. And anno 1661, the *Edinburghers* bought of *James Boiſland* the Superiority of the ſaid King's Stables, for the Sum of One thousand Pounds of the ſaid Money, together with his Admiſſion to the Freedom of a Gild-brother of *Edinburgh*, in the beſt Manner, gratis. Coun. Regiſt. vol. XVII. p. 17. Ibid. vol. XX. p. 268. 270.

The Diſtricts of *Portsburgh* and *Potter-row* forming one Jurisdiction, is governed by a Baron (who is one of the old Magiſtrates of *Edinburgh*) and two Bailiffs his Aſſiſtants, who are appointed by the Common Council of *Edinburgh*. Theſe Magiſtrates in a Court of Barony held there, try Cauſes both civil and criminal, other than in capital Caſes. The Officers belonging to *Portsburgh* are the Baron, two Bailiffs, a Treasuſer, Town-clerk, Fiſcal, two Conſtables, and two Serjeants or Town-officers.

To *Portsburgh* likewise belong divers Companies of Handicrafts; but they being ſubject to the Controul of the Incorporations of *Edinburgh*, are but of little Note.

A little beſouth *Portsburgh*, lie the Diviſions of the *Wrights-houſes* and *Marchiſton*: The Manſion-houſe which gives Denomination to the firſt, appears to be of conſiderable Antiquity, by the Date of the Year 1376, over the Eaſtern Window of the Weſtern Wing; but to whom it owes its Foundation, I cannot learn, no more than the Reaſon of its being ſo called; for which divers Reaſons are aſſigned by the Populace, but with little Appearance of Truth; wherefore I ſhall paſs them over in Silence.

Although the *Wrights* Manſion-houſe appears to be above three hundred and ſixty Years ſtanding; yet I take the Houſe of *Marchiſton*, by the manner of its Conſtruction, to be of a much antienter Date. But what adds chiefly to its Fame, is its once having been the Seat of the moſt celebrated *John Lord Napier*, Baron of *Marchiſton*, who by his admirable and moſt uſeful Diſcovery of the Logarithms, has raiſed to himſelf and Country an everlaſting Monument of Honour.

But, to return to *Briſtow*. This Place, by a Charter in the Archives of *Edinburgh*, ſeems to have been called the *Gallowgate*; no doubt from its being the Street leading to the Place of Execution; and that the Lands now called *Heriot's Crofts*, extending Eaſtwards to *St. Leonard's*, were denominated *Dalry*. The Wind-mill at the Southern End of the *Potter-row*, was erected, for raiſing Water from the South-loch or Meadow, to ſupply the Society of Brewers withal. At the South-weſt Corner of the Croſs-cauſeway, in the Way to *Newington*, was an ob-

long

long Pool, or Pond of Water, called the *Goose-dub*, which was levelled, and converted into a Garden about thirty Years since.

A little to the Southward, on the Western Side of the Road leading to *Newington*, lay the Borough-loch, so denominated from its belonging to *Edinburgh*, and its lying in the Borough-moor. This Loch seems to have been of little Benefit to the *Edinburghers*, till the seventeenth Century; since I only find it called a Loch: But after the Beginning of the said Century, some considerable Advances seem to have been made in draining it, seeing that, in the Year 1658, this Loch with its Marshes were let to *John Straton*, on a Lease of nineteen Years, at the yearly Rent of One thousand Pounds *Scotish Money*. But on the 7th September anno

Comm. Regist.
vol. XLIX. p.
332.

1722, the said Loch was let on Lease to *Thomas Hope*, for the Term of fifty seven Years, at the yearly Rent of Eight hundred Pounds of the aforesaid Money. *Hope*, in consideration of the Contract, obliged himself to drain the said Loch; and when accomplished, to make a Walk round the same, of the Breadth of twenty four Feet, to be inclosed with a Hedge and a Row of Trees on each Side, with a Walk across the same from North to South, of the Breadth of thirty Feet, to be fenced on each Side with a Hedge and two Rows of Lime-trees, with a narrow Canal of nine Feet wide on each Side.

This Place being brought to Perfection, is denominated *Hope's Park*, or the Meadow; the former, from the Lessee or Undertaker; and the latter, from its Grass and Verdure. In the beautiful Walks of this delightful Place, the Citizens delight themselves in walking; the surrounding Walk being in Length two thousand seven hundred and seventy Yards, shews the whole Inclosure to be in Circumference one Mile and a half, and one hundred and thirty five Yards, *English Measure*.

Remark. The first or most antient Name of the aforesaid Lake, is that of the *Borough-loch*, which it received, from its lying in the Borough-moor of *Edinburgh*; by which Name it was known till about the Middle of the fifteenth Century, when a Canal or Loch was made on the Northern Side of *Edinburgh*, as a Fence for the Town on that Side, it then received the Appellation of the *Nordloch*; on which Occasion the antient Name of the Borough-loch was obliged to make way for that of the South Loch. By which Appellation it is generally denominated in the Town's Charters, Council Registers, and other Records belonging to the City, ever since.

But a Notion some Time since having prevailed amongst the Citizens, that the South Loch lay in the *Cowgate* of this City, it was received by the Populace as an un-

doubted Fact; nay, such Credit it obtained at last, that Persons of all Ranks gave into the Belief of it as a certain Truth, which renders the Person obnoxious to Censure, that shall presume to refute this idle Tale.

Be that as it will, as my Researches are in quest of Truth, I shall shew but little Concern to the Opinions of those, who spurn at Reason, stifle Conviction, and despise Facts in favour of Fables; I have therefore spared for no Pains to search this Affair to the Bottom.

The first who gave Rise to this Story, for ought I can learn, was *Slezer*, in his *Theatrum Scotiæ*, wherein he positively avers, that there was a Loch in the *Cowgate*; and, to prove there was, tells us, there were certain Houses in *St. Ninian's Row* let on Lease, with the Privilege of a Boat; and that the said Loch was drained about one hundred Years ago. This I suppose is meant before the Publication of his Book in the Year 1693, which brings his Time of the said Loch's being drained to the Year 1593.

To which I answer, That surely never any Thing was written with greater Incogitancy, and less Consideration, than *Slezer's* Relation of his imaginary South Loch; for he ought to have known, that *St. Ninian's Row*, where the Privilege of a Boat is said to have been granted, is on the Northern Side of *Edinburgh*, and Eastern End of the *Nordloch*; therefore it cannot be well supposed to have had an Affinity with his Loch in the *Cowgate*; but that the Boat said by him to have belonged to *St. Ninian's Row*, must have appertained to the *Nordloch*, otherwise it would have been of little Service to the Proprietor, by having it at so great a Distance from his Habitation, as the Western End, or any Part of the *Cowgate*. That this, to call it no worse, is a Mistake of the first Magnitude, is evident; for had he consulted the Town's and other Records, he would have found, that the said *Cowgate* was a Street above one hundred and fifty Years before his pretended Time of the Loch's being drained; as is manifest by the Abbot and Canons of *Edin.*

Melrose having demised a certain Spot of Ground in the said *Cowgate* in the Year 1438: And by divers Records in the Hands of a learned and curious Gentleman, the *Cowgate* is shewn to have antiently gone by several Names, viz. in the Year 1480, it was indifferently called the *Cowgate*, South Street of *Edinburgh*, and the *Well-gate*, from the Town's Wells being therein: And anno 1494, it was called the *Cowgate*, or *via communis*, which corroborates *Munster's* calling it the principal Street of *Edinburgh* in the Year 1549, which was forty four Years before *Slezer's* pretended draining, as aforesaid.

Many are of opinion, that there must have been a Loch in the *Cowgate*, by the Ouziness of the Ground, and a Soil so boggy, that it cannot support a ponderous Edifice,

Slez. Theat.
Scot.

Rec. in Arch.
Edin.

In penes
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M^rfarlane.

Munst. Col-
mog.

fice, without an artificial Foundation, either of Piles or Planks.

Ans. That in all narrow Bottoms, such as the *Cowgate* is, the Rains, by washing the Soil from off the Hills on both Sides, a mossy Substance is formed in the Bottom below, as is manifest in Places innumerable, where there never were either Loch or Water-course.

Others again declare, that there was a Loch in the *Cowgate*, is evident, by Iron-rings having been fixed in the Walls of divers Houses there, to which they used to tie their Ferry and other Boats.

Ans. This Story seems to have no other Foundation than the Tattle of the Times; for the Bait being swallowed by all, without the least Inquiry into the Truth of it, has passed for Fact: But, whenever a Person shall inquire concerning the said Rings, at the Places referred to, viz. at *Blackfriars Wynd*, *Bell's Wynd*, and the *Kirkbeugh*, he will be told, that such Rings had been often talked of; but the oldest Person living never saw, nor heard of any one that ever did see any of the said Rings. But if there ever had been Rings fixed in the Walls of the said Houses, 'tis more reasonable to suppose they were put there to tie Beasts to, seeing in this Street was antiently held the Market for the Sale of Cattle, which being very narrow, had not Room to fix Posts in the Street, as in the spacious *Grass-market*. Besides, it were absurd to imagine, there could be Rings in the Walls of Houses in the *Cowgate*, for tying Ferry or other Boats to, when the Distance between the Northern and Southern Rows of Houses, at the widest of the above named Places, viz. at the *Kirkbeugh* and *Bell's Wynd*, where the *Cowgate* is but about sixteen Feet in Breadth, and at the Foot of *Blackfriars Wynd*, but about twelve Feet wide. Now, as it may be reasonably imagined, that the Fronts of the Houses on either Side at those Places, were not built in the Water, there must have been on the Land on each Side the said Loch, a Path-way for the Convenience of Passage; to which, if we only allow the Breadth of three Feet to each, the Loch, at the widest of the aforesaid Places, will be reduced to ten Feet in Breadth, and at the narrowest of the said Places to about six Feet, whereby is demonstrated, that instead of there being Occasion for a Ferry-boat at any of the above mentioned Places, the Breadth of the Water was not the Length of a Cock-boat; so that this Loch, instead of requiring a Boat to cross it, a short Board laid a-cross at any of the said Places, would have been sufficient; nay, the said Loch might have been stept or leapt over at those Places.

And, such is the Want of Thought in some of the Assertors of this wild Notion, that they have brought a Brook or Burn

from the *Nordloch* round the Western Side of the Castle of *Edinburgh*, to their darling *Southloch* in the *Cowgate*, unluckily, without considering the great Rise of the Ground from the said *Nordloch*, to the Head or Western End of the *Cowgate*; which I take to be above forty Feet of perpendicular Height. Besides, the Patrons of this Loch ought to have considered the Impossibility of a Loch's standing on a Declivity; which would have been the Case, had there been one in this Place, as is manifest by the great Descent from the Western to the Eastern End of the said *Cowgate*; the Level whereof I caused to be taken by Dr. *Macfai*; whereby it appeared to be no less than forty three Feet higher at the Western End than at the Eastern End.

But, lest it should be alledged that there was a Dam erected, to keep up the Water, like that at the Eastern End of the *Nordloch*: This will by no Means answer; for the *Nordloch* lying on a flat Bed, is easily confined; but by the great Descent aforesaid, a Dam of a stupendous Height and Strength must have been erected to make the Water overflow the Western End of the *Cowgate*; which would have required a Collection of Water, many times the Quantity of that contained in the *Nordloch*, which would have raised the Water at the Damhead, or Eastern End, to such a Height, that would have laid the Street at the *Netherbow* many Feet under Water; and consequently have overflowed the Top of the Central Hill, at the Head of *Leith Wynd*.

Now as this Dam could neither be filled or kept full without a large Quantity of Water; the Patrons of our *Cowgate* Loch ought to have told us whence this Water came to fill it, and to supply the Loss occasioned by incessant Exhalations; but this not being to be done, have wisely concealed the same: For, after the strictest Search made in this Neighbourhood, I could nowhere discover that there ever was the smallest running Spring or Current of Water in the *Cowgate*, or Hills contiguous, other than what is occasioned by Rain.

Again, had there been a Loch in this Place at the first fortifying of *Edinburgh*, there would have been no Occasion for a Wall on this Side as a Fence to the City, than there was on the other Side, where the *Nordloch* answered all the Ends of a Wall. But that there was a Wall erected on the Northern Side of the *Cowgate*, is manifest, by divers Parts of it being still to be seen; as is also Part of two of its Gate-ways, one in the Western Part of the Town, denominated the *West* or *Upper bow*; in the Eastern Side of which are still remaining the Hooks whereon the Gate hung: And near the Eastern End of the Wall in *Gray's Close*, the Arch

Arch there still to be seen, is said to have been another of the said Gate-ways.

There are some again seemingly more cunning than the rest, who artfully give out, that divers of their Acquaintance have seen ancient Charters, which set forth the Boundaries of Lands and Houses adjoining to the said Loch; but alas, when those Persons are inquired for, they are either dead, gone abroad, or forgot who they were! Nor did I, in all my Researches, find but two Men, who pretended to have seen writings, mentioning the *South Loch's* having been in the *Cowgate*, viz. *Matthew Brown*, one of the Clerks of Session, and *Mr. Walter Little of Liberton*. The Answers given to my Queries by the former, were so evasive and trifling, I had good Reason to believe they were only bare Assertions, by his not remembering the Person's Name who shewed him those Writings, or what was become of either him or them: And the latter having no sooner heard of my having declared against there having been a Loch in the *Cowgate*, than he told several Gentlemen that he has a Charter, which expressly mentions a House of his on the Northern Side, near the Western End, of the *Cowgate's* being antiently bounded by the *South Loch*. This Declaration having amazed me not a little, after I had, by the reasons above mentioned, strongly asserted, that there never was, nor indeed could there have been a Loch in the *Cowgate*.

For the clearing up of this Point, I applied to divers of Mr. Little's Friends, to endeavour to prevail upon him to let me search for the said Charter in his Charter-chest; which they having kindly performed, I waited on Mr. Little, at his Lodgings in *Edinburgh*, when he readily promised to bring the said Charter along with him when he returned to Town; but, having forgot to bring it, according to his Promise, I called at his House at *Orchard-head*, in the *Carfs* of *Falkirk*, when he generously allowed me to inspect his said Charter-chest, wherein, to his great Surprise, (through Defect of Memory) and my no small Pleasure, we found the Charter so often quoted by him, to prove that there antiently was a Loch in the *Cowgate*; but, instead of proving what it was brought for, there is not the least Mention therein, of there having been either a Loch, Pond, or other Water in the said *Cowgate*: For it only sets forth, that the said House was bounded on the South by the *Cowgate*; which effectually refutes the Relation of there having formerly been a Loch in that Street, as asserted by Mr. Little, through a great Defect of Memory.

And, for the better Justification of myself in this Affair, and that nothing may be wanting to demonstrate that there never was, nor indeed could there have been a Loch in the *Cowgate*. It will therefore

not be amiss to declare, that before it was averred that there antiently was a Loch in the *Cowgate*, he ought to have consulted the Draw-well, (if I may be allowed the Expression) at the lower End of the *Candlemaker-row*, and Western End or flat Part of the said *Cowgate*, and Neighbourhood of Mr. Little's House aforesaid; wherein it may be observed, that the Water in the said Well, and the Rock thereby, is several Feet lower than the Surface of the Street; whereas, had there been a Loch in that Place, the Surface thereof could have been no higher than the Water in the Well, for the Water wherewith it is fed, unconfined, would only have arisen to a certain Height: Besides, there could hardly have been a Loch in a Place where Rocks rise to so great a Height; which ought to have been carefully considered, before it was asserted that there really was a Loch in the said *Cowgate*.

To what has been said, I shall (to prevent the Citizens in Time coming from being imposed upon, by the wild notions of a Loch's having been in the *Cowgate*) subjoin a few Things concerning the *South Loch*.

In the Year 1582, a great Scarcity of Water happening in the Town's Wells, the Town Council strictly enjoined all Brewers not to draw any Water out of the said Wells, but to fetch what they had occasion for from the *South Loch*. Now, as all or most of the Town's Draw-wells were then, and now are in the *Cowgate*, it is evident, that the *South Loch* was not in the *Cowgate*. Coun. Regist. vol. V. f. 46.

And in the following Year 1583, one *Ramsay* made a Proposal to the Town Council, to bring Water from the *South Loch* into the *Cowgate*, to supply it with Water. Coun. Regist. vol. VII. f. 14.

N. B. These Transactions happened many Years before the draining of *Slezer's* imaginary Loch in the *Cowgate*.

The Common Council, in the Year 1598, resolved, that it would be of great Use to the Citizens to have the Water of the *South Loch* brought into divers parts of *Edinburgh*, viz. to the Head of *Liberton's* Wynd, the Market-cross, Salt Trone, and *Blackfriars* Wynd Head. Coun. Regist. vol. X. f. 200.

And as a further Proof that the *Borough Loch* was the *South Loch*, is evident by the following Words, in an Act of the Town Council, anno 1631, viz. "Agries and ordains the Gras of the Muir, called the *Society Muir*, at the South Side of the Loch, with the Gras of the *South Loch*, as the same is inclosed in with Water, and sua to be kept, with the Pasturage and Gras of the Easter and Wester Muir, and Lonings thereof; reserving the Quarrel and wyning of Stones, casting Devattis and Fewall to the Counfall of this Burgh and Nighbours by their Lycence." 217.

As I doubt not it will be thought, that I have been too prolix on a Subject of so little Consequence; yet, as the Citizens make

make, as it were, a common Cause of it, and seem resolved to defend it at the Expence of Truth, as if the Welfare of the City thereon depended; I have therefore spared no Pains to undeceive them in this Affair, to prevent their exposing themselves hereafter, in Defence of this trifling Nonentity.

Near the Southwestern Corner of the aforesaid Nunnery, stood the Church of *St. John the Baptist*, in the *Borough Moor*; but when, by whom, or for what Use founded, I cannot learn; tho' probably it may have been a Chapel of Ease to the Church of *St. Cuthbert*.

A little besouth the Meadow, and Western Side of *Newington*, stood a Monastery of Nuns, called *Sancta Catharina de Siensis*, from a Convent and City of those Names in *Italy*, of the Order of *St. Dominick*; but by whom, or when founded, I cannot learn. However, by the Account sent in of its Revenues in the Year 1562, they appear to have amounted in Money, to the Sum of Two hundred and nineteen Pounds, six Shillings and eight Pence, eight Bolls of Wheat, six Bolls of Bear, and one Barrel of Salmon.

A little Distance toward the Southwest, is the Seat of *Grange*. Now as all religious Foundations had their respective Granges, Barns, or Out-houses, for the Convenience of Agriculture, I take this to have been that belonging to the Nunnery of the *Siens*.

Some Way to the westward of the *Grange*, in the *Borough Moor*, and Neighbourhood of *Canaan*, are to be seen the *Vestigia* of a large Chapel dedicated to *St. Roque*. This Chapel, with its large Cemetery, has been of great Use to the *Edinburghers* in the Time of Pestilence. The Town Council, in the Year 1532, granted to Sir *John Young*, the Chaplain, four Acres of Ground in the *Borough-Moor*, to pray for the Souls of those interred in the said Chapel, and to keep the Windows and Roof in Repair.

But to return, opposite the late Monastery of the *Siens*, on the Eastern Side of *Newington*, on a gentle Eminence, denominated *Mons sacer*, that is, the *Holy Mount*, now corruptly *Mount-booby*, was situate a Chapel, which, from the Position of the Bodies buried cross-legged ways, with their Swords by their Sides, which were found lately in digging there, I take to have belonged to the Knights Templers.

The old wooden Gallows, inclosed with a Wall, situated in that Part of the Common Moor, just let in Few: It was by the Common Council ordered to be taken down, and a new one to be erected nearer the Town, with stonern Pillars. This Gallows I take to have stood on the Western Side of the *Dalkeith* Road, where it is left by the Way to *Mussleburgh*.

The wooden Gallows aforesaid being taken down, the present Gallows, with four stonern Pillars, inclosed within a stonern Wall, at the Northeastern Corner of Gib-

bet-lane, in the Way from *Edinburgh* to *Dalkeith*, was erected at the Expence of Two hundred Marks *Scottish* Money.

The Field on the Northern and Western Sides of this Gallows, denominated the *Gallow-Green*, was appointed by the Town Council of *Edinburgh*, for the Students of the College to divert themselves in.

At the Corner of *St. Leonard's Lane*, on the Eastern Side of the Road to *Dalkeith*, are certain Houses, denominated *St. Herman's*, but how they came so to be called, I cannot learn, tho' probably from a Chapel there. At the Head of the said *St. Leonard's Lane*, is the Base of a Cross, with a Cavity in the upper Part wherein the Shaft was fixed. This Cross is said to have been erected in Commemoration of one *Umsfraville*, a Person of Distinction, said to have been killed on the Spot where the said Cross stood.

At the lower End of the said Lane, on an Eminence, stood the Chapel and Hospital of *St. Leonard*, which, with its Appurtenances, was granted by King *James VI.* to *John Wardlaw*. But this Hospital and Chaplainry being some time after resigned to the King by the said *Wardlaw*, *James*, by his Charter of 31st December, anno 1591, granted the same in favour of the Magistrates, Council, and Community of the *Canongate*, with their Appurtenances, for the Use and Maintenance of aged poor Men, lame Persons and Orphans to be placed in the Hospital to be erected within the Burgh of the *Canongate*; which was accordingly built in the Year 1617, by the Appellation of *St. Thomas's Hospital*, as above related. But alas! all the Lands and other Endowments belonging to the said Hospitals and Chaplainry are embezzled and lost. Here is still to be seen the Font and Holy-water Stone: And the Site of the Chapel is converted into a Cemetery for Self-murderers.

About sixty Yards from the South-eastern Angle of the Wall of *Edinburgh*, on the Western Side of the Street, denominated the *Pleasants*, was situated a Priory of Nuns, called *Sancta Maria de Placentia*; so named from a City and Convent of those Appellations in *Italy*; and from which, the Street wherein it stood, is corruptly called the *Pleasants* but at what Time, or by whom the said Monastery was founded, I cannot learn, no more than I can the Amount of its Revenues.

Being come as it were, to the Extremity of *St. Cuthbert's Parish*, it is intersected on the West by *Edinburgh*, and on the East by the Head of the *Canongate*, though formerly both were in the said Parish, as I have already partly made appear, and shall hereafter farther demonstrate. Proceeding from the Southeastern Angle of the Wall, of *Edinburgh*, through Part of the *Pleasants*, *St. Mary* and *Leith Wynds*, at the Distance

of

Coun. Regist.
vol. VIII. f.
38. an. 1586.

Id. ibid.

of about five hundred and fifty Yards; we rejoin the Parish of *St. Cuthbert's*, at the Southern End of *St. Ninian's Row*, so denominated from a Chapel of *St. Ninian's*, the *Vestigia* whereof are still to be seen at the Southeastern Corner of the *Long-gate*, opposite the *Caldton*, the upper Part whereof is converted into a Dwelling-house; and in the lower, the ancient Arch is still to be seen; whence, the said Parish running Westward along the Northern Side of the *Nordloch*, joins its Church at the Western End of the said Loch.

About a Quarter of a Mile to the Northward, lies the Village of *Broughton*: This Appellation implying *Castletown*, it probably owes its Origin to a Castle: Be that as it will, it is a Burgh of Regality belonging to *Heriot's Hospital*, the Property whereof, together with the Mansion-house, and eighty six Acres and an half of Land, with the Lands of *Middleton*, and those of the three *Riggs*, with their Appurtenances, were purchased of *Thomas Fleming*, by the Common Council of *Edinburgh*, in the Year 1626, for the Use of that Foundation, for the Sum of Thirty three thousand, six hundred Marks, *Scotish Money*.

Remark. Since this Acquest by the *Edinburghers*, they have purchased divers of the principal Estates in the Neighbourhood of the City for the Use of their Hospitals. This I take to be a very impolitick Step; for by taking those Estates out of living Hands, and vesting them in Mort-main, the Number of the neighbouring landed Gentlemen is reduced, and the Trade of the Town much obstructed. Besides, it often happens, that Estates in the Vicinity of great Towns, are spent and sold twice or thrice within the Space of a Century, which adds to the Wealth of the Inhabitants. Now, as a Number of landed Gentlemen in the Neighbourhood of any Place contributes much to its Interest, I think it would be good Policy in Governors of the respective Hospitals in *Edinburgh*, to dispose of the Estates belonging to the said Hospitals near the Town, and to purchase others at a remoter Distance.

The Borough or Common-Moor of *Edinburgh* being in the Parish of *St. Cuthbert's*, I shall subjoin an Account of its Dimensions and Boundaries, which were taken by an actual Survey made, by reason of a Trespass committed in the said Moor, by *David Preston* of *Craigmillar*; for which a Process being commenced against him, the Contents of the said Moor, of the following Tenor were inserted therein.

Regist. Evid.
in Arch. Edin. "The Common or Borough Moor begins at the Southwestern Corner (near the Base of a Cross) of *St. Leonard's Loning* in the *Pleasants*; running thence along the Side of the Dyke, on the Eastern Side of the High-way, with a Southeastern

Course, passeth the Gate of *Priestfield*-house, to the Way that leads to *Priestfield*, *Pepper-mill*, and *Niddry*; and from the Southwestern Side of the said Way, with a Southern and Southwestern Course, runs along the Dyke or Wall that incloseth the Lands of *Cameron*; and turning the Southwestern Angle of the said Wall or Dyke, in a Southern and Southeastern Direction, runs along the same Wall to the End of the green Ground of the said Common Moor, and to the Road that leads from *Edinburgh* to the Bridge between the Lone Dykes of the said Lands of *Cameron*, and extending along the Western Lone Dyke, by the Edge of the said Borough-Moor, runs along the said Dyke to the *Pow-burn*; and stretching along the said Burn to the Loning which passeth the Grounds of *Newlands*, belonging to the Laird of *Braid*, runs Westward along a Dyke to the Southern Corner of the same Dyke, situated at the Eastern Boundary of the Lands of *Tipperling*; whence it runneth Northward to and along a Dyke to the Road that leads to *Marchiston* and the *Craigbouse*, and by the said Road Eastward, to the Western Dyke of the *Dove-Cross*, and by the Southern End of the same, to the Northwestern Corner thereof; and along the said Wall Northward, to the Northwestern Corner of the same, on the Southern Side of the High Way leading from *Edinburgh* by the Gate of *Marchiston*; and from the Northern Side of the said High Way, against the Corner of the said Dyke, by the Garden-Wall, newly erected by the Laird of *Marchiston*, on that Part of the said Common Moor, lately granted him by the Town Council; and running along the said Garden-wall to the Northeastern Corner thereof, goes on towards the North and Northeast, by the old Dykes which incloseth the arable Lands of the said *Marchiston* to the Coit-house, belonging to the Laird of *Wryte's House*."

Remark. By this Account the Borough-Moor appears to have been as spacious as it is a rich Spot of Ground; but at what Time, or by what King or Kings it was granted to the *Edinburghers*, does not appear by any of the Town's Charters; for the oldest extant, is that of *Robert I.* dated at *Cardross* the 28th May, in the last Year of his Reign, anno 1329. But as *Edinburgh* appears to have been a Burgh Royal about the Beginning of the twelfth Century, it must have been granted by *David I.* who undoubtedly erected the Town into a Burgh Royal. However, the Citizens seem to have been very eager to get rid of it, by obtaining from *James IV.* a Charter of the 6th October, in the Year 1508, to impower them to let the said Moor in feu. But, to the good Luck of the present Citizens, the Sterility

of the Borough Loch and neighbouring Marsh prevented their being disposed of; for all being then let for trifling Sums, these probably would have been feued at five or six Pounds *Scotish Money per annum*; whereas, by their being drained with little or no Expence to the City, they are now said to be let for the Sum of One thousand eight hundred Pounds, *Scotish Money* yearly; and probably when the Lease expires may be let for more; which shews, that had this Moor been under good Management at first, it would have produced a noble Revenue to the Town at present.

Drum. Hist.
Ja. IV. p. 74

Invent. Rec.
Town Clerk.
off. p. 21.

The *Borough-moor* in the Year 1513 appears to have abounded with large Oak-trees, and in which King James IV. reviewed his Army, before he marched to the fatal Battle of *Flodun-field*, wherein he lost his Life, with the Defeat of his Army. The Teinds or Tithes of this Moor having belonged to the Abbot and Canons of *Holyroodhouse*, the Town Council took a Lease of the same, for the Term of nineteen Years, at the yearly Rent of Ten Marks *Scotish Money*.

Having in this Parish given Accounts of the Borough-moor and Loch, and other Things relating to *Edinburgh*, I think this is a Place equally proper to give an Account of the Marches or Boundaries of the Jurisdiction belonging to the City; which, for the Information of the Reader, I shall subjoin as follows.

It being an antient Custom in *Scotland*, for the several Boroughs of the Kingdom, to survey the Boundaries of their respective Jurisdictions, which is called *Riding the Marches*. This Custom is still performed yearly by many of the said Boroughs. But the *Edinburghers* seem to have been very backward in this Affair; for, about the Space of two hundred Years, there appears to have been only two Orders issued by the Town Council for that Purpose, and only one of the said Ridings recorded in their Registers; and that without giving an Account how, or in what Manner the said Riding was performed.

However, by what I have been able to learn from some Citizens who marched in the Cavalcade of the Year 1717, which was the last Time of riding the said Marches, it appears to have been a very pompous Shew: For the Magistrates and Common Council, attended by the principal Citizens and chief Officers belonging to the Town; together with the Bailiffs, and chief Officers of the Town of *Leith*, and Districts of the *Canongate*, *Portsburgh*, and *Potterrow*; the Officers of the City Train'd-bands, and proper Bands of Musick, all sumptuously apparelled, and mounted on stately Horses, well accoutred, formed a long and pompous Cavalcade.

The Riding the Marches, recorded in

the Council Register, was performed on the 15th of May, in the Year 1701, wherein the Boundaries of the Town's Jurisdiction are set forth as follows:

About nine of the Clock in the Morning, the Cavalcade marched out at the *Bristow* Port, and proceeded to the *Windmill*; thence to *Gairnsball* and the *Siens*; and turning Westward to *Brownsfield House*, proceeded to *Marchiston*. The Reason of their taking this uncommon Way, was to view certain Encroachments made on their Property; whereas the common Way was, after having marched out at *Bristow Port*, turned Westward along the Town-wall to *Portsburgh*, and thence to *Marchiston*; and passing through the Lane on the Southern Side of the House, wynded Southwards through *Tipperling Lone*; whence returning to the *Borough-moor-head Lane*, marched through it to the Village of *Egypt*, and thence Eastward to the Cemetery-wall of *St. Roque's Chapel*; and proceeding to the *Grange House*, marched through *Canr's Lane* to *Cameron*, and thence to *Priestfield*; whence passing on the Eastern Side of the Gallows, continued their March to *Bedford-ball* and the *Crackling-house*; and proceeding through the *Pleasants* and *St. Mary's Wynd*, to the Head of the *Canongate*, wynded Eastward down the Street to the *Water-gate*; and marching through the same, proceeded to the *Abbey-bill*; and wynding upwards to the upper *Quarry-boles*, and the *Strype* or *Rill* which crosseth the Way from *Edinburgh* to *Leith*, proceed to the *Hawkhill*; and from thence to the *Black Craigs*, *Tilleside*, *Brae-Leith*, and its Citadel, *Newhaven* and *Wardy-brae*, and the Burn or Brook beyond it, where the March is a Dyke. And returning to *Newhaven*, go on to *Bonington Mills*, the Haugh be-east the *Powder-mill*, *Canon-mills*, *Stockbridge*; and crossing the Water, proceed to *Dean*, and back by the *Water of Leith*; thence to *Drumsheugh* and *St. Cuthbert's Church-town*; thence wynding Eastward along the Northern Side of the *Nordloch*, to its Eastern Extremity, and returning back to the said *St. Cuthbert's*, march back to *Edinburgh*, which they entered through the West Port.

In the *Portsburgh* Division of this Parish, in the Street denominated *Bristow*, is a very large Meeting-house belonging to the Seceders; as is also in the same Street the Merchant Maiden Hospital: And in *Herriot's Croft*, is that magnificent Edifice, called *Watson's Hospital*.

MONUMENTAL INSCRIPTIONS.

ROBERTUS PONTANUS.

Ille ego Robertus Pontanus, in hoc prope sacro

Christi qui fueram pastor gregis, auspice Christo,

Æternæ hic recubans expecto resurgere vitæ.

Obiit

Coun. Regist.
vol. XXXVI.
p. 804.

Obiit octavo die mensis Maii, anno D.
1608, ætatis 81.

EPITAPH.

A Pastour of Christ's Flock sometime was
I,
Within the Church that standeth just hard
by,
Sir Robert Pont my Name, who here now
ly,
And in Christ's Power, I hope that this my
Dust,
Shall rise to Life eternal with the Just.
Twice forty Years and one when he had
feen,
During which Space he on the Earth had
been,
Of the third Month, upon the twice fourth
Day,
To Death he did resign his Corpse of Clay.
When Sixteen hundred Years and seven
were past and gone,
He now interred is beside this little Stone.

DAVID RENVY.

To the lasting Memory of David Renvy,
Portioner, Brewer, and sometime Bailie of
Portsburgh, who departed this Life 25th
April 1705, in the 54th Year of his Age,
who left behind him twelve Children,
brought forth to him by *Jane Ferguson* his
Spouse, who erects and dedicates this Mo-
nument for the Use of themselves and their
Posterity. 1 Cor. xv. v. 55. 57.
By him whose Conquests thro' the World
are known,
I to my first Original am thrown;
My Earth lies here, my better Part's above,
And lives, so I, not Death, the Conqueror
prove:
Yet left the stingless King of Terrors boast,
Of what he's won, and what he thinks I
lost;
He that's Almighty, and for ever true,
Engag'd this Dust should rise and conquer
too.
What I possess secures me what's to come,
My Clay shall be refin'd, then sent for home.

ROBERT LITHGOW.

Here lies Robert Lithgow, Portioner of
Crofs-gates, who departed this Life upon
the 18th of January, 1710, in the 56 Year
of his Age.

You'll say alas he's dead! He cannot die,
He's only chang'd to Immortality.
Weep not for him who has no Cause of
Tears,
Hush then your Sighs, and calm your need-
less Fears.
Run such a Race, as you again may meet,
You'll find your Conversation far more
sweet,

When purg'd from Dross, you shall unmix'd
possess
The purest Essence of eternal Bliss.

Vincenti dabitur. Omnes una manet nox.
Calcanda
Semel via lethi. Mors sola fatetur quan-
tula, &c.

HENRICUS NISBET.

Henricus Nisbet, a Dea junior, famam
pluris quam opes, virtutem pluris quam fa-
mam habens; terrena despiciens, cœlestia
spirans, lethi memor; *Araxagor* expectans;
vividus ipse vidensque hoc sibi suisque Monu-
mentum sepulchrale construxit. Anno Dom.
MDCXCII.

Æqua lege, vocant Regem cum paupere
Fata;

Cuncti fluunt, virtus unica fixa manet.
Huic ergo dones vitam, super altra vehen-
dus,

Mortis et addiscas jura severa pati.

Englished thus.

Henry Nisbet of Dean, preferring Fame to
Riches, and Virtue to Fame, despising earth-
ly Things, and aspiring after heavenly In-
joyments, being mindful of Death, and wait-
ing for the Resurrection; in his own Life,
and at his own Sight, caused build this se-
pulchral Monument for him and his, in the
Year of our Lord 1692.

Death equally does call the rich and Poor,
All things are fleeting, Virtue does endure.
Then study Virtue as you would incline
Maugre sharp Death, in Heav'n's high to
Shrine.

JOHN FINDLAY.

Mors patet, hora latet.

Hodie mihi, cras tibi.

Here lyes John Findlay, Merchant, Bur-
gess of *Edinburgh*, who departed this Life
upon the 8th Day of November 1699, his
Age 26 Years.

O Death! O Grave! why so severe?
Ev'n Youth must see thy Look austere;
This young Man did by living die,
By Death he lives eternallie.

HADDOW'S-HOLD Church.

Edinburgh having been still in want of
Churches, the Common Council in the Year
1699, judged it necessary to convert a Meet-
ing-house in the *Land-Market* into a Parish-
Church; but this Resolution being petition-
ed against by the Ministers and Elders of
neighbouring Parishes, as already hinted,
the said Council, in lieu thereof, ordered
the Northwestern Part of *St. Giles's Church*
to be fitted up for the Use of the new in-
tended

tended Parish; which being accordingly performed; it received the Name of *Haddow's-Hold Church*, from a Part thereof (as 'tis said) having been a Prison, wherein one *Haddow*, a Person of Distinction, had for a long time been kept in Dureff. Be that as it will, the District thereunto belonging is denominated the *New North Church Parish*; the Contents thereof are as follows, viz.

All the *Lucken-booth Row*; and from the Council-house Westward, *Beth's Wynd*, the Back of it, with *Forrester's Wynd*, exclusive of *Henderfon's* and *Wright's* Lands, the Southern Row of the *Land-Market*, to Provost *Muir's Close* inclusive, with all the Wynds and Closes therein, including the little Close near the Western Foot of *Liberton's Wynd*; the Closes betwixt *Liberton's* and *Forrester's Wynd*, and the Western Part of the *Streight-Bow Street*, benorth the *Owerbow Gate*, and the Southern Side of the Street called the *Castle-bill*.

Having just mentioned the *Luckenbooths*, as the Etymology of that Appellation is known but to few, it will not be amiss to acquaint the Reader, that the *Scotish Commerce* antiently extended no farther than *France* and the Low Countries; from the former we had Wine, and from the latter woolen Cloth, by the *Flemings* called *Laken*; the Sellers whereof occupying the *Booth-row*, that Name was forced to give way to that of the *Lakenbooths*; which being still kept by the Dealers in that Commodity, the Appellation will no doubt continue during the standing of these rotten, noisome, and offensive Buildings.

Examin. Roll.

This Parish being divided into six Divisions, the first whereof contains eighty three Families, and three hundred and thirty three examinable Persons; the second, one hundred and four Families, and three hundred and seventy two Persons; the third, seventy two Families, and two hundred and fifty seven Persons; the fourth, sixty six Families, and two hundred and fifty eight Persons; the fifth, ninety one Families, and three hundred and thirty six Persons; and in the sixth Division, sixty three Families, and two hundred and twenty two Persons: Total of Families, four hundred and ninety five, and examinable Persons, one thousand seven hundred and seventy Eight.

The Seats in *Haddow's-Hold Church*, anno 1746, amounted to one hundred and thirty five, which were let for the annual Sum of One thousand two hundred and thirty six Pounds, *Scotish Money*.

Antiquities, and Things remarkable in this Parish.

The middle Row of Buildings, called the *Luckenbooths*, is said to have been antiently the Residentiaries Houses belonging to the Collegiate Church of *St. Giles*. That this

is a Mistake, I think, is manifest; for in the Year 1511, the Town Council, towards enlarging the said Church, bought of *Alexander Mauchanes*, four Lands or Tenements, in the *Booth-row*, now the *Luckenbooths*, which manifestly shews that it did not then belong to the Church; for by its Name, it seems then to have been inhabited by Merchants. Now, as this Church was made Collegiate in the Year 1466, if the said *Booth-row* was occupied by the said Residentiaries in the Year 1511, I presume it must have been as Inmates; and if ever the said Houses were purchased by the Church, it must have been since that Period.

And as to what is said of the present *Tolbooth's* having been the Provost of the said Churches Mansion-house, this is likewise a Mistake; for the said Provost's House appears to have been seated on the Southern Side of *St. Giles's Church-yard*, at present the Parliament Close; wherefore I am of opinion, that if ever the said *Tolbooth* was occupied by any Person belonging to this Church, it must have been by the Curate, who was to have a House allowed him by the said Provost, near to the said Church. This middle Row of Buildings is a very great Nuisance to the Town, by darkening and spoiling the Prospect of its Noble and spacious High-Street, which, for Space and Magnificence of Houses, is probably not to be excelled.

At the Eastern End of the Passage between the said *Luckenbooths* and *St. Giles's Church*, denominated the *Kreims* (which were by the Town Council, in the Year 1555, first allowed to be set up against the said Church) were certain Steps, called *our Lady's Steps*, so denominated from a Statue of the Virgin *Mary*, in a Niche, at the Northeastern Corner of the said Church.

The High Council-house, at first called the *New Tolbooth*, situated at the Southwestern Corner of *St. Giles's Church*, was erected in the Year 1564, for the Use of the Court of Session, and other Judicatories; but those Courts being since removed to the Parliament House, the Apartments therein are at present employed for the Justiciary and Town Council Courts to sit in, with an Armoury and Wardrobe; the third I shall speak of elsewhere; and the last is a Repository wherein are kept the sumptuous Robes antiently worn by the City-representatives in Parliament, together with the rich Trappings and Accoutrements for their Horses, which were used in the pompous Cavalcade at the Opening of the *Scotish Parliament*.

Here are also deposited the Robes belonging to the City-Magistrates and certain Members of the Common Council which consist of twenty three Gowns, viz. a Scarlet-cloth Gown faced with Ermine for the Lord Provost, twelve for the new and old Magi-

Magistrates, viz. the four Bailiffs, Dean of Gild, and Treasurer, the four old Bailiffs, old Dean of Gild, and old Treasurer, of Scarlet Cloth faced with Crimson Velvet; and eleven Gowns of black silken Damask for the Merchants and Trades Counsellors, or Common Council Men; those of the former are adorned with Golden Loops and Tassels, and the latter with the like in Silver. Here are likewise two Gowns of Black Callimanco, for the Sword and Mace-bearers.

The present Tolbooth, situated at the Western End of the *Luckenbooth* Row, is the Common Prison for Debtors and Criminals. And the old Tolbooth in the Bank Close in the *Land-Market* which was rebuilt in the Year 1562, is still standing on the Western Side of the said Close, with the Windows strongly stanchelled; the small Dimensions thereof occasioned its being laid aside. At the upper or Northern End of the *West-bow* Street, stands the publick Weigh-house; the Ground whereon it stands was granted to the *Edinburghers* by King *David II.* in the 23d Year of his Reign, anno 1352.

On the Southern Side of the *Land-Market* Street, corruptly called the *Lawn-Market*, on *Wednesdays* is held a Market for Linnen and woollen Cloth; all Persons using the same not having Shops in the Street, pay weekly for their standing, Two Shillings, *Scotish* Money; and every Shop-keeper having more than one Stand to pay for the same.

Here are no sepulchral Monuments or Inscriptions.

Lady YESTER's Church.

This Church, which is situated on the Western Side of the High-school Wynd, owes its Origin to the Piety of Dame *Margaret Ker, Lady Yester*, who in the Year 1647, gave to the Citizens of *Edinburgh*, the Sum of Ten thousand Marks, to build a Church withal, with Five thousand Marks to be laid out towards the Maintenance of a Minister to officiate therein: And in case the said Sum proved insufficient to erect the intended Church, she impowered the Common Council to lay out the Five thousand Marks, given for the Use of the Parson, or so much of it as were sufficient, to finish the said Church; which being accordingly disbursed in the Construction thereof, the said pious and generous Lady, in lieu of the same, gave to the said Council the Sum of One thousand Marks yearly out of her Jointure of Eight thousand Marks, till the said Sum of Twelve thousand Marks should be made good.

This Church being finished sometime after, the Town Council, on the 24th of *August*, anno 1655, appointed a District for its Parish, which begins at the Northwestern

Corner of the College Wynd, including both Sides of the said Wynd, with the College; and running Eastward along the *Cowgate* Street to the *Cowgate* Port, contains the Southern Row thereof, with all the Closes, &c. therein to the Town-wall; and turning Westward from the said *Cowgate* Port, runs to the Foot of *Peebles* Wynd, and comprehends the Northern Part of the said *Cowgate* Street, with *Gray's* Close, and all the other Closes on that Side, not Thoroughfares.

This Parish being divided into six Divisions, the first thereof contains one hundred Families; Males, one hundred and seventy eight, and Females, two hundred and fifty five; the second, Families, ninety two, Males, one hundred and thirty two, Females, one hundred and eighty four; the third, ninety one Families, Males, one hundred and thirty six, Females, two hundred and seven; the fourth, Families, one hundred and twenty, Males, one hundred and seventy five, Females, two hundred and fifty six; the fifth, ninety Families, Males, one hundred and forty six, Females, two hundred and fifty eight; and the sixth Division, Families, eighty one, Males, ninety three, and Females, one hundred and sixty four: Total of Families, five hundred and seventy four, Males, eight hundred and sixty, Females, one thousand three hundred and twenty four. Number of Persons in the Parish, two thousand one hundred and eighty one.

The Seats in *Lady Yester's* Church, in the Year 1746, being one hundred and fifty four in Number, were set at seven hundred and fifty five Pounds yearly, *Scotish* Money.

Antiquities and Things remarkable in this Parish.

Near the upper End of the High-school Wynd, where the Infirmary is at present situated, stood the Monastery of the *Dominicans* or *Blackfriars*, which was founded by King *Alexander II.* in the Year 1230, on a Spot of Ground, which in the Charter of Foundation, is denominated *Mansio Regis*, from its having antiently been the Site of a Royal Palace. *Alexander* gave to his new Priory, the Lane, at present called the *Blackfriars* Wynd, with the Venal which crossed the same, to build Houses therein, towards the Support of the Monks, who having received divers other Benefactions from our Kings and others, were enabled to live in a handsome Manner.

This House was remarkable for a provincial Synod held in the Church thereof, in the Year 1512, by Cardinal *Bagimont*, the Pope's Nuncio; to which he summoned all beneficed Persons in *Scotland* to appear, who were to bring along with them the yearly Amount of their respective Benefices

nefices upon Oath, of which he made a standing Rental, called *Bagimont's Roll*, which became a Standard for taxing the *Scotish Ecclesiasticks* at the Court of *Rome*, when they applied to the Pope for Church Preferments. This Convent, which was destroyed by Fire in the Year 1285, was scarce rebuilt at the general Dissolution of Monasteries at the Reformation of Religion in Scotland. The Monks of this Place are thought to have had a Chronicle of *Scotland*, frequently cited; but was discovered to have been only a Copy of *Fordeun*, continued by *Bowmaker*.

Regist. writ.
in Arch. Edin.

Queen Mary, by her Letters Patent of the 16th of March, anno 1562, having granted to the *Edinburghers* this Monastery, with its Appurtenances, on the Site whereof to erect an Hospital for their aged Poor; but it seems this not being judged so advantageous to the Citizens, they obtained of King James VI. on the third of January, in the Year 1566, a Grant, whereby they were not only indemnified for not building in this Place, but impowered to erect an Hospital at the Trinity College in *Leith Wynd*, with a Licence to dispose of the *Blackfriars* and its Appurtenances in Feu, and the Profits arising thereby, to be appropriated to the Maintenance of the Hospital at the said Trinity College.

Pursuant to the above Grant, the Gardens of the Monastery were let in Feu to *Robert Glen*, for a Premium of Sixty Marks, and eleven Marks of yearly Rent; whereby it appears, that the said Gardens extended along the Town-wall from the *Kirk of Field Gardens*, to the Eastern Part of the said Wall by the *Cowgate Port*; and the Place at present denominated the High-school Yard, was the Cemetery belonging to the Convent.

The Revenues belonging to this House, appear to have been very considerable; for their Rental contains no less than two hundred and thirty four Articles of their Rents; Charters and other Deeds belonging to their Estates, three hundred and ninety; and the Anniversary *Obits*, &c. made in Return for the said Lands and Benefactions, amounted to ninety seven.

At the Southwestern Corner of this Parish, is situated the College or University of *Edinburgh*, founded by the Citizens in the Year 1581; it consists of an upper and two lower Courts, inclosed by a high Wall, which I shall describe elsewhere.

A little to the Eastward of the College, and opposite the Church, stands that magnificent Edifice the Infirmary or Hospital for lame or maimed People, which was erected by the Contributions of well-disposed Persons, both at home and abroad, and finished in the Year 1745.

To the Northeast of this Hospital, at a small Distance, is seated the chief Gram-

mar School in the City, denominated the High School, which was erected in the Year 1578, as I shall, in its proper Place, more fully make appear.

At the Southeastern Corner of the High-school-yard, stands the Surgeons Hall, a beautiful Building, wherein is a Collection of natural Rarities, and a Bagnio.

On the Eastern Side of the *Blackfriars Wynd*, stood the Archbishop of *St. Andrew's* City Mansion; the Remains whereof are still to be seen in the said Wynd and *Cowgate*, as already hinted.

In *Gray's Close* is the Mint of *Scotland*, which was erected in the Year 1574: It consists of a large Court of handsome Buildings, which contained the Apartments of the several Officers, and Offices thereunto belonging: But this Office, by the Union of the Kingdoms of *Scotland* and *England*, being rendered useless, though the Salaries of the said Officers are by the Articles of Union continued to be paid.

MONUMENTAL INSCRIPTIONS.

On the Foundress of the Church,

MARGARET Lady Yester.

Its needless to erect a Marble Tomb:
The daily Bread that for the hungry Womb,
And Bread of Life thy Bounty hath provided,

For hungry Souls all Times to be divided,
World lasting Monuments shall rear,
That shall endure till Christ himself appear.
Pos'd was thy Life, prepar'd thy happy End,
Nothing in either was without Commend.
Let it be the Care of all who live hereafter,
To live and die like Margaret Lady Yester.

Who died the 15th of March 1647, her
Age 75.

JOANNES MACKENZIE & MARGARETA
HAY.

Hic aut alibi, forsan nullibi,

Condenda sunt ossa

Joannis Mackenzie et Margaretæ Hay,

Sortis humanæ sociorum,

Castâ cura redamantium,

Fidei præmia, non morum,

Humili ipse præstolantium.

Hoc quippe quadrum,

In ulnas quinque patens,

Ab urbeico senatu,

Sibi suisque sepeliundis,

Impetrarunt,

Anno solis Justitiæ.

MDCCL.

That is

Here, or elsewhere, perhaps no where

Are to be laid up the Bones

Of John Mackenzie and Margaret Hay,

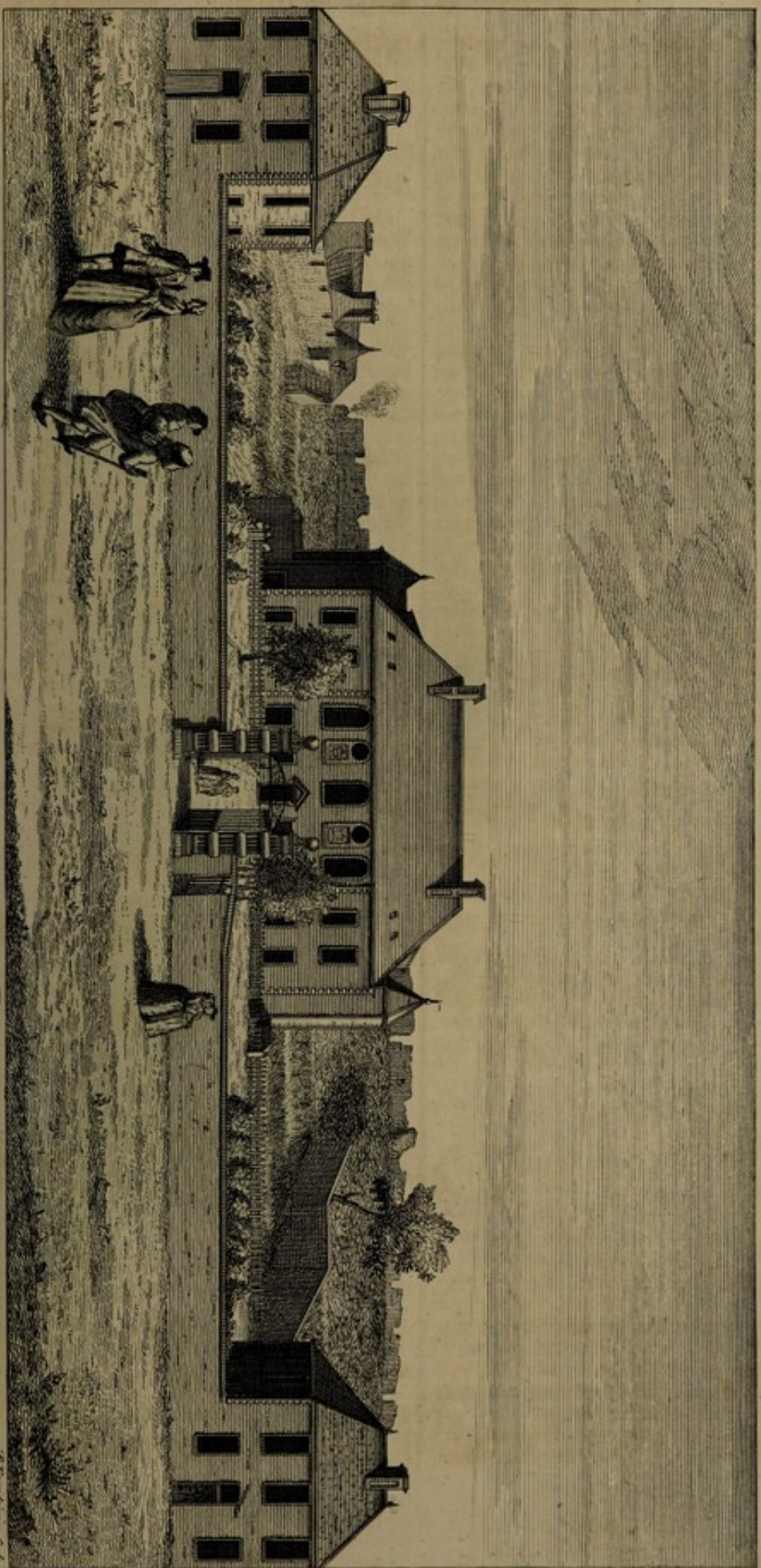
Consorts in Wedlock,

Mutually loving with chaste Care,

Rewards of their Faith, not Works,

In humble Hope expecting.

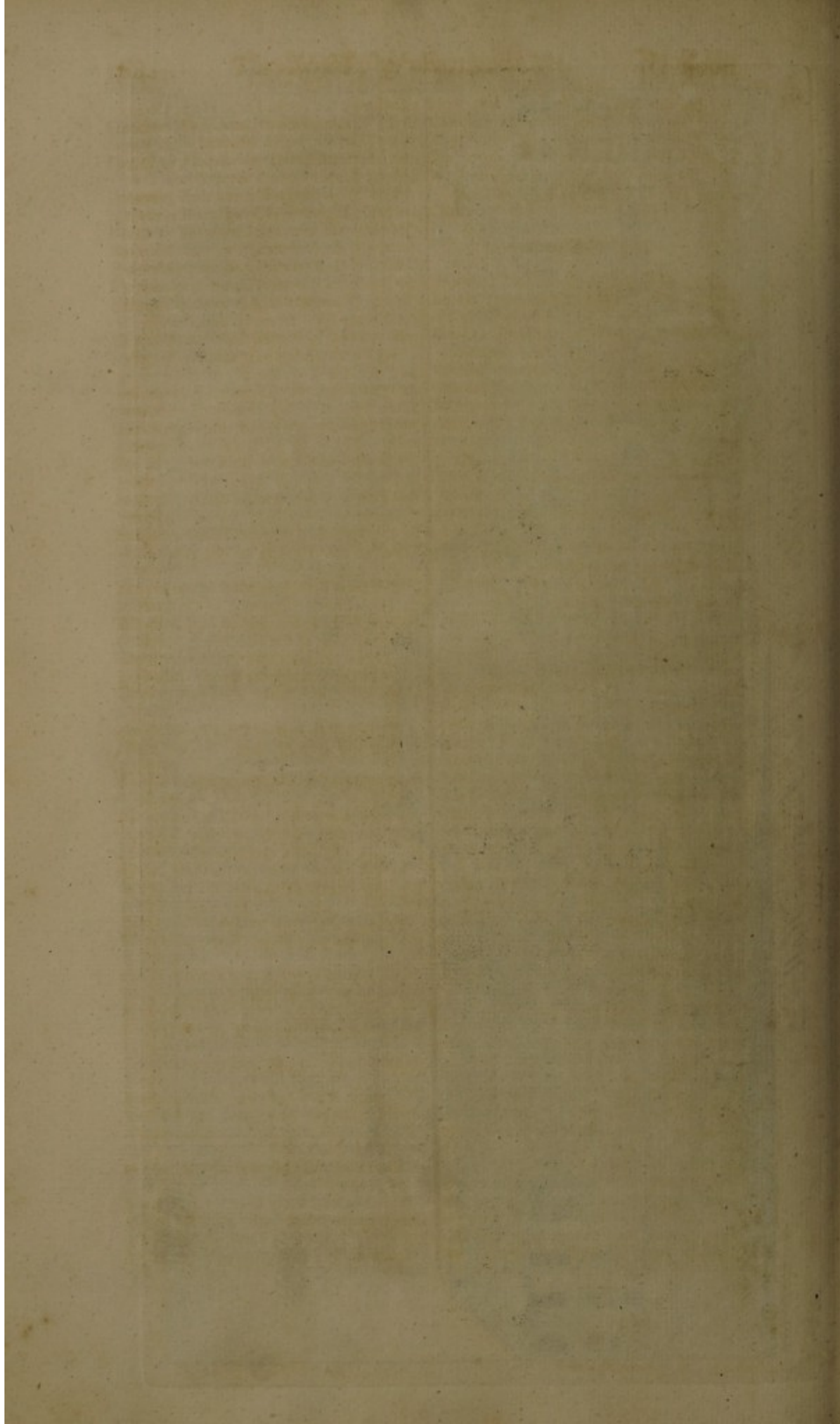
For



J. Smellie delin.

A Perspective View of the Surgeons' Hall -

J. Fairbairn sculp.



For this square Place,
Extending to five Elnes
From the Town Council,
To bury them and theirs
They obtained,
In the Year of the Sun of Righteousness,
1702.

N E W-Church.

As this Church is the Choir of *St. Giles's*, it is the handfomest and most beautiful Place of Worship in *Edinburgh*; so may it justly be reckoned the chief Church in the City; for in it is the King's Seat, and those of the Magistrates and Lords of Session; and in the Southern Isle the General Assembly hold their annual Convention, and wherein is a stately Throne for the King's Commissioner.

This Parish begins at the Southwestern Corner of *Warriston's Close*, including the whole Close; thence running Eastward, down the Northern Side of the High Street, to *Gray's Close*, including the Bishop's Land, contains that Part of the said Street, with all the Closes, &c. therein, exclusive of the Loch-side and *Halkerton's Wynd*, which belong to the College-Church.

Examin. Rolls.

This Parish, like the other City-parishes, consists of six Divisions; the first whereof contains one hundred and three Families, Males, two hundred and one, Females, two hundred and seventy; the second, one hundred Families, one hundred and fifty seven Males, two hundred and fifty nine Females; the third, eighty seven Families, two hundred and two Males, two hundred and thirty seven Females; the fourth, one hundred and twenty nine Families, one hundred and sixty four Males, two hundred and seventy six Females; the fifth, one hundred and four Families, one hundred and thirty eight Males, two hundred and two Females; and in the sixth Division, seventy five Families, one hundred and forty seven Males, two hundred and forty five Females: Total of Families, five hundred and ninety eight; Males, one thousand and nine; Females, one thousand four hundred and eighty nine. Total of both, two thousand four hundred and ninety eight examinable Persons.

Coun. Regist. vol. L.

The Seats in this Church, in the Year 1723, amounting to one hundred and seventeen, exclusive of those belonging to the King, Magistrates, Lords of Session, with their Servants and Macers belonging to that Court; the Rents whereof amounted yearly to the Sum of One thousand and seventy two Pounds *Scotish*.

Remarkables in this Parish.

The Remarkables in this Parish are the New Bank Office, which I shall treat of

elsewhere; the Flesh, Fruit, Herb, Copper, Brads, White-iron or Laitin, and wooden Ware Markets, which being kept by Freemen, they furnish their own Stands, or Stalls, and pay neither Custom nor Toll.

The High Street wherein those Markets are held, is greatly pestered with numerous Obstructions, viz. the City-wells or Conduits, the *Luckenbooth Row*, the Market-Cross, and the Town's Guard-house, whereby the Beauty of this noble Street is greatly eclipsed; it is about Eighty Feet in Breadth, but having been formerly much wider, it was reduced by Act of Common Council, some Centuries since, on the following Occasion, viz. the said Council, in order to feu out the Common Moor, cut down the Trees thereon, which amounting to a very large Quantity of Wood, they could not readily dispose of it; but to encourage the Citizens to purchase the same, were, by the said Act of Council, impowered to extend the Fronts of their Houses seven Feet into the Street on each Side thereof; whereby they soon disposed of their Wood for a good Price, at the Expence of the Street as already mentioned.

The Fruit and Herb Markets are kept in the High Street, beginning at the Cross of *Edinburgh*, the latter whereof runs down the Northern Side of the said Street, as low as the Trone Church; the Customs or Tolls paid therein will appear by the following Table.

A TABLE of Customs or Dues payable in the Fruit and Herb Markets.

	s.	d.
For each Horse-load of Fruit, Nuts, Potatoes, and Artichokes	2	4
For each Burden thereof	1	2
For each Gallon of Strawberries	1	0
For each Gallon of Goose-berries, or Currants	0	8
For each thousand Cherries	0	6
For each hundred of Apricokes, Peaches, and large Plumbs	0	6
For each Peck of Fruit from Retailers	0	4
For each Peck of Pease in the Pod	0	4
For each Burden of Kail and other Herbs and Roots	0	4
And all other Garden Stuff to pay in Proportion	0	0
Stand-dues by every Burgefs weekly	1	0
Stand-dues by every Unfreeman weekly	2	0

A TABLE of the Customs or Dues payable in the Flesh-Market.

	s.	d.
For every Beef Stand to a Burgefs	4	0
For every Mutton or Lamb-stand to a Burgefs	3	0

For

For every Beef-stand to an Inhabitant not a Burges	6	8
For every Mutton or Lamb-stand to a Non-burges	5	0
For every Board to a Burges	2	0
For every Board to a Non-burges	3	4
For every Board to a Landward Man	4	0
For one Calf to a Freeman	1	0
For one Calf to an Unfreeman	1	8
For one Swine to a Freeman	2	0
For one Swine to an Unfreeman	3	4

A monumental Inscription on WILLIAM, Bishop of Edinburgh, 23d April, 1634.

Cum, cum, good Christians, put on your murning Weedes ;
 Cum weepe with me, for good Caus so we have,
 For him, yea him, who sowed those spiritual Seeds
 Most plenteouslie, poore Souls to feed and save.
 But, oh alace ! alace now he is gone !
 Which may give us just Caus to sigh and mone ;
 For our good Bishop, who was a worthy Man,
 Whose Corps of his, is layed now in cold Clay,
 Conveyed was with mony noble Clan,
 To his last Bed to rest while Domesday ;
 Then at that Day, whose Corps fall rise againe,
 Nocht Mortal, but immortall to remaine.
 Holie was his Lyffe, without Blemishe or Spott,
 As was weill known by God's Servants most dear :
 But alace, for Pitie ! for such was his Lott ;
 His Dayis wes few, that he remained here.
 His Absence our Grief and Dollor is,
 But its his Gain enjoying eternall Blifs.
 While he liv'd here, a schyning Light was he,
 Consum'd himself by giving others Light,
 Matchless, most painfull in reading and Studie,
 No Wayes weraing, nather Day nor Night.
 But, oh alace ! schorte while bede he heir,
 Who of his Function was a matchless Peir.
 Murne, murne, good Christians, murne and do lament,
 For that deare Sanct the Lord has from us tane ;
 If we consider, we have Caus to repent,
 And for his Lofe, with murning Hearts mak mone.
 Our Lofe of him, it is his Gane and Glorie,
 But his Absence it is oure Lofe, alace ! alace !
 thairfoire ;
 For may we fear a worse him to succeid,
 For mony Caus, who would it ryght consider,
 As that in Scripture plainlie we do reid,

How that the Lord in Mercie altogidder
 Calls home his owin, before he send his Rod,
 As this our Bisshope, a Servant of our God.
 Oh, cruell Death ! for all thy Cruelltie,
 What has thou gain'd by thy Malicioufness ?
 No Gain at all, but lost the Victorie ;
 Chaing'd him I say, from Earth to endless Blifs :

Where now he dwells and reigns for evermore,

Enjoying Joys of everlasting Glorie.

Let Heav'ns rejoice, and welcome such a Guest,

But let the Earth tak on her murning Weedes ;

With all therein, with living Life is plac'd,
 Concurr togidder, and swiftlie to expedee,
 For to deplore the Death of this Man. od,
 A learned Teacher, a Messenger of God.
 But then, my Muse, leave off thy murning still,

Why should thou murne, or tak unkindlie Care,

For that which is God's Pleasure and his Will ?

I'le counsell thee leave off and doe no mair ;
 For weill thou knowis his Chainge, it is the best,

His Soul to Glorie, his Corps now lyis in Rest.

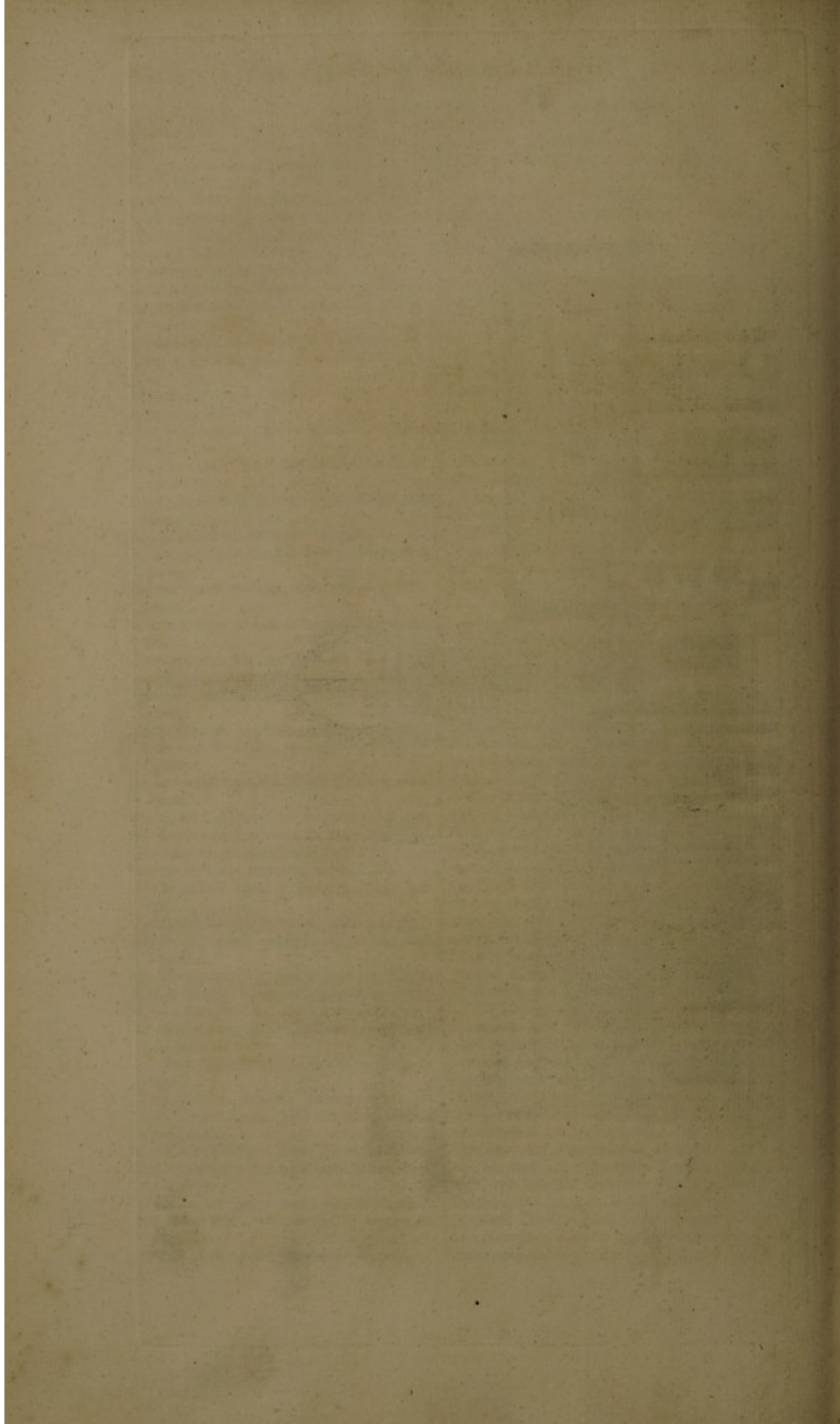
O L D-Church.

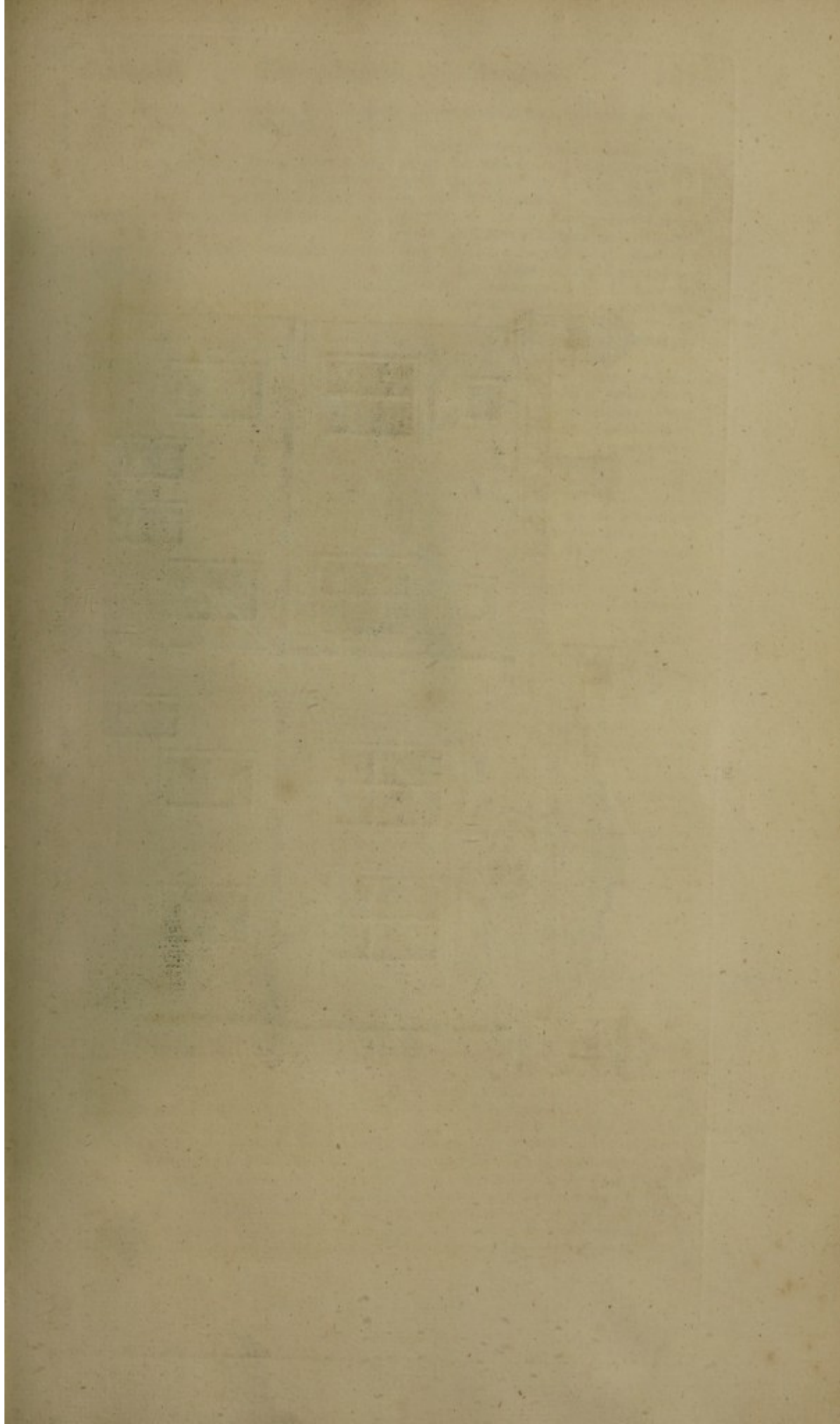
This Place of Worship, denominated the *Old Church*, consists of the central Part of *St. Giles's Church*, situated between the *Tol-booth*, *Haddow's Hold*, and the *New Church* ; in the Southern Isle whereof, which is the Session-clerk's Office, the Presbytery of *Edinburgh* hold their Meetings.

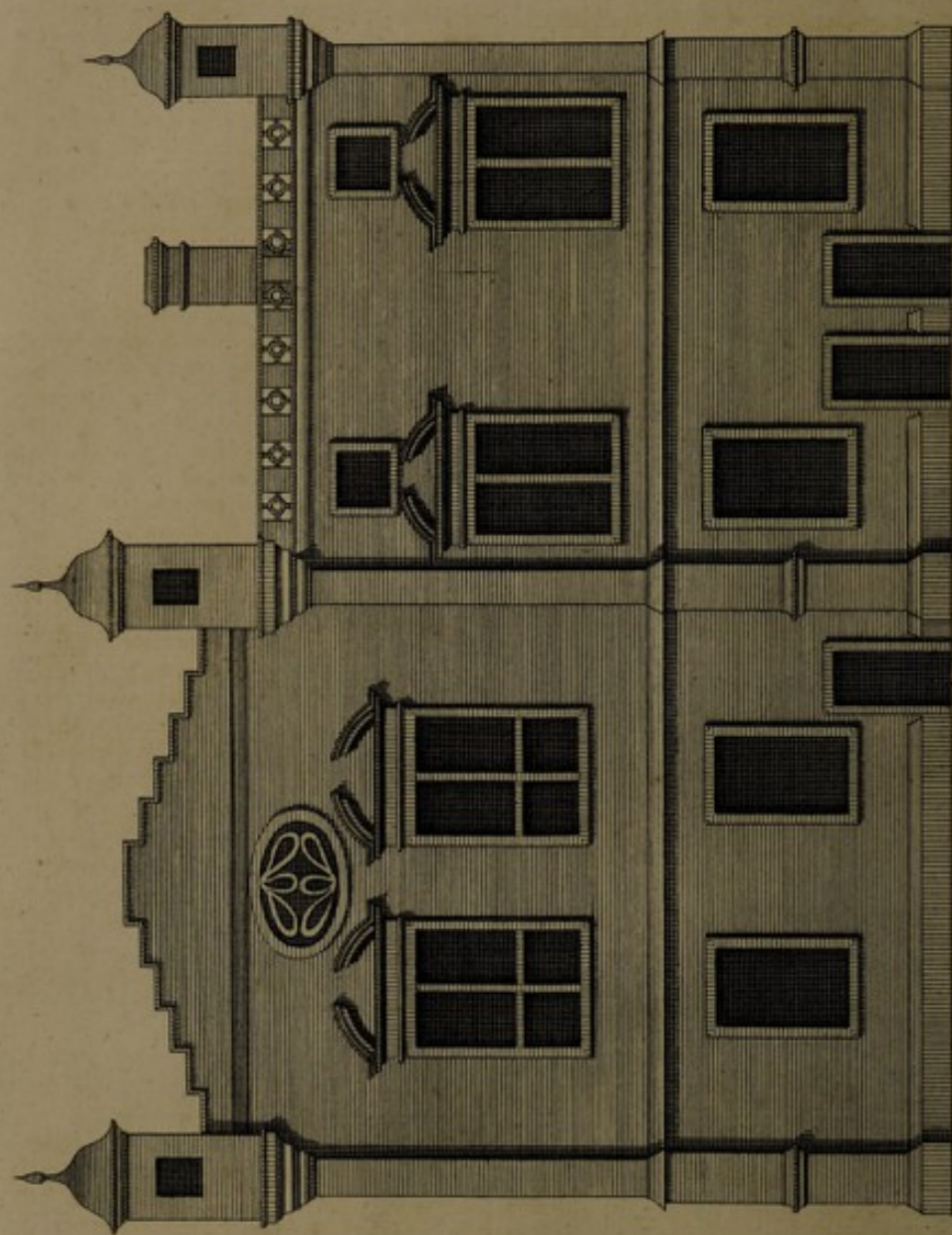
The District or Parish belonging to this Church, contains the *Parliament Close* and *Meal Market Stairs*, down to the Pealing ; and from the Eastern Corner of the *Parliament Close*, runs down the Southern Side of the High-street to the *Trone Church*, including all the Front-houses and Closes on that Side, with *Peebles Wynd*, and *Windram's Land* adjoining to the said *Trone Church*, exclusive of that Part of the *Fish-Market Close*, which reacheth from the Market Gate-way to the *Cowgate*.

The Divisions in this Parish, like those of the others, being six in Number, the first contains seventy five Families, and three hundred examinable Persons ; the second, Families, one hundred and eighteen, and three hundred and fifty eight Persons ; the third, ninety four Families, and Persons, two hundred and seventy two ; the fourth, Families, one hundred and fourteen, and two hundred and sixty eight Persons ; the fifth, one hundred and three Families, and Persons, two hundred and fifty six ; and in the sixth Division, one hundred and thirteen Families, and two hundred and seventy seven examinable Persons : Total of Families,

Exam. Rolls.







A View of the Parliament House

lies, six hundred and seventeen, and of examinable Persons, one thousand seven hundred and thirty one.

The Seats in this Church, *anno* 1746, were one hundred and twelve in Number; let at the yearly Rent of nine hundred and twenty five Pounds, *Scotish Money*.

Antiquities, and Things remarkable in this Parish.

The Provost of *St. Giles's Church*, by his Charter the 13th *July anno* 1496, granted to the *Edinburghers* the Northern Part of his Manse or Dwelling-house, with the Glebe adjacent to the said Church, for augmenting its Cemetery; whereby is demonstrated, that the present Tolbooth was not the said Provost's Manse.

Rec. in Arch. Edin. In the lower Church-yard, at present denominated the *Back-stairs*, stood the Chapel of *Holyrood*, wherein on the 12th of *August*

Coun. Regist. vol. V. f. 184. in the Year 1528, *Walter Chapman* founded a Chaplainry at the Altar of *Jesus Christ* crucified, and endowed it with his Tene-ment in the *Cowgate*: And *anno* 1579,

Ibid. f. 156. *Walter Balcanquell*, was collated thereto by the Town Council. In the Neighbourhood of this Chapel was a Farm-house, called *St. Giles's Grange*.

The Place at present denominated the *Parliament Close*, was antiently the Church-yard of *St. Giles's*, and the common Cemetery of the Town: At the Western End whereof stood the Ministers or Incumbents Houses; and the Declivity on the Southern Side, now called the *Back-stairs*, was the lower Church-yard; at the Foot of which, in the *Cowgate*, and neighbouring Parts, dwelt the Shoemakers of *Edinburgh*.

This Spot ceasing to be a Burial-place, Houses were erected thereon; which being from Time to Time improved in the Manner of their Construction, it is become a very large and stately Court, of a parallelogram Form, bounded on the North by the Church of *St. Giles*, on the West by the Parliament-house and Goldsmiths Hall; on the South by the Session-house, Treasury, and a Row of magnificent Buildings, of seven Stories in Height; one of which at the Post-office Stairs, is the highest House in Town; the Northern Part thereof, as just mentioned, being seven Stories, and the Back-part regarding the *Cowgate* is twelve Stories in Height. But, before the Conflagration *anno* 1700, the House on its Site, is said to have been three Stories higher. This noble Court is bounded on the East with a Row of Buildings of the same Altitude with the former, all of ashler Work; and like the principal Streets of the Town, is paved with Stones of a dark grey Marble: And near the Western End, it is adorned with a noble equestrian Statue of King *Charles II.* erected at the Expence of the Citizens, in the Year 1684, and placed on

a stately Pedestal inclosed with an iron Rail.

On the Northern Side of this Court, are divers low Houses and Shops, erected against the Wall of the Church, which are occupied by Jewellers, Goldsmiths, and Booksellers. At the Northwestern Corner of the said Court, is situated the Goldsmiths Hall, which is a handsome little Building, wherein the Affairs of the Company are transacted. Adjoining to this Hall on the South stands the Parliament-house, of which it will not be amiss to premise a few Things concerning the Cause and Manner of its being erected.

In the Year 1632, the *Edinburghers* were greatly straitened for want of proper Places for holding the Courts of Parliament, Privy Council, Session, and other publick Assemblies, which the Citizens were apprehensive might occasion the removing the said Courts from *Edinburgh*, to their no small Loss: For preventing which, the Town Council resolved to propose to the Inhabitants the erecting proper Places in *Edinburgh*, to accommodate the said Courts and other Conventions, by a voluntary Subscription to be made for that Purpose: And, in order to try the Generosity of the Citizens on this Occasion, caused Books to be made, and appointed certain Days for the Inhabitants of the several Parts of the Town, to repair to the Town Council-house, to subscribe such Sums, as they were respectively willing to contribute, to promote the Erection of those necessary and desirable Works.

The Subscriptions on this Occasion were pretty considerable; for it appears, that the first Payment by one of the City Divisions, amounted to the Sum of Two thousand and fifty Pounds seven Shillings and ten Pence *Scotish Money*; which so encouraged the Common Council, that they gave Orders to erect a House for the Service of the Parliament, in the Place where the Town's Houses inhabited by the Ministers stood at the Western End of *St. Giles's Church-yard*, where the said Parliament-house at present stands.

The expensive Work being begun, it was found, that neither the Sums subscribed, or Money borrowed, were sufficient to accomplish the Undertaking, the said Council determined to borrow a Sum of Money, sufficient to finish the Work, which was to be repaid by a new Contribution; but if that should not answer, the Money to be raised by a Tax on the Inhabitants.

This magnificent and spacious Edifice being finished, the Area thereof is one hundred and twenty three Feet in Length, and in Breadth forty two Feet; it has a fine arched wooden Roof covered with Lead: And having taken up the Space of nine Years in constructing, viz. from 1632 to 1640, both inclusive, it appears from the Treasurer's Accounts during

A a a that

that Time, that the Expence of building amounted to the Sum of Two hundred and nine thousand three hundred and forty Marks *Scotish* Money, as set down in the fourteenth and fifteenth Volumes of the Town Council's Registers. Fifty six thousand Pounds of the above Sum was by Subscription, and the rest at the Expence of the Town.

Remark. This is an Affair probably not to be paralleled, that a national Building for the Service of the Kingdom, should be erected at the Expence of the *Edinburgbers*, without the least Assistance from Parliament, for whose Use and Accommodation it was built. However, the *Scotish* Parliament, by the Union of the Kingdoms of *Scotland* and *England*, in the Year 1706, being dissolved, this House at present serves to accommodate the ordinary Lords of Session, the Bailiffs and Sheriffs Courts, the Advocates to attend in. And the Northern Part is furnished with Bookfellers and Toy-shops. And beneath the Southern Part is the Advocates or Lawyers Library, consisting of two spacious Rooms, which I shall describe elsewhere: And below the Northern Part of the said Parliament-house, called the *Ward*, are deposited, during the Summer-season, the publick Lamps belonging to the City, consisting of one hundred in Number; the publick Theatre or Stage, which is occasionally erected at the Market Cross, to accommodate the Magistrates on all publick Rejoicings; the Machine denominated the *Maiden*, for decollating State Criminals; and the common Gallows, which is occasionally erected in the *Grass-market*, as the *Maiden* is at the Market-cross; with a Number of leathern Buckets, Flambeaus, &c. used in extinguishing casual Fires.

Coun. Regist.
vol. XXI. f.
99.

The Town Council, by their Act of the 15th March anno 1662, demised to *John Thomfone* Gardiner, for the Term of nineteen Years, the Plot of Ground, at present called the *Parliament Close*, with the Brae or Side of the Hill inclosed with a stonern Wall, extending from the Southern End of the Parliament-house, a little to the Westward of the Place where the new Stairs are at present situated; whence winding Eastward, ran on the Northern Side of the Meal-market to the Wall of the Kirkheugh; from which the said *Thomfone* was to plant a Hedge, as the Eastern Boundary of the Inclosure, from the Head of the said Kirkheugh-wall, between a Smith's House, and the End of the Goldsmiths Shops, which I take to have run along where the Row of Houses stand at the Eastern End of the Parliament-close. This Spot of Ground, according to the Tenor of the Tack or Lease, was to be laid out in Walks, and to be planted with Trees, Herbs and Flowers, exclusive of Cabbage and other common Garden Stuff.

Ibid. f. 116.

Pursuant to the above Agreement, *Thom-*

fone, on the 8th of April following, delivered to the Council a Plan for beautifying the said Inclosure, which was approved of; but not having seen the said Plan, cannot set forth the Designs: But, from the best Accounts I have been able to collect from the Council Registers, two Walks were to be made, viz. a larger and a lesser, without mentioning their Positions or Bearings; however, that they were from East to West, may be gathered, by their Western Ends opposite to the Parliament-house being ordered to be planted with Plum and Cherry-trees, and to be bordered with Gooseberry, Curran and Rose-bushes, and Flowers to be set along the Southern Wall or wooden Rail at the Head of the Brae or Brow of the Hill; and at the Eastern End, as aforesaid, a Hedge. By this Disposition it plainly appears, there were then no Houses, neither on the Southern or Eastern Side of the Parliament-close.

Ibid. f. 129.

Notwithstanding the above Agreement made between the Town and *Thomfone*, it appears it was not fully executed; for, on the 11th of June following, the Council agreed to the building of certain Shops, to be erected on the Southern Side of the said Close, of the Dimensions of sixteen Feet square each, to be severally let for the Term of twenty Years, at the yearly Rent of Twenty Marks.

Adjoining to the Eastern Side of the Parliament-house, is a fine Edifice, called the *Treasury*, in the lower and Western Part of which is held the Court of Session, and in the upper Part, formerly, the Courts of Privy Council and Exchequer, with the Office of Treasury; but the first and last being dissolved by the Union, it now serves to accommodate the Court and Office of Exchequer, and the Barons or Judges of the said Court. And in the middlemost Apartments of the said Building, are kept the Offices of Chancery and Commissary Court; and in the two spacious Rooms underneath the Court of Session, is the national Archives or Repository, wherein the Records of the Kingdom are kept.

Within the Entry to the Chancery Office and Commissary Court, in a handsome paved Court lately demolished, was the Exchange, with a convenient Piazza for Merchants to meet in, which was erected in the Year 1685; but the Money laid out thereon seems to have been ill applied, since it did not take; for the Merchants and others continued to meet at the Cross in the High-street as formerly. And at the upper End of the said Court, was a very spacious and noble Room for the Convention of Royal Boroughs to meet in, denominated the *Borough Room*. A little to the Eastward in the Parliament Close, was a large Room full of Shops, called the *Upper Exchange*. This is also come to nothing. In the same Stair-

Stair-case are kept the Stamp and Linnen Manufacture Offices. And a little to the Eastward the Post Office is kept, in the highest private Building probably upon Earth, the Northern Front whereof in the Parliament Close, is seven Stories in Height, and the Southern Part regarding the *Corogate*, is twelve Stories high: But, as already hinted, the House which stood here before the Conflagration in the Year 1700, is said to have been fifteen Stories in Height.

In the Eastern Row of the said Close, is kept the Custom-house; and the Church of *St. Giles*, which composes the Northern Side of this Inclosure, has a Square and lofty Tower, with a stately Top, representing an Imperial Crown, which, for Beauty, excels every Thing of its kind I have seen, either at home or abroad. The Parliament Close is entered by two Ways, at the Eastern and Western Ends of the Church; the former a Coach-way, and the latter a Foot-path.

Coun. Regist.
vol. IV. f. 68.

In the Northern Arm of the Cross of this Church, is kept the Town Clerk's Office, which seems to have been in a fluctuating Condition till the Year 1563; at which Time a House was hired for it at the yearly Rent of Twenty Marks, *Scotish* Money; which being taken into Consideration by the Common Council, they resolved to fix the said Office, by ordering the same to be thenceforth kept in the Vestuary of *St. Giles's* Church, where it still remains.

To this Office belongs two principal Clerks, the *Senior's* Place cost the Sum of One thousand four hundred Pounds *Sterling*; and that of the *Junior*, the Sum of One thousand four hundred and ten Pounds of the same Money; bought of the Town Council: In Subordination to whom, is a Deputy Clerk, whose Place, which is likewise bought of the said Council, is about half the Value of the former; a Keeper of the Register of *Safines*, the Purchase of whose Office cost Four hundred Pounds *Sterling*; which is likewise in the Disposal of the Council; an Extractor of the *Gild Court* cost Four hundred Pounds *Sterling*; also, by the Town Council, three Extractors of the *Bailey Court*, sold by the principal Clerks for fifty Pounds *Sterling* each; a Keeper of the Register of Bonds sold by the Town Clerks for the Sum of One hundred Pounds *Sterling*; an Extractor and Keeper of the Council Records, sold by the Town Clerks; a Sub-clerk, sold by the Town Clerks for the Sum of One hundred Pounds *Sterling*; and an Extractor of the Ten Marks, or Justice of Peace Court, sold by the Town Clerks.

Coun. Regist.
vol. XVI. f.
234.

In the Year 1647, the Common Council gave to *Guthry*, one of their common Clerks, the Sum of One thousand Marks, *Scotish* Money, for making an alphabetical Index to the Acts of the Council; but the said Index being either lost or imbezzled, know not what is become of it.

In the New Assembly Close, is situated the Assembly House; which is a spacious Edifice, with handsome and convenient Apartments. The first Assembly in *Edinburgh* was set up about the Year 1710, the Direction whereof continued in private Hands till *Whitsunday*, anno 1746, when *Gavin Hamilton*, and *James Stirling* Merchants of *Edinburgh*, to promote Charity, by applying the Profits that might arise from an Assembly to private Uses, laudably, at their own Risk, took the House wherein Assemblies were formerly held for the Term of one Year, at the yearly Rent of Fifty five Pounds *Sterling*; and for the better carrying their Design into Execution, prevailed on *Hugh Clerk* to accept of the Office of Treasurer to the intended Assembly, who, considering the commendable Design, generously accepted and agreed to serve gratis. And for the more effectually carrying on their Undertaking, applied to certain Lords of Session, and other Persons of Distinction to be concerned in the Direction of this Affair, who likewise approving of the Design, readily agreed to accept of the Office of Directors; and having met on the twentieth of May, chose a Preses, and agreed on the following Regulations.

Minut. Assem.

1. "That all Things relating to Management of the Assembly (dancing excepted) be under the Direction of seven Men to meet occasionally to treat of the Affairs of the Assembly.
2. "That the Management of dancing and Things relating thereto be under the Inspection of seven Directoressees (Ladies of great Distinction) alternately to act in the Direction, by Agreement amongst themselves; and the Lady, on her Night of Management, to be distinguished by a Golden Badge, whereon is engraven a Pelican feeding her Young, with the Motto *Charity*; and on the Reverse, the Figure of a Woman, representing Charity leaning on a Shield, with the Arms of *Edinburgh*, a Child leaning on her Knee; the Motto, *Edinburgh*."

The Assemblies held here are well worth seeing; for the Beauty of the Ladies, their Address and Performances are probably no where to be out-done.

At the Northwestern Corner of *Peebles Wynd*, is situated a magnificent Edifice, denominated the *Black Turnpike*; which, were it not partly defaced by a false wooden Front, it would appear to be the most sumptuous Building perhaps in *Edinburgh*; which, together with its Front in *Peebles Wynd*, with three Turnpikes thereunto belonging, no doubt, is owing its being said to have been built by King *Kenneth*; the last of whom, called the Third, died in the Year One thousand.

This Relation, not in the least probable, I applied to *Malcom Brown*, a principal Proprietor

priotor of the said Edifice, for some Account of its Origin, when he was kindly pleased to shew me a principal Safine, wherein *George Robertson of Lockhart*, is acknowledged by the Bailies of *Edinburgh* to be the Son and Heir of *George Robertson*, Burgefs of *Edinburgh*, who built the said Tenement. The Safine is dated the 6th of *December anno 1461*, which intirely refutes the idle Story of its having been built by *Kenneth*.

A MONUMENTAL INSCRIPTION.

JACOBUS STEVARTUS.

Pietas sine vindice. Jus exarmatum est.
23. Januarii, 1569.

Jacobo Stevarto, Moraviæ Comiti, Scotiæ Proregi, viro ætatis suæ longè optimo; ab inimicis omnis memoriæ deterrimis ex infidiis extincto, ceu patri communi, patria mœrens posuit.

That is,

Godliness mourns without a Defender.
Law is disarmed. the 23d January 1569.

To *James Stewart*, Earl of *Murray*, Viceroy of *Scotland*, the far best Man of the Age he lived in; cruelly murdered by his Enemies, the most abandoned of Men; as to a common Father, his mournful Country caused this Monument to be erected.

Old Church GRAY-FRIARS.

Coun. Regist.
vol. XII. f. 100.

The Number of People in *Edinburgh* being so greatly increased, their Churches were not sufficient to accommodate them, in the Performance of their religious Duties. The Common Council, in the Year 1612, ordered a Church to be built in the upper Part of their new Cemetery, antiently the Garden belonging to the Monastery of *Gray-friars* in the *Grass-market*; which being finished, on dividing *Edinburgh* into nine Parishes, anno 1722, the following District was appointed for its Parish.

Viz. From the Northwestern Corner of the College Wynd, to the Head or Western End of the *Cowgate*, including all Places between the Middle of the said *Cowgate* or Street and the Town Wall; and all Parts betwixt the Middle of the said College Wynd on the East, and the Candlemaker-row on the West, exclusive of the *Society*, and Eastern Side of the said Candlemaker-row; and from Provost *Muir's Close*, on the Eastern Side of the *Streight Bow Street*, all the Houses and Places on that Side to the Northwestern Corner of the *Cowgate*; thence Eastward to the Foot of *Peebles Wynd*, including the Houses on the Northern Side of the said *Cowgate*, with all the Closes and Buildings which have their principal Entries into the same; together with the Western Side of the *Fish-market Close*, up to the

Market Gate, *Henderson's* and *Wright's* new Lands, except the little Close entering on the Western Side, near the Foot of *Liber-ton's Wynd*, and the Closes between *Liber-ton's* and *Forrester's Wynds*; which are Part of the *New North Church Parish*.

The *Gray-friars Church-yard* not being large enough, that Part of the Lands called the *Highb-riggs*, without the Eastern Wall of *Heriot's Hospital*, was added thereto in the Year 1636; and the Town's Wall extended round both it and the remaining Part of the said *High-riggs*, whereon the Charity Workhouse, Garden, and additional Buildings are situate.

This Church till the Year 1681, had no Bell to summon the People to worship; the Parishioners at the Western End of the Parish were at a loss to know the Time when to repair to Church. For supplying this Defect, the Town Council ordered the Bell, formerly belonging to the *Trone Church*, to be put up in the Steeple of this Church, for the Use of the Parish.

On the seventh of *May anno 1718*, Part Coun. Regist. of this Church was blown up by Gun-pow. vol. XLV. p. der belonging to the Town, deposited in the Steeple; it was by an Act of Common Council ordered to be repaired; the Expence whereof being estimated at the Sum of Six hundred Pounds *Sterling*; and a new Church being intended to be built at the Western End thereof, it was judged convenient to shorten the same by erecting a Partition-Wall at the second Pillar towards the Western End, and that the Old and New Churches should be both of an equal Length. And the Foundation of the Edifice being laid in the Year 1719, the same was finished anno 1721, as hereafter will appear.

The Seats in this Church in the Year Coun. Regist. 1746, being one hundred and forty seven vol. XLVI. p. in Number, they were let at the yearly Rents of One thousand two hundred and eighty five Pounds, *Scotish Money*.

This Parish, for the Convenience of Examination, being divided into six Divisions, the first whereof contains one hundred and thirty Families; Males, one hundred and ninety; Females, two hundred and eighty five: The second, one hundred and thirty four Families; Males, one hundred and eighty three; Females, two hundred and sixty seven: The third Division, Families, one hundred and forty six; Males, two hundred and twenty five; Females, three hundred and fifty seven: The fourth, one hundred and eight Families; Males, one hundred and sixty six; Females, two hundred and fifteen: The fifth, Families, one hundred and five; Males, one hundred and fifty six; Females, two hundred and ninety one: And in the sixth Division, one hundred and twenty two Families; Males, one hundred and fifty four; Females two hundred and fifty three: Total of Families, seven hundred

dred and forty five; Males, one thousand and seventy four; Females, one thousand six hundred and sixty eight: Total of examinable Persons, both Males and Females, two thousand seven hundred and forty two.

Antiquities and Things remarkable in this Parish.

Append. Hop.
Min. Pract. c.
16. sect. 2.

King James I. of Scotland having resolved to erect and indow publick Schools for the Service of his People, wrote to the *Franciscans* or *Grayfriars* at *Cologne* in *Germany*, to send him some of their Brethren Observantines to settle in *Scotland*. The Vicar General of the Order, in obedience with James's Desire, sent him *Cornelius* of *Zurick* See, a *Dutch* Man, of great Reputation, with divers of his Brethren, for whom the *Edinburghers* built a House of such Magnificence, that *Cornelius* refused to accept of the Priority; but being at last prevailed on by the Bishop of *St. Andrew's*, he settled a Community therein, who taught both Divinity and Philosophy till the Demolition of their Monastery anno 1559.

Coun. Regist.
vol. IV. f. 6.

This House was situated on the Southern Side of the *Grass-market*, almost opposite the *West-bow* Street; the Gardens whereof were, by an Act of the Town Council in the Year 1561, converted into a Burying-place; since which Time, for aught appears, it has been the common Cemetery for the City Parishes; and is so enriched with a Number of stately sepulchral Monuments, that it probably not only excels every Thing of its Kind in the open Air, but it vies with many Royal sepulchral Repositories: Nay, divers of its Monuments, for Magnificence, out-do those of many Kings which I have seen.

Near the Head or Western End of the *Cowgate*, on the Southern Side of the Street, stands the Chapel of *St. Mary Magdalen*, founded by *Michael Macquibean*, Citizen of *Edinburgh*, who being greatly afflicted with a grievous Distemper, and oppressed by Age, appropriated the Sum of Seven hundred Pounds, *Scotish* Money, towards erecting a charitable Foundation; to which divers Persons promised to contribute to accomplish so good and desirable a Work; but those Promises not being performed, *Janet Rynd*, Relict and Executrix to the said *Macquibean*, was thereby induced to accomplish the Design of her late Husband, by adding to his Request the Sum of Two thousand Pounds of the aforesaid Money; with which Sums, she erected on the Site of a ruinous Hospital, called *Maison Dieu*, an Hospital and Chapel for the Accommodation of a Chaplain and seven poor Men; and indowed the same with a perpetual Annuity of One hundred and thirty eight Marks, *Scotish* Money, arising out of certain Lands, and Tenements; and dedicated her new

Foundation to *Mary Magdalen*. And by her Deed of Settlement of the 12th *February* anno 1547, granted it in Trust to the Corporation of *Hammermen* in *Edinburgh*, with whom it still remains. This Chapel is at present occupied by the Conventry of this City, who meet occasionally therein.

Between *Bell's Wynd* and the Close denominated *the Back of Bell's Wynd*, is an ancient Chapel, which is still plainly to be seen by the Manner of its Construction, though now converted into a Dwelling-house; but at what Time, by whom erected, or denominated, I cannot learn. Be that as it will, it seems to be of a considerable standing by its Appearance.

In the Hospital Court, on the Western Side of the *Horfe-Wynd*, is a handsome Edifice, called *the Crafts Maiden Hospital*: And in a Close, on the Southern Side of the *Cowgate*, is the Hall belonging to the Company of *Tailors*, which has for many Years been employed for a Play-house.

The Streets of *Edinburgh* having been greatly incommoded by Markets held therein, for redressing of which, divers Acts of Parliament were made for removing the said Markets; pursuant to which, the Common Council appointed the *Nether Church-yard* in the *Cowgate*, (where the *Cordeners*, or *Shoe-makers* Shops were situated); and ordered the same to be inclosed and fitted up for a *Meal-market*, where it has continued ever since.

1587.
Coun. Regist.
vol. VIII. f.
102.

A TABLE of Customs or Duties payable at the Meal-market.

	s.	d.
For Market Room for each Sack of Meal	2	0
For Warehouse Room for each Sack of Meal	1	0
For weighing each Stone of Meal	0	1
For measuring each Load of Meal	1	0

On the Western Side of the *Fish-market* Close, is situate the *Fish-market*; the Customs whereof, and Stand-rents therein, I shall insert in the following Table.

A TABLE of the Customs and Stand-rents in the Fish-market.

	l.	s.	d.
For every Fish-board yearly, beside the Customs underwritten	6	13	4
For every Cobler's Board each Market-day	0	1	0
For every Load of Salmon, Mackerel, Kiling, Codlings, Turbot, Ling, Haddocks, Whittings, Trouts, Perches, Podlays, Scate, Spirlings, and Red-herrings	0	3	0
For every Burden of ditto	0	1	6

B b b

For

	l.	s.	d.
For every Burden of Cockles, Spouts, Mussels, Oysters, Buc- kies, Clams, and Wilks, - -	0	0	6
For every Burden of Lobstars and Partans - -	0	1	0
For every Dozen of dried Ki- ling, dried Salmon, and all o- ther dried Fishes - -	0	1	0
For each Load of Herrings, fresh or salt - -	0	1	0
For every Burden of Ditto, a- bove one hundred - -	0	0	8
For each hundred of ditto - -	0	0	6
For each Sole-fluke - -	0	0	4
For every Load of barrelled Herrings from <i>Glasgow, Green-</i> <i>ock</i> , or other Parts, for Sale	0	1	0
For every Barrel of Herrings, or other barrelled Fish, from <i>Leith</i> to the Country - -	0	1	0
For every Draught of Fish from <i>Leith</i> to the Country - -	0	4	0

MONUMENTAL INSCRIPTIONS.

When the *Grayfriars* Gardens were con-
verted into a Cemetery, over the Gate-way
was put the following Inscription.

Remember, Man, as thou goes by,
As thou art now, so once was I:
As I am now, so shalt thou be,
Remember, Man, that thou must die.

D. HUGO MACCULLOCH.

D. Hugo Macculloch a Pilton, eques,
ab antiqua familia Maccullorum a Catboll
oriundus; qui multa cum laude, nullius
dispendio, omnium verò approbatione, lau-
tam et opulentam fortunam sibi quæsit:
moribus gravis, societate innocuus, civis
requisissimus, pietate in Deum, honestè in
proximum, nemini secundus. Ac tandem
satur annorum, mensis Augusti 6to, 1688,
peregrinationis anno 70, fatis cessit; in cu-
jus memoriam, meritisque dilectissimæ con-
jugis D. Jannæ Gibson, Jac. Macculloch a
Piltoni, hæres ex affe extrui curavit.

Englified thus:

Sir *Hugh Macculloch* of *Pilton*, Knight,
descended of the antient Family of *Maccul-*
loch of *Catboll*; who with much Praise, to
the Disadvantage of none, but with the Ap-
probation of all, purchased to himself a
splendid and opulent Fortune. He was
grave in his Manners, harmless in Conver-
sation, sincere in Devotion, a faithful Friend
and pleasant Companion, a most just Citi-
zen, singular in Piety towards God, and
Honesty towards his Neighbour. At
length, full of Years, he died upon the sixth
Day of the Month of *August*, 1688, and of
his Pilgrimage the 70th Year. To whose
Memory, and for the Merits of his beloved
Spouse, Dame *Jean Gibson*, *James Maccul-*

loch of *Pilton*, sole Heir to the Defunct,
caused erect this Monument.

The following Inscription is said to have
been upon the Tomb-stone of *Gilbert Hall*,
Parson of *Kirkliston*.

Numen, oves, inopes, colui, docui, stabiliui,
Fido, alta, stabili, pectore, voce, manu;
Vitam, obitum, cœlum, fulsit, celebrat, re-
feravit,
Gratia, vita, obitus, firma, beata, filens.

S. D. J. M. H. L. G.

Jacobus Moravius, ex antiqua *Morav.* a
Philiphaugh, familia ortus, civitate *Edin-*
burgena donatus, in ea mercaturam felici-
ter exercuit, et Magistratus honorem sæpi-
us meruit, *Gulielmi Maule*, civis præclari
filiam *Bethiam* uxorem duxit, ex qua plu-
res liberos suscepit: et ex iis tres filios su-
perstites reliquit, cum una filia, *Jacobo Eli-*
sæo, civi honorifico, nupta.

Opum non tam custos, quam oconomus
honestissimus; in literatos munificus, in e-
genos, insigni charitate, beneficus. Sic
piam vitam placida secuta est mors, prid.
kal. Maii, anno æræ Christi MDCLXIX.
ætatis suæ quarto sexti supra decimum lu-
stri; optimo charissimoque patri plorantes
filii, *Jacobus* eques, *Rob.* et *Pat. Moravii*
parentârunt.

That is,

Stay, Passenger, and shed a Tear,
For good *James Murray* lieth here:
He was of *Philiphaugh* descended,
And for his Merchandize commended.
He was a Man of a good Life,
Marry'd *Bethia Maule* to's Wife:
He may thank God that e'er he gat her,
She bore him three Sons and a Daughter.
The first he was a Man of Might,
For which the King made him a Knight:
The second was both wife and wylly,
For which the Town made him a Bailly:
The third, a Factor of Renown.
Both in *Campbire* and in this Town.
His Daughter was both grave and wise,
And married was to *James Elies*.
He died 30th *April* 1649, of his Age the
79th Year.

ON GEORGE HERIOT'S Tomb.

Viator, qui sapias, unde sis, quid sis,
quidque futurus sis, hinc nosce.
Vita mihi mortis, mors vitæ janua facta est;
Solaque mors mortis vivere posse dedit;
Ergo quisquis adhuc mortali vesceris aura,
Dum licet, ut possis vivere, disce mori.

G. H. 1610.

Passenger, who art wise, hence know
whence you are, what you are, and what
you are to be.

Life, Gate of Death; Death Gate of Life
to me.

Sole Death of Death gives Life eternally;
Therefore

Therefore whoever Breath draws from the
Air,
While live thou mayst, thyself for Death
prepare.

WALTER YOUNG.

Here lieth *Walter Young* Merchant in *Edinburgh*, and *Isobel Wightman* his Spouse, with several of their Children: As also *Marjory Ker* his second Spouse. He died 20th *March* 1685, being the 74th Year of his Age.

Here lyeth also *Mary Kirland*, Spouse to *Thomas Young*, late Town Thesaurer of *Edinburgh* (afterward Bailie of *Edinburgh*, now *Sir Thomas Young* of *Rosebank*) and Son to the said *Walter Young*, with several of their Children. She died the 20th *February* 1686, being the 29th Year of her Age.

ANNE RAE.

Hic jacet *Anna Raya*, uxor *Joannis Carstairs*, foemina lectissima, quæ conjugii charissima vixit, et magno omnium bonorum luctu et desiderio, morte immatura prærepta est, anno Dom. 1632, mensis Julii 14, ætatis verò 29.

That is,

Here lyes *Anne Rae*, Spouse to *John Carstairs*, a most choice Woman, who lived most dear to her Husband, and was reft away by untimely Death, to the great Grief and Sorrow of all good People, in the Year of our Lord 1632, *July* 14th Day, and of her Age the 29th Year.

JOHN MORISON the Father and ISAAC MORISON the Son.

Hunc et *Joannes Morisonus* pater; atque hunc *Isaacus* est natus conditus ad tumulum.

Ambo opibus natis atque urbis honoribus aucti,

Prudenter vitam, mortem oblere piè.

Natus obiit juvenis, Balivus in urbe secundum;

At pater ipse senex, ævo et honore satur.

That is,

John Morison the Father, and *Isaac* the Son, are both buried at this Tomb.

Both rich in Wealth and Honour of the Town,

With Issue, to their Glory and Renown.

In Wisdom great they spent their passing Days,

Holy at Death, to their immortal Praise.

Son, Youth, and Bailie twice, went off the Stage,

The Father full of Honours and of Age.

Here lyeth *Harie Morison*, youngest Son to *John Morison*. He was Bailie of this Burgh, died the 1st of *August* 1623, the 39th Year of his Age.

Here also lyeth *Sir John Morison*, Knight,

Oye (Grandson) to the said *John*, and Son to the said *Isaac*. He died the 29th Year of his Age, the 6th of *July* 1625.

ALEXANDER MORISON de Prestoungrange.

Hic jacet honorabilis vir Magister *Alexander Morison* de *Prestoungrange*, unus Senatorum supremi senatus, qui obiit 20 Septembris, anno Domini 1631, ætatis suæ 52.

That is,

Here lyeth an honourable Man, Mr. *Alexander Morison* of *Prestoungrange*, one of the Senators of the College of Justice, who died the 20th of *September*. A. D. 1631, and of his Age the 52d Year.

On one LAING, who died anno 1614.

Quam natura dedit, mortali corpore clauso,

Dum spes exilii sustinet una moras,

Vita fuit, nec vita fuit: mors nescia mortis;

Possè dedit vita jam meliore frui.

That is,

The Life me Nature gave; while pent in Clay,

Hopes of Escape supporting the Delay.

It was not Life, Death ignorant of Death,

To me a Life far better did bequeath.

MARGARET SOMERVEL.

Sacræ hic conduntur reliquæ perennantis famæ *D. Margaretæ Somervel*, conjugis quondam lectissimæ ac dilectissimæ *D. Georgii Stuart*, in suprema curia advocati, quæ corporis ergastulo feliciter emancipata est, xvii calendas (the Month gone by the Stone's being broken) MDCLXIII.

Sit licet urna brevis, tamen hoc *Lucretia* cippo,

Elizabetha, *Abigail*, *Magdalis*, *Anna* jacet.

Margaris Eois pretiosior omnibus una,

Sancta, decens, humilis, provida, pulchra, proba.

That is,

Here are interred the Remains of *Margaret Somervel*, of lasting Memory, late beloved Wife to Mr. *George Stuart*, Advocate before the Supreme Court; who was happily set at Liberty from the Prison of the Body, on the 17th of the Kalends of in the Year 1663.

Though this Grave short, yet underneath this Stone,

All female Virtues lye, unite in one;

An *Marg'rit* she, more valuable far,

Than all the Jewels in *East Indies* are:

For holy, decent, humble as was she,

Provident, comely, good to great Degree.

On RICHARD DOBIE.

Bis quæstor, toties ædilis, tum quater urbis
Prætor, senas consul Olympiadas.

Confiliis

Conſiliis juvi, illustravi, cenſibus auxi,
Hanc magis ecce meis plus & amavi ocu-
lis.

Obiit 20 Novembris, anno Dom. 1612,
ætatis LXIII.

Engliſhed thus.

Twice Treafurer, twice Dean of Gild I
was,
To *Edinburgh's* fair Town, and publick
Cauſe;

Old Bailly likewiſe, two Years twice was I;
Theſe did my Prudence, Care, and Gifts
deſcry.

And of full thirty Years, for all the Space,
I was a Counſellor, with faithfull Grace.

By Counſel, and with Riches, I made ſhine
The Glory of the Town, while Life was
mine:

Yea, to my proper ſelf, I did prefer
What to the City's Honour did refer.

He died the 20th November anno 1612,
of his Age, 63.

On JOHN NASMYTH, anno 1614.

Ars mihi, vim contra fortunæ, tartara
contra,

Eſt data, divino munere, firma Fides:
Grata fuit Regi cœlorum hæc, illa Mo-
narchiæ

Supremo, internis; plura ego nec volui.

That is,

'Gainſt Fortune's Frowns, my Art, Faith
firm and ſure,

'Gainſt Hell, by divine Gift, me did ſecure.
This pleaſed God, the Earth's great Sove-
reign;

Further to wiſh, I judg'd it very vain.

On another NASMYTH.

Here lies a Flow'r, that, with the too
much Haſte
Of Fates, cut down, did in her Bloſſom
waſte.

In whoſe untimely Fall, fond Man may ſee,
Youth, Vigor, Strength, what mortal
Things they be.

What graver Eye contemplating thy Duſt,
O happy *Nasmyth*, after thee, will truſt
The Smiles of Nature? or, preſume to
ſay,

This well-ſet Morn foreſigns a hopeful
Day.

O may thy Grave, untainted like thy Years,
Grow ever green; bedew'd with Siſters
Tears:

Who envies not thy Good, but grieves to
be,

By ling'ring Life ſo long diſjoin'd from thee.

ROBERTUS DENYSTON.

En nil orbis quod perennet poſſidet.
Robertus iſto conditus ſub marmore, lega-
tus olim Denyſtonus Regius; per luſtra li-
bertatis ad Belgas fuit ſex Scoticanæ aſſertor.
Idem ad exteros Anglos, Iberos miſſus eſt cum

gloria, fidusque patriæ, principi erat a con-
ſiliis, ætate plenus, quinque ter luſtris tri-
bus annis peractis, cœlitem vitam æolit.

That is,

Behold the World poſſeſſeth nothing long.
Sir *Robert Denyſton* lies here intomb'd: He
was ſometime an Ambaſſador from the King;
and for thirty Years Conſervator of the *Scot-
tiſh* Privileges in *Holland*. He was alſo ſent
to; and behaved with Glory among the *Eng-
liſh* and *Spaniards*; true to his Country,
Counſellor to his Prince: And, being full
of Days, having lived 78 Years, he now li-
veth in the Heavens.

ALEXANDER BETHUNE.

Hic jacent exuvix Alexandri Bethune
de Longhirdmonſton, ſigneto Regio ſcribæ,
ex priſca et præclara familia de Balfour or-
tum habentis. Vir erat prudentia, pietate
et induſtria, haud leviter imbutus. Ex ux-
ore ſua, Marjorana Kennedie, cum qua tri-
ginta annos conjunctiſſimè vixit, numero-
ſam ſobolem ſuſcepit; ex quibus ſeptem
mares, cum una filia et duobus nepotibus,
hic una tumulantur. Obiit 9. Novembris
1672; ætatis ſuæ 57.

That is,

Here lyes the Body of *Alexander Bethune*
of *Longbirdmonſton*, Writer to the Signet,
deſcended of the antient and honourable Fa-
mily of *Balfour*. He was a Man of great
Prudence, Piety, and Induſtry. On his
Wife, *Marjory Kennedy*, with whom he lived
moſt lovingly thirty Years, he begat a nu-
merous Iſſue; of whom, ſeven Sons and one
Daughter, and two Grand-children, are all
here buried. He died the 9th November
1672, in the 57th Year of his Age.

Amidſt two Nephews, and ſeven Sons, here
lyes

One of good Birth, was prudent in his Ways:
And tho' God bleſt him in his Law-Pro-
feſſion,

To Conqueſt, Riches, and a large Poſ-
ſeſſion.

Himſelf he never valued by theſe Things,
But by the Grace that Chriſt's Salvation
brings.

So he, by Chriſtian Prudence, did acquire
More than the World's Gain, or the Earth's
Deſire.

Of godly, ſober, juſt, the bleſſed Name,
And left unto Poſterity this Fame:

Juſt doing, ſpeaking, writing, was his Glorie,
Above all Elogies of worldly Storie.

ALEXANDER MILLERUS.

Alexandro Millero, Jacobi Mag. Brit.
Franciæ, &c. Regis ſartori ad finem vitæ,
primario, hæredes. F. c. vixit annis 57.
Obiit

Obiit, principis et civium luctu decoratus,
anno 1616. Maii 2.

That is,

To *Alexander Mill*, Master Taylor to
James, King of Great Britain, France, &c.
to the End of his Days, his Heirs caused
build this Monument. He lived 57 Years,
and died with honourable Testimonies of the
Prince's and Subjects Grief. May 2. 1616.

JACOBUS HARLAY.

Magistro Jacobo Harlaio, signatori Re-
gio à codicillis forensibus, hæredes hoc mo-
numentum posuerunt. Vir fuit absq; fūco
pius et absq; fastu doctus. Vivere desiit
1617, August. 28. ætatis vero 44. Me-
mento mori.

That is,

To Mr. *James Harlay*, Keeper of the
King's Privy Seal, his Heirs erected this
Monument. He was a Man godly without
Guile, and learned without Pride. He died
1617, 28 August, and of his Age the 44th
Year. Remember to die.

JOANNES MILNE.

Bina quater ac trina post repetita lustra
peracta, vitæ hujus lubricæ, hic dormienti
molliter, Joanni Milne, Regio de Milneo-
rum stirpe sexto protofabro murario, artis
architectonicæ eximie perito, artificum E-
dinorum sæpius archidecano, publicis in
regni comitiis metropolis non semel delega-
to, considerato, fido, viro animi dotibus
supra sortem exulto, corporis forma spe-
ctabili, probò, cordato, pio, omnibus colen-
do; monumentum hoc quaecunq; Rober-
tus ex fratre nepos, patruo virtutum et offi-
cii æmulus successor, gratitudinis ergo, po-
suit. Obiit 24. Decembris anno 1667, æta-
tis suæ 56.

That is,

After four times two and three lustres,
ended this frail Life to *John Milne*, here
softly sleeping; the King's sixth Master-
Mason, of the Race of *Milne*; exquisitely
skilled in Architecture; often Deacon Con-
vener of the Trades of *Edinburgh*, and di-
vers times Commissioner to the Parliament
for the Metropolitan; considerate and faith-
ful, adorned with the Gifts of the Mind a-
bove his Degree; of a handsome Make,
good, courageous, godly, and esteemed by
all. This Monument, such as it is, *Robert*,
his Nephew, by his Brother, Successor to
his Uncle in Office, and Imitator of his Vir-
tues, erected, from a Principle of Gratitude.
He died the 24th December 1667, and in the
56 Year of his Age.

Great Artisan, grave Senator, *John Milne*,
Renown'd for Learning, Prudence, Parts,
and Skill;

Who in his Life, *Vitruvius' Art* had shown,
Adorning other Monuments; his own
Can have no other Beauty than his Name;
His Memory and everlasting Fame.
Rare Man he was, who could unite in one,
Highest and lowest Occupation:
To sit with Statesman, Counsellor to Kings,
To work with Tradesmen, in mechanick
Things.

Majestick Man, for Person, Wit, and Grace,
This Generation cannot fill his Place.

[And a little lower on the Tomb.]

Reader, *John Milne*, who maketh the fourth
John,

And, by Descent from Father unto Son,
Sixth Master-Mason, to a Royal Race,
Of seven successive Kings, sleeps in this
Place.

Memoriæ Patris sui,

Jacobi Borthwick à Stow, familias de
Cruixton filii legitimi, Pharmacopœi ce-
leberrimi, J. B. Primogenitus M. M.
J. P.

That is,

To the Memory of his Father,
James Borthwick of Stow, lawful Son to
the Family of *Cruixton*, a celebrated Surgeon
and Apothecary, *James Borthwick*, his el-
dest Son, from a sorrowful Remembrance,
hath erected this Monument.

GULIELMUS COUPER.

Hic conditum est corpus Gulielmi Cou-
per, candidæ casæ episcopi et capellæ regiæ
decani; qui postquam quinquaginta tres an-
nos vixisset, et triginta tres evangelium mul-
ta cum spiritus virtute prædicasset; et opera
theologica non pauca, pietatis et eruditionis
testes perennes scripisset, quievit à labori-
bus, 15. Februarii 1619.

That is,

Here is interred the Body of *William Cou-
per*, Bishop of *Galloway*, and Dean of the
Chapel Royal; who, after he had lived 53
Years; and had preached the Gospel with
much Power of the Spirit for thirty three
Years, and had written not a few Works
in Divinity, the lasting Witnesses of his Pie-
ty and Learning, rested from his Labours
the 15th of February 1619.

GULIELMUS & CLEMENS LITTLE.

Memoriæ proavi sui paterni, Gulielmi
Little à superiori Liberton, Edinburgi
quondam præfecti, pronepos posuit, 1683.

Hic etiam, apud fratrem, Magister Cle-
mens, consule natu major, in metropoli
commissarius, manet resurrectionem.

Qualis at ille Clemens, quam magnus et
ille Littelus,

Hoc cives, illud Bibliotheca docet.

C c c Nobile

Nobile par fratrum! meritis certatur utrinque;

Metropolin, musis, hic fovet, ille favet.

That is,

To the Memory of his great Grandfather, on the Father's Side, *William Little of Over Liberton*, sometime Provost of *Edinburgh*, his great Grandchild erected this Monument, 1683.

Here also beside his Brother, Mr. *Clement*, elder than the Provost, Commissary in *Edinburgh* the Metropolitan, waits the Resurrection.

What *Clement* was, how great that *Little* were,

This Citizens, that Bibliothecæ, declare.
This noble Pair of Brethren did contend,
In Merits great, each other to transcend.
For both did good; this to the Mother

Town,

That to the Muses, whence came their Renown.

ALEXANDER FORRESTER.

Venerabili viro, Alexandro Forrester, ad fanum sancti Quintigerni pastori Evangelico, patri suo, ex vetusta domo Forresterum Gardennensium orto; *Cristinæ Macneil*, ejus per annos quinquaginta conjugis, matri suæ, filiisque suis octo, filiabus tribus ex conjugis suæ *Rachaelæ Balfour* susceptis, atque hic sitis; atque sibi suisque sacrum constituit *Gulielmus Forrester*, ad signetum regium scriba, anno Domini MDCCI.

That is,

To the venerable Mr. *Alexander Forrester*, Minister of the Gospel at *St. Mungo's* Church, his Father descended of the ancient House of the *Forresters* of *Garden*; to *Christine Macneil*, his Wife, for the Space of fifty Years; his Mother, and his own eight Sons, and three Daughters, begotten on his Wife, *Rachel Balfour*, and buried here; and to himself and Kindred, *William Forrester*, Writer to the King's Signet, has erected this Monument.

D. GEORGE MACKENZIE.

Reliquiæ sacræ D. *Georgii Mackenzie* à Valle Rosarum, equitis aurati, Simonis fil. Caleni comit. de Seafort nepot. natus æræ Christi anno MDCCXXVI. Per annos xxxi. in foro supremo causarum patronus, ab anno MDCLXXVII. regius advocatus, regibus *Carolo II.* et *Jacobo VII.* à secretioribus consiliis: patriæ decus, religionis vindex, justitiæ propugnator, juris regii assertor strenuus et indefessus. Collegii juridici, sive jurisprudentiæ summam, sive eloquentiam eximiam, sive instruenda jurisconsultorum bibliotheca curam et locupletanda munificentiam spectes, ornamentum impri-

mis illustre: comitatus exemplar, eruditorum *Mæcenæ* eruditissimus, omnibus charus, si perduellium colluviem excipias.

A quorum violentia patriam patriæque patrem, cum ore, cum calamo, acerrimè vindicavit; virulentiam jure et justitia temperavit, ferociam rationis viribus retudit, ac tantum non domuit. Monarchiæ genius tutelar, fama, eloquio, morum integritate, factis et scriptis, clarus; ecclesiæ, regi, reipublicæ, liberis et amicis vixit. Maii die octavo, anno 1691, in domino obiit desideratissimus.

ELIZABETH GILLESPIE.

Memoriæ charissimæ conjugis *Elizabethæ Gillespie*, D. *Georgii Gillespie*, ecclesiæ *Edinburgensæ* presbyteri eruditissimi, filiæ humanioribus literis longè supra sexum exultatæ: quæ nullam enixa filiam, septimi in partu filii, fatis concessit, quinto die Martii 1681, ætatis verò 33, monumentum hoc qualecunque exstrui curavit maritus *Jacobus Oswald*, mercator *Edinensis*. Ubi tua, ô mors, victoria? ubi tuus, ô sepulchrum, aculeus? Nota, aculeus morti, victoria sepulchro, debet attribui.

That is,

To the Memory of my dearest Wife, *Elizabeth Gillespie*, Daughter to the learned Mr. *George Gillespie*, Minister at *Edinburgh*, who was learned far above her Sex: And having brought forth no Daughter, died in Labour of the seventh Son, 5th March 1681, and of her Age the thirty third Year. Her Husband, *James Oswald* (afterward Sir *James Oswald* of *Fingleton*) Merchant in *Edinburgh*, caused erect this Monument. O Death, where is thy Victory? O Grave, where is thy Sting? Note, The Sting should be attributed to Death, and Victory to the Grave.

MICHAEL YOUNG and ROBERT YOUNG.

Piæ memoriæ D. *Michaelis Young*, medicinæ doctoris clarissimi, D. *Roberti Young*, evangelii præconis fidelissimi; quorum hic mense Januarii 1677, ille Octobris 1675, fatis functi sunt. Eorumque sororis dilectissimæ *Mariæ Young*, quæ vitam cum morte commutavit, Feb. 1679, monumentum hoc, qualecunque, *Thomas Kinkaid*, chirurgus et pharmacopœus *Edinburgenus*, maritus *Mariæ* superstes, poni curavit.

Tandem hic recubat ipse *Thomas Kinkaid* ab *Auchinreoch*, qui chirurgiam et pharmaciam hac in urbe novem lustra, non minori cum successu quàm peritia, exercuit. Moribus fuit probus, actionibus prudens et honestus, dictis ingenuus, absque fūco; unde bonis omnibus pergratus, vixit; opes, famam, decus, amicosque comparavit; et liberis septem, una ex conjugis, cum quindecim nepotibus, relictis, plurimum desideratus

deratus obiit idibus Februarii, anno Dom. 1691, ætatis suæ 72.

Chirurgus, medicus, pastor, matrona jacent hoc

Expertus, charus, fidus, honesta loco :

Hæc forma et virtute placens, fuit hic pietate,

Doctrina, ille alius dextra et ingenio.

Non virtus, pietas, doctrina, peritia fiunt

Fata ; sed extremum dant sine morte decus.

That is,

To the pious Memory of Mr. *Michael Young*, Doctor of Physick ; of Mr. *Robert Young*, a faithful Preacher of the Gospel. The former died in the Month of *January* 1677, and the latter in that of *October* 1675 ; and to the Memory of their most beloved Sister, *Mary Young*, who exchanged Life for Death in *February* 1679, *Thomas Kincaid* Chirurgion and Apothecary at *Edinburgh*, surviving Husband to the said *Mary*, caused this Monument to be set up.

At length here lyes the said *Thomas Kincaid* of *Auchinreoch*, who practised Surgery and Pharmacy in this City for the Space of forty five Years, with equal Skill and Success. Good in his Life, prudent and honest in his Actions, ingenuous, and without Guile in his Words ; which occasioned his being beloved by all good Men ; whereby he acquired Wealth, Fame, Honour and Friends : And having left seven Children by one Wife, with fifteen Grandchildren, he died much lamented, on *February* the 18th, in the Year of our Lord 1691, and of his Age the 72.

Chirurgion skilful, Pastor faithful too,
Famous Physician, loving Wife as due,
Are all here met as in a common Grave,
When neither Art or Learning could them save.

Nor Piety, nor Modesty prevail,
Them to rescue, when Death did them assail.
All Offices of Life they served so well,
Their Fame fills Earth, their Souls in Heaven dwell.

D. ALEXANDER HENDERSON.

Memoriæ sacrum D. Alexandri Hendersoni, Regi à sacris, Edinburgensis ecclesiæ pastoris, ibidem academici rectoris, academici Andreanæ alumni, amplificatoris, patroni.

Qui contra grassantes per fraudem et tyrannidem prælatos, libertatis et disciplinæ ecclesiasticæ propugnator fuit acerrimus ; superstitionis juxta ac succrescentium sectarum malleus, religionis cultusque divini purioris vindex et assertor constantissimus : in quæ, cum omni cura et cogitatione incumbens, assiduos, cum in patria, tum in vicino Angliæ regno, labores ecclesiæ utiles, sibi gloriosos exantlavit, extremum spi-

ritum effudit, die 19 Augusti, 1646, ætatis 63.

That is,

To the sacred Memory of Mr. *Alexander Henderson*, Chaplain to the King, Minister at *Edinburgh*, and Principal of the College there. He was educated at the University of *St. Andrew's*, to which he was a bountiful Patron and generous Benefactor.

He was a most diligent Defender of the Freedom and Discipline of the Church, against the Fraud and Tyranny of furious Prelates ; a Suppressor of Superstition and growing Sectaries, a Maintainer and constant Assertor of Religion and the purest Worship of God : Upon which, when he had exerted himself with Care and Judgment, and laboured indefatigably both in this Kingdom and that of *England*, for the Service of the Church and his own Honour, he departed this Life on the 19th of *August* 1646, and of his Age 63.

On the Western Side of the Monument.

Reader, bedew thine Eyes,

Not for the Dust here lyes,

It quicken shall again,

And ay in Joy remain :

But for thyself, the Church and State's,

Whose Woes this Dust prognosticates.

On the Southern Side.

Hanc quisquis urnam transiens spectaveris,

Ne negligenter aspice ;

Hic busta magni cernis Hendersoni,

Pietatis hoc bustum vides.

That is,

No negligent Spectator may

Look on this Tomb at all ;

This Tomb of greatest Henderson,

And Duty we may call.

On the Northern Side.

Vir fuit divinus ac planè eximius, et omni virtutum genere, tum pietate, imprimis eruditione, prudentia illustris ; Regi serenissimo et utriusque regni ordinibus juxta charus ; cui hoc monumentum, pietatis ergo, erigendum curavit Georgius Hendersonus, ex fratre nepos, ipse sibi eternum in animis bonorum reliquit.

That is,

He was truly a godly and great Man, illustrious in Virtue, Piety, Learning and Prudence ; equally beloved by the King and States of both Kingdoms : To whom, *George Henderson* his Nephew by his Brother, caused erect this Monument, as a sincere Token of his Affection ; the decess'd having left his own Memorial in the Minds of all good Men.

KATHARINE TOD.

Memoriæ charissimæ suæ conjugis, Catharinæ Tod, quæ decessit 27 Januarii 1679, monumentum hoc exstrui curavit maritus

maritus superstes, Walterus Cheissie de Dalry, mercator et civis Edinburgenus.

To the Memory of his dear Wife *Katharine Tod*, who died on the 27th of *January* 1679, *Walter Cheissie of Dalry*, Merchant and Citizen of *Edinburgh*, her surviving Husband, caused this Monument to be erected.

ELIZABETHA PATON.

Memoriae charissimæ conjugis, Elizabethæ Paton, Joannes Cunningham ab Enterkin, sacræ Regiæ Majestatis, et ad ipsius signetum scriba, monumentum hoc extruendum curavit.

Uxor amans, fecunda parens, lectissima sexus,

Fœmina grata suis illachrymata viro;
Quam pietas, quam casta fides, quam splendida virtus

Ornarunt, pulchrum cuncta creantis opus.
Omnibus æqua, animo constans; dum vixit, egenis

Larga manu, fraudis nescia, plena boni:
Atque puerperii decies perpessa labores,
Conjugii linqens pignora quina sui.

Hoc tumulo cinis est, post lustra octona repositus,

Læta anima ad Christum, sanguine lota redit.

Obiit 10 Feb. 1676, ætatis suæ 40.

ultima semper
Expectanda dies homini, dicique beatus
Ante obitum nemo, supremaque funera debet.

That is,

To the Memory of his dear Wife, *Elizabeth Paton*, *John Cunningham of Enterkin*, Writer to the King's sacred Majesty, and to his Signet, caused this Monument to be erected.

A loving Spouse, and fruitful Parent, who
Was Choice of Sex; her Husband's Grief
also;

Her Piety and chastest Faith, with Splendour

Of purest Virtue, fairest sure did render;
Kind, constant Mind to all, and to the Poor
Lib'ral, ingenuous, full of Goodness pure.
Twice five times suffered she the Child-bed
Pains,

Yet of her Children only five remains.
Short forty Years confin'd her to this Dust,
Her blessed Soul with Christ among the
Just.

She died on the 10th of *February* 1676.
in the fortieth Year of her Age.

Man, ever must, expect his latter End,
His bypast Life he would well commend;
Therefore we may no Person happy call,
Before his Death, and closing Funeral.

JACOBUS CHALMERS.

M. P. Q. S.

Jacobus Chalmers, à *Chalmers* de eodem, per familiam de *Aschintrees*, legitime oriundus; in supremo foro juridico, subacti ingenii, integerrimus causarum patronus; trigamus, uxorem ducens primam, *Margaretam Nicolson*, *Jacobi Nicolson* à *Cockburnspath* equitis, ex fratre *Alexandro*, in prædicto foro, causidico neptem. Secundam, *Ægidiam Sibbald*, *Davidis Sibbald* de *Kipps* filiam. Tertiam, *Katharinam Adams*, *Caleni Adams*, ecclesiæ *Enstruther Orientalis*, pastoris pientissimi natam; ex unoquoque matrimonio, liberos relinquens, integerrimæ famæ, sexagenarius pene, febris æstu abreptus, fatis cessit. III. cal. Decemb. anno Dom. MDCLXXV. Monumentum vero hocce qualequale, pietatis ergo, *Thomas*, thalami primi protogenus, extrui curavit.

Falleris O lector, si sesquipedalia verba
Expectes, nobis usque modesta placent.
Quantula vita hominis! morimur dum vivimus cheu!

Vis hominis vitam noscere, disce mori.

That is,

James Chalmers, from *Chalmers* of that ilk, lineally descended by the Family of *Aschintrees*; an Advocate before the supreme Court of Justice, of great Integrity and sound Judgment. He was thrice married, having had for his first Wife, *Margaret Nicolson*, Niece to Sir *James Nicolson* of *Cockburnspath*, Kt. by his Brother *Alexander*, Advocate in the said Court. For his second Wife, *Giles Sibbald*, Daughter to *David Sibbald* of *Kipps*; the third, *Katharine Adams*, the godly Minister of *Enstruther Easter*; leaving Children of each Marriage. He died with great Reputation, near the sixtieth Year of his Age; snatched away by a Fever, the 29th of *November* 1675. In Testimony of his Affection, *Thomas*, his eldest Son, caused this Monument to be set up.

You erre, O Reader, if you should expect

Big swelling Words, I modestly respect.

How short's Mans Life! 'las, while we live we die:

To know Man's Life, keep Death still in your Eye.

ARCHIBALDUS TOD.

Quod caducum habuit, hic deponi iussit
Archibaldus Tod, urbis *Edinburgenæ* à natalibus civis; vir procul omni fūco, et sine fastu probus, quater matrimonio junctus; at ex primatantum conjuge *Helena*, filia *Joannis Jackson*, civis præclari, unicam natam superstitem reliquit *Katharinam*, uxorem *Davidis Wilkie*, civis honorifici et hoc anno 1656 ædilis. Ipse vero, seu pace juvante, seu

seu bello adversante, pro patria et urbe semper idem, magistratus honorem æque meruit. Ter prætor, bis ædilis, septies urbis præfectus, et per sex lustra BENIVOLUS. Obiit multum desideratus 5to idus Februarii anno MDCLVI. ætatis LXXI.

That is,

Archibald Tod, by Birth a Citizen of *Edinburgh*, ordered his Remains to be deposited in this Place. He was pious, and free from Guile and Pride. He was married four times, but left only one Daughter, *Katharine*, Wife to *David Wilkie*, an honourable Burgeſs, and Dean of Gild this present Year 1656. But Provost *Tod*, both in War and Peace was still the same, for the Service of his Country and City; and in all Emergencies, justly deserved the Magistracy; having been thrice Bailly, twice Dean of Gild, and Counsellor for six Lustræ, or thirty Years. He died much lamented, on the 9th of *February* anno 1656. and of his Age the 71st Year.

Here worthy Provost *Tod* doth ly,
Who died, and yet did not dy,
His golden Name, in Fame's fair Roll,
Claims the Liferent Tack of a Soul.
Edinburgh, in this Man alone,
Lost both a Father and a Son.
For twice three Lustræ, that he sat
In Council, for her publick State;
For two Years Care of late, which more,
Avail'd, than fifty twice before.
For the great Pains he then did take,
To avert the Cry, Kill, Burn, and Sack:
Sure he deserves a Tomb of Jeat,
Or one of pureſt Porphyrite:
And every House should bring a Stone
To build him a Mausoleon.
But outward Pomp, he still did fly,
And thus, in single Duſt would ly.

JOANNES JACKSON.

Civi probo, ter questori, Joanni Jacksono, ex hac vita evocato 29. Maii, anno Dom. 1606, ætatis suæ anno 63. climacterico, amoris et gratitudinis ergo, unicus filius poni curavit.

That is,

To a good Citizen, thrice Treasurer, *John Jackson*, called out of this Life 29th *May*, in the Year of our Lord 1606, and of his Age the 63d, being Climacterick. In Token of his Love and Gratitude, his only Son caused build this Monument.

GILBERTUS PRIMEROSIUS.

Gilberto Primerosio, Jacobi et Annæ Magnæ Britanniae, Franciæ, et Hiberniæ R. R. archichirurgus, hæredes poni curarunt; vixit feliciter annos 80. Archichirurgus regius fuit, ad supremum vitæ terminum. Obiit diem, principis et populi publico luctu decoratus, anno Dom. 1615. die 8. Aprilis.

Sic obiit pleniusque annorum et plenus honorum,

Vixi dum volui, volui dum Christi volebas,
Sic nec vita mihi, mors nec acerba fuit.

That is,

To *Gilbert Primrose*, chief Surgeon to *James* and *Anne*, King and Queen of *Great Britain*, *France*, and *Ireland*, his Heirs erected this Monument. He lived happily 80 Years: To the End of his Life he was chief Surgeon to the King; and died adorned with Testimonies of publick Sorrow, from Prince and People, in the Year of our Lord 1615. the 8th Day of *April*.

Gilbert Primrose, shut his mortal Eyes,
Full Fraught with Honours, as with Length of Days:
My Will and Life to Christ I still resign'd,
Hence, neither Life nor Death, did bitter find.

JOANNES BYRES.

Viro verè probo, civi optimo, Joanni Byres de Coites, urbis hujus annos ex ordine sex Questori; duos balivo et ex balivo; sex ædili, et duos pro præfecto; familiare hoc monumentum posuerunt uxor A. S. et liberi. Obiit multum desideratus. 8. cal. Decemb. anno salutis MDCXXIX. ætatis suæ LX.

That is,

To a Man truly good and excellent Citizen, *John Byres* of *Coites*, six Years together, Treasurer of this City, two Years City Bailly, and Suburband Bailly, six Years Dean of Gild, and two Years old Provost. His Wife *A. S.* and Children have erected this homely Monument. He died much lamented on the 24th *November*, in the Year of Christ 1629. and in the 60th Year of his Age.

On ELIZABETH HAY.

Let no dry Eyes Indifference confess,
When ev'n a Stone doth so just Grief express.
Here the best Wife, Mother, and Friend,
doth ly,
In whom, none but herself, a Fault could spy.
Here, Grief and Love show, in their noble Strife,
Him, a kind Husband, her a matchless Wife.
She to her Husband, herself, in Life resign'd,
And here, he her to Heaven hath consign'd.
Who died 16th *November* 1672. her Age 42.

Memoriæ sacrum

Viri optimi Georgii Foulis à Ravilſtoun, ex nobili familia Colontonia, rei monetariæ regiæ magistri, civitatis *Edinburgenæ* prætoris, ac per annos 16. senatoris; qui in omni munere publico privatoque egregia

D d d

fide

fide et integritate; in florentis familiæ splendore et fortunæ amplitudine, eximia animi modestia, bonis omnibus charus: nemini etiam improbo invisus; ad maturam usque senectutem provectus, honestam vitam, pia morte, feliciter clausit. 28. Maii, 1633. ætatis 64.

Mortalitatis exuvias, in novæ vitæ spem, hic deposuit, una cum charissima conjuge, Joneta Bannatina, cum qua 29 annos vixit, in summa concordia. Reliquit filios superstites 6, totidemque filias; præmortuos 5 filios et filiam, in regnum cœleste, ante ambulones habuit.

That is,

Consecrated to the Memory of the excellent *George Foulis* of *Ravilston*, of the noble Family of *Colinton*, Master of the Royal Mint, Baili of the City of *Edinburgh*, and sixteen Years a Counsellor; who, in every Charge, both private and publick, was of eminent Faithfulness and Integrity; and amidst the Splendor of his flourishing Family, with the Greatness of his Fortune, of so great Modesty and Moderation of Mind, that he was dear to all good Men, hateful to none, no, not to the wicked. Having arrived to a good old Age, he happily closed his honest Life with a godly End, May the 28th 1633. and of his Age the 64th.

Here he laid down the Spoils of his Mortality, in Hope of a new Life, together with his dear Wife *Jonet Bannatine*, with whom he had lived twenty nine Years, in the greatest Concord: He left surviving six Sons, and as many Daughters; and had five sons and a Daughter, who departed this Life before him.

Felicissimæ memoriæ clarissimorum virorum, ingenuorum adolescentium, innoxiorum infantium, lectissimarum foeminarum, sanctissimarum matronarum, hic sparsim recubantium, gloriosum Servatoris Domini nostri Jesu Christi adventum expectantium, et generalem universæ carnis resurrectionem in Domino opperientium, Dominus Thomas Henrysonus, eques senator, vi calend. Octobris posuit mœstissimus, an. Dom. MDCXXXVI.

D. Edwardi Henrysoni, J. U. D. patris amantissimi, Q. senatoris et J. consistorio Edinburgensi juridici; D. Helenæ à Swinton, matris charissimæ, trium sororum uterinarum dilectissimarum, D. Agnetis et mariti digniff. D. Jacobi Foulis, baronis Colintoniæ; D. Helenæ et clariff. conjugis, D. Thomæ Cragii à Riccarton, jurisconsulti celeberrimi, D. Ludovici Cragii equitis, Riccartonii et senatoris amplissimi; Joannæ et sponsi ejus, Joannis Laurie prætoris Edinburgensi herotarum germanæ unius Elizabethæ Henrysoni, et mariti egregii D. Joannis Nicolson à Dryden, S. consistorii Edinburgensi juridici et advocati eloquentissimi.

Mors, vitæ natalis, spes altera vitæ.

D. Alexandri Henrysoni, ejusdem S. consistorii juridici, Domini Thomæ filii; Thomæ, Joannis, juvenum; duorum Eduardo-rum; Helenæ, Margaretæ, Beatæ, infantium; Marinæ et jucundissimi conjugis D. Jacobi Haliday à Pitlochry, commissarii Dumfriensis, Annæ et clarissimi conjugis, D. Roberti Hamiltonii à Preston, rarissimarum, carissimarum duarum conjugum, D. Margaretæ Hayæ à Kenneth, D. Rebeccæ Weiræ, Chestriæ, memorabilium matronarum; Gulielmi Elphinstoni, nepotis charissimi, &c. Omnes ut, in Deo vixerunt, semper cum Deo vivant.

D. Elizabethæ Calderhalliæ Dominiæ, sex liberorum matris optimæ desideratissimæ.

Soli Deo honor et gloria. Amen.

That is,

To the happy Memory of most famous young Gentlemen, innocent Infants, choice Women and most holy Matrons, promiscuously here deposited, waiting for the glorious Coming of our Lord and Saviour Jesus Christ, and expecting in the Lord the general Resurrection of all Flesh, Sir Thomas Henryson, immersed in Grief, erected this Monument 26th September, in the Year of our Lord 1636.

And to the Memory of Mr. Edward Henryson, Doctor of the Civil Law and Canon Law, his most loving Father, Senator, and one of the Judges of the Consistory of *Edinburgh*; and of Helen Swinton his dearest Mother; and of three most beloved uterine Sisters, Agnes, and of her most worthy Husband, Sir James Foulis, Baron of *Colinton*; Helen, and of her most renowned Husband, Mr. Thomas Craig of *Riccarton*, a celebrated Lawyer, of Sir Ludovick Craig of *Riccarton*, Knight, an honourable Senator; Jean, and her Husband John Laurie, Baili of *Edinburgh*; and of one Sister-german, Elizabeth Henryson, and her notable Husband John Nicolson of *Dryden*, an eloquent Advocate, and Judge of the said Consistory.

Death, the Birth-day of Life, Hope of another Life.

And also to the Memory of Mr. Alexander Henryson, a Judge of the said Consistory, Son to the said Sir Thomas; and of Thomas and John, young Men; and of two Edwards; and of Helen, Margaret, and Beatie, Infants; of Marion, and her most pleasant Husband, Mr. James Haliday of *Pitlockie*, Commissary of *Dumfriesshire*; of Anne, and her most renowned Husband, Mr. Robert Hamilton of *Preston*; of the most singular and dear Matrons, Dame Margaret Hay of *Kennet*, and Dame Rebecca Weir of *Chesters*; and of William Elphinston, a dear Grandchild, who all lived in God, that they might eternally live with God.

And of Dame Elizabeth, Lady Calderhall, a most loving and much lamented Mother of six Children.

To God alone be Glory and Honour. Amen.

Hodie

Hodie mihi, cras tibi.
Vita quid est hominis? flos, umbra, et fumus, arista,
Illa malis longa est, illa bonis brevis est.

That is,

To-day is mine, To-morrow yours may be.
Each mortal Man should mind that he must die.

What is Man's Life? a Shade, a Smoke, a Flower,

Short to the good, to the bad doth long endure.

If thou list that passeth by,
Know who in this Tomb doth ly,
Thomas Bannatine, abroad
And at home he served God.
Though no Children he possest,

Yet the Lord with Means him blest.

He on them did well dispose,

Long ere Death his Eyes did close:

For the Poor his helping Hand,

And his Friends his Kindness fand;

And on his dear Bed-fellow,

Janet Macmath, he did bestow,

Out of his lovely Affection,

A fit and goodly Portion.

Thankful she herself to prove,

For a Sign of mutual Love,

Did no Pains or Charges spare,

To set up this Fabrick rare.

As *Artemile* that noble Frame,

To her dear Mausolus Name.

He died 16th July 1635, of his Age the 65th.

O that Men were wise, to know the Multitude of these that are to be damned; the Paucity of those that are to be saved; and the Vanity of transitory Things; to understand Evil committed, good Things omitted, and the Loss of Time; to foresee the Danger of Death, the last Judgment, and eternal Punishment.

MAGDALENE MACMATH.

Magdalene Macmath, natalium, animi, corporisque ornamentis, pietate præsertim, prudentia, modestia et lenitate rarissima, omnibusque in virum, in liberos, in familiam, in universos, officiis, illustri matrona dignis, conjugii lætissimæ, vir amantissimus *Franciscus Kinnalochius*, pridem antiquæ hujus urbis amplissimus jure consul, memori et merito affectu pio, monumentum hoc sibi et posteris commune, mœrens, mœstusque poni curavit. Obiit 16 die Novembris 1674, ætatis anno 59.

That is,

To *Magdalen Macmath*, of notable Descent, and Ornaments of Body and Mind, especially Piety, Prudence, Modesty, and most singular Meekness; and all Duties towards her Husband, Children, Family, and all Persons, becoming an illustrious Matron, and his most beloved Wife, her very affectionate Husband, *Francis Kinloch*, late Provost of this ancient City, out of a

sincere Affection, and sorrowful Remembrance, caused this Monument to be erected, for the Use of his Family. She died on the 16th of November 1674, in the 59th Year of her Age.

MARJORY BRODIE.

On the Death of the virtuous *Marjorie*, Spouse to *James Brown* Feltmaker, Burgess of *Edinburgh*.

ELEGY.

Here lyes inter'd her Corps, in hopes to rise,
Whose Soul's above with Christ in Paradise.
When both unite, an Matron grave and just,
Faithful and careful in her Husband's Trust.
Not gadie, kept her Shop, went not abroad,
Virtuous and charitable, serving God.
Prudent, obliging, in her Ways discreet,
At home, abroad, her Husband did credit.
He mindful of her Worth, mov'd this Intent,
For Badge of Love to erect this Monument.

The said *James Brown* departed this Life, upon the 5th Day of April 1691, his Age 69 Years and 10 Months.

JOHN TROTTER, JANET MACMATH.

Mors patet, hora latet, anno 1641.

Octoginta ultra Trotterus vixerat annos,

Progenie felix, ambitione carens.

Publica privatus curavit; semper egenis,

Aut opere, aut opibus, contulit almus opem.

That is,

Death is most sure, unseen its Hour.

'Bove eighty Years *John Trotter* liv'd,

And saw his Issue fair:

He from Ambition all was free,

A Property most rare.

Tho' private, publick was his Mind;

He Guardian to the Poor,

Whom to assist, by Power or Wealth,

He labour'd every Hour.

The Lord is the Giver of all Good to them that love and trust him.

JOHN BAYNE of Pitcairlie.

Memoriæ doctissimi Viri, Magistri Joannis Bayne de Pitcairlie, Signeto Regio scribæ insigni; Euphemia Aikman, ejus vidua, sibi, utriusque et conjugis cognatis, monumentum hoc erigi curavit. Obiit quinto calendas Februarii, MDCLXXXI. ætatis suæ 60.

That is,

To the Memory of the learned Mr. *John Bayne* of *Pitcairlie*, an eminent Writer to the Signet, *Eupham Aikman* his Widow, for themselves, and for the Kindred of both Wives, caused this Monument to be erected. He died the 28th January 1681, in the 60th Year of his Age.

Æternæ memoriæ sacrum

Wilhelmi Aikman de Cairnie, in supremo foro juridico causarum patroni disertissimi, viri singulari literarum scientia, pietate, prudentia, modestia, et omnigenis virtutibus

virtutibus feliciter ornati, conjugis amantissimi, parentis optimi, uxor et filius, grato mœrentique animo, monumentum hoc posuerunt.

Vixit annos LII, menses sex, obiit XXIX Decembris MDCXCIX.

Sacred to the Memory of Mr. *William Aikman of Cairnie*, Advocate of the supreme Court of Justice, a Man of singular Learning, Piety, Prudence and Modesty, and happily adorned with all Manner of Virtues, a most loving Husband and kindest Father; his Wife and Son, from a thankful, but sorrowful Heart, have set up this Monument.

He lived 52 Years and six Months, and died *December 1699*.

M. P. Q. S.

Tenet hoc sepulchrum cineres D. Davidis Falconari à Newtown, è familia Halcartonia oriundi, supremi senatus Præsidis integerrimi; Carolo II. et Jacobo VII. consiliarii fidelissimi; in summum illud fastigium, summâ in Reges fidelitate, et insigni in negotiis vigilantia, universo patriæ voto, bono publico admoti: qui, dum nimia hac vigilantia, patriæ plus quam sibi viveret, obiit 15 Decembris 1685, ætatis 46.

That is,

This Sepulchre contains the Ashes of Sir *David Falconer*, of *Newtown*, descended of the Family of *Halkertoun*, most upright President of the Session, and a most faithful Counsellor to King *Charles II.* and King *James VII.* advanced to the Pinnacle of Honour, by the unanimous Desire of the Country, and for the publick Service, by Reason of his great Loyalty to his Prince, and for his great and notable Vigilance and Dispatch of Business; by which nimious Vigilance, while he lived more to his Country than to himself, he died on the 15th of *December 1685*, in the 46th Year of his Age.

D. WILLIELMUS OLIPHANT.

Non præesse, sed prodesse, vera laus.

Clarissimi viri Domini Willielmi Oliphant, advocati regii, integerrimi et consiliarii fidelissimi, quod claudi potuit, hic jacet; cujus victuræ famæ, et virtutis, memoriæ, hunc cippum mœstissimus filius posuit. Obiit idibus Aprilis 1628. annos 77. vixit Deo, principi et patriæ.

That is,

It is truly praiseworthy to do good; but not to be in Power.

Here lyes the confinable Part of the famous Sir *William Oliphant*, a conscientious and most faithful Counsellor; to whose living Fame, and to the Memory of his Virtues, his most sorrowful Son placed this Stone. He died the 13th *April, 1628*, after he had lived 77 Years, in the Service of his God, Prince, and Country.

THOMAS DUGLASSIUS.

Thomas Duglassius, antiquæ et nobilis Duglassiorum de Cavers familiæ filius, civis et mercator Edinburgensis, tam familiam qua fatus, quam civitatem cui insitus est, haud parum honestavit: vita et moribus, utraque dignus. Tempore turbido, et difficili, inter varios factionum æstus, nulli implicitus, nec ulli invisus, nec otio torpescens, nec nimis negotiosus. Re tamen opima quæsitâ, honores et munera in civitate fugit magis quam ambiit, nec minus meruit. Et adeptus summa justitiæ et integritatis laude, bis consul urbanus; bis etiam suburbanus prætor. Demum vitæ longioris lustra bis septem emerfus, omnibus viri pii et boni civis officiis in familiam et necessarios, civitatem et pauperes, perfunctus, placidè obiit, nono Augusti, anno, fal. hum. MDCLXXXVI. ætatis suæ Lxx.

Memoriæ defuncti, hoc monumentum, debitæ gratitudinis tessèrum, mœrentes posuerunt Richardus Duglassius, Robertus Bennetus, advocati et defuncto consanguinei, et Robertus Blackwood senior, mercator, hæredes ipsius testamentarii.

That is,

Thomas Douglas, a Son of the antient and noble Family of *Cavers*, Citizen and Merchant in *Edinburgh*, not a little honoured, both the Family from which he descended, and the City into which he was ingrafted, by his Life and Deportment well worthy of both. In troublesome and difficult Times, amidst the various Heats of Factions, he was intangled by none, nor ill-looking upon by any.

He was neither slothful through Ease, nor too busy; yet having acquired an opulent Fortune, he rather shun'd Offices and Honours in the City, than desired them, whereby he merited them the more; and having embraced them, he twice City Bail, and twice Suburban Bail, and with the greatest Applause of Justice and Integrity.

At last having arrived at a considerable Age of seventy Years, and having performed and discharged all the Duties of a godly Man and good Citizen, towards his Lineage and Relations, towards the City and towards the Poor, he departed in Peace the 9th Day of *August*, the Year of Man's Salvation 1686, and of his Age the 70.

To the Memory of the deceas'd, his sorrowful Cousins, *Richard Douglas* and *Robert Bennet* Advocates, and *Robert Blackwood* elder, Merchant in *Edinburgh*, his testamentary Heirs, erected this Monument, as an Evidence of their Gratitude.

E. M. S.

Hic situs est Thomas Robertsonus, prætor Edinburgenus æquissimus; vir superis apprimè charus; qui clarissimum Robinsonorum

rum nomen, virtute sua, plurimum illustravit, pietate in Deum, fide in Regem, amore in patriam, humanitate erga omnes, insignis, prudentia, integritate, in rebus agendis solertia, nemini secundus. Pauperum, spes et caput, artificum columen, urbis exornator, si non conditor, civium deliciae, gentis desiderium: conjugii optimo, patri amantissimo, uxor et liberi haeredes, mœsti posuere. Obiit xi. cal. Octobris anno Domini MDCCLXXXVI. ætatis suæ LXIII.

Vivit post funera virtus.

That is,

Here is interred *Thomas Robertson*, Bailiff of *Edinburgh*, and most just in his Office; a Man dear to God; who, by his Virtue greatly illustrated the famous Name of *Robertson*; being remarkable for his Piety towards God, Loyalty towards his Prince, Love to his Country, and Civility towards all Persons. He was inferior to none in Prudence, Integrity and Dexterity in Management of Business. He was the Hope and Life of the Poor, the Support of Tradesmen, the Adorner, if not the Builder of the City; the Delight of the Citizens, and the Desire of the whole Nation. To him, as the best of Husbands, and most loving of Parents, his sorrowful Wife and Children, his Heirs, set up this Monument. He died the 21st Day of *September*, in the Year of our Lord 1686, and of his Age the 63d Year.

Virtue survives the Grave:

JOANNA JOHNSON.

Hic positæ reliquiae lectissimæ matronæ Joannæ Johnsonæ, conjugis Archibaldi Row, regis Scloppetariorum legionis chiliarchi; quæ, triennii spatio, marem et fœminam enixa tertio partu extincta est, xiiii. cal. Julii, anno MDCCLII. ætatis xxxiiii. monumentum qualecunque, gratitudinis et amoris ergo, maritus poni curavit.

That is,

Here are interred the Remains of a most choice Matron, *Jean Johnson*, Spouse to *Archibald Row*, Colonel to the Royal Regiment of *Fusileers*, who, having brought forth a Son and a Daughter within the Space of three Years, died in her third Labour, on the 19th of *June* 1702, in the 33d Year of her Age. Her Husband caused this homely Monument to be erected, as a Token of his Gratitude and Affection.

JOANNES MACMORAN.

Johanni Macmorano, cive longè optimo, urbis ordinisque sui ornameto singulari, quæstori ter, a consiliis septies, in balivorum demum numerum, in quadragesimo secundo, eodemque fatali, ætatis suæ anno meritissimè sed infestissimè co-optato; et in illius magistratus accuratiore functione, decimo quinto Septembris die, anno 1595. glande plumbea, bonorum omnium incredibili cum luctu, infelicitissimè transverbera-

to, et in Domino obdormienti mœstissimus frater, mœstiores liberi posuere.

That is,

To *John Macmoran*, an excellent Citizen, the singular ornament of the Town, and of his Order; thrice Treasurer, seven times a Counsellor; at last most deservedly but most unhappily received as one of the Baillies, in the forty second and the fatal Year of his Age; and in the faithful Discharge of that Office, upon the 15th of *September* 1595, was unfortunately shot with a leaden Bullet, to the great Grief of all good People: And falling asleep in the Lord, his mournful Brother, and more afflicted Children erected this Monument.

JOANNES NASMITHIUS.

Hic situs est Joannes Nasmithius à Possò, familia non obscura in Twedia, civis Edinburgensis, serenissimæ regis majestatis et Galliarum regis prætoris à Scotia cohortis, protochirurgus, omnibus piæ vitæ officiis egregiè functus; qui Londini, dum apud regem munia sua obit, utriusque gentis luctu, fatis concedens, corporis exuvias huc translatus (qui ejus in patriam fuit animus) cœmeterio hoc condi voluit; regi patriæ et amicis, quæ habuit et debuit, ad extremum usque persolvens. Obiit ætatis suæ anno 57. ad 16. cal. Octobris MDCXIII. Reverti unde veneris, quid grave est?

That is,

Here lyes *John Nasmith* of the Family of *Possò*, an honourable Family in *Tweeddale*, a Citizen of *Edinburgh*, Chief Surgeon to his most Serene Majesty, and to the King of *France*, his Troop of Guards from *Scotland*. And having performed all the Duties of a godly Life, died at *London*, to the Grief of both Nations, in the Exercise of his Office with his Majesty; ordered his Body to be brought hither, (such was his Love to his Country) to be buried in this Dormitory; acquitting himself to the King, his Country, and to his Friends, to the utmost of his Power and Duty. He died in the 57th Year of his Age, 16th *September* 1613. Why is it grievous to return to the Place you came from?

JOANNES TROTTER.

Joannes Trotter, Mortounhallæ et Charterhallæ Dominus, Orcum hunc, mortuis miseriarum metam, morituris vegrande solatium, monumenti intus, proavo suo, extructi, nunc autem renovati, munimentum, sibi que suisque (bene an male merentibus nil refert) domum æternam decreto consilii Edinburgensis, mense Sept. 1709. fieri fecit.

That is,

John Trotter of *Mortounball*, and *Charterball*, by Warrant of the Council of *Edinburgh*, in the Month of *September* 1709, caused build this Inclosure; which, to the Dead,

E e e

is

is the March, or End of Miseries; to the deadly some Comfort; a Fence to the within Monument, erected for his Great Grandfather, but now renewed to be the Resting-place of him and his, whether they deserve it or not.

P. M.

Margaretæ Archibaldi Hamilton de *Roseball*, equitis Baroneti, filiae, quæ febre correpta, fatis cessit. xxii. mens. Mart. MDCCLV. ætatis suæ xxxviii. Nec non Bathiæ filiae, denatæ x. mensis Decembris MDCCLVI. ætatis suæ xi. Jacobus Hamilton à Dalzell, conjugii de se bene merenti et gnatæ dulcissimæ, posuit anno MDCCLIX.

That is,

To the pious Memory of *Margaret*, Daughter to Sir *Archibald Hamilton of Roseball*, Baronet, who being snatched away by a Fever, died the 22d of *March* 1704. of her Age the 38. And also to the Memory of *Bathia* their Daughter, who died on the 10th of *December* 1706, and of her Age the 11th. *James Hamilton of Dalzell* erected this Monument to his well deserving Wife, and dearest Daughter, in the Year 1709.

From *May* 27th 1661, that the noble Marquis of *Argyll* suffered, to the 17th *February* 1688, that Mr. *James Ranwick* suffered; were executed at *Edinburgh*, about one hundred of Noblemen, Gentlemen, Ministers and others; noble Martyrs for Jesus Christ: the most Part of them lie here.

Halt Passenger, take heed what thou dost see,
This Tomb doth shew for what some did die.

Here lies interr'd the Dust of those who stood,
'Gainst Perjury resisting unto Blood.
Adhering to the Covenants and Laws,
Establishing the same; which was the Cause
Their Lives are sacrific'd unto the Lust
Of Prelatists abjured; tho' here their Dust,
Lies mix'd with Murderers, and other Crew,
Whom Justice, justly, did to Death pursue.
But as for these, in them no Cause was found
Worthy of Death; but only they were found,

Constant and stedfast, zealous, witnessing
For the Prerogative of Christ their King.
Which Truths were seal'd by famous *Guthrie's* Head,
And all along to Mr. *Ranwick's* Blood.
They did endure the Wrath of Enemies,
Reproaches, Torments, Death's, and Injuries:

But yet, they're these, who from such Troubles came,
And now triumph in Glory with the Lamb.

On *WALTER MILL*, who suffered at *St. Andrew's*, in the Month of *April*, in the Year 1558.

Non nostra impietas, non actæ crimina vitæ,
Armarunt hostes in mea fata truces;
Sola fides Christi, sacris signata libellis,
Quæ vitæ causa, est et mihi causa necis.

In *Jacobum Montifrosarum* marchionem magnum.

Hunc { furor immanis plebis jugulavit } aperte.
 { amor immanis regis tumulavit }

In patriam, regem, leges, ceu perfidus hostis,

Pro patria, rege et legibus, occubui.
Legibus antiquis patriæ regique fidelis,
A rege et patria et legibus intumulo.

Epitaphium comitis *Argat*. quod ipse sibi posuit.

Audi hospes, quicumque venis, tumulumque revisis,

Et rogitas, quali crimine tinctus eram?
Non me crimen habet, non me malus abstulit error,

Et vitium nullum me pepulit patria;
Solus amor patriæ, verique immensa cupido,
Desuetas jussit sumere tela manus:

Opprimor en rediens, vi solâ et fraude meorum,

Hostibus et sævis, victima terna cado.
Sit licet hic noster labor irritus, haud Deus æquus

Destituet populum, secula cuncta, suum.
Ast alius veniet, fatis melioribus ortus,
Qui toties ruptum sine beabit opus.

Sat mihi credi datur, quamvis caput ense secetur,

Hinc petere ætherei lucida templa poli.

That is,

Know Passenger, who shall have so much Time,

To view my Grave, and ask what was my Crime:

No Stain of Error, no black Vice's Brand,
Did me inforce to leave my native Land.
Love to my Country, Truth, condemn'd to die,

Inforc'd my Hands forgotten Arms to try.
By my Friends Fraud, my Fall proceeded hath,

More than by Foes, though thrice design'd my Death.

On my Attempt though Providence doth frown,

Yet God at last shall surely raise his own.
Another Hand, by more successful Speed,
Shall raise the Remnant, bruise the Serpent's Head:

Tho' my Head fall, it is no tragick Story,
Since going hence I enter endless Glory.

On *THOMAS FISHER Chamberlain of Edinburgh*.

The Debt which Man by Birth contracts, he must

By Death repay, adjoining to the Dust.
Had Goodness, Grace, or truest candor been
Exempt from Fate, he Death had never seen.
Oh!

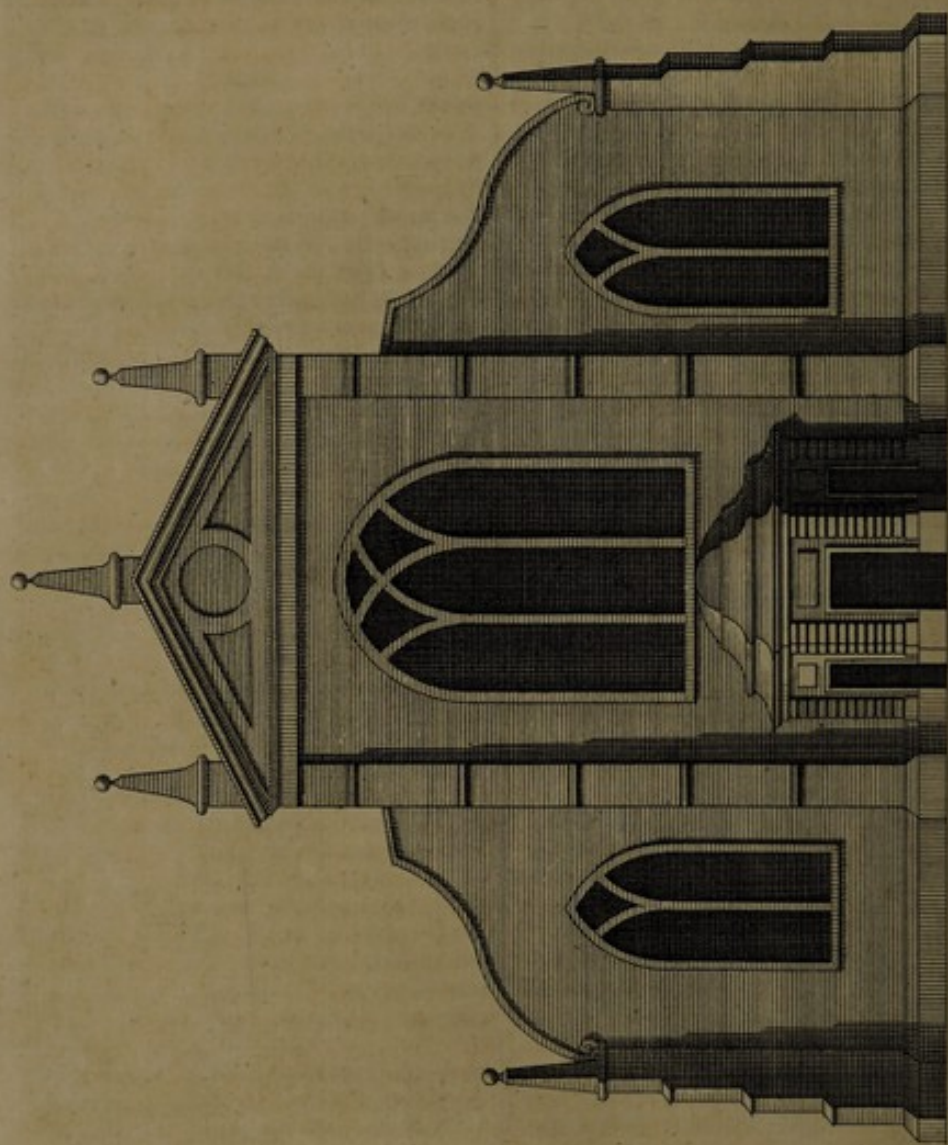
The first of these is the fact that the American Medical Association has been successful in securing the passage of the Federal Food and Drug Act, which is a landmark in the history of the regulation of the food and drug trade in this country. This act is a comprehensive one, covering the entire field of food and drug regulation, and it is a very important one, as it will tend to protect the public from the sale of adulterated and misbranded food and drugs.

The second of these is the fact that the American Medical Association has been successful in securing the passage of the Federal Pure Food and Drug Act, which is another landmark in the history of the regulation of the food and drug trade in this country. This act is a comprehensive one, covering the entire field of food and drug regulation, and it is a very important one, as it will tend to protect the public from the sale of adulterated and misbranded food and drugs.

The third of these is the fact that the American Medical Association has been successful in securing the passage of the Federal Food and Drug Act, which is a landmark in the history of the regulation of the food and drug trade in this country. This act is a comprehensive one, covering the entire field of food and drug regulation, and it is a very important one, as it will tend to protect the public from the sale of adulterated and misbranded food and drugs.

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A View of the western end of the new Gray Friars Church

Oh! the Contagion of our Fathers Fall,
To certain Death hath doom'd his Off-
spring all.

Mausoleum, he merits well to have,
And not the common Cell of homely
Grave,

As b'ing by Heav'n's tender Care set o'er
The good Town's Treasure, and *George He-
riot's* Store.

Since his first Breath did thro' his Nostrils
pass,

Of Virtues all, the Mirror bright he was.
Furnishing Mortals with Examples fair,

Of ev'ry Action, honest, great and rare.
Injur'd *Edinburgh* to his Wings did fly,

For sudden Help, from hardest *Je' pardy*.
Scotland from him, in Epitome did draw,

A matchless Map of truest burgal Law.
Heroick Actions ever did attend

Him, all his Life, unto his blessed End.

Endearing Goodness, did him so exalt,
'Bove Burghers all, below the ennamell'd

Vault.
Reward of Virtue, Glory, and the Pen
Of learned ones, him stile, *Fisher of Men*.

Epitaph.

Here is the perfect and the upright Man,
Of Charity and Right'ousness, the Plan.

Scotland with Joy as glad, that he was
born,

As now, in Tears, his Funeral doth mourn:

Cy gift ma famme fort bien,
Pour son repose, ce pour le mien.

That is,
My Wife lies here conveniently,
She is at rest, and so am I.

New Church GRAY-FRIARS.

The Churches in *Edinburgh* proving still
insufficient to accommodate the Citizens in
the Performance of their religious Duties,
the Common Council in the Year 1719,
ordered another Place for publick Worship
to be erected; and being built contiguous
to the Western End of the *Grayfriars* Church,
was denominated the *New or Western Gray-
friars* Church, which was finished anno 1721,
at the Expence of Thirty six thousand five
hundred and forty three Pounds *Scotish*
Money, and had for its Parish the follow-
ing District appointed, viz. From the *Up-
per Bow* Port, all the Western Side of the
Street called the *Strait Bow*, and the Nor-
thern Side of the *Grass-market* to the West-
port; thence Eastward, all the Southern
Side of the said *Grass-market* to the South-
western Corner of the *Cowgate*, including
the *Candlemaker-row* and *Society*, with all
the Closets, &c. therein.

Divers Parts within the Wall of *Edin-
burgh*, viz. the *Grass-market*, *Cowgate*, and
all Parts without the first Wall of *Edinburgh*,
which ran Eastward and Westward from the

West or Strait-bow Port, along the Side of
the Hill, about half-way betwixt the High-
street and the *Cowgate*; which being within
the second Wall of the City, occasioned
great Inconveniencies on *Sundays* to the
People, in being obstructed from repairing
to *St. Cuthbert's* their Parish Church, by
shutting the Town-gates on that Day;
which being taken into Consideration by
the Legislature, the Parliament in the Year
1621, united the said Parts to the Jurisdic-
tion of the City; whereby is demonstrated,
as already hinted, that Part of the Parish of
St. Giles was inclosed within the first Wall of
Edinburgh, which only extended from the
Castle to the *Netherbow* in Length; and
from the Place now called the *Nordloch* to
the Wall on the Southern Side of the Hill
aforesaid; which, as I have elsewhere ob-
served, I take to have been anciently the
Precinct of the Castle. Be that as it will,
this Parish, with that of the *Old Grayfriars*,
all *Lady Yester's* Parish, exclusive of Part
of *Gray's Close*, and Part of the *Tron*
Church Parish, are all taken out of *St. Cuth-
bert's* Parish; as is also *St. Giles's* and the
Canongate Parishes, as I have elsewhere en-
deavoured to demonstrate.

This Parish being divided into six Divi-
sions, the first whereof contains ninety one
Families, and examinable Persons two hun-
dred and sixty; the second eighty eight Fa-
milies, and two hundred and sixty five Per-
sons; the third, Families ninety seven, and
Persons three hundred and five; the fourth
eighty three Families, and Persons three
hundred and thirty; the fifth one hundred
and eight Families, and two hundred and
eighty seven Persons; and in the sixth Di-
vision, Families one hundred and four, and
Persons three hundred and forty five: To-
tal of Families, five hundred and seventy,
and of examinable Persons, one thousand
seven hundred and ninety two.

This Church not being collegiate, has
only one Minister, whose Stipend is the
same with those of his Brethren.

The Seats in this Church, in the Year
1746, amounting to one hundred and for-
ty three in Number (exclusive of those be-
longing to the Masters and Children of *He-
riot's* Hospital, poor Strangers and Ser-
vants) the Rents thereof amounted to the
Sum of One thousand Pounds *Scotish* Mo-
ney; which, like the others, is employed
in defraying the Expences of the several
Churches.

Antiquities and Things remarkable in this Pa- rish.

The Church, which is a handsome and
convenient Building, is situated as afore-
said; its Yard or Cemetery, and monumen-
tal Inscriptions, are accounted for in the
Parish of *Old Grayfriars*.

The noble Edifice in this Parish, deno-
minated *Heriot's* Hospital, is of such Ma-
gnificence,

gnificence, that it probably excels all other private Foundations in that Respect.

The large and useful Fabrick, denominated the *Charity Workhouse*, is of great Service to the City, as I shall elsewhere demonstrate.

The Spot of Ground, whereon the *Candle-maker-row*, *Society*, &c. are situated, antiently belonged to the Priorefs and Nuns of *St. Katharine de Scienna* (vulgarly called the *Sbiens*) in *Newington*, on the Southern Side of *Edinburgh*; it consisted of eight Acres of arable Land, which the Town Council in the Year 1541, took in Farm of the said Nuns, at the yearly Rent of eight Bolls of Wheat, and six of Bear, with a small Piece of Ground in the *Borough-moor*: But this Land, with that belonging to other religious Foundations within *Edinburgh*, being in the Year 1556, granted by *Queen Mary* to the *Edinburghers*, for the Encouragement of Learning and Support of their Poor, the said Council demised Part of the said Land to the Brewers of *Edinburgh*, who forming themselves into a Fraternity, were denominated the *Society*; and having erected Brew-houses on the said Ground, the Appellation of the *Society* was conferred on them. But this Fraternity, it seems, proving of no long Duration, the Town Council in the Year 1619, purchased this Place with all the Utensils, and anno 1697 set the same in Feu, together with all the brewing Vessels, to *William Clegborn*, at the yearly Rent of One thousand Pounds *Scotish* Money, a Premium of Twenty thousand Marks, with a Fine of Five hundred Pounds at the Entry of each Person thereafter; Part of this Ground is converted into a Coal-fold, or Place for selling of Coals, and the greatest Part of the rest into Gardens, few or none of the Brew-houses remaining.

At the Foot of the *Westbow* Street in this Parish, was a foreign Jurisdiction belonging to the Baron of *Drem*, who had a Regality of certain Temple Lands erected in his Favour. Here are divers Houses belonging to it, which are distinguished by a Cross on the Top of their respective Chimnies, and Fronts of Houses. When a Court is held in this Part of the Regality, it is in one of the said Houses, at the Choice of the Bailiff. The Barons of *Drem* claim a Right to empower Unfreemen to exercise their several Trades in the Houses belonging to the Regality.

Remark. This Jurisdiction being by the *Edinburghers* regarded as a Badge of Slavery, by its being held within their Walls, frequent Attempts were made to purchase the same of the Baron or Lord of the Regality. But an Act of Parliament being made in the Year 1747, to abolish the *Scotish* Jurisdictions, the Citizens, without the least Expence, have luckily got rid of it.

The spacious Street in this Parish, deno-

minated the *Grass-market*, being the Place appointed for the Sale of Horses, Beasts, Sheep, &c. within *Edinburgh*, it is in the Acts of the Council called the *Sheep-flecks*; the Toll or Duties payable therein I shall set forth in the following Table.

A TABLE of Customs or Dues payable at the Sheep-flecks in the Grass-market.

	s.	d.
For each Horse, Mare or Gelding	1	0
For each Bull, Ox or Cow	1	0
For each Sheep or Lamb	0	2
For each Boar, Sow or Hog	0	8
For the Use of the Sheep-flecks	0	2

To accommodate the People in the Sale of their Corn, the Corn-marker, in the Month of *May* anno 1716, was removed from the Corner of *Marline's Wynd* in the *Cowgate*, to the Southern Part of the *Grass-market*, between *Heriot's Bridge* and the *West-port*; but that Place proving likewise inconvenient, the Common Council, in the Month of *October* following, ordered a Shed to be built at the Foot of the *Westbow* Street, and Eastern End of the *Grass-market*, of the Length of forty two Feet, and the Breadth of twenty four, to be supported on each Side by a Row of three stonern Pillars, of the Height of seven Feet and a half, and two Feet square, to be covered with a wooden Roof, to be pitched over, which is the same now standing.

T A B L E.

	s.	d.
For Market-room of each Bag or Sack of Corn	2	0
For Warehouse Room for each Bag or Sack weekly.	1	0

In this spacious Street of the *Grass-market*, is a very great Nuisance, called *Heriot's Bridge*, which running half-way into the Market-place, is not only a great Obstruction to the riding of Horses in the Market-time, but very incommodious to the Inhabitants; for by the Southern Side of the said Street's being as it were shut up by it, a Number of Middings are laid before their Doors, to the Reproach of the Government of the City for suffering the same; which in fact will be difficult to prevent, till the Cause be removed; which will not only add to the Beauty of the Street, but the Entrance to the Hospital will make a better Appearance, by being ascended to by a Flight of Steps.

TOLBOOTH-Church.

This Church, which is one of the four contained in that of *St. Giles's*, occupies the Southwestern Part thereof. It is so denominated from its Neighbourhood to the New Tolbooth, now called the *Higb Council-house*;

Coun. Regist.
vol. I. f. 47.

Coun. Regist.
vol. XIII. f. 62.

Ibid. vol.
XXXV. f. 318.

Coun.
vol. XI
p. 60.

house; the Parish whereof begins at the Western End of the Northern Row of the Castle-hill Street; and running Eastward down the Street to *Warriston's Close* inclusive, contains the Northern Sides of the Castle-hill and Land-market Streets, and all the Courts, Clofes, &c. therein to the *Nordloch*, which is the Northern Boundary of this Parish.

This Parish consisting of six Divisions, the first thereof contains ninety Families, and two hundred and seventy eight examinable Persons; the second, one hundred and three Families, and Persons, four hundred and twenty; the third, Families, eighty nine, and Persons, three hundred and sixty; the fourth, eighty four Families, and three hundred and sixty four Persons; the fifth, Families, ninety seven; Persons, three hundred and twenty one: And in the sixth Division, ninety six Families; and Persons, three hundred and seventeen: Total of Families, five hundred and fifty nine; and Persons examinable, two thousand and sixty.

The Seats in this Church, in the Year 1746, being one hundred and twenty three in Number, the Rents, exclusive of five unlet, amounted to the yearly Sum of One thousand three hundred and three Pounds, *Scotish Money*.

Antiquities, and Things remarkable in this Parish.

The first Thing remarkable, is the large leaden Cistern or Receiver, at the upper End and Northern Side of the Castle-hill Street, for the Reception of the Water brought from *Comiston*, at the Distance of about two Miles and a half Southwest from *Edinburgh*. This Cistern, which is forty three Feet in Length, twenty eight in Breadth, and six in Depth, and contains about Two hundred and twenty nine Tuns of Water; not only serves to save by Night a considerable Quantity of Water, which otherwise would be lost, to the great Detriment of the Inhabitants; but the Water reserved therein is of great Use in extinguishing casual Fires.

Having just mentioned this Receiver, which with the Account of the Water being so little known to the Citizens, I think it will not be amiss to acquaint the Reader with the Methods used to bring the said Water to *Edinburgh*, and how the same was accomplished.

The *Edinburghers* in the Year 1621, having formed a Design, to bring sweet Water from the Country, to supply themselves in the City with that precious Element, applied to Parliament for a Power to enable them to accomplish so desirable and necessary a Work; which though readily granted, nothing was further done therein till the 10th of May, in the Year 1672, when the Common Council resolved to put the same in Execution. To which End it was proposed,

to raise the Money requisite for this Undertaking, by a Tax upon Fire-hearths, and the Magistrates were ordered to apply to Parliament, for a Power to enable them to accomplish the intended Work.

The *Edinburghers* having succeeded in their Application to Parliament, they sometime after contracted with *Peter Braufs*, for the Sum of Two thousand nine hundred Pounds *Sterling*, to bring the Water of *Tod's Well* at *Comiston* to *Edinburgh*, in a leaden Pipe of a three Inch Bore, to be laid an Inch deep in the Ground; to build a House over the said Well, and five Cisterns or Conduits in the Town; namely, at the Weigh-house, the Head of *Forrester's Wynd*, the Market-cross, the Head of *Niddry's Wynd*, and at the *Netberbow*, all on the High-street, to be finished by the first Day of the Month of *October* following: But these Cisterns not being sufficient to supply all Parts of the Town with Water, the Common Council in the same Year agreed with *Robert Miln*, the Town's Surveyor, to erect divers others, viz. at the Foot of the *Westbow-street* in the *Grass-market*; at the lower End of *Forrester's Wynd*, at the *Fish-market*, at the lower End of *Niddry's Wynd*, and at the Head of the *Canongate*: And as an Encouragement for *Braufs* the Engineer, to proceed in the Work with Care and Diligence, the Council promised him a Gratuity of Fifty Pounds *Sterling*, which was paid to him in the Year 1681, which I take to be the Time when the Water was brought into *Edinburgh*.

Frequent Disputes having happened between the *Edinburghers* and the Laird of *Comiston*, concerning the Springs in his Grounds whence the City was supplied with Water, which proving expensive to the Inhabitants, the Common Council, to prevent the like in Time coming, having obtained a Copy of the Rental of the said Laird's Estate, offered him no less than twenty eight Years Purchase for the same, together with the Mansion-house, Out-houses, Gardens, Orchards, and other Appurtenances; with a Present of Fifty Guineas to his Wife: But the said Laird, blind to his Interest, rejected this advantageous Offer, and his Estate, amounting only to Sixteen hundred and fifty Marks yearly, by the Terms proposed, he might have purchased another of near double the Value!

The Water of the above named Well not proving sufficient to supply the Demands of the Citizens, the Town Council in the Year 1698, appointed a Committee to treat with the Lady *Comiston*, and her Son's Guardians, touching the Purchase of divers other Springs in their Trust, with a certain District of Ground round the same, for better securing the Property to them; and ordered a Present of Twenty five Guineas to be given to the said Lady, in consideration of their

F f f having

having the Use of the *Hare* and *Mowbray* Wells, till the first Day of the approaching Month of *October*: And the Year after, the said Council took of the Infant Laird, with the Consent of his said Mother and Guardians, a Lease of the said *Hare* and *Mowbray* Wells, for the Term of nine Years, together with all the other Springs between them and the *Towcher's* Well, with all the Wells which may happen to arise within the said District, during the Term of the said Lease, with a Power to erect Cisterns, and lay Pipes for carrying the Water to *Edinburgh*; but the *Towcher's* Well to be left open, for the Use of the People of *Comiston* and their Cattle: For all of which the *Edinburgers* were to pay to the said Laird of *Comiston* the Sum of Eighteen Pounds *Sterling* yearly.

The Citizens having in the Year 1704, laid in the *Hare* and *Lapwing* Wells into their Receiver at *Comiston*, the above mentioned leaden Pipe of three Inches Diameter, was not sufficient to bring the increased Quantity of Water to the City; wherefore the Common Council ordered a new Pipe, of a Bore of five Inches, of the Length of one hundred and thirty Ells, to be laid, and earnestly recommended to their Successors in the Council, yearly to add to the same, till it reached the Town; which being accomplished, it was found to be of much larger Dimensions than the Water of their Wells could fill: However, a Committee of the Town Council having agreed with certain Gentlemen in the Barony of *Braid*, for Liberty to bring the said Pipe through their Grounds, they received as a Consideration for the same the Sum of One thousand Pounds *Scotish* Money.

In *Blyth's* Close in the Castle-hill Street, is an antient Chapel, said to have been a private Oratory belonging to *Mary of Lorraine*, Dowager to King *James V.* and Mother to *Mary Queen of Scots*. At the Southern Side of the *Nordloch*, near the Foot of the Castle-hill, stood a Church, the Remains whereof I am informed were standing within these few Years, by Professor Sir *Robert Stewart*, who had often seen them. This I take to have been the Church of *St. Andrew*, near the Castle of *Edinburgh*, to the Trinity Altar in which *Alexander Curor*, Vicar of *Levingston*, by a Deed of Gift of the 20th December anno 1488, gave a perpetual Annuity of Twenty Marks, *Scotish* Money.

Chart. Fund,
Holyrood.

The *Nordloch*, which bounds this Parish on the North, was antiently a dry Bottom, with no other Water therein than a Strype or small Rill; and at the Western End thereof, some Centuries since, was the King's Garden, as already hinted. This Loch, by the Soil of the Town's incessantly running into it, is about half fill'd up, and probably in less than a Century, will be quite levelled: Be that as it will, herein was formerly

Coun. Regist.
vol. VII. f. 15.

an Ell Ark, let at Ten Marks yearly, for the Benefit of the Hospital.

There has of late been much Talk about erecting a Bridge across the *Nordloch*, for a Communication with the Country on the Northern Side; which, or something better may easily be accomplished at little Expence to the Town, by obliging all Builders and others to shoot their Rubbish made at the Building and repairing of Houses into a Part of the said Loch as shall be agreed on; whereby, in a few Years, a Ridge or earthen Bank might be raised to the required Height, which would answer divers other good Ends, beside that of a Bridge.

The Ground at the Northwestern End of this Parish by the said Loch is occupied by Tanners; that at the Northeastern by Slaughter-houses; and the Space intermediate by Gardens: And the Northern Side is bounded by beautiful Inclosures.

In a second Story above the Southern Door-way of this Church, is the Town's Charter-house; wherein are deposited the several Grants and Writings belonging to the City. The Records in this Repository some time since, being in great Disorder, the Town Council ordered *James Rocheid*, one of their common Clerks, to rectify the same; for which, and certain Books, as may be Coun. Regist. presumed of no great Value, he received no vol. XXV. f. less a Sum than two hundred Pounds *Sterling*; and the said Archives being again in Confusion, a Person is now employed to put the same in Order; which must be the Case every twenty or thirty Years, unless Care be taken to replace the Records in their proper Order, on their being returned by the Town Council or their Clerks after having extracted what they were sent for.

As the following Inscription is fixed in the Outside of the Northern Wall of the Choir of *St. Giles's* Church, it should have been inserted in the Account of that Part of this Edifice denominated the *New Church*; but as that through Mistake was not done, it is put into the Account of this Church, the Southwestern Part of the said Fabrick of *St. Giles's*, in Commemoration of the illustrious and ever memorable, Lord *Naper*, Baron of *Marchiston*, the celebrated Inventor of the Logarithms, whose Remains were interred in the Choir of this Church. Now, although no Monument can add to the Fame of this great Man, he being most gratefully and honourably remembered in the Works of the learned in all Parts of *Europe*, as the Author of that most curious and useful Art; I have, nevertheless, among the rest of his Admirers chosen to point out the Place of his Inhumation, by the said humble Inscription, viz.

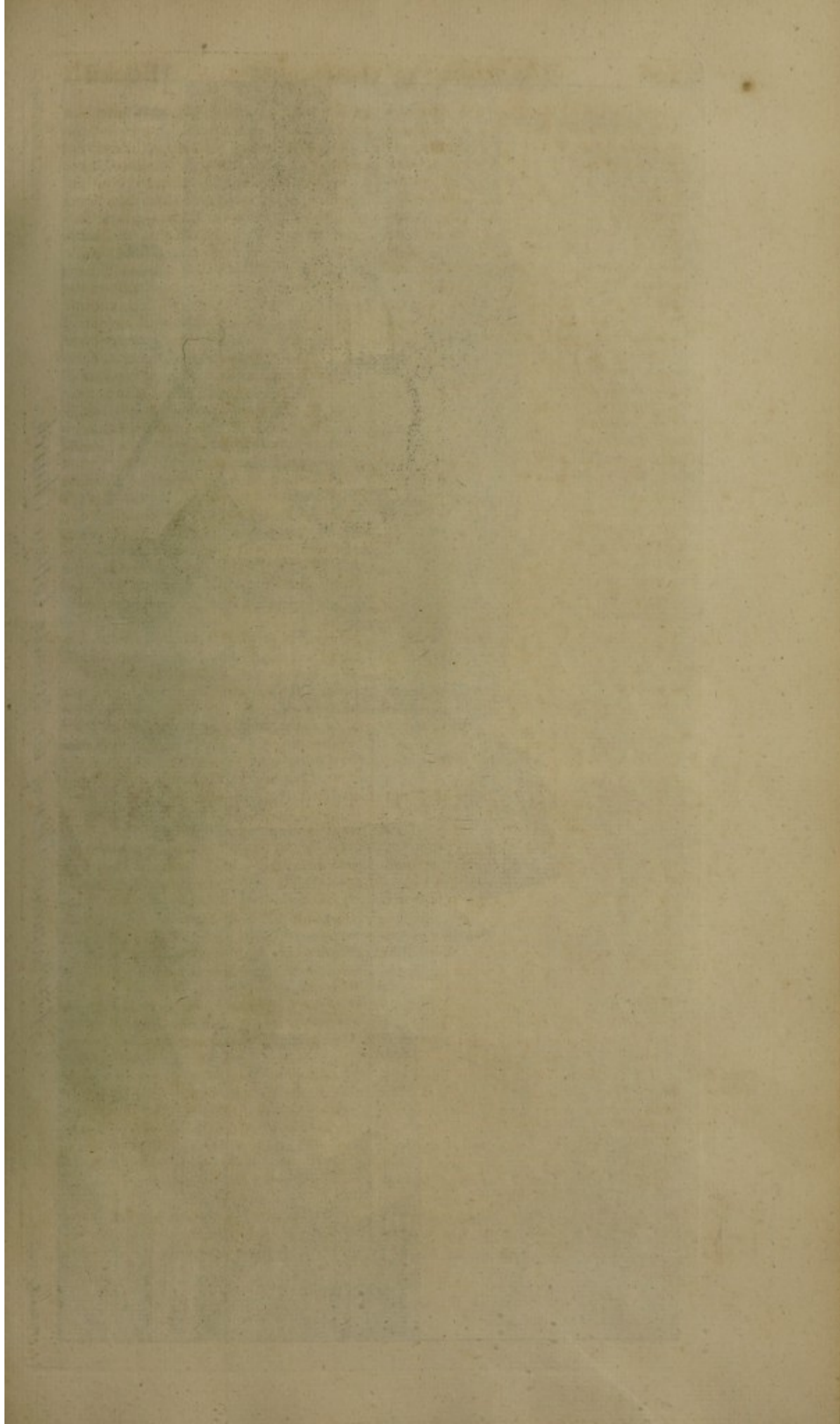
S. E. P.

Familia Naperonum interius

Hic situm

Est.

Near





A Perspective View of the Trinity College Church

T. Sandly Delin.

T. F. Sandlin Sculp.

Near the Southeastern Corner of the Area of the Parliament House, on the Statue of *Duncan Forbes*, late President of the Court of Session, is the following Inscription.

DUNCANUS FORBES.

Duncan Forbes de Culloden, supremæ in civilibus curiæ Præsidi, Judici integerrimo, civi optimo, priscæ virtutis viro, facultas libens posuit, anno post obitum quinto C. N. MDCCCLII.

TRINITY College Church.

This Church, College, and Hospital was founded by *Mary of Guelders*, Consort to King *James II.* as will appear by the following Charter of Foundation, rendered into *English* from the *Latin* as follows.

James, by the Grace of God, and the Apostolick See, Bishop of St. Andrew's, to all the Sons of the holy Mother Church, to whose Knowledge the present Letters shall come, greeting; and Felicity from the Saviour of all Men.

"The Splendor of the eternal Glory which illuminates the World with its unspeakable Brightness, and with its great Clemency, prosecutes, with a special and benign Favour, the pious Desires of the faithful, when their humble Devotion and sincere Affection are found to be zealous for the Increase of Divine Worship. We therefore, taking Example by Things below from those above, are induced, partly by the Power of Equity, and partly thro' Reason to favour the godly Requests and Prayers of Supplicants, whom Faith, Hope, and Charity incessantly solicit to shew their Love by Benefactions, that being disposed to Grace and invited to Glory, may persevere in doing good Actions: Wherefore we have received the Letters of the most potent Princess and Sovereign, Lady *Mary*, by the Grace of God, Queen of *Scotland*, sealed with her Seal, containing the pious and laudable Purpose of the said Princess, desiring to found and indow a College or Collegiate Church for a Provost, eight Chaplains, and two Boys, (Choiristers) to perform divine Service therein, to be erected near the Northern Side of *Edinburgh*; with an Hospital for the Reception and Maintenance of thirteen poor Persons in all Times coming, upon the Lands and beneficed Churches of *Soltre*, by apostolick Authority, united to, and incorporated with her said College and Hospital: And also, upon the Lands of *Ballerno*, and Hospital of *Ochterogle*, and other her Lands, Possessions, and yearly Revenues underwritten. Likewise the humble Supplication of the said Princess, that we would carefully endeavour to accomplish, approve, ratify and confirm the Founda-

tion of the College aforesaid, in the following Words.

"*Mary*, by the Grace of God, Queen of *Scotland*, to the Reverend Father in Christ, Lord *James*, by the Grace of God, and the apostolick See, Bishop of *St. Andrew's* our dearest Cousin, whom we reverence with Honour, becoming such a Father. Therefore, know ye, Reverend Father, that for the Praise and Honour of the holy Trinity, of the everblessed and glorious Virgin *Mary* of *St. Ninian* the Confessor, and of all the Saints and Elect of God: We the aforesaid *Mary*, with Consent and Assent of the illustrious Prince, and Lord, *James*, our Son, the invincible King of *Scotland*, and in perpetual Memory hereof, for the Salvation of the Soul of the late illustrious Prince, *James*, King of *Scots*; our late Husband, of pious Memory; likewise for the Souls of all the Kings and Queens of *Scotland*, deceased; also for the Salvation of the illustrious Prince our Son, *James*, the present King of *Scotland*; for the Salvation of our own Soul, those of our Father and Mother, Ancestors, and all the Sons and Daughters succeeding to and descending from them; and for the Salvation of the Reverend Father in Christ, Lord *James*, present Bishop of *St. Andrew's*, our dearest Cousin; and for the Souls of all those whom Consanguinity, Affinity, or Benefits have endeared to us; and of all those whom we have any Ways offended in this Life, to whom we are obliged to make Satisfaction; and for the Souls of all the faithful deceased.

"We hereby make, constitute, and ordain, and for ever found a Provostry for a Provost, who shall preside in the Government of the Collegiate Church, both in respect to the Choir and Divine Worship performed therein, with eight Prebendaries or Priests, and two Boys or Clerks, with a sufficient Maintenance here under specified. And we likewise make, constitute and ordain, and perpetually establish the Provostry of the said Collegiate Church of the Holy Trinity near *Edinburgh*, upon the following Fruits and Appointments, as hereafter limited and modified.

"The Provost of the said College, shall for his Subsistence have the Church of *Soltre*, with the Burdens the said Church is subject to, viz. the Vicar of the said Church his Pension shall sustain three poor Persons residing there, and shall keep the Church and Ornaments thereof in good Repair; and the said Provost shall likewise have the Lands of the Barns of *Soltre*, and those of the Village of *Hangandschow*, with their Appurtenances, together with the Church of *Lampetlaco*, with all the Fruits thereunto appertain-

ing;

ing; for which the said Provost shall be liable to pay to the Bishop and Archdeacon the several Profits they formerly received from the said Churches.

"The first Prebendary shall be called the Master of the Hospital of the Holy Trinity near *Edinburgh*, who shall have for the Support of his Prebend the fourth Part of the Fruits belonging to the Rectorial Church of *Strathmartin*, in the Diocese of *St. Andrew's*; a two Pound Land in the Village of *Falaw-hill*, below *Heriot-moor*; an Annuity of Two Marks out of the Houses in *Leith*, which belonged to the late *William Chines*; Twenty Shillings (*Scotish*) in the Village of *Rifstone*; and Two Shillings out of the Houses of *John Allansone* and *John Law-jone* in *Leith*, at the Terms of *Whitsunday* and *Martinmas*; Twenty Shillings Annuity out of the House of *Wauk*, let in *Edinburgh*; Five Shillings yearly out of the House of *Thomas* Bishop of *Dunkel*; Six Shillings and eight Pence in the Village of *Lauder*, to be hereafter limited; Six Shillings and eight Pence in the Village of *Strathmiglo*, to be by us declared hereafter, as it is more fully contained in the Rental of *Soltre*; and Ten Pence out of a certain Village near *Lindbego*, as is ascertained in the Rental and five Mark Lands of *Browderstanes* and *Gilestoun*, within the Lordship of *Soltre*, with their Limits, Marches and Bounds, to be hereafter specified; which Master of the Hospital shall have the Disposal of all the Fruits or Profits designed for the Maintenance of the Poor of the said Hospital; so to be limited, that he may carefully provide for all the Necessaries requisite, according to God and a good Conscience; and to give to the Provost and Chapter an Account of the Profits and Disbursements of the Faculty twice in the Year, and at other Times, if required.

"The second Prebendary shall be called the Sacristan, who, for his Support, shall have the five Mark Lands in the Village of *Hill*, within the Demaine of *Balerno*; the five Mark Land of *Browderstanes* and *Gilestoun*, of the Demaine of *Soltre*, to be limited by us, as aforesaid, with the fourth Part of the Profits of the Rectory of *Strathmartin*; and the said Sacristan shall have the Disposal of all the Fruits or Profits here under mentioned, appertaining to the Community or Chapter, for buying the daily Provisions necessary for the Use of the said Church and College, and shall account for the same to the Provost and Prebendaries quarterly: And the said Sacristan shall keep the Church neat and clean, shall have the Custody of the Ornaments, Jewels, and sacred Vessels; shall ring the Bells, and furnish Wine, Bread, Lights, and other Things

belonging to his Office, according to the laudable Custom of other Churches.

"The third Prebendary shall be called the Prebendary of *Browderstanes*, who shall have for his Prebend the two Mark Lands of *Browderstanes* and *Gilestoun*, to be appointed by us, and a fourth Part of the Profits of the Rectory of *Strathmartin*, aforesaid.

"The fourth Prebendary, who shall be intitled the Prebendary of *Strathmartin*, shall for his Support have the five Mark Lands of *Browderstanes* and *Gilestoun*, and a fourth Part of the Profits of the Rectory of *Strathmartin*, aforesaid. And the said four Prebendaries shall be liable to pay to the Bishop, Archdeacon, and others, the several Profits or Dues they formerly received, and to repair the Church out of the first Fruits of the Rectory of *Strathmartin*, divided amongst the said four Prebendaries for that Purpose.

"The fifth Prebendary shall have the Title of *Gilestoun*, and have for his Prebend the five Mark Lands of *Browderstanes* and *Gilestoun*, to be appointed by us, as aforesaid, with a fourth Part of the Profits of the Rectory of the Church of *Ormistoun*, in the Diocese of *St. Andrew's*.

"The sixth Prebendary, which shall be denominated *Ormistoun*, shall have the five Mark Lands of *Browderstanes* and *Gilestoun*, and a fourth Part of the Profits of the Rectory of the Church of *Ormistoun* aforesaid.

"The seventh Prebendary, to be called of *Hill*, to have for his Prebend the five Mark Land with the Demaine of *Balerno*, and a fourth Part of the Fruits of the Rectory of the aforesaid Church of *Ormistoun*.

"The eighth Prebendary, who shall be intitled *Newlands*, shall for his Support have the five Mark Lands of *Newlands*, in the Demaine of *Soltre*, and a fourth Part of the Profits of the Rectory of *Ormistoun* aforesaid: And the said four last Prebendaries shall be liable to the several Burdens or Dues payable to Bishop, Archdeacon, and others; and to uphold the Church of *Ormistoun* by the first Fruits arising therefrom.

"We likewise appoint and ordain, that there be two Clerks in our said College, who shall be obedient to the Provost's Commands, who shall have for their Maintenance the ten Pound Lands of *Balerno*, to be limited by us, and equally divided between them; and the said Clerks shall be removeable at the Will and Pleasure of the said Provost and College.

"And we likewise appoint and ordain, that there shall be kept and maintained in our said Hospital thirteen Poor; and for their Sustenance, order the Hospital
" of

“ of *Usherogle* and Rectory of *Weems*, in the
 “ Diocess of *St. Andrew's*; an Annuity of
 “ Ten Pounds out of the common Good of
 “ *Edinburgh*, and Ten Pounds yearly out of
 “ our Lands and Tenements in *Leith*. And
 “ we likewise give out of the Profits of the
 “ Rectory of *Kirkurd* in the Diocess of *Glas-*
 “ *gow*, to be employed in repairing the said
 “ collegiate Church and Ornaments there-
 “ in, the Sum of Forty six Pounds and
 “ nine Shillings *Scotish* Money.

“ And the Sacristan of the said collegiate
 “ Church, shall have, together with the re-
 “ maining Part of our Lands of *Balerno*,
 “ the receiving of all the Goods and Profits
 “ above mentioned; for which he shall be
 “ liable to pay to the Bishop and Archdea-
 “ con the several Dues and Profits they for-
 “ merly received, with other Expences u-
 “ sually paid, and to uphold and keep in
 “ Repair the Church of the said *Kirkurd*.

“ And the Prebendaries aforesaid shall
 “ daily sing the Matins, Great Mass, Ves-
 “ pers, and Comptory, by Note; and the
 “ Provost shall on all Festivals be present
 “ at the Celebration of the said Matins,
 “ Mass and Vespers; the several Prebenda-
 “ ries shall reside in the College, and per-
 “ sonally discharge the Duties of their re-
 “ spective Offices; the Provost shall like-
 “ wise be obliged to a personal Residence;
 “ and if at any time he shall absent himself
 “ for the Space of fifteen Days, the Chapter
 “ of the said College shall apply to the Pa-
 “ tron to compel him to return: And if the
 “ said Provost, after the Patron's Injunction,
 “ continue to absent himself for the Space
 “ of another fifteen Days, his Office shall be
 “ declared vacant: And if within the Space
 “ of fifteen Days after the said Declaration,
 “ the Patron omit to present another Per-
 “ son for Provost to the Ordinary, then,
 “ and in such Case, the Chapter shall nomi-
 “ nate and present a Person for Provost to
 “ the Ordinary.

“ And we appoint and ordain, that none
 “ of the said Prebendaries or Clerks absent
 “ themselves from their Offices without
 “ Leave of the Provost, to whom it shall
 “ not be lawful to allow any of them above
 “ the Space of fifteen Days at a Time, un-
 “ less it be on extraordinary Occasions, and
 “ then not without Consent of the Chapter:
 “ And whoever of the said Prebendaries or
 “ Clerks shall act contrary to this Ordi-
 “ nance, his Office shall be adjudged va-
 “ cant, and the same shall, by the Provost
 “ and Chapter, with Consent of the Ordi-
 “ nary, be conferred on another: And if
 “ any of the said Prebendaries shall keep a
 “ Concubine or Fire-maker, and shall not
 “ dismiss her, after being thrice admonished
 “ thereto by the Provost, his Prebend shall
 “ be adjudged vacant, and conferred on
 “ another by Consent of the Ordinary, as
 “ aforesaid.

“ The Provost of the said College, when-
 “ ever the Office of Provostry shall become
 “ vacant, shall, by us and our Successors,
 “ Kings of *Scotland*, be presented to the Or-
 “ dinary. And the Vicars belonging to the
 “ Out-churches aforesaid, shall be presented
 “ by the Provost and Chapter of the said
 “ College to the Ordinary; from whom they
 “ shall receive canonical Institutions; and
 “ that no Prebendary shall be instituted un-
 “ less he can read and sing plainly, count
 “ and discount; and that the Boys may be
 “ found docible in the Premises. And we
 “ further appoint and ordain, that whenever
 “ any of the said Prebendaries shall read
 “ Mass, he shall, after the same, in his sa-
 “ cerdotal Habilliments, repair to the Tomb
 “ of the Foundress with Hyssop, and there
 “ devoutly read over the Prayer *de profun-*
 “ *dis*, together with that of the Faithful, and
 “ an Exhortation to excite the People to
 “ Devotion.

“ We likewise appoint and ordain, that
 “ the Matins from the Feast of Pentecost,
 “ to that of *St. Michael*, shall begin at five
 “ of the Clock in the Morning, and from
 “ the Feast of *St. Michael* to Pentecost shall
 “ begin at six in the Morning; and as soon
 “ as the said Matins shall be ended, the
 “ weekly Mass shall be celebrated at the
 “ Altar of the blessed Virgin, according to
 “ the Table for Worship. And that Mass
 “ be weekly said in the Chapel of the Hof-
 “ pital, at nine of the Clock, for the infirm
 “ Poor therein.

“ We also will and ordain, that the said
 “ Provost and Prebendaries, during our
 “ Lifetime, devoutly keep an anniversary
 “ for the illustrious Prince, *James*, late King
 “ of *Scots*, our most tender Husband; and
 “ after our Demise, on the Days of our re-
 “ spective Obits, in all times coming, to
 “ sing and celebrate his and our Anniver-
 “ saries, for us, our Children, Ancestors,
 “ and Successors; and also, for the afore-
 “ said Reverend Father in Christ, *James*, the
 “ present Bishop of *St. Andrew's*, after his
 “ Decease.

“ We also statute and ordain, that the
 “ Prebendaries who are to serve in the said
 “ Collegiate Church, shall, at their several
 “ Admissions, ingage to be obedient to the
 “ Provost, who shall have the correcting
 “ and reforming of Abuses that may happen
 “ in the religious Administration of the
 “ said College: And the said Provost shall
 “ have Power to punish the Aggressors by
 “ pecuniary Mulcts, or otherwise, accord-
 “ ing to Statutes to be made and provided
 “ by the Provost and Chapter.

“ And lastly, we statute, ordain, and
 “ reserve to us, during Life, full Power to
 “ add, diminish, alter and illustrate any of
 “ the Premises which may prove obscure,
 “ or ambiguous in any of their Articles and
 “ Members; Incidents, and what may de-

"pend on and be connected with them shall
"be left to, and settled by the Determina-
"tion of Lawyers and prudent Men.

"Wherefore, Reverend Father, we hum-
"bly pray and require, that you would be
"favourably pleased, by your pastoral Office,
"to accomplish, approve, ratify and con-
"firm, the founding, indowing, and Distri-
"bution made by us as aforesaid, in all its
"Points, Members, and Articles whatso-
"ever.

"In Witness whereof, we have to these
"Presents affixed our great Seal, in Pre-
"sence of the Reverend Father in Christ,
"Andrew, Bishop of Glasgow; the vene-
"rable Father, Henry, Abbot of Paisley;
"Andrew, Lord Avandale, Chancellor of
"Scotland; George, Earl of Angus; Alex-
"ander, Lord Montgomerie; and Sir John
"Ross of Halkheid, Knight. At Perth the
"twenty fifth Day of March, in the Year of
"God One thousand four hundred and sixty
"two."

"After presenting and receiving the afore-
"said Letters, an humble Supplication was
"made to us, in Behalf of the said illustri-
"ous Princefs, that we would, by our pa-
"storal Authority, be pleased to ratify, ap-
"prove, and confirm the founding, indow-
"ing and Disposition of the said College:
"Wherefore, we James, the aforesaid Bi-
"shop of St. Andrew's, in Compliance with
"the devout Prayers, and pious Desires of
"our most excellent Princefs and Lady, to
"the Honour and Praise of the Omnipot-
"ent God, and the Salvation and perpet-
"ual Memory of the Souls aforesaid.

"Wherefore We, after due Consideration
"and Deliberation, had with the Prior and
"Chapter of our Church, on this arduous
"Affair, with their Approbation and Con-
"sent, do approve, ratify and confirm the
"founding and indowing of the College of
"the Holy Trinity, near Edinburgh, by the
"said illustrious Princefs, together with the
"several Concessions, Ordinations, Divisi-
"ons, and Distributions of the Revenues,
"Church-lands, and other Profits above
"specified in all their Parts and Articles,
"in as full and ample a Manner as can
"be devised; reserving to us our Successors
"and Archdeacon, the Obedience, Jurisdi-
"ction, and other spiritual Privileges due
"to us by Law, before this last Establish-
"ment or Annexation happened. In Wit-
"ness whereof, we have to these Presents,
"put our Seal, together with that of our
"Chapter, Given at St. Andrew's, the first
"Day of April, in the Year One thousand
"four hundred and sixty two, and of our
"Consecration the twenty fifth.

At the Trinity College, the 26th of Junii, the
Zeir of God 1574.

"The quihlk Day the Provost and Pre-
"bendaries underwritten, havand Respect to
"the Reformatioun of the Religioun, and

"abolishing Idolatrie, have thocht expedi-
"ent, that yair common Sele of the said
"College, be the common Consent of yair
"Chaptoure, be changit and reformat; that
"quhairas the samyn contains the Ymage
"of the Trinitie, efter the auld Manner, in
"Place theirof, fall be writtin yir Wordis,
"*sancta trinitas, unus Deus*; and underneth
"the Lyoun, the Kingis Armes, with the
"Foundators Armes, gif that can be had;
"and yis to be done with all Delligence, that
"all Evidentis to pas heirefter, to be seill-
"it yairwith; and thai that are not seillit
"with the said Sele, efter the Daitt heirof,
"to tak na Effect. Alsua, ordeines, that
"all Evidentis, Assedatiouns, or any uther
"Writting yat pas be Consent of the Chap-
"toure, shall be registrate in the Register
"Buik befoire thai be seillit, on the Ex-
"pensis of the Pertie yat feikis the samyn:
"Subscrivet be the said Provost and Pre-
"bendaries Handis, Day and Plaice afoir-
"said."

Although this College, Church, and Ho-
spital, appears by the above Charter to have
been founded by *Mary of Guelders*, Consort
to King *James II.*; yet only the Choir and
Cross of the Church appears to have been
erected: And as to the Body or Western
Part of the said Church, no Attempt seems
to have made been towards its Construction;
however, on the Southwestern Buttress of
the Southern Arm of the said Cross, on the
Southeastern Side, is the Arms of *Guelders*,
quartered with those of *Scotland*.

The Trinity College, with its Appurte-
nances, being in the Year 1567 given by
James Earl of Murray Regent of *Scotland*,
to Sir *Simon Preston*, Provost of *Edinburgh*,
he generously conferred the same on the
City, for which the Common Council made
the most grateful Acknowledgments. The
Revenues of this Foundation, at the Refor-
mation, amounted to the yearly Sum of
Three hundred and sixty two Pounds six
Shillings and eight Pence *Scotish* Money.

The Reformation of Religion being far
advanced in *Scotland*, the Provost and Ca-
nons of this Church judged it their Interest
to embrace the same; and to shew they were
in earnest, made the following Declaration
or Order.

The Provost and Canons of this College,
pursuant to the Reformation of Religion,
or Change of Principles, made the follow-
ing Articles for the better Regulation of
their Beidmen.

The Statutes and Ordinances maid and
renewitt be the Provost and Prebendaries,
be gadderit, to be observit and keipit be
the Beidmen and Hospitularis now present
and to cum, conform to yair Foundatioun,
Actis and Constitutiones maid yair upoun,
Day, Zeir, and Place foresaid.

Imprimis, "The Hospitularis now pre-
"sent and to cum, sal be sworne to ob-
"serve,

Coun. Regist.
vol. IV. f. 206.

“serve, keip and fulfill the Statutes and
“Ordinances following, under the Panes
“contenit in the samyn; and thai quha ar
“now presentit alreddie, sal leir and have
“perfitlie the Ten Commandimentis of
“God, the Lordis Prayer and the Articles
“of the Beleif; and to yat Effect ane cer-
“tane Day in the Owk to be set be the
“Maister Hospitaller for instructing of the
“ignorant; and thai quha sal happin to be
“presentit and ressavit heirefter to be ex-
“pert heirinto, or ellis not to be ressavit.

“*Item*, It is ordanit, yat the Beidmen
“fall not be absent fra the Prayeris or
“Preiching, quhen it sal happin the samyn
“to be publikt in the said College-kirk or
“Beid-house yairof, without sum leifum
“Caus and Licence askit and given be the
“said Maister Hospitaller to yat Effect, the
“Contempnar heirof to pay ilk Falt Thrie
“Pennies, or one Half-penny.

“*Item*, It is ordanit, yat the saidis Beid-
“men sal prepair and mak ilk ane of yame
“on yair awin Expenfis, ane Blew-gown,
“conform to the first Foundation, betwixt
“the Daitt of this Presentis, and the first
“of *Junii, anno 1576*; nixt to cum, un-
“der the Pane of Deprivatioun of him yat
“fall happin to contempt yis Ordinance,
“quhais Beidship sal be gevin to ane uther
“fund qualifiit yairfore.

“*Item*, Yat the Maister Hospitaller sal
“have the Cair of the Beidmen, and res-
“saive yair Dewties arissand yame thairof,
“as he will answer to God, and the Provost
“and Prebendaries, and yat their Land or
“Teinds be sett in Few or large Takis be
“yame and their said Maister Hospitaller,
“with Consent and Assent of the Provost
“and Prebendaries; and yat the Interests
“and Gersome Silver yat sal happin to be
“obtainit yairfore, to be tane up and dis-
“tributit be the Maister Hospitaller amang
“the said Beidmen equalie, at leif (gif
“Neid beis) the samyn to be applyit to the
“repairing and mending of the Hospitale,
“sa oft as the samyn fall have Neid thairof,
“as Use is; and Compt yairof to be maid
“to the Provost and Chaptoure, sa oft as he
“sal require it.

“*Item*, It is ordanit, gif ony of the Beid-
“men be drunkisum, Twilziours, Ban-
“naris, Sweraris, or outragius to yair said
“Maister Hospitaller, to any of the Preben-
“daries, or to any of the Beidmen yair Bre-
“thring, being first reprovit be the Master
“Hospitaller, and will not forbeir, the nixt
“Falt yairefter the Offender to pay yair-
“fore Sex Pennies, with Satisfaction of
“the Party offendit; and the second Falt
“Twall Pennies; the third Falt the Offend-
“er be put to the Stokkis for the Space of
“sex Howeris and langer, induring the
“Maister Hospitaller's Will.

“*Item*, And gif it sal happin yis Offend-
“er to fall or offend any Man the thaird

“time, it beand knewin and provin before
“the Maister Hospitaller, he sal be yairfore
“removit fra his Beidmanship, and all ap-
“pertenand yairto, and ane uther qualifiit
“Persoun placit yairin be the Provost and
“Prebendaries; quilkis Faltis and Unlaw-
“ers sal be tane up be the Maister Hospi-
“taller, and Compt maid to the Chaptoure
“sa oft as he sal be requirit, and the samyn
“to be applyit for beitting and mending of
“the Hospitale; and keipit to that Effect.

“*Item*, It is ordanit be the Provost and
“Chaptoure foresaid, yat how sone it sal
“pleifs God, the said Hospitale be repairit
“and mendit, yat all the said Beidmen sal
“have and use yairin Nicht and Day, with-
“out Leif askit and given be the said Mai-
“ster and Hospitaller; ilk Nicht yat thai ar
“absent, to pay Thrie Pennies the Man;
“and yat na Wyfe nor Barnis sal be halden
“to resort yairin Day nor Nicht, and espe-
“ciallie in the Nicht, for molesting of the
“seik, under the Pane of Sex Pennies, to
“be payit be the Beidmen yat fall happin
“to have yat Wyfe or Barnis; and yat
“nane of the said Beidmen yat ar desolate
“of Wyffis at this present or to cum, sal
“marie without the Maister Hospitaller's
“Leif, under the Pane of Deprivatioun,
“at the leif satisfying of the said Maister
“Hospitaller.

“*Item*, It is ordanit, yat the Hospitu-
“lares present and to cum, sal abyde and
“underly the Correctioun and Executioun
“of yir Premis of the Maister Hospitaller,
“and yat thai sal purchas na Lordshippis
“agains yir Ordinances above written, or
“to mak plant of yair said Maister, bot to
“the Provost and Chaptoure; and gif thai
“doe the contrair, being knawin, yair
“Places to waik, and utheris qualifit to
“be placit yairin be the Provost and Chap-
“toure, and ressavit be the Maister Hospi-
“taller, gevin his Ratificatioun of being
“ressavit yairin to the Persoun presentit, in
“Write and Possessioun in dew Form, as
“Use is: And yis to be done sa oft as ony
“sal happin ta waik, provyding yat the
“Persoun presentit be examinat be the Ma-
“ster Hospitaller; and yat it sal be leifum to
“the said Maister Hospitaller to agment
“heirto sic Ordinances as sal be found rele-
“vant, and adapted to the Weill of the said
“Beidmen; ordinand him to put yame
“and yir present Ordinancis in dew Execu-
“tioun, without Favour, as he sal anser to
“God, and to the Provost and Chaptoure.
“Subscrivit be the said Provost and Chap-
“toure, as follows, Day, Zeir, and Place
“above written.”

By the above Orders, the Trinity Hospi-
tal seems to have been in a ruinous Condi-
tion, which is in some Measure corroborated
by the *Edinburghers* applying to Parliament
sometime after, for a Power to inable them
to

to repair or erect an Hospital; which was granted in the Year 1578.

Rec. in Arch.
Edin.

Now, though all Things seemed ready for rebuilding the Trinity Hospital, yet, as Sir Simon Preston's Grant above mentioned, seems only to have been a reversionary Gift; the Town Council of *Edinburgh*, on the 26th of April anno 1585, by a Contract between them and Robert Pout, Provost of the Trinity College, agreed to pay to him for his Right to the said College, the Sum of Three hundred Marks, *Scotish* Money; and an Annuity of One hundred and sixty Pounds of the said Money, during Life. This Contract was confirmed by King James VI. on the 26th December, in the Year 1587, with a Power to the Magistrates and Council, to rebuild the said ruinous Hospital in a Place more convenient at or near the said College. Now all Things being ready for the intended Work, it was set about; and the Hospital which till this Time stood on the Eastern Side of *Leith* Wynd, being demolished, Part of the College was fitted up and converted into a new one, where it is at present situated, on the Southern Side of the Trinity College Church, and Western Side of *Leith* Wynd.

The Contents of the Parish belonging to this Church are as follows, namely, the Southern Side of the *Nordloch*, from *Warriiston's* Close Eastwards; all *Halkerton's* Wynd, and from *Gray's* Close, Eastward, all the Northern Part of the High Street to the *Netherbow* Port, with all the Closes, &c. therein, together with the Western Side of *Leith* Wynd, *St. Mary's* Wynd, and the Head of the *Canongate*.

Examin. Rolls.

This Parish, like the other City Parishes, being divided into six Divisions; the first contains ninety four Families; Males, one hundred and thirty six; Females, one hundred and eighty five: The second, Families, one hundred and sixteen; Males, one hundred and thirty seven; Females, two hundred and fifty six: The third, Families, one hundred and twenty six; Males, two hundred and six; Females, three hundred and twenty four: The fourth, one hundred and eighteen Families; Males, one hundred and sixty one; Females, two hundred and thirty five: The fifth, Families, one hundred and twenty one; Males, one hundred and fifty nine; Females, two hundred and sixty seven: And in the sixth Division, one hundred and seven Families; Males, one hundred and sixty five; Females, two hundred and thirty six. Number total, Families, six hundred and seventy seven; and examinable Persons, two thousand four hundred and sixty seven.

The Seats in this Church in the Year 1746, were one hundred and thirty in Number; which were let at Seven hundred and two Pounds, *Scotish* Money yearly.

Antiquities, and Things remarkable in this Parish.

This Church, which is unfinished, as above mentioned, consists only of the Choir, Cross, and central Tower of the intended Church, wherein the Foundress, *Mary*, of *Guelthers*, Consort to King James II. is inhumed. Opposite the Church, towards the South, is the Hospital of *St. Thomas*, which I shall elsewhere describe. A little to the Northwest of the Orphans Hospital, which I shall likewise account for in its proper Place; on the Site whereof, antiently stood the Castle of *Dingwall*, so denominated from *John Dingwall* the Founder, who was Provost of the Trinity College in the Year 1526; and near the Southeastern End of the Parish in the *Canongate*, erected in the Year 1747, is a Play-house, wherein are acted Comedies, Tragedies, and other Inter-tainments; the Incouragement given to these Diversions is so very great, 'tis to be feared, will terminate in the Destruction of the University, which is in so flourishing a Condition at present; which ought by all Means to be carefully guarded against; for such Diversions are no Ways becoming a Seat of the Muses. Here are no Monumental Inscriptions I could discover.

The CALDTON District.

The Common Council of *Edinburgh* having purchased of Lord *Balmerinock*, the Superiority of the District of the Western *Lestralrig*, commonly called the *Caldton*; and having, in the Year 1725, obtained a Charter from King George I. erecting the same into a Burgh of Barony: They soon after granted to the Inhabitants the following Charter for their better Government.

At the Caldton, the 3d Day of June, One thousand seven hundred and twenty seven Years.

"The which Day, Mr. David Flint, Cald. Regist.
"Bailie of the Barrony of the *Caldton*, alias
"Wester *Restalrig*, sitting in Judgment,
"considering that several Doubts and Diffi-
"culties have arisen touching the Import
"and Meaning of the Rights and Privileges
"granted by my Lord *Balmerino*, to the In-
"habitants residing in the *Caldton*, and
"touching their Use and Exercise thereof,
"which may be attended with Consequen-
"ces hurtful both to the City of *Edinburgh*,
"and said Inhabitants, unless the same be
"explained, settled, and determined, con-
"sistent with the Jurisdiction and Right of
"Superiority of *Caldton* belonging to the said
"City, and the Rights belonging to the
"said Inhabitants: And that the Lord Pro-
"vost, Magistrates, and Council, with the
"Deacons of Crafts, ordinary and extraor-
"dinary of the said City, have by their Act
"dated the second Day of June instant, au-
"thorized

"thorized and impowered him to explain the same accordingly.

"Therefore that the foresaid Doubts and Difficulties may be fully explained, and that all bad Consequences that thence may arise, may effectually be prevented, the said Baillie hereby statutes and ordains, that under the Limitations and Conditions after mentioned, the Erection of the Inhabitants of *Caldton* into a Society, shall hereafter subsist and endure in favour of the present constituent Members thereof, and their Successors, who shall be thereunto admitted and received in Manner hereby provided: That the said Society shall hold and enjoy all the Heretage, Debts, and Sums of Money to them belonging, or shall arise to them by any of the Funds aftermentioned, or any other Manner of Way whatever.

"That the Money arising to the Society from the Rents of their said Heretage, or other Funds now to them belonging, or that hereafter shall to them belong, shall be applicable toward Payment of what Debts are now resting by the said Society, towards the relieving, maintaining, and supporting such of their Members as are or shall be reduced to Poverty; and of their Widows and Orphans; and towards such other Uses as shall be agreed to by the said Baillie and his Successors in Office, extending to the Benefit of the said Society, and to no other Use or Purpose, whatever.

"That the Estate and Funds now belonging, and that hereafter shall belong to the said Society, with all their Affairs, shall be administrated and managed by a Box-master and twelve Assistants under the Controul of the said Baillie, and his said Successors, in Manner after specified.

"That on the fifth Day of *June* instant, and annually on the first *Thursday* of *May* thereafter, a List of three Members of the said Society shall be given them by the said Baillie, and his said Successors, in order to choose one of them to the Office of Box-master for the ensuing Year; and that then forthwith, in Presence of the said Baillie, or his said Successors, it shall be lawful to the said Society to assemble in the Court-hall, and proceed to elect one out of the said List, to the Office of Box-master accordingly; and the Person who shall be elected to the said Office, by a Majority of Suffrages of the Members then present shall be thereto preferred; and immediately thereafter, the said Election shall be approved by the said Baillie or his said Successors; and Oath *de fidei administratione* shall be tendered to and sworn by the Person to be elected as aforesaid.

"That on the said fifth Day of *June* instant, and on the said first *Thursday* of

May, annually thereafter, so soon as the aforesaid Election of Box-master is proceeded in and finished as above directed, the said Society shall proceed to make a List of twenty four of their Number, best qualified, to hold the Office of Assistants; and to deliver the said List to the said Baillie or his forefairs, who shall, out of the said List chuse twelve to the said Office of Assistants, for the ensuing Year; and these to be so chosen, shall swear an Oath, *de fidei administratione*.

"That no Person shall be capable to hold either the Office of Box-master, or the Office of Assistant more than for two Years together. That it shall be lawful for the said Box-master and Assistants to assemble how often as they shall think necessary, for the Management of the Estate and Funds belonging to the said Society, for examining and trying Entrants, or for concerting any Proposition that they shall think tends to the Benefit of the said Society, in order to lay such Propositions before the said Baillie or his forefairs, to be by them approved or disapproved. And the said Box-masters and Assistants are hereby required and directed to meet annually upon the first *Thursday* of *August*, on the first *Thursday* of *November*, on the first *Thursday* of *February*, and on the first *Thursday* of *May*, to make a List of what Pensions and Supplies are needful to be given to the said Poor; and to examine the Box-master's Accompts of Receipts and Payments for the three Months thereto preceeding. That the Box-master's Accompts of Receipts and Payments which are hitherto unapproved by the said Baillie or his Predecessors, shall be laid before the said Baillie upon the fifth Day of *June*, to be examined, approved or disapproved.

"And annually thereafter, upon the said first *Thursday* of *May*, the Box-master's Accompts of Receipts and Payments for the Year thereto preceeding, shall be laid before the said Baillie to be examined, approved, or disapproved; and such Articles as shall be disapproved shall be charged upon the Box-master, and shall be by him made good to the Society, as the said Baillie and his forefairs shall determine.

"That it shall not be lawful to the said Society, nor to the said Boxmaster or Assistants in any of their Meetings, to have or use any Clerk, other than the Clerk to the Barony of the *Caldton*, or his Deputes: And all the Writings belonging to the said Society, and all Indentures betwixt Masters and Apprentices, shall be written by the Clerk to the said Society, or his Deputes; and that the Fee for writing Indentures shall be no more than Two Pounds *Scots*, and for booking thereof in the

H h h

Court-

" Court-books, seven Shillings Money fore-
 " said; that each Prentice who shall be
 " booked, as said is, shall pay to the Use
 " of the Society Two Pounds *Scots*.

" That it shall not be lawful for any Per-
 " son to occupy or use any Craft or Em-
 " ployment within the *Caldton* or *Pertinents*,
 " till they obtain Right to do the same from
 " the said Bailie or his forefairs; and up-
 " on their obtaining such a Right, they
 " shall thereby be Members of the said So-
 " ciety: That no Person who shall use, or
 " occupy any Craft, shall be made a Free-
 " man in *Caldton*, till once they be examined
 " touching their Qualifications by the Box-
 " master and Assistants: That the Upsets
 " and Entry Money to be paid by an Un-
 " freeman to the Use of the said Society,
 " before his Admission to his Freedom,
 " shall be the Sum of Forty Pounds *Scots*
 " Money: That the Upset and Entry Mo-
 " ney, to be paid to the Use of the said So-
 " ciety, by Sons or Sons-in-law of Freemen,
 " before their Admission, shall be the Sum
 " of Eighteen Pounds Money forefairs:
 " That the upset Entry-money to be paid
 " by Prentices, who shall be booked in
 " their said Court-books, within the Space
 " of forty Days next after the Date of their
 " Indentures, shall be the Sum of Twenty
 " Pounds Money forefairs; and that such
 " Prentices as shall not be so booked, shall
 " forfeit every Benefit arising to them from
 " their Indentures.

" That the Fees of Admission of every
 " Person to the Freedom of the *Caldton*,
 " shall be to the Bailie Four Pounds Mo-
 " ney forefairs, and to the Clerk One Pound
 " ten Shillings Money forefairs: That each
 " Freeman shall pay to the Use of the said
 " Society annually, the Sum of Sixteen
 " Shillings *Scots*, at *Lammas*, *Martinmas*,
 " *Candlemas*, and *Whitsunday*, by equal Por-
 " tions, beginning the first Term's Payment
 " at *Lammas* next; and that over and above
 " what Arrearages are already incurred and
 " due by any of them for Quarter Dues:
 " That the Clerk's Fees for attending the
 " annual Election for Boxmaster and As-
 " sistants, shall be only Fifteen Pounds
 " *Scots*, to be paid him by the Boxmaster
 " annually on the said first *Thursday* of *May*,
 " beginning the first Year's Payment on the
 " first *Thursday* of *May*, One thousand seven
 " hundred and twenty eight Years: That it
 " shall not be lawful for any Prentice to be
 " admitted Freeman, till he has served as a
 " Journeyman at least for the Space of two
 " Years after the expiring of his Indentures;
 " but his Service as Journeyman is not to be
 " limited to be within the Bounds of the
 " *Caldton*."

Although the *Caldton*, which is situated
 on the Northeastern Part of *Edinburgh*, be
 in the Parish of *South Leith*; yet, as it is a
 Suburb, contiguous to *Edinburgh*, it ought

justly to be reckoned Part of the same; for
 which Reason I have inserted the Account
 thereof in this Place. This Burgh of Ba-
 rony is governed by a Bailiff, who presides
 in the Baron Court held here, wherein
 Causes, both civil and criminal, other than
 in capital Cases, are tried. The Officers
 belonging to this Jurisdiction are a Bailiff,
 Town-clerk, a Constable, and a Serjeant or
 Officer for executing the Orders of the
 Court, &c. And for the Accommodation of
 the Barony, here is a Court-house and Prison.

And though the *Abbey-hill* be likewise
 in the Parish of *South Leith*, yet, as it is almost
 contiguous to the Cemetery of the Abbey
 Church of *Holyroodhouse*, I shall subjoin an
 Account thereof to that of the *Caldton*;
 which, forming two Divisions, that of the
Caldton contains one hundred and eighty
 eight Families, and five hundred and sixty
 five examinable Persons; and that of the
Abbey-hill and *Quarry-boles* consists of eighty
 two Families, and examinable Persons, two
 hundred and sixty: Total of Families, two
 hundred and seventy; and catechiseable Per-
 sons, Males, four hundred and seventeen;
 and Females, four hundred and eight: To-
 tal, eight hundred and twenty five.

*Antiquities and Things remarkable in this Di-
 strict.*

King James II. by his Charter of the
 twentieth of his Reign, anno 1456, granted
 to the *Edinburgers* a Spot of Ground on the
 Northeastern Side of the *Craigend* Gate, and
 Eastern Side of the Path-way leading to *Leith*,
 whereon to hold Tilts and Tournaments;
 at present called the *Greenside*. This Piece
 of Ground, in the Year 1520, was, by the
 Common Council of *Edinburgh*, with Con-
 sent of the King and Archbishop of *St. An-
 drew's*, granted to certain *Carmelite* Friars,
 to erect a Convent on; which proved of no
 long Duration: For *John Robertson*, a Mer-
 chant of *Edinburgh*, pursuant to a Vow, on
 his receiving a signal Mercy from God, e-
 rected, by a Licence from the Town Coun-
 cil, on the Site of the said Monastery, an
 House or Hospital for leprous Persons, to
 be under the Direction and Government of
 the said Council, who appointed a Com-
 mittee to settle the same, who drew up cer-
 tain very severe Constitutions to be observed
 by them, under no less a Penalty than that
 of being hanged; and, to shew they were in
 earnest, ordered a Gibbet to be erected at
 one End of the said Hospital, to enforce the
 Observation of their Statutes, which were
 as follows:

*At the Hospital upone the Greenside, betwixt
 Edinburgh and Leith, the 23d of No-
 vember, 1591.*

" The quhilk Day, the Personis after
 " specifeyit, that is to say, M. Walter
 " Balcanquell Minister, Thomas Fyscheair
 " Bailie, Archibald Jhonestoun Bailie, Jhoun
 " Robertoun Merchant, &c. Burgesies of
 " *Edinburgh*,

"*Edinburgh*, being appointit be the Coun-
"fall and Sessioun of the said Burgh; con-
"venit togidder, upoun the 21st of the said
"Moneth, to place the Lepperis under-
"wrytten in the said Hospitall, and to ap-
"poynt sic owklike Almes, and injoyne sic
"uther Ordars to thame, as the said Com-
"missioners suld think expedient.

1. "The said Commissioners placit in
"the Hospital, *Robert Mardow*, *James Gar-
"vie*, *Johun M'rere*, *James Wricht*, and
"Johun Widderspune, Lepperis, togidder
"with *Isobell Barcar*, Spous to the said *Ro-
"bert Mardow*, and *Jonet Gatt*, Spous to
"the said *James Garvie*, and appoyntit to
"everie ane of the said Personis owklike Four
"Shillings (*Scotish Money*) besyde the Mo-
"ney quhilk they fall obtene with their
"Clapper in Maner following.

2. "That nane of the saids Personis Lep-
"peris cry or ask for Almes, utherways
"then be thair said Clapper; and that e-
"verie ane of thame, his Day about, sitt at the
"Dure of the said Hospitall to that Effect,
"the rest allwayes remaining within the
"samyn, and that thay distribute equallie
"amongs thame, quhatsoever Money they
"purches be thair said begging, and gif
"the just Declaration thair of to the Visitour
"appoynted everie Setterday, under sic
"Payne, as the Counfall shall injoyne unto
"thame.

3. "That none of the said Personis Lep-
"peris, or thair Wyffes, depairt or resort
"fra the said Hospitall, to na oyder Pairt
"or Place, bot sit still thairat, and remayne
"thairin Nicht and Day, Haly-day and
"Wark-day; and that thay refave na oyder
"Maner of Personis, oyder Man or Wo-
"man within the said Place, bot sic as fall
"be placit with thame thairin, at Command
"of the said Counfall and Sessioun; and that
"they keip the Dure of the said Hospitall
"fast and clois, fra the dounpassing of the
"Sone, to the ryfing thair of, under the
"Payne of hanging.

4. "That the said Personis, and ilk ane
"of thame leif quetlie, and gif na Sclander,
"be banning, sweyring, flyting, skalding,
"filthie speaking, or vicious leving, or any
"oyder Way under the Paynes to be en-
"joynit be the Counfall.

5. "That the said *Isobell Barcar*, and *Jo-
"net Gatt*, wash the lynning Clayths of the
"remanent at the Boig at the Craftfute, on
"the Backsyde of the Lepper-house, and
"mak thair Beddis, and alwayes had the
"said Hospitall honist and cleanlie, under
"the Payne aforesaid.

6. "That the said *Jonet Gatt* onlie cum
"to the Markatts for buying sic Viveris as
"is necessary to the saids Personis, and
"presume to gang to na oyder Pairt nor
"Place in her cuming and returning to and
"frae the saids Markatts, under the Payne
"aforesaid: Quhilk Injunctions being red

"to the Personis foresaids, thay agreit thair-
"to, and promisit to obey and underly the
"samyn, under the Paynes therabove wryt-
"ten. And thairfore, for the better Obe-
"dience thair of, and for terrefying the said
"Lepperis to transgress the samyn, the
"said Commissioners hes thocht meitt and
"expedient, that there be ane Gibbet sett
"up at the Gavell of the said Hospitall;
"and that the Forme and Order thair of be
"insert baith in the Buiks of Counfall and
"Sessioun of this Burgh *ad perpetuam rei
"memoriam*. And that thair be an Act maid
"in the said Buiks, ordaining na Lepperis
"to be placit in the said Hospitall heirafter,
"bot sic as is or fall be borne within this
"Burgh, or haiff remaynit thairin seven
"Zeires, conforme to the Act of Parlia-
"ment.

7. "That the Maisters of the Hospitall
"of the Trinitie College, present, and for
"the Tyme to cum, be appoyntit owklike
"Visitours and Overseyaris of the said Ho-
"spitall of the Lepperis, and mak Report
"thair of owklike to the Sessioun of the Kirk.

8. "That thair be appoyntit ane ordinar
"Reider to reid the Prayeris evrie Sabbath
"to the said Lepperis, and ane commodi-
"ous Place appoyntit to the said Reider for
"that Effect."

To the Northwest of the said Greenside,
is a large Edifice, denominated *Little Pi-
cardy*, erected by the *Edinburghers* for the
Habitation of a Number of *French* Fam-
ilies, who carry on a Cambrick Manufactory
therein.

I imagine the Common Gallows or Gib-
bet must have stood at or near the South-
eastern Corner of the *Caldton*, by the Treas-
urer of *Edinburgh's* being ordered by the
Town Council to put up three wooden Re-
vels or Rails, betwixt *Leith* Wynd Foot and
the Gallows.

Before I proceed, it is necessary to ob-
serve, that besides the twelve Churches a-
bove mentioned, there are the Chapels of
Heriot's and the *Trinity* Hospitals, *Charity*
Workhouse and Tolbooth, and seventeen
Meeting-houses, viz. twelve Episcopal, an
Independent, a Seceder's, a Quaker's, a *French*,
and one Popish; so that the Places of pu-
blick Worship in this City and Suburbs, are
thirty three in Number, and the Streets,
Wynds, &c. amounts to three hundred
and twenty nine. The chief thereof, an-
ciently denominated the Market Street, and
sometimes the King's Street, is now called
the High Street; it is very spacious, reach-
ing from the *Luckenbooth*-street on the West,
to the *Netberbow* Port on the East, about a
Quarter of a Mile in Length, and about eighty
Feet in Breadth: It is beautifully paved with
squared Stones of a dark grey Marble, and
adorned on each Side with a Row of the loftiest
stonern Buildings probably any where to be
seen; but this beautiful Street is so crowded
and

and pestered with a Diversity of Edifices, namely, the publick Wells, or Water-conduits, the Market Cross, a Building that may well be spared, it being only a Receptacle for Filth and Nastiness, the Town Guard-house, and *Wednesdays Market*; whereby its Beauty is greatly eclipsed.

The Market Places are ten in Number, viz. the Corn, Meal, Poultry, two Fish, and two Flesh Markets; the *High Street*, for divers Sorts of Merchandize; *Cowgate* and *Grass-market* for Shoes; and the *Grass-market* for Cattle, Grass and Straw.

The High Street, which occupies the

upper Part of the central Hill, is by some compared to a Comb, the Street being the Bridge, and the numerous Wynds and Clofes on both Sides, the Teeth; these on the Southern Side, very steep, but those on the Northern much steeper, which renders them exceedingly incommodious and difficult to be ascended.

Having described the Parishes within the City and Suburbs of *Edinburgh*, I shall now proceed to give an Account of the Names and Number of the several Streets, Squares, &c. as follows.

An Account of all the Streets, Squares, Wynds, Courts, Clofes, Backs, Entries, Hills, Rows, and Yards within the City and Liberties of Edinburgh.

STREETS.	Wardrobe's court.	Cantoir's clofe.	Dyer's clofe.
<i>Bristow street.</i>	Writer's court.	<i>Cap and Feather clofe.</i>	<i>Dyet-clofe.</i>
<i>Canongate street.</i>	Number total - 8	<i>Cappock's clofe.</i>	<i>Elder's clofe.</i>
<i>Cowgate street.</i>		<i>Carm's clofe.</i>	<i>Eller's clofe.</i>
<i>Grass-market street.</i>	CLOSES.	<i>Carmichael's clofe.</i>	<i>Elwand-clofe.</i>
<i>High-street.</i>	<i>Abbey clofe.</i>	<i>Carnegie's clofe.</i>	<i>Fair Webster's clofe.</i>
<i>Land-market street.</i>	<i>Adam's clofe.</i>	<i>Carruber's clofe.</i>	<i>Fairlie's clofe.</i>
<i>Lauriston street.</i>	<i>Advocates clofe.</i>	<i>Carruthers's clofe.</i>	<i>Farmer's clofe.</i>
<i>Luckenbooth street.</i>	<i>Alison's clofe.</i>	<i>Carter's clofe.</i>	<i>Field's clofe.</i>
<i>Newington street.</i>	<i>Allan's clofe.</i>	<i>Castle-hill clofe.</i>	<i>Fenton's clofe.</i>
<i>Pleasants street.</i>	<i>Ailford's clofe.</i>	<i>Cellars's clofe.</i>	<i>Ferrier's clofe.</i>
<i>Portsburgh street.</i>	<i>Allaw's clofe.</i>	<i>Chambers's clofe.</i>	<i>Fern's clofe.</i>
<i>Potterow street.</i>	<i>Allardice's clofe.</i>	<i>Chancellor's clofe.</i>	<i>Fisher's clofe.</i>
Number total - 12	<i>Anchor clofe.</i>	<i>Chapel's clofe.</i>	<i>Fish-market clofe.</i>
<i>Mill's Square.</i>	<i>Anderson's clofe.</i>	<i>Clark's clofe.</i>	<i>Flesher's clofe.</i>
	<i>Anderton's clofe.</i>	<i>Colm's clofe.</i>	<i>Flesh-market clofe.</i>
	<i>Anne Rob's clofe.</i>	<i>Common clofe.</i>	<i>Fouler's clofe.</i>
	<i>Anstruther's clofe.</i>	<i>Con's clofe.</i>	<i>Foules's clofe.</i>
WYNDs.	<i>Assembly clofe.</i>	<i>Cooper's clofe.</i>	<i>Forbes's clofe.</i>
<i>Bell's wynd.</i>	<i>Atcheson's clofe.</i>	<i>Coppersmith's clofe.</i>	<i>Forbin's clofe.</i>
<i>Beth's wynd.</i>	<i>Aver's clofe.</i>	<i>Covenant's clofe.</i>	<i>Fortune's clofe.</i>
<i>Black-friar's wynd.</i>	<i>Bailey's clofe.</i>	<i>Cow's clofe.</i>	<i>Fountain-clofe.</i>
<i>Castle-wynd.</i>	<i>Bailey's clofe.</i>	<i>Craig's clofe.</i>	<i>Founder's clofe.</i>
<i>Chapel-wynd.</i>	<i>Baillie Baird's clofe.</i>	<i>Cramond's clofe.</i>	<i>Gabbie's clofe.</i>
<i>College-wynd.</i>	<i>Bailey Fife's clofe.</i>	<i>Crawford's clofe.</i>	<i>Gadd's clofe.</i>
<i>Forrester's wynd.</i>	<i>Bailey Nairn's clofe.</i>	<i>Cranston's clofe.</i>	<i>Galloway's clofe.</i>
<i>Halkerton's wynd.</i>	<i>Bailey Thomson's clofe.</i>	<i>Crossball's clofe.</i>	<i>Garbrand's clofe.</i>
<i>High-school wynd.</i>	<i>Bakehouse clofe.</i>	<i>Cummermauld's clofe.</i>	<i>Gibb's clofe.</i>
<i>Hospital wynd.</i>	<i>Ball's clofe.</i>	<i>Cumin's clofe.</i>	<i>Goddie's clofe.</i>
<i>Horse wynd.</i>	<i>Bellhouse clofe.</i>	<i>Cunningham's clofe.</i>	<i>Gordon's clofe.</i>
<i>Lady Lawson's wynd.</i>	<i>Bembridge's clofe.</i>	<i>Currie's clofe.</i>	<i>Gosford's clofe.</i>
<i>Leith-wynd.</i>	<i>Baringer's clofe.</i>	<i>Dart's clofe.</i>	<i>Grant's clofe.</i>
<i>Liberton's wynd.</i>	<i>Black's clofe.</i>	<i>Davidson's clofe.</i>	<i>Gray's clofe.</i>
<i>Marlin's wynd.</i>	<i>Blyth's clofe.</i>	<i>Davie's clofe.</i>	<i>Gray's or Mint clofe.</i>
<i>Nidery's wynd.</i>	<i>Borthwick's clofe.</i>	<i>Dempster's clofe.</i>	<i>Gubbies clofe.</i>
<i>Peebles wynd.</i>	<i>Brand's clofe.</i>	<i>Denniston's clofe.</i>	<i>Gutter-clofe.</i>
<i>St. Mary's wynd.</i>	<i>Brandfield's clofe.</i>	<i>Devar's clofe.</i>	<i>Haldane's clofe.</i>
<i>Streight-bow wynd.</i>	<i>Broggie's clofe.</i>	<i>Deupar's clofe.</i>	<i>Haliburton's clofe.</i>
<i>Todrick's wynd.</i>	<i>Broomfield's clofe.</i>	<i>Dixon's clofe.</i>	<i>Haliday's clofe.</i>
<i>Tolbooth wynd.</i>	<i>Brown's clofe.</i>	<i>Dixy's clofe.</i>	<i>Hamilton's clofe.</i>
Number total -- 22	<i>Bruce's clofe.</i>	<i>Don's clofe.</i>	<i>Hammond's clofe.</i>
COURTS.	<i>Bird's clofe.</i>	<i>Douglas's clofe.</i>	<i>Harlie's clofe.</i>
<i>College lower court.</i>	<i>Bull's clofe.</i>	<i>Dowge's clofe.</i>	<i>Hart's clofe.</i>
<i>College upper court.</i>	<i>Burnet's clofe.</i>	<i>Dugal's clofe.</i>	<i>Hastie's clofe.</i>
<i>James's court.</i>	<i>Byre's clofe.</i>	<i>Dunbar's clofe.</i>	<i>Henderfer's clofe.</i>
<i>Mill's court.</i>	<i>Bailey Rae's clofe.</i>	<i>Dunbar's clofe.</i>	<i>Herings clofe.</i>
<i>Paterfer's court.</i>	<i>Campbell's clofe.</i>	<i>Dunnottar's clofe.</i>	<i>Heron's clofe.</i>
<i>Trades-hospital court.</i>	<i>Cant's clofe.</i>	<i>Dun's clofe.</i>	<i>Hombie's clofe.</i>

Home's

CLOSES.	CLOSES.	CLOSES.	BACKS.
Home's close.	Monro's close.	Sodd's close.	Back of the <i>Canongate</i> .
Hope's close.	Morrison's close.	Spoon's close.	Back of the <i>Fish-market</i> .
Hume's close.	Morrocco-close.	Stainter's close.	Back of the <i>King's Stables</i> .
Hunter's close.	Murdoch's close.	Starck's close.	Back of <i>Mill's court</i> .
Hutcheson's close.	Murray's close.	Steil's close.	Back of <i>Penny's close</i> .
Hynd's close.	New Assembly close.	Stewart's close.	Back of the <i>Town-wall</i> .
Hyndford's close.	Old Bank close.	Stinking close.	Number total 9
Jack's close.	Old Posthouse close.	Stonelaw's close.	
Jackson's close.	Old Provost's close.	Strachan's close.	
Johnston's close.	Oliphant's close.	Strivan's close.	
Innes's close.	Orchard close.	Swan-close.	
Jollie's close.	Parliament close.	Thomson's close.	ENTRIES.
Kellie's close.	Paterfon's close.	Thomson's close.	Eastern-entry to <i>James's court</i> .
Kennedy's close.	Pearson's close.	Toil's close.	General-entry ditto.
Kennoway's close.	Penniston's close.	Tolbooth close.	Middle-entry ditto.
Kinaird's close.	Pannuir's close.	Troup's close.	Upper-entry ditto.
Kinloch's close.	Penny's close.	Trunk close.	Number total 4
Kinloch's close.	Plainstone's close.	Turk's close.	
Kinneil's close.	Pudding-close.	Turnvennial close.	
Kintore's close.	Purdie's close.	Tweeddale's close.	HILLS.
Kirkbeugh close.	Ramjay's close.	Upper Baxter's close.	Abbey-hill.
Knockbart's close.	Rankin's close.	Vietche's close.	Castle-hill.
Knox's close.	Renny's close.	Warriston's close.	Lockside-hill.
Lady Stair's close.	Riddel's close.	Watson's close.	Lockend-hill.
Lain's close.	Rob's close.	Weaver's close.	Mutters-hill.
Lamb's close.	Robertson's close.	Webster's close.	Number total 5
Larmon's close.	Roxburgh's close.	Wedel's close.	
Lencbar's close.	Royal Bank close.	Wester-close.	ROWS.
Lindsay's close.	Sandilands's close.	Wright's close.	Caldton-row.
Little close.	Seaton's close.	Wrightman's close.	Candlemaker-row.
Long's close.	Scot's close.	Willie's close.	St. Ninian's-row.
Lord Cullen's close.	Scroggie's close.	Wilson's close.	Number total 3
Lord Strichen's close.	Sewer's close.	World's end close.	
Lowat's close.	Ship close.	Wright's close.	YARDS.
Lower close.	Sboemaker's close.	White's close.	Abbey-yard.
Lower Baxter's close.	Sibb's close.	Number total 260	Coach-yard.
Lyon's close.	Silverwall close.		High-school-yard.
Mary King's close.	Simson's close.	BACKS.	St. Anne's-yard.
Menzies's close.	Sinclair's close.	Back of Bell's wynd.	Number total 4
Middle Baxter's close.	Skinner's close.	Back of Beth's wynd.	
Middle Flesh-market close.	Smith's close.	Back of Borthwick's close.	General total 329
Monteith's close.	Smith's close.		
	Society close.		

As the above Streets &c. as already hinted, contains nine thousand and sixty four houses or Apartments, I shall subjoin an Account of the Houses within the City and Liberties of *Edinburgh*, with the Amount of their Rents, at three different Periods, viz. the Houses, in the Year 1635, were 5071, Rents, *L.* 230538; anno 1688, Houses, 6012, Rents, *L.* 312000; in the Year 1751, Houses, 6845, Rents, *L.* 377964, all *Scotish Money*.

The great Number of Streets, Squares, Courts, Wynds, Closes, and Rows above mentioned, to be in a Place of so small Dimensions as *Edinburgh* is, will, no doubt, surprise the Citizens themselves; wherefore, it is necessary to observe, that the Closes or Alleys in the principal Streets are so very numerous, that there is seldom more than one Row of Buildings between two Closes, and those so very high, and crowded with

People, that the great Number of Inhabitants of this City will presently appear to be as amazing as the said great Number of Streets, Squares, &c. wherein are contained nine thousand and sixty four Houses, as appears by the Accounts thereof in the several Parishes and Districts above specified, taken from the Examination Rolls belonging to the several Incumbents, within the City and Suburbs of *Edinburgh*; from which I likewise intended to have calculated the Number of their Inhabitants; but the Accounts therein being taken by the Elders and Deacons of the said Parishes, in the Months of *July*, *August*, and *September*, in the dead Time of the Vacation, are very defective; for a Number of the Inhabitants, who retire into the Country at this Season, either for Pleasure or Profit, many of them leave their Houses in Town with only one Servant to look after them

them respectively; others have not half the Family; nay, some are left without any Person to take care of them: But the greatest Defect, is owing to the Episcopalian Inhabitants, who, being of a different Communion from the established Church, are not subject to the Controul and Examination of its Ministers; wherefore, many of them refuse to give Accounts either of the Names or Numbers of Persons in their Families.

Now, as by these Defects, many thousands of the Inhabitants of *Edinburgh* are not accounted for, I shall not calculate the Number of People in this City and Suburbs from the Accounts in the said Examination Rolls, wherein nothing can be depended on but the Number of Houses, which is undoubtedly right, as is evident by the Land-tax or Stent-books, (where-with I compared it) which have not so great a Number: This is owing to two or more Houses being conjoined, and paid for by the Proprietors as one House.

Add to this, that, in the Examination Rolls, the Number of examinable Persons, is only inserted; and, at the Pleasure of the several Incumbents, Children are admitted to Examination, some at the Age of eight Years, others, at that of ten; which, together with the great Number of Infants unmentioned, embarrasses the Method of Calculation in respect to the Number of People; wherefore, I shall, from the Accounts of Mortality in this City and Suburbs, calculate the Number of Inhabitants at present within the said City and Suburbs: Previous to which I shall premise a few Things concerning the said Accounts of Mortality.

The first Account of Burials taken within the Wall of *Edinburgh*, was in the Year 1663; in the Barony of the *Caldton*, anno 1718; in the Parish of the *Canongate*, in the Year 1719; in the Parish of *St. Cuthbert's*, anno 1740; in the *Abbey Church* and Cemetery, in the Year 1738; by the *English*; and in the Castle of *Edinburgh* and Quakers

burying Ground in the *Pleasants*, no Accounts are hitherto kept for Want of Registers. The five first Accounts are taken from the respective Registers, but in the three latter, no Accounts being kept for Want of Registers as aforesaid, the first I received from the Reverend Mr. *Car*, the second from *Andrew Melvil*, the Grave-digger, and that of the latter from *John Barber*, a Corporal of the Castle Company.

The Bill of Mortality for the nine Parishes within the Town's Wall, was annually published by itself, till the Year 1741, when the Account of Burials in *St. Cuthbert's* Parish was added; but, the Accounts for the Parish of the *Canongate*, District of the *Caldton*, *Abbey Church*, *English Cemetery*, Castle of *Edinburgh*, and Quakers burying Ground, being hitherto unpublished, the Number of Inhabitants in this City and Suburbs is thereby in Appearance greatly diminished in the Eyes of the curious. For the preventing of which in Time to come, by having a compleat Bill of Mortality annually published, for the City of *Edinburgh* and Parts aforesaid, it is necessary to add to the present Bill, the Accounts of Burials for the aforesaid Parish of the *Canongate*, Barony of the *Caldton*, *Abbey Church* and Cemetery, the *English Chapel*, and Quakers burying Ground. Burying in the Castle of *Edinburgh* being only casual, few or none are interred therein but in the Times of publick Broils, when Communication with the Castle is cut off, as it was during the late Rebellion; therefore the Burials only to be occasionally added to the Bill of Mortality.

Tables of all the yearly Accounts of Burials for the Nine Parishes within the Wall of *Edinburgh*, since their Registration and Publication, consisting of a Diversity of Years, distinguished by their respective Numbers, and the Appellations of *Septenary*, *Octonary*, *Decenary*, and *Undecenary*, Accounts, as will appear by the several Tables hereunto annexed.

The first Septenary Account.		The second Septenary Account.		A decenary Account.		The 3d Septenary Account.		An Octonary Account.	
Years.	Burials.	Years.	Burials.	Years.	Omission of Numbers.	Years.	Burials.	Years.	Burials.
1663	705	1670	1055	1677	000	1687	1058	1694	1074
1664	774	1671	871	1678	000	1688	1058	1695	1018
1665	881	1672	737	1679	000	1689	1236	1696	1208
1666	958	1673	1127	1680	000	1690	1445	1697	1344
1667	950	1674	1118	1681	000	1691	999	1698	1011
1668	986	1675	1316	1682	000	1692	1077	1699	1492
1669	990	1676	977	1683	000	1693	1144	1700	991
Tot. 7	6244	Tot. 7	7201	1684	000	Totals 7	8017	Totals 8	9309
Med.	892	Med.	1028	1685	000	Mediums	1145	Medium	1329
				1686	000				The

The fourth Septenary Account.

Years.	Men.	Women.	Children.	Totals.
1702	244	285	558	1087
1703	249	244	547	1040
1704	253	284	587	1124
1705	226	272	634	1132
1706	188	227	494	909
1707	273	333	565	1171
1708	255	297	619	1171
Totals 7	1688	1942	4004	7634
Med.	241	277	572	1090

The fifth Septenary Account.

Years.	Men.	Women.	Children.	Totals.
1709	206	268	465	939
1710	197	262	616	1075
1711	232	278	495	1005
1712	233	293	697	1223
1713	213	293	596	1102
1714	163	263	493	919
1715	201	263	615	1079
Totals 7	1445	1920	3977	7342
Mediums	206	274	568	1048

The sixth Septenary Account.

Years.	Men.	Women.	Children.	Totals.
1716	237	317	664	1218
1717	249	354	522	1125
1718	242	363	414	1019
1719	213	275	631	1119
1720	190	294	557	1041
1721	262	283	493	1040
1722	219	288	748	1255
Totals 7	1612	2174	4031	7817
Mediums	230	310	575	1116

The seventh Septenary Account.

Years.	Men.	Women.	Children.	Totals.
1723	200	232	547	979
1724	209	262	479	950
1725	224	296	628	1148
1726	199	316	541	1056
1727	188	275	541	1004
1728	194	360	544	998
1729	215	305	456	976
Totals 7	1429	2046	3736	7111
Mediums	204	292	533	1015

The eighth Septenary Account.

Years.	Men.	Women.	Children.	Totals.
1730	188	271	477	936
1731	221	310	448	979
1732	237	289	423	949
1733	233	327	741	1301
1734	218	311	487	1016
1735	159	251	564	974
1736	192	277	416	885
Totals 7	1448	1936	3556	7146
Mediums	206	276	508	1020

An Undecenary Account.

Years.	Men.	Women.	Children.	Totals.
1737	270	356	713	1339
1738	141	254	468	863
1739	210	250	591	1051
1740	240	312	688	1240
1741	198	306	626	1130
1742	199	295	510	1004
1743	222	294	492	1008
1744	171	306	522	999
1745	281	276	500	1057
1746	362	346	601	1309
1747	213	266	383	862
Totals 11	2507	3261	6094	11862
Mediums	358	465	870	1078

The Reason of my dividing the Accounts of Mortality into eleven Tables, is to shew how the Bill of Mortality advanced to its present State. At first only the Date of the Year and Number of Burials were mentioned, as appears by the three first Septenary and Octonary Accounts; and by the Decenary, is shewn an Omission of Burials for the Space of ten Years; and in the sixth Table, or fourth Septenary Account, and following Tables, the Numbers of Men, Women and Children, are set down, which, being the present Method, is likely to continue.

To the Accounts of Burials for the several Parishes within the Wall of *Edinburgh*, in the above Tables, which I received from *William Hutchefon* Keeper of the Mortality Register; I shall, the better to enable me to calculate the present Number of Inhabi-

tants within this City and Suburbs, add, to the last seven Years of the Undecenary Table, the Accounts of Burials in the Parishes of *St. Cuthbert's* and *Canongate*, the District of *Caldron*, the *Abbey Church* and *Yard*, the *English Cemetery* at *Lestrig*, the Quakers burying Ground in the *Pleasants*, and the occasional Account for the Castle of *Edinburgh* during the said Period; whereby will be formed a compleat Bill of Mortality for the City and Suburbs of *Edinburgh*, as will appear by the general Septenary Account of Burials within the City and Suburbs of *Edinburgh*, and Parts adjacent, as set forth in the following Page; as there also will by the Medium of the said Septenary Account be shewn, that the said Burials annually amount to One thousand seven hundred and ninety.

A general Septenary Account of Burials within the City and Suburbs of <i>Edinburgh.</i>																			
<i>Edinburgh.</i>				<i>St. Cuthbert's.</i>			<i>Canongate</i>		<i>Caldton.</i>		<i>Ab. ch.</i>		<i>Eng. c.</i>		<i>Quak.</i>		<i>Cattle</i>		
Years.	Men.	Wom.	Child.	Men.	Wom.	Child.	Males.	Fem.	Males.	Fem.	M.	F.	M.	Fe.	M.	Fe.	M.	Fe.	Totals.
1741	198	306	626	78	95	316	156	146	51	42	2	0	0	1	3	3	0	0	2022
1742	199	295	510	68	83	190	119	153	40	46	4	0	1	2	4	2	0	0	1713
1743	222	294	492	60	81	230	104	135	36	36	0	0	2	3	0	0	0	0	1690
1744	171	306	522	54	90	166	130	137	41	38	2	1	2	2	1	3	0	0	1660
1745	281	276	500	62	84	260	119	162	42	45	3	1	0	0	2	4	18	1	1860
1746	362	346	601	67	65	271	123	135	44	41	1	0	3	1	2	2	1	2	2063
1747	213	266	383	53	81	204	109	114	39	37	0	1	0	3	0	2	0	0	1502
To. 7	1546	2089	3634	442	579	1637	860	982	293	285	12	3	8	12	12	16	19	3	12530
Med.	220	298	519	63	82	233	122	140	41	40	2		2	$\frac{5}{2}$	4		3		1790
Inhabitants																			50120

Now, as already hinted, and by the said Table it appears, that the Medium of the above Table mounts to One thousand seven hundred and ninety; and as, by the latest Discoveries in political Arithmetick, it is demonstrated, that the twenty eighth Part of the human Species die yearly; according to which, the aforesaid Number must have died of fifty thousand one hundred and twenty, the then Number of Souls within the City and Suburbs of *Edinburgh*, and the Houses or Apartments wherein they dwelt, amounting to nine thousand and sixty four, at a Medium they appear to have been inhabited by about five Persons and a half each.

Remark 1. In the above Accounts of Burials are divers Things worthy of Observation, viz. the Decenary Account wherein there should have been Burials within the Wall of *Edinburgh*, is a Defect of ten Years Accounts; but how the same happened, or what occasioned the Chasm, is not mentioned.

2. The Reader, by comparing the Mediums of the several Septenary and other Accounts in the above Tables, will perceive the State of the Number of Inhabitants within the Wall of *Edinburgh* at those different Periods; and, by the third Septenary and Octenary Accounts, he may observe, that the People in *Edinburgh* seem then to have been more numerous, than at any Time before or since.

3. A Notion being lately started, that the Inhabitants of *Edinburgh* are greatly decreased since the Union of the Kingdoms of *Scotland* and *England* in the Year 1707, I think it will not be amiss to undeceive those who are of that Opinion, who may rectify the Mistake, by observing, that the Medium of the Burials in *Edinburgh*, for the seven Years preceding the Year 1707, amounts to one thousand and seventy eight, and the Medium of the seven Years just before the Year 1748, amounts to one thousand and fifty two; it is thereby shewn, that the Difference in favour of the Time preceding the

Union, is only twenty-six in Number of the Burials; but the Number of Interments within the Wall of *Edinburgh* anno 1747, being the smallest that has happened within the Space of eighty three Years, the small Majority in favour of the seven Years preceding the Union, is owing to it: But should we reckon the Burials in *Edinburgh* in the Year 1747, at one thousand and fifty two, the Medium of the last seven Years in the Undecenary Table, it will then appear, that the People within the Wall of *Edinburgh*, since the Union, are increased one thousand three hundred and fifty six, besides, the great Increase in divers Parts of the Suburbs, will more than over-balance the Loss of Inhabitants in the *Canongate*, which is the only Sufferer in this Respect since that Period.

4. The Number of Men, by the second and fifth Columns of the next above Septenary Account of Burials for all Parts within the City and Suburbs of *Edinburgh*, appears to be greatly short of that of the Women in the 3d and 6th Columns: And as in the 4th and 7th Columns of the said Account, the Male Children are not distinguished from the Females, I cannot ascertain the Disproportion between them: Wherefore, I shall from the Examination Rolls of the Parishes of the *New Church*, *Old Grayfriars*, *Trinity College*, *Lady Yester's*, *St. Cuthbert's*, *Canongate*, and District of *Caldton*, shew, that the Number of Females therein exceed that of the Males one Fourth, which probably is not to be paralleled in any other populous Town or City; for the Males, by Nature, being superior in Number to the Females, the Difference in favour of the former is, as thirteen to twelve, which is about eight in the hundred.

This Majority in favour of the Male, is by our Naturalists said to be designed by Nature, for the Support of that Part of the human Species, which is more liable to be destroyed by War than the other: But, as War is only casual, and not perpetual, I

am of Opinion, that this supernumerary Supply, is designed by Nature as a constant Remedy against incessant Contingencies, which the Males are more obnoxious to, both by Land and Water, than the Females, which they daily traverse to provide for their Families, whilst the Females remain safely at home in the Management of their Household Affairs.

To what the great Disparity between the Males and Females in *Edinburgh* is owing, I know not, unless it be to the Want of Manufactures, whereby the Males have little Encouragement to repair hither; whilst many of those bred in this City, for Want of Employment, go abroad, and are to their Country politically dead. These I take to be the principal Reasons of the great Difference betwixt the Numbers of Males and Females in *Edinburgh*.

Having, I hope, discovered to the Satisfaction of my Readers, the Numbers of Houses and Inhabitants within this City and Suburbs; I shall now by certain Parallels shew, that *Edinburgh*, next to *London*, is the second City or Town in *Great Britain*; in respect to the Number of People; and as *Bristol* is justly reckoned, after *London*, to be the most populous City or Town in *England*, I shall begin with it; and by inserting a septenary Account of its Burials, shall calculate its Inhabitants after the same Manner I have done those of *Edinburgh*. Previous to which it is necessary to premise a few Things con-

cerning the Citizens of *Bristol*, and their Memorialist *Andrew Hooke*.

In the Year 1729, I published a Specimen for my History of *Edinburgh*, wherein I drew a Parallel between the Cities of *Edinburgh* and *Bristol*, setting forth from the Bills of Mortality of both Cities, the Number of Inhabitants in each; this was with great Ire resented by the *Bristolians*, as if it were a Dishonour to have *Edinburgh* brought in Comparison with their City; more especially by *Hooke* their Memorialist, who, laying aside common Decency, used me in a very unbecoming Manner, and asserted I was only attempting to wash a Blackamore white.

To refute this angry Gentleman, and convince his fellow Citizens, that there are more Souls in *Edinburgh* than in *Bristol*, I have, (by the Assistance of that worthy and publick-spirited Gentleman, *John Browning* of *Bartonbill*, Esq; in the Neighbourhood of that City), obtained Certificates under the Hands of the Reverend Incumbents, Keepers of the Mortality Registers within that City and Suburbs; containing just and faithful Accounts of all the Persons interred in the several Parishes and Districts of *Bristol* and its Suburbs, together with those buried in the Cathedral Church, and in all the Cemeteries belonging to the Dissenters within that City and Suburbs, which I shall subjoin to prevent vain Cavillers and ignorant Men from railing against Facts hereafter. Which please to take as follows.

A Septenary Account of Burials in *Bristol*.

The Reverend Incumbents Names.	Parishes.	1742	1743	1744	1745	1746	1747	1748	Total.
<i>Will. Smith</i> , Rector -	<i>Christ's Church</i> -	36	37	27	46	23	23	17	209
<i>J. Casford</i> -	<i>St. Augustine's</i> -	89	77	76	110	101	87	83	623
<i>Tho. Taylor</i> , Rector -	<i>St. Ewin's</i> -	1	5	3	4	4	2	1	20
<i>Will. Bary</i> , Curate -	<i>St. James's</i> -	220	248	219	347	307	298	341	1980
<i>John Bound</i> , Rector -	<i>St. John Baptist's</i> -	47	55	31	67	55	76	46	377
<i>John Berjan</i> , Vicar -	<i>St. Leonard's</i> -	2	16	8	26	14	28	14	108
<i>Will. Collinson</i> , Rector -	<i>St. Mary Port's</i> -	21	29	18	28	27	26	16	165
<i>Tho. Broughton</i> , Vicar -	<i>St. Mary Radcliff</i> -	118	123	139	188	135	180	150	1033
<i>J. Culliford</i> , Rector -	<i>St. Michael's</i> -	52	63	58	88	58	49	64	432
<i>Tho. Chapman</i> , Curate -	<i>St. Nicholas's</i> -	75	76	69	100	72	74	102	568
<i>J. Jones</i> -	<i>St. Peter's</i> -	57	59	44	95	67	61	70	453
<i>Tho. Llywd</i> , Curate -	<i>St. Philip & Jacob's</i> -	299	322	256	367	307	403	426	2380
<i>Josiah Tucker</i> , Rector -	<i>St. Stephen's</i> -	85	96	102	220	115	133	127	878
<i>Tho. Broughton</i> , Vicar -	<i>St. Thomas's</i> -	47	53	44	84	48	58	65	399
<i>John Culliford</i> , Rector -	<i>St. Wareburgh's</i> -	7	13	5	6	7	8	11	57
<i>Tho. Jones</i> , Vicar -	<i>The Temple</i> -	100	138	66	198	109	145	121	877
<i>Will. Richard</i> , Vicar -	<i>All Saints</i> -	9	6	3	3	7	4	3	35
<i>W. Richard</i> , Precentor -	<i>The Cathedral</i> -	1	2	4	1	2	3	5	18
<i>Sam. Woodman</i> , Regent -	<i>Baptists Cemetery</i> -	86	89	67	101	85	116	122	666
<i>John Norton</i> -	<i>Quakers Cemetery</i> -	57	42	64	52	41	52	50	358
Anon. Jews Burying -	ground anno 1750. -	-	-	-	-	-	-	2	2
Totals -	-	1409	1549	1303	2131	1584	1826	1836	11638
Medium -	-	-	-	-	-	-	-	-	1662

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By the great Increase of the Medium of the above septenary Account for *Bristol* of two hundred and fifty seven, in so short a Space of Time as seven Years; viz. from anno 1734, to that of 1742, it looks as if the People in that short Term were increased seven thousand two hundred and twenty four; but this imaginary Increase, we are told by the Reverend *Jesiah Tucker*, Rector of *St. Stephen's* in *Bristol*; that the great Increase of Burials in the above septenary Account is owing to the late War, and a Number of Privateers; but as *Edinburgh* cannot have the same Advantage by their Mariners residing at the Town of *Leith*, its Medium in the same Term of Years is reduced twenty three in Number, whereby its Inhabitants in the same Space of Time seem to be decreased six hundred and forty four; whereas it is manifest by the Erecti-

on of a Number of Manufactories, that the People are considerably increased: Be that as it will, I shall reckon the People of *Bristol* by the said Medium as if they were really increased; whereby they will, and by the present Method of Calculation amount to forty six thousand five hundred and thirty six.

As the above Accounts shewing the Number of Inhabitants within the City and Suburbs of *Bristol* are true and faithfully attested by the Reverend Register Keepers of the several Parishes, together with those of the respective Cemeteries belonging to the Dissenters within the said District.

I shall now in the same Manner give true and faithful Accounts of all the Burials within the City and Suburbs of *Edinburgh* for the same Years as those of *Bristol*, likewise attested by the several Register Keepers; which is as followeth.

A Septenary Account of Burials in *Edinburgh*.

Registers Names.	Districts & Parishes.	Years 1742.	1743	1744	1745	1746	1747	1748	Totals
<i>William Hutcheson</i>	City of <i>Edinburgh</i>	1004	1008	999	1057	1309	862	918	7157
<i>William Hutcheson</i>	<i>St. Cuthbert's</i>	341	371	310	406	403	338	368	2537
<i>John Walker</i>	<i>Canongate</i>	272	239	267	281	258	223	298	1838
<i>James Forsyth</i>	<i>Caldon</i>	86	72	79	87	85	76	147	632
<i>Hugh Huddleson</i>	<i>Abbey Church</i>	4	0	3	4	1	1	2	15
<i>Mr. Carr Chaplain</i>	<i>English Cemetery</i>	3	2	5	4	2	4	5	25
<i>Andrew Melvil</i>	<i>Quakers Cemetery</i>	6	0	4	6	4	2	0	22
<i>John Barber</i>	<i>Castle of Edinburgh</i>	0	0	0	19	3	0	0	22
Totals	-	1716	1692	1667	1864	2065	1506	1738	12248
Medium	-	-	-	-	-	-	-	-	1749

As the Medium of this Septenary Account for *Edinburgh*, amounts to One thousand seven hundred and forty nine; according to the same Method of Calculation with that of *Bristol*, it must have died out of forty eight thousand, nine hundred and seventy two; whereby, without reckoning the Decrease of Burials in *Edinburgh*, or Increase

of those in *Bristol*, it appears beyond Dispute, Contradiction, or Cavilling, that *Edinburgh* contains two thousand four hundred and thirty six Souls more than *Bristol* doth; which I defy its Memorialist with all his Abettors, both Citizens and others to disprove.

A Septenary Account of Burials in the City of *Norwich*.

Years.	Buried Mal.	Buried Fem.	Totals.
1728	486	494	980
1729	573	563	1136
1730	420	443	863
1731	508	493	1001
1732	482	520	1002
1733	560	530	1090
1734	492	509	1001
Totals 7	3521	3552	7073
Mediums	503	507	1010

A Septenary Account of Burials in *Newcastle upon Tyne*.

Years.	Buried Mal.	Buried Fem.	Totals.
1717	364	343	707
1718	505	283	588
1719	384	402	786
1720	255	277	649
1721	362	382	744
1722	390	369	759
1723	340	314	654
Totals 7	2400	2370	4887
Med.	342	338	713

Lond. Acct.
Mortality.

Short's Obser.
Bills of Mort.

The Number of Burials in the above Septenary Account of *Norwich*, at a Medium of seven Years, amounting to one thousand and ten; by the aforesaid Method of

Calculation, that Number, must have died out of twenty eight thousand four hundred and forty eight, the Number of Inhabitants in the said City during the above Period.

And

And as the Medium of Burials in the above Septenary Account for the Town of *Newcastle upon Tyne*, amounts to seven hundred and thirteen, that Number must have died out of nineteen thousand nine hundred and sixty four, which was then the Number of Inhabitants in the said Town, as appears by the said Method of Calculation. Now, as by the above Septenary Accounts for the City of *Norwich* and Town of *Newcastle upon Tyne*, the Inhabitants of both amount to forty eight thousand four hundred and twelve: It is thereby evident, that the People in *Edinburgh* exceed those of the said City and Town put together, one thousand seven hundred and eight.

Remark. Persons that know the large Dimensions of the said City of *Norwich* and Town of *Newcastle*, will no doubt be surprised, that a Place of so small Extent as *Edinburgh* is, should exceed them both in Number of Inhabitants; it is therefore necessary to acquaint those, that the Number of People in a City or Town, is not to be judged of by the Space within the Walls or Dimensions of Ground whereon the Houses are erected, but by the Contiguity and Height of the Buildings, as is demonstrated in the above Accounts of *Edinburgh*; and, besides the Number of void Spaces in the said City of *Norwich* and Town of *Newcastle*, the Houses therein are generally occupied by only one Family; whereas those of *Edinburgh* are very high, most of which being from three to twelve Stories, exclusive of Cellars, which are mostly inhabited; and almost every Floor, being a different Property, is occupied at least by one Family, and

many by two or more; it is therefore not to be wondered at, that a Place crowded with so great a Number of Streets, Wynds, &c. and towering Edifices, as *Edinburgh* is, should exceed in Number of Inhabitants a Place of many Times its Dimensions.

A Septenary Account of Burials for the City of York.

This Account of Burials I received from *Francis Drake* Author of the History of *York*; but no Distinction being made in the Number of Burials in the respective Years, the Number of Persons who died in the several Parishes of the said City are only reckoned for the whole Term of seven Years; wherefore, I shall subjoin the Names of the said Parishes, with the Number of Persons that were buried in each during the said Term of seven Years; viz. from the 5th of August 1728, to the 5th of August 1735.

Buried in the Cathedral Church, 7; in *All Saints* on the Pavement, 218; *All Saints* in *North-Street*, 111; *St. Crux*, 159; *St. Cuthbert's*, 80; *St. Dennis*, 106; *St. Helen's*, 122; *St. John's*, 173; *St. Laurence's*, 77; *St. Martin's*, *Conyng-Street*, 110; *St. Martin's*, *Micklegate*, 117; *St. Michael*, *Le Belfrey*, 327; *St. Michael*, *Spangargate*, 216; *St. Mary*, *Castlegate*, 221; *St. Mary Bishopshill*, elder, 117; *St. Mary-Bishopshill*, younger, 73; *St. Maurice's*, 158; *St. Margaret's*, 147; *St. Olave's*, 181; *St. Saviour's*, 103; *St. Sampson's*, 228; *Christ's Church*, 119; *Trinity*, *Goodramgate*, 144; *Trinity*, *Micklegate*, 152. Number total, three thousand four hundred and sixty six, and the Medium four hundred and ninety five.

A Sexenary Account of Burials in the City of Exeter.

Year.	Buried.	<i>Allhallows</i> .	<i>All Saints</i> .	<i>St. David</i> .	<i>St. Edward</i> .	<i>St. George</i> .	<i>St. John</i> .	<i>St. Kerrian</i> .	<i>St. Lawrence</i> .	<i>St. Mary Arbo</i> .	<i>St. Mary Major</i> .	<i>St. Mary Stepp</i> .	<i>St. Olave</i> .	<i>St. Paul</i> .	<i>St. Peter</i> .	<i>St. Petrick</i> .	<i>St. Stephen</i> .	<i>St. Sylvester</i> .	<i>St. Thomas</i> .	<i>St. Trinity</i> .	Totals.
1729	12	8	55	35	33	15	13	27	5	79	27	11	18	15	13	8	226	90	69	765	
1730	12	3	32	15	15	7	1	13	16	42	17	15	23	7	12	13	138	50	34	465	
1731	16	11	26	17	13	12	8	27	8	52	23	22	16	12	9	10	118	60	55	515	
1732	19	9	51	31	23	8	8	26	20	61	28	12	34	3	7	11	165	61	51	628	
1733	10	6	47	16	9	11	8	11	11	49	13	20	14	9	8	8	108	46	44	448	
1734	10	2	30	15	17	7	7	12	9	41	27	12	23	12	8	4	96	40	34	406	
To 6	79	39	241	129	110	60	45	116	69	324	135	92	128	58	57	54	851	353	287	3227	
Med	13	6	40	21	18	10	7	19	11	54	22	15	21	9	9	9	141	58	47	537	
Number of Inhabitants																					15036

Having in the Specimen of my History of *Edinburgh*, drawn certain Parallels between *Edinburgh* and the Towns of *Liverpool* and *Manchester*, it has been complained of in *England*, as if I had not allowed a sufficient Number of Inhabitants to the said Towns, with a View to aggrandize *Edinburgh*; wherefore it is necessary for me to clear myself of this heavy Charge, which, for my own Honour, and Satisfaction of my Readers, I shall do as follows.

The Accounts I published, I received from

Gentlemen of great Distinction, to whose Controll they were liable; therefore had not the least Room to question their being just and true: And to shew they are so, shall have Recourse to *Dr. Short's* curious Treatise, intitled, *New Observations, Natural, Moral, Civil, Political, and Medical, on City, Town and Country Bills of Mortality*, in which he tells us, that, to enable him to write the said Treatise, by his own Interest, and that of his Friends, he obtained the Use of the Registers of Mortality from the several Parishes he treated of, amongst

amongst which are those of *Liverpool* and *Manchester*; the former he shews, to have increased in little more than sixty Years, fourteen times its Number; therefore it is not to be wondered at, that in about half that Time, the Medium of its Burials arose from three hundred and twenty six, to five hundred and ninety eight, which it was at in the Year 1745; and the Medium of the latter, which in the Year 1582 amounted to 149, arose to 445 in the said Year 1745, which ought to have been considered, before Fault was found, that I had not done Justice to those Towns in my Parallels; which if it had, it is more than probable it would never have been mentioned.

Now, the Accounts of Burials published by me for the said Towns in the Year 1749, were the first for aught I can learn, that ever were exposed to the Publick; and that *Short*, from the several Parish Registers, has given us the Number of Persons buried in each of the said Places, and other large Towns in *England* in the Year 1745, viz.

in *Liverpool*, 598; *Manchester*, 445; *Birmingham*, 551: And to these if we add the large and populous Town of *Leeds*, wherein were buried annually in the same Term of Years, 579, the Number total of the four Mediums, containing 2173, and the Medium of the Buryings in *Edinburgh* in the first Septenary, to 1790, by the same Method of Calculation is shewn, that the said four Towns put together, contain only ten thousand seven hundred and twenty four Souls, more than *Edinburgh* alone does; which according to Dr. *Short*, and my said Septenary Account of *Edinburgh*, was the State of the Inhabitants of the said Towns at that Period, and shall stand as such, till Proof appear to the contrary.

The other Accounts I have, relating to Burials in *England*, are for the Cities of *Canterbury* and *Salisbury*, and the Towns of *Wolverhampton*, *Nottingham* and *Leicester*; the first three for the same Years, I shall insert them in one Septenary Account, and the two last in a Septenary Table by themselves.

A Septenary Account of Burials for *Canterbury*, *Salisbury*, and *Wolverhampton*.

Towns.	Canterbury, Buried.			Salisbury Buried.	Wolverhampt. Buried.		
Years.	Mal.	Femal.	Totals	Perf. only.	Mal.	Fem.	Totals
1728	163	168	331	320	165	142	307
1729	276	260	536	319	181	157	338
1730	162	159	321	332	134	139	273
1731	106	116	222	337	145	106	251
1732	131	132	263	231	88	73	161
1733	139	114	253	241	130	120	250
1734	124	120	244	232	119	94	213
To. 7	1101	1069	2170	2012	962	831	1793
Med.	157	152	310	287	137	118	256

A Septenary Account of Burials for *Nottingham* and *Leicester*.

Towns.	Nottingham, Buried.			Leicester, Buried.		
	Males.	Fem.	Tot.	Males.	Fem.	Totals.
1729	222	215	437	143	147	290
1730	258	209	467	115	135	250
1731	187	131	318	151	169	320
1732	168	174	342	125	125	250
1733	167	133	300	125	123	248
1734	133	124	257	134	109	243
1735	167	146	313	125	135	260
Totals 7	1302	1132	2434	918	943	1861
Med.	186	161	347	131	134	265

The Mediums of the Burials in the Cities of *York*, *Canterbury*, and *Salisbury*, and the Towns of *Nottingham*, *Wolverhampton*, and *Leicester*, amounting to One thousand nine hundred and sixty; and that of *Edinburgh*, in the first Septenary Account being one thousand seven hundred and ninety, by the aforefaid Method of Calculation; those six Cities and Towns put together, only contain four thousand seven hundred and sixty Persons more than *Edinburgh* alone doth.

By a Survey of *Coventry*, taken by *Samuel Bradford* in the Year 1748, the Number of Houses appear to have been 2065, and that of the Inhabitants 12117.

Now as by the same Method of Calculation, the Inhabitants of the Cities of *York*, *Canterbury*, *Exeter*, and *Coventry*, amounts to forty nine thousand six hundred and sixty five; and that the City of *Edinburgh*, which contains 50120 Souls, exceeds the aforefaid four Cities 455, in Number.

At the Beginning of the seventeenth Century, when many of the present great Cities began to increase apace, both in Dimensions

and Number of Inhabitants, a grievous Misfortune befel *Edinburgh*, by being deprived of the Residence of our King, the Removal of Courts always proving fatal to Royal Cities or chief Towns of Kingdoms, as is evident in the present Case: For King *James VI.* on his Accession to the *English* Crown, in the Year 1603, went to reside in *England*, whereby *Edinburgh*, instead of increasing with other Cities of the same Rank, seems to have been at a Stand for a Number of Years, for the Time when it began to increase the most, was towards the Close of the last Century: However, though by the above Casualty, *Edinburgh* be outstripped by other Royal Cities in Point of Magnitude and Number of Inhabitants; yet it has the Honour to be the second City of *Great Britain*, in respect to the Number of People; and probably, had the Court continued here till this Time, it might have out-done divers Royal and other great Cities in *Europe*, both as to Dimensions, and Number of Inhabitants.

THE

HISTORY of EDINBURGH.

B O O K III.

Containing Accounts of the several Governments, Civil, Ecclesiastical, and Military.

The Civil Government by Provost, Bailiffs, Common Council, &c.

AS *Edinburgh*, like other antient Places, was undoubtedly from a small Beginning, it must have been a considerable Time before it advanced to a State worthy of being taken Notice of, or having either a Governor or Government placed in it; and much longer before it was honoured with the Dignity of an Incorporation: However, it becoming at length one of the King's Burghs, it must have been governed by one of his Officers. Be that as it will, the first Officer or Magistrate we read of to have presided in *Edinburgh*, according to the City Records, was a Provost; and this being a *French* Title, I cannot ascertain whether it was introduced from *England*, (where, in the City of *London*, antiently was such an Officer, who I take to have been in the Place of a *Portreve* or Bailiff) or immediately brought in from *France*; tho' from the latter I think it more probable: For we are told by *du Haillan*, that *Philip*, King of *France*, in the Year 1190, appointed in the City of *Paris*, an Officer called the *Provost of Merchants*, who is the Chief Magistrate of that City, as our Provost is of *Edinburgh*: Be that as it will, it is by all agreed to be derived from the *Latin*, *Præpositus*, a Governor, Warden, or Guardian, Magistrate, or any Chief in Office or Place.

The chief Magistrate of *Edinburgh* who is dignified with the Title of *Lord Provost*, is an Officer of great Authority, being Lord Lieutenant, High Sheriff, Coroner, Colonel of the City's Regiment of Trained Bands, Captain of the Town's Company of Fusileers, Admiral, President of the Common Council, Justice of Peace in the County of *Edinburgh*, or Shire of *Mid Lothian*, and, before the Union of the Kingdoms of *Scotland* and *England*, anno 1707, was usually a Member of the Privy Council, and one of the City's Representatives in Parliament, and always a Member of the Convention of Royal Boroughs: But as to the additional Title of Lord to that of Provost, it seems to be owing to Prescription; for it no where appears in the City's Charters that ever any such Epithet was conferred on the Chief Magistrate of *Edinburgh* by any of our Kings: Wherefore, I am of opinion that the Time which bids fairest for the Rise of this Lordly Compliment, is in the Year 1609, when

James VI. impowered the Magistrates of this City to wear Gowns, and the Citizens to have a Sword carried before their Chief Magistrate the Provost, to whom they lately granted the yearly Sum of Three hundred Pounds *Sterling* to support the Dignity of his Office.

By which of our Kings, or at what Time the first Provost of *Edinburgh* was appointed, I cannot learn, tho' I imagine he was by *David I.* when he constituted *Edinburgh* in the Beginning of the twelfth Century a Burgh Royal; for in the numerous and destructive Wars betwixt *Scotland* and *England*, *Edinburgh* with its Records were so often plundered and destroyed by the *English*, that there are only a few Scrapes remaining in the Town's Archives, relating to the Transactions of the *Edinburghers* before the Year 1511, which is the first Time I find the Provost of this City mentioned in the Town's Records; and, from that Period to the Year 1553, their Names not being carefully recorded, some are either omitted, or have served the Office for two or more Years.

To supply this Defect in some Sort, I received from the learned and ingenious *Walter Macfarlane* of that Ilk, an imperfect additional List of the Provosts of *Edinburgh* (extracted by him from his great Collection of Charters) for the Term of twenty six Years, viz. from the Year 1424, to that of 1511. Now, as *John de Quibness* is the first Provost in my List, he may have been the first in *Edinburgh* dignified with that Title: For the first Magistrate in this City that I have discovered, is *William de Dedyk* (in our Charters denominated *William de Fotbe-Pryn*. Coll. rig) Alderman of *Edinburgh*, in the Year 1296, who with eleven other Burgeses of the said Town signed the Ragman Roll, and swore Allegiance to *Edward I.* King of *England*, as superior Lord of the Kingdom of *Scotland*; and, that *Dedyk* was then the chief Magistrate of *Edinburgh*, I think does in some measure appear, by *William Cuppilde's* having been Alderman of the said Town anno 1369, as is evident by the said *Macfarlane's* Extract; wherein, and in the Records of *Edinburgh*, the Names of the Aldermen and Provosts of this City are as followeth.

A List of the Aldermen and Provosts Names of Edinburgh.

Years.	Names.	Years.	Names.	Years.	Names.
1296	William de Dedyk Alder- man.	1536	Simon Preston.	1588	John Arnott.
1362	William Cuppilde Alder- man.	1540	William Craik.	1589	John Arnott.
1369	William Cuppilde Alder- man.	1550	Sir Andrew Ker of Little Dane.	1590	John Arnott.
1373	Adam Forrester Alder- man.	1553	Archibald Douglas of Kil- spindy.	1591	William Little.
1377	John de Qubitnes Pro- vost.	1554	Archibald Douglas of Kil- spindy.	1592	Nicoll Edward.
1425	William Liberton Pro- vost.	1555	Archibald Douglas of Kil- spindy.	1593	Alexander Hume of North- Berwick.
1427	William Levinton.	1556	Archibald Douglas of Kil- spindy.	1594	Alexander Hume of North-Berwick.
1429	William Liberton.	1557	Lord Seaton.	1595	Alexander Hume of North-Berwick.
1434	Sir Henry Preston of Craigmillar.	1558	Thomas Maccalzean of Cliftonball.	1596	Alexander Hume of North-Berwick.
1439	Thomas Cranston.	1559	Archibald Douglas of Kilspindy.	1597	Henry Nisbet.
1447	Patrick Cockburn.	1560	Archibald Douglas of Kil- spindie.	1598	Alexander, Lord Fyvie, President of the Session.
1448	Patrick Cockburn.	1561	Thomas Maccalzean of Cliftonball.	1599	Alexander, Lord Fyvie, President of the Session.
1449	Patrick Cockburn.	1562	Archibald Douglas of Kilspindy.	1600	Alexander, Lord Fyvie, President of the Session.
1451	Thomas de Cranston.	1563	Archibald Douglas of Kil- spindy.	1601	Alexander, Lord Fyvie, President of the Session.
1457	Alexander Naper.	1564	Archibald Douglas of Kil- spindy.	1602	Alexander, Lord Fyvie, President of the Session.
1462	Andrew Ker.	1565	Sir Simon Preston of Craigmillar.	1603	Alexander, Lord Fyvie, President of the Session.
1467	Robert Mure of Polbellie.	1566	Sir Simon Preston of Craigmillar.	1604	Alexander, Lord Fyvie, President of the Session.
1470	John Naper.	1567	Sir Simon Preston of Craigmillar.	1605	Alexander, Lord Fyvie, President of the Session.
1477	James Crichton of Ruth- ven.	1568	Sir Simon Preston of Craigmillar.	1606	Alexander Earl of Dum- fermline.
1481	William Bertram.	1569	The Laird of Grange.	1607	Alexander, Earl of Dum- fermline.
1482	Patrick Baron of Spittle- field.	1570	James Macgill.	1608	Sir John Arnott, Knight of Berwick.
1484	John Naper.	1571	James Macgill.	1609	Sir John Arnott Knight of Berwick.
1491	Richard Lawson.	1572	James Macgill.	1610	Sir John Arnott, Knight of Berwick.
1492	John Murray of Tulch- adam.	1573	Lord Lindsay.	1611	Sir John Arnott, Knight of Berwick.
1494	Walter Bertram.	1574	Lord Lindsay.	1612	Sir John Arnott, Knight of Berwick.
1501	Alexander Lauder.	1575	Lord Lindsay.	1613	Sir John Arnott, Knight of Berwick.
1502	Alexander Lauder.	1576	George Douglas of Park- head.	1614	Sir John Arnott, Knight of Berwick.
1503	Alexander Lauder.	1577	George Douglas of Park- head.	1615	Sir John Arnott, Knight of Berwick.
1504	Richard Lawson of Hie- riggs.	1578	Archibald Stewart.	1616	Sir John Arnott, Knight of Berwick.
1508	Alexander Lauder.	1579	Alexander Clark of Bal- birney.	1617	Sir John Arnott, Knight of Berwick.
1510	Alexander Lauder.	1580	Alexander Clark of Bal- birney.	1618	Sir John Arnott, Knight of Berwick.
1511	Sir Alexander Lawdler.	1581	Alexander Clark of Bal- birney.	1619	Sir William Nisbet of Deane, Knight.
1513	Archibald Douglas, Earl of Angus.	1582	Alexander Clark of Bal- birney.	1620	Sir William Nisbet of Deane, Knight.
1514	Alexander, Lord Home, Great Chamberlain of Scotland.	1583	Alexander Clark of Bal- birney.	1621	Sir William Nisbet of Deane, Knight.
1515	Patrick Hamilton of Kin- cavel.	1584	James, Earl of Arran.	1622	Sir William Nisbet of Deane, Knight.
1516	David Melvine.	1585	James, Earl of Arran.		Alexander
1517	Archibald Douglas.	1586	William Little.		
1520	Robert Logan of Coatfield.	1587	John Arnott.		
1522	Allan Stewart.				
1524	Francis Rutbwell. Robert, Lord Maxwell. Sir John Murray of Tu- cbad. Sir Thomas Tod. Adam Otterburne.				
1534	James Lawson.				

Years.	Names.	Years.	Names.	Years.	Names.
1623	Alexander Clark of Sten-	1664	Sir Andrew Ramsay Kt.	1707	Sir Samuel McClellan, Kt.
	town.	1665	Sir Andrew Ramsay Kt.	1708	Sir Patrick Johnston, Kt.
1624	Alexander Clark of Sten-	1666	Sir Andrew Ramsay, Kt.	1709	Sir Patrick Johnston, Kt.
	town.	1667	Sir Andrew Ramsay, Kt.	1710	Adam Brown,
1625	David Aikenhead.	1668	Sir Andrew Ramsay, Kt.	1711	Adam Brown and Sir Ro-
1626	David Aikenhead.	1669	Sir Andrew Ramsay, Kt.		bert Blackwood, Kt.
1627	David Aikenhead.	1670	Sir Andrew Ramsay, Kt.	1712	Sir Robert Blackwood,
1628	David Aikenhead.	1671	Sir Andrew Ramsay, Kt.		Knight.
1629	David Aikenhead.	1672	Sir Andrew Ramsay, Kt.	1713	Sir George Warrander,
1630	Alexander Clark.	1673	Sir Andrew Ramsay and		Knight.
1631	Alexander Clark.		James Currie.	1714	Sir George Warrender,
1632	Alexander Clark.	1674	James Currie.		Knight.
1633	Alexander Clark.	1675	James Currie, and Sir	1715	John Campbell.
1634	David Aikenhead.		William Binning.	1716	John Campbell, Kt.
1635	David Aikenhead.	1676	Sir William Binning, Kt.	1717	William Neilson.
1636	David Aikenhead.	1677	Francis Kinloch.	1718	William Neilson.
1637	Sir John Hay.	1678	Francis Kinloch.	1719	John Campbell.
1638	Sir William Dick.	1679	Sir James Dick, Knight.	1720	John Campbell.
1639	Sir William Dick.	1680	Sir James Dick, Knight.	1721	John Wightman,
1640	Sir Alexander Clark,	1681	Sir James Fleming, Kt.	1722	John Wightman.
	Knight.	1682	Sir James Fleming, Kt.	1723	John Campbell.
1641	Sir Alexander Clark	1683	Sir George Drummond,	1724	John Campbell,
	Knight.		Knight.	1725	George Drummond.
1642	Sir Alexander Clark,	1684	Sir George Drummond,	1726	George Drummond.
	Knight.		Knight.	1727	Archibald Macaulay.
1643	Sir John Smith, Knight.	1685	Sir Thomas Kennedy, Kt.	1728	Archibald Macaulay.
1644	Sir John Smith, Knight.	1686	Sir Thomas Kennedy, Kt.	1729	Patrick Lindsay.
1645	Sir John Smith, Knight.	1687	Magnus Prince.	1730	Patrick Lindsay.
1646	Sir Archibald Tod,	1688	Magnus Prince.	1731	John Osburn.
	Knight.	1689	Sir John Hall Knight.	1732	John Osburn.
1647	Sir Archibald Tod,	1690	Sir John Hall and Archi-	1733	Patrick Lindsay.
	Knight.		bald Muir.	1734	Patrick Lindsay.
1648	Sir James Stewart, Kt.	1691	Archibald Muir.	1735	Alexander Wilson.
1649	Sir James Stewart, Kt.	1692	Sir John Hall, Knight.	1736	Alexander Wilson and Ar-
1650	A Committee of English-	1693	Sir John Hall, Knight.		chibald Macaulay.
	men.	1694	Sir Robert Chiefly, Kt.	1737	Archibald Macaulay.
1651	Archibald Tod.	1695	Sir Robert Chiefly, Kt.	1738	James Colboun.
1652	Archibald Tod,	1696	Sir Archibald Muir, Kt.	1739	James Colboun.
1653	Archibald Tod,	1697	Sir Archibald Muir, Kt.	1740	George Haliburton.
1654	Archibald Tod and An-	1698	George Home.	1741	George Haliburton.
	drew Ramsay.	1699	Sir George Home, Kt.	1742	John Coutts.
1655	Andrew Ramsay, Knight.	1700	Sir Patrick Johnston, Kt.	1743	John Coutts.
1656	Andrew Ramsay, Knight.	1701	Sir Patrick Johnston, Kt.	1744	Archibald Stewart.
1657	Andrew Ramsay, Knight.	1702	Sir Hugh Cunningham,	1745	Vacant.
1658	Sir James Stewart, Kt.		Knight.	1746	George Drummond.
1659	Sir James Stewart, Kt.	1703	Sir Hugh Cunningham,	1747	George Drummond.
1660	Sir Robert Murray, Kt.		Knight.	1748	Archibald Macaulay.
1661	Sir Robert Murray, Kt.	1704	Sir Patrick Johnston, Kt.	1749	Archibald Macaulay.
1662	Sir Andrew Ramsay, Kt.	1705	Sir Patrick Johnston, Kt.	1750	George Drummond.
1663	Sir Andrew Ramsay, Kt.	1706	Sir Samuel McClellan, Kt.	1751	George Drummond.

Remark. Having given a List of the Provosts of this City, I think it will not be amiss to observe, that the Title of Lord annexed thereto being by Prescription and not by Grant, every Provost within the Kingdom has as great a Right to that Epithet, as the Provost of Edinburgh hath.

Although the Aldermen and Provosts be the first Officers we read of, to have presided in Edinburgh, yet I cannot learn whether their Offices or that of Bailiff be here the most anti-

ent. Now as both those Officers are of a French Origin, and that the latter was Collector of the Prince's Revenues, I think it is more probable, that the Office of Bailiff was exercised in this City before that of Provost; for this being a Royal Burgh of great Antiquity, the King must have had a Bailiff, or Rent-gatherer residing within the same, for Receipt of the Royal Revenues, who was likewise constituted a Magistrate to administer Justice to the People: Be these Things as they

they will, the Bailiffs at present seem only to be Assistants to the Provost, by their being jointly and severally his Deputy Sheriff, Coroner, and Admiral within the City and Liberties of *Edinburgh*; and as such hold Courts, wherein are tried Causes both Civil and Criminal, other than in capital Cases; and are Justices of the Peace within the said District, and Magistrates of the City. The other Magistrates are the Dean of Gild, and Treasurer; the former is a Justice of the Peace within the Jurisdiction of the City, admits Persons into the Freedom of the Town, regulates Weights, Measures, &c. on which I shall enlarge when I come to treat of the Dean of Gild's Court; and the latter is likewise a Justice of the Peace in the said Jurisdiction, and receives and pays all the City Cash.

To the great Defect of Records as aforesaid is likewise owing our being in the dark in respect to the Origin of the Town Council; for the first Time I read of it is in the fifteenth Century, when it seems to have only consisted of the Magistrates and Merchants of the Gildry; for the Crafts at this Time seem so far from being concerned therein, that they only, about the Beginning of the sixteenth Century, viz. in the Year

Coun. Regist. 1508, petitioned the said Council to have
vol. I. f. 26. six or eight of their Number admitted to sit therein; and that they might be rendered eligible to be chosen Bailiffs and other Officers in the City; to which they received for Answer, that the Council would make no Alteration in the Government of the Town without the Consent of Parliament.

Remark. Here a Difficulty arises concerning the above Petition, viz. whether the Application made at this Time to the Town Council by the Crafts, was to have their Number already therein increased, or that a certain Number of them might, for the first Time, be admitted to sit and vote in the said Council, does not appear: Yet, as by an Act of Parliament, in the Reign of *James III.* every Craft was empowered to chuse one of their Trade to vote at the Elections of Officers within the Burgh; I think it may be presumed that this Time bids the fairest for Craftsmen being at first admitted into the Councils of our *Scotish* Burghs. Be that as it will, the Crafts, by the Council's Answer, seem to have been so greatly discouraged, that this Affair, for aught appears, lay dormant about the Space of fifty Years, when the said Crafts, in the Year 1556, applied to *Mary of Lorrain* the Queen Dowager, and Regent of the Kingdom, requesting that their Deacons might be admitted to vote in the Election of the Magistrates of *Edinburgh*, as will appear by the following

Coun. Regist. Letter.

vol. III. f. 24. "Our Sovereigns Lord and Lady under-
standing that the Craftsmen of Burrowis

"within their Realme of *Scotland* are appointed all Privileges, Freedomes, and Jurisdiction usit and occupyit be thame within Burgh in thair meist nobel Progenitures Dayis; and in speciall to the choosing of thair Dekynis zeirle at the Tymes limited thairto, for Conservation of guid Order amang themselves; Quhilk Dekynis aucht and suld have Privilege, alsweill in voiting, perticularlie in electing and choosing of all Lyttis, (Lifts) quhilk ar to be chosen to be Officers within Burgh, at the Feist of *Michaelmas*, sic as Provelt, Bailies, Counceil, Den of Gild, Thesaurer, and all Kynd of Officers within the samene, as in voiting, choosing, and electing the principall Officers foresaid.

"And albeit the said Dekynis of *Edinburgh*, sen thair Restitution to the said Liberties, be the Space of three Zeir syne (since) or thairby, hes zeirle, at the Tyme of Electing of the new Counseill offered thame to voit in electing thairrof; nevertheless, the Provest, Bailies, and Counseil, of the said Burgh refusit to save thair Voit thairinto, notwithstanding the Liberties granted to thame thairupon, in hie Contempion of thair Authority, and exprefs against Justice; charging thairfoir the saids Provest, Bailies, and Counseill foresaid, now present and to cum, to suffer the said Dekynis, and ilk (every) ane of thame, perticularlie be themselves, to voit in electing and choosing of the Counseill, Lyttis, and all uther Officeris above specifiet, in all Tymes coming, conforme to the Privileges grantit to thame therupone; quhilks Privileges, be thir Presents, we ratifie, approve, and amplifie in all Points, and speciallie in choosing of the Counseill and Lyttis foresaid, under the Pane of Disobedience of our Authority, and all Chairge and Punishment that may follow thairupone, &c." 20th September 1559.

Remark. By the above Letter it is manifest, that the Crafts of *Edinburgh*, before the Year 1559, had a Right to vote in electing the City's Officers, which they undoubtedly had by Virtue of the Act of Parliament above mentioned; but how they came to lose that Right, I cannot learn: But that they did, is evident, by the said Letter's telling us, that the Deacons of *Edinburgh* were restored to their Right of voting three Years before, that was in the Year 1556. And in the said Letter, it is likewise observed, that notwithstanding of the said Deacons being restored to their former Right of Election, yet the Provost, Bailies, and Council would not permit them to vote in the said Elections. Hence we may suppose, that the Crafts at that Time had no Seat in the Town Council, but that certain Deacons of the said Crafts were Members of the Town Council

Council in the Year 1582, will appear by the following Contest between the Merchants and Crafts of *Edinburgh*.

The Regent, finding she could not prevail on the Common Council by rough Means, two Days after, sent them a Letter, intreating in the most suppliant Manner to chuse such Persons for their Magistrates, and Members of the Council for the Year ensuing as she should nominate.

Many Disputes having happened betwixt the Merchants and Crafts of *Edinburgh*, concerning the electing of Magistrates, but I think none so imbittered as that in the Year 1582; for the former were for having the City Assessors (assistant Judges in the Bailiff's Court) give their Suffrages as usual, which the latter would by no means admit; alleging, it was contrary both to Acts of Parliament, and Constitutions of the Royal Burroughs. And both Parties having protested for and against the voting of the said Assessors, a Number of Artisans rushed into the Council Chamber to intimidate the Council from insisting on the Suffrages of the said Assessors.

Ibid. vol. VI.
f. 208. &c.

Against this Act of Violence, the Magistrates protested, and having cleared the Court of the Populace, the Council desired the Deacons to give their Votes; they declared they would not unless the Assessors were removed; but little Regard being had to what they said, the Council proceeded in the Election, and chose their Magistrates without them. This incensed the Multitude to such a Degree, that forcing into the Council Chamber again, would have destroyed all the Books and Records they could come at, but were happily prevented from committing the designed Mischief.

The Reasons assigned by the Crafts for their Opposition in Elections were, that the Merchants, Members of the Common Council, used the Assessors as their Tools, to out-vote them; and that the two Counsellors of Trades, their Representatives in the Common Council, ought to be taken out of their List of six, without giving them the Trouble to put in List after List, according to the Caprice of the said Merchants. (This is a manifest Contravention by the Trades; for, by the Council's agreeing to admit two of their Number as their Representatives in Council, they agreed to deliver in as many Lists of six of their Brethren, till the said Council should chuse two thereof.) They further declared, that the Bailiffs should not be ranked or classed by threes, but indifferently chosen out of one List; and insisted, that one of each Corporation should have a Vote in preparing Lists, and electing of Magistrates, which were all soon after granted them.

These violent and dangerous Proceedings occasioning the Privy Council to interpose, they ordered, that the Magistrates lately

chosen should stand without regard to their Election, and both Merchants and Trades to submit their Differences to the Arbitration of twenty four Men, to be chosen by both Parties, and the King to be Overman or Umpire, to terminate in an amicable Manner all Disputes between them; which being agreed to by both Sides, the Arbitrators, after many Meetings, Examinations, and Consultations, gave in their Award, with which the Merchants were satisfied, but the Trades not; wherefore the King summoned both Parties to appear before him, to whom he proposed to refer the present Difference to the same Arbitrators, and himself as Umpire; which the Merchants readily agreed to, as no doubt did the Crafts: For the Award or Decreet-arbitral soon after appearing, it was approved by both Parties, and denominated the Sett, which, for the Satisfaction of the Citizens, and Information of the curious Reader, I shall insert at full Length as follows.

The Decreet-arbitrall betwixt the Merchants and Craftsmen of this Brugh, as registrat in the Buiks of Counsell.

" At *Edinburgh* the nynten Day of Junii,
" the Yeir of God ane thousand five hundred
" fourscore three Yeirs, in Presence of the
" Lords of Counsell, compeired personallie
" Maisters *Johnne Sharpe, Johnne Prestoun, Thomas Craig, and Johnne Skene*, Procurators
" speciallie constitute for the Provest, Bail-
" lies, Deakens, Counsell and Communitie
" of the Brugh of *Edinburgh*, be the Act
" of Counsell underwritten, made in Pre-
" sence of the Provest, Baillies, Deakens,
" Counsell and Communitie contained thair-
" intill, of the Daitt underwritten, and gave
" in the said Act of Counsell, with the De-
" creit-arbitrall aftermentionat, given and
" pronouncit be the King's Majestie and
" Judges after following, subscrivit b them
" and the Pairties efter rehearfit, and desyrit
" the same to be insert and registrat in the
" Buiks of Counsell, to have the Streth,
" Force, and Effect of their Act and De-
" creit in Tyme to come; and Letters and
" Executorials to be direct upon the Pair-
" ties specifiet thairintill, and in Manner
" thairin contained.

" The quhilk Desyre the said Lords
" thocht reasonable, and therefore has or-
" dained and ordains the said Act and De-
" creit-arbitrall to be insert and registrat in
" the said Buiks, to have the Streth,
" Force and Effect of their Act and Decreet
" in Tyme to come; and hes interponit and
" interpons thair Decreet and Authoritie
" thairto: And decernes and ordaines Let-
" ters and Executorials to be direct upon
" the haill Pairties, specifiet in the said De-
" creit-arbitrall, for fulfilling thair of in all
" Poynts, in Maner specifiet thairintill; of
" quhilk the Tennor followis.

" The quhilk Day, Mr. *Michael Chis-*
" holme,

M m m

"*bolme, Andrew Sclater, Jobne Adamsone,*
 "Baillies, Mr. *Jobne Prestoun*, Dean of
 "Gild, *Mungo Russel* Thesaurer, *Jobne*
 "*Johnstoun, John Harwood, Jobne Robert-*
 "*sone, William Maule, William Nesbet, A-*
 "*lexander Naper, Jobne Moresone, Robert*
 "*Ker, Henry Charteris, Merchands; James*
 "*Fergusone Bowar, Jobne Bairnsfather Tail-*
 "*yeour; and the Deakens following, viz.*
 "*Gilbert Prymrose* Chirurgeon, *Jobne Watt*
 "*Smyth, Edward Galbraith* Skynner, *Ed-*
 "*ward Hart Goldsmyth, William Hoprin-*
 "*gill Tailyeour, Thomas Dickson* Furriour;
 "and siklyk, *James Ur Fleisher, William*
 "*Weir* Cordiner, *Adam Newtoun* Baxter,
 "*William Cowatts* Wobster, *William Somer*
 "Bonnit-maker, and *Wadson* Wright, re-
 "nament Deakens of Crafts, for themselves,
 "and the haill Body and Communitie of
 "the Toun, alswell Merchands as Craft-
 "men, make and constitute Mr. *John Sharpe,*
 "*Thomas Craig, Jobne Prestoun, Assessours,*
 "and Mr. *Jobne Skene* Procurator Fiscal, or
 "any twa of them, their Procurators, to
 "compeir before the Lords of Sessioun and
 "Counsell, whatsomever Day or Dayis
 "convenient.

"And there, in Name and Behalfe of
 "the Proveft, Baillies and Counsell for the
 "Merchands, and of the said Deakens for
 "the Crafts on the uther Pairt, to consent
 "to the Registrating of the Decreit-arbi-
 "trall, given by the King's Majestie and
 "Arbitrators specifiet therein, betwix the
 "Merchands and Craftsmen in the Buiks
 "of Counsell, interponing of thair Autho-
 "ritie thereto, with Execution to follow
 "thereupon, in maner specifiet in the said
 "Decreit, and generallie, &c. promittentes
 "de rato, &c. Extract furth of the Coun-
 "sell Buik of the Burgh of *Edinburgh*, be me
 "Mr. *Alexander Guthrie* common Clerk of
 "the sament. Witness thereto my Sign and
 "Subscriptioun manuall. Sic subscribitur.

ALEX. GUTHRIE.

Decreit Arbitrall.

"At *Halyrudhous*, the twentie twa Day
 "of *Aprill*, the Yeir of God ane thousand
 "fyve hundredth fourscore three Yeirs, We
 "Robert Fairlie of Braid, Sir *Alexander*
 "*Naper* of *Edinbellie* Kt. and *James Johnstoun*
 "of *Elphinstoun*, Judges Arbitrators chosen
 "for the Pairt of Mr. *Michaell Chisholme,*
 "*Andrew Sclater, Jobne Adamsone* and *Wil-*
 "*liam Fairlie*, Baillies of *Edinburgh*, Mr.
 "*John Prestoun* Dean of Gild, *Mungo Rus-*
 "*sel* Thesaurer; *Jobne Johnstoun, Robert*
 "*Ker* younger, *Henry Charteris, Jobn Mo-*
 "*rison, William Maule, Jobne Harwood,*
 "*Jobne Robertstone, William Inglis, Alexan-*
 "*der Naper* and *William Nesbet*, Merchands;
 "being on the Counsell of the said Brugh,
 "for themselves, and in Name and Behalf,
 "and as Commissioners for the haill Mer-
 "chands indwelland in the said Brugh, on
 "the ane Pairt; and *Jobne Cockburn* of Or-

"*meistoun, Mr. Robert Pont* Proveft of the
 "Trinity College, and Mr. *David Lynd-*
 "*say* Minister at *Leith*, Judges Arbitrators
 "chosen for the Pairt of *James Fergusone*
 "*Bowar, Jobne Bairnsfather* Tailyeour,
 "twa of the Craftsmen, being on the Coun-
 "sell of the said Brugh; *Gilbert Prymrose*
 "Deaken of the Chirurgeans, *John Watt*
 "Deaken of the Hammermen, *William*
 "*Hopringill* Deaken of the Tailyeours, *Ed-*
 "*ward Galbraith* Deacon of the Skynners,
 "*Edward Hart* Deaken of the Goldsmyths,
 "*Adam Newtoun* Deaken of the Baxters,
 "*Thomas Dickson* Deacon of the Furriers,
 "*Andrew Williamsone* Deaken of the
 "Wrights, *William Britertoun* Deaken of
 "the Mafons, *James Ur* Deaken of the
 "Fleishers, *William Weir* Deaken of the
 "Cordiners, *Thomas Wright* Deaken of the
 "Wobsters, *William Cowatts* Deaken of the
 "Wakers, and *William Somer* Deaken of
 "the Bonnit-makers, for themselves, and
 "in Name and Behalfe, and as Commis-
 "sioners for the haill Craftsmen, Indwel-
 "lers of the said Brugh on the uther Pairt.

"And the Right Potent and Illuster
 "Prince, *James*, by the Grace of God,
 "King of *Scots*, our Soverane Lord, Ods-
 "man and Oversman, chosen be Advice
 "and Consent of baith the saids Pairties,
 "anent the removing of all Questionis,
 "Differences and Controversies, quhilks
 "ar, or hes bein betwix the saids Mer-
 "chands and Crafts, concerning whatsom-
 "ever Caus or Occasion, wherupon Debeat
 "or Question did aryse in any Tyme be-
 "twix them: And therupon baith the saids
 "Pairties being bund, oblisit and sworne,
 "to stand, abyd, underly, and fulfill the
 "Decreit-arbitrall, and Delyverance of us
 "the saids Judges and Oversman, but Appel-
 "lacioun, Reclamacioun or Contradictioun,
 "as at mair Lenth is contained in ane Sub-
 "missioun made thereupon; baith the saids
 "Pairties Clames and Greiffs given in be
 "them, with the Answers made thereto;
 "and their Rights, Reasones, and Alled-
 "gances being heard, seen, and considered
 "be us, and we therewith being rpyly ad-
 "vyfit, efter many and fundrie Conven-
 "tiouns and Meitings, with lang Travells
 "tane heiranent, hes all in ane Voice, ac-
 "cordit upon the Heads and Articles fol-
 "lowing:

First, "To take away all Differences,
 "quhilks has bein heirtofoir, concerning
 "the Personnes wha had the Governament
 "of the Toun, their Number, Power, or
 "Authoritie, and Maner of their Electi-
 "oun, it is finallie accordit and decernit
 "thereupon, as follows:

MAGISTRATTS.

"The Magistratts and Office Men, sic
 "as the Proveft, Baillies, Dean of Gild and
 "Thesaurer, to be in all Tymes comeing
 "of the Estaitt and Calling of Merchands,
 "conform

" conform to the Acts of Parliament; and
 " if any Craftsman exerce and merchandize,
 " fall for his guid Qualities be promovit
 " theirto; in that caise he fall leive his
 " Craft, and not occupy the same be him-
 " self nor his Servands, during the Tyme
 " of his Office, and fall not returne theirto
 " at any Tyme theirefter, quhil he obtain
 " speciall Licence of the Proveft, Baillies,
 " and Counsell, to that Effect.

COUNSELL.

" The Counsell to consist of ten Mer-
 " chands, to wit, the auld Proveft, four
 " auld Baillies, Dean of Gild, and the The-
 " saurer of the next Yeir preceeding, and
 " three uther Merchands to be chosen yeir-
 " ly to them; and also to consist of eight
 " Craftsmen, theirow six Deacons, and twa
 " uther Craftsmen, makand in the hail the
 " said Counsell eighteen Persones; and this
 " by the Office-men of that Yeir, to wit,
 " the Proveft, Baillies, Dean of Gild, and
 " Thesaurer.

ELECTION.

" And as to the Maner of their Eleſtioun,
 " it is first generallic accordit and concludit,
 " that na maner of Persones be chosen Proveft,
 " Baillies, Dean of Gild, or Thesaurer,
 " suppose they be Burgeses of the
 " Brugh, and able theirfore, without they
 " have bein ane Yeir or twa upon the Coun-
 " sell before: And anent the Counsell, the
 " auld Maner in giving in of Tickets be
 " the Deakens, out of quhilk the twa Craft-
 " men were yeirly chosen, to be dischargit,
 " ceise, and expyre in all Tymes coming,
 " swa that the saids twa Craftsmen fall be
 " chosen yeirly (without any in-giving of
 " Tickets) indifferentlie, of the best and
 " worthiest of the Crafts, be the saids Proveft,
 " Baillies and Counsell allanerlie; and nane
 " to be of the Counsell above twa Yeir to-
 " gidder, except they be Office-men, or be
 " vertue of their Office be on the Coun-
 " sell.

" Sicklyk, anent the Lytts of the Baillies,
 " they fall not be divydit, nor casten in
 " four Ranks, three to every Rank, as
 " they were wont to be, bot to be chosen
 " indifferentlie, ane out of twelff Lytts,
 " aneuther out of eleven Lytts, the third
 " out of ten, and the fourt out of nyne
 " Lytts.

" Anent the Deakens, That nane be e-
 " lectit Deaken, except he that hes bein ane
 " Maister of his Craft twa Yeir at the least;
 " and that nane of them be continued in
 " their Offices of Deakenſhip above twa
 " Yeir togidder.

" Laft, in general, That nane have Vote
 " in lytting, voiting or electing of the Pro-
 " veft, Baillies, Counsell, Deakens, Dean
 " of Gild, or Thesaurer, but the Persones
 " heirefter following allanerlie, in Maner
 " efter specifiet.

ELECTION OF DEAKENS.

" And to proceed in the said Eleſtioun,
 " it is fund guid to begin at the cheifing of
 " the Deakens of Crafts, quhilk ar four-
 " tein in Number, to witt, Chirurgians,
 " Goldſmyths, Skynners, Furriours, Ham-
 " mermen, Wrights, Maſons Tailyeours,
 " Baxters, Fleſhours, Cordniers, Wob-
 " sters, Wakers, and Bonnit-makeris; swa
 " the Deakens now present fall stand and
 " continue quhil the third Counsell Day be-
 " fore the auld Tyme of Eleſtioun of the
 " new Counsell, quhilk wes on the Wedneſ-
 " day next preceeding the Feiſt of Michael-
 " mes; upon the quhilk third Counsell
 " Day, the Proveft, Baillies, and Counsell
 " now standand, extending to nynten
 " Persones; and fra then forth yeirly, and
 " ilk Yeir, the Proveft, Baillies, and Coun-
 " sell, constitute of the said twentie fyve
 " Persones, fall call in before them the saids
 " Deakens of Crafts of everie ane severallie,
 " and require their Opinion and Judgement
 " of the best and worthiest of their Crafts:
 " Theirefter the said Proveft, Baillies, and
 " Counsell, fall nominate and lytt three
 " Persones of the maist discreit, godly and
 " qualified Persons of everie ane of the saids
 " fourteen Crafts, maist expert Hand-labour-
 " ers of their awen Craft, Burgeses and
 " Freeman of the Brugh, whereof the auld
 " Deaken fall be ane, and cause delyver
 " their Names to the Deakens, everie ane
 " according to their Crafts; quhilk Dea-
 " kens on the Morne theirefter fall assemble
 " and convey their Crafts, and everie
 " Craft be themſelfis, furth of their Names
 " fall elect ane Persones, who fall be their
 " Deaken for that Yeir; and upon the nixt
 " Counsell Day after the said Eleſtioun, the
 " auld Deakens, with some of the Maisters
 " of their Crafts, fall present the new Dea-
 " kens to the Counsell, wha fall authorize
 " them in their Offices.

NEW COUNSELL OF DEAKENS.

" Nixt, to proceed to the Eleſtioun of
 " the new Counsell: The said Day of pre-
 " senting of the new Deakens, the Proveft,
 " Baillies and Counsell, now standand, of
 " nynten Persones; and fra then furth the
 " same Day yeirly; the Proveft, Baillies,
 " and Counsell of twentie fyve Persones,
 " fall cheiſe furth of the saids fourteen Dea-
 " kens, sex Persones, to be adjoyned with
 " the new Counsell for the Yeir to come,
 " and to have speciall Vote in lytting and
 " cheiſing of the Proveft, Baillies and Coun-
 " sell; and the same Day, the auld sex
 " Deacons, quhilk was upon the Counsell
 " the Yeir preceeding, to be removed, and
 " have na further Vote for that Yeir, ex-
 " cept some of them be of the Number of
 " new electit Deakens.

NEW COUNSELL OF MERCHANTS AND CRAFTS.

" Theirefter, upon the Wednesday nixt
 " preceeding

“preceding *Michaelmes* ilk Yeir, the Pro-
 “vest, Baillies, Dean of Gild, Thesaurer,
 “and ten Merchands of the Counsell, and
 “the saids sex Deakens and twa Craftsmen;
 “and in the haill twentie fyve Persones and
 “twentie sex Votes, be reason of the Pro-
 “vest’s twa, ordinarlie standand at all
 “Tymes, fall conveyin and cheise the new
 “Counsell, to the Number of eighteen Per-
 “sones, to witt, the auld Provest, Baillies,
 “Dean of Guild, and Thesaurer of that
 “Yeir, and the saids sex Deakens to make
 “thretten Persones theirow, and to them to
 “be chosen three Merchands and twa Craft-
 “men, and thir Persones to be callit the
 “*New Counsell*; and if any Person of the
 “Merchands, chosen upon the new Coun-
 “sell, happens to be put upon the Lytt of
 “an uther Office, and promovit theirow,
 “ane uther fall be chosen in his Room be-
 “the saids Provest, Baillies and Counsell.

LYTTIS OF MAGISTRATTS.

Thridlie, “To proceed to the cheising of
 “the Lyttis to the Magistratts and Office-
 “men, sic as Provest, Baillies, Dean of
 “Guild, and Thesaurer, upon the *Fryday*
 “nixt theirefter; there fall conveyin the said
 “new Counsell of eighteen Persones, and
 “the auld Counsell constituit of twelff Per-
 “sones, *viz.* ten Merchands and twa Craft-
 “men; and in the haill threttie Persones to
 “the Provest’s od Vote; quhilks Persones
 “solemnatlie protestin befor God, that
 “they fall cheise the Persones whom they
 “find maist meitt, without Favour, Hai-
 “tred, or any kynd of Collusioun: Then
 “fall begin and cheise the Lyttis to the said
 “Magistratts and Office-men; to everie
 “ane of them three Lyttis, that is to say,
 “to the Provest, twa Lyttis with himself;
 “to the four Baillies, everie ane of them,
 “three Lyttis, the auld Baillies not beand
 “ane, except they be new chosen theirow;
 “to the Dean of Gild, twa Lyttis with him-
 “self; and to the Thesaurer, twa Lyttis
 “with himself; quhilks haill Lyttis fall be
 “of the Order and Calling of Merchands,
 “as said is.

ELECTION OF MAGISTRATTS.

Fourtie, “To proceed to the electing and
 “cheising of the said Magistratts and Office-
 “men upon the *Tuesday* nixt efter *Michael-*
 “*mes* yeirlie, their fall conveyin the saids
 “threttie Persones of new and auld Coun-
 “sell, and with them the rest of the Dea-
 “kens of Crafts, quhilks are not of the
 “Counsell, extending to eight Persones;
 “the haill Persones swa conveyinand, ex-
 “tending to threttie eight Persones by the
 “Provest’s od Vote, theirow twentie Mer-
 “chands and eighteen Craftsmen, quhilks
 “Persones fall begin at the Lyttis of the
 “Provest, and everie ane in their awen
 “Rank, give their Votes to sic as they

“find maist for the Weill of the Toun, ac-
 “cording to their Conscience and Know-
 “ledge, but Feid or Favour; and on whom
 “the greitest Number of Votes fall fall, that
 “he be sworne, reffavit, and admittit Pro-
 “vest for that Yeir; and swa to proceed
 “throw the Lyttis of the Baillies, Dean of
 “Gild, and Thesaurer, quhil the said Ele-
 “ction be compleitlie endit.

“The said Provest, Baillies, Dean of
 “Gild, Thesaurer and Counsell, electit as
 “said is, makand in the haill twentie fyve
 “Persones; they onlie and na uthers, fall
 “have the full Government and Admini-
 “stratioun of the haill Common Weill of
 “this Brugh in all Things, as the Provest,
 “Baillies, and Counsell theirow, or of any
 “uther Brugh had of befor, or may have
 “heirefter, be the Lawes or Consuetude of
 “this Realme, Infeftments and Priviledges
 “grantit to this Toun, be our Sovereane
 “Lord’s maist noble Progenitors; except-
 “and always thir Causes following, in the
 “quhilks the haill fourteen Deakens of
 “Crafts fall be callit and adjoyned with
 “them, to give their speciall Vote and
 “Consultatioun theirow, to witt, in the
 “Electioun of the Provest, Baillies, Dean
 “of Gild, and Thesaurer, as said is; in
 “setting of Fewis, or any Maner of Taks,
 “attour the yeirly Rowping on *Mertimes*
 “Even; in giving of Benefices and uther
 “Offices within Brugh; in granting of Ex-
 “tents, Contributiouns, Emprimits, and
 “siclyk; bigging of common Works, and
 “in disponing of the common Guid, above
 “the Sum of twentie Pund togidder; pro-
 “vyding nevertheless, that the Deakens,
 “not of the Counsell, or any of them, be-
 “and personallie warned to that Effect, and
 “absenting themselves, swa oft the last Dea-
 “ken, or any uther, that wes in Lytt with
 “him that Yeir, fall supplie their Rowme;
 “and they beand personallie wairned, and
 “absent, the rest compeirand, fall have
 “Power to proceed; if any of the Provest,
 “Baillies and Counsell be absent, the rest
 “wha are present fall cheise an uther in
 “their Rowme: And to avoyd all Suspi-
 “cioun, that hes risen in Tymes past, throw
 “the perticular Assemblies, Conventiouns
 “and Convocations, contrair to the Acts of
 “Parliament, and to the Trouble of the
 “quyet Estaitt of the Brugh.

CONVENTIOUNS.

“It is agreit and concludit, that nather
 “the Merchands amang thamselvis, nather
 “the Craftis and their Deakens, or Visit-
 “ours, fall have or make any perticular or
 “general Conventioun, as Deakens with Dea-
 “kens, Deakens with their Crafts, or Crafts
 “amang thamselvis, far less to mak private
 “Lawes, or Statutes, poynd, or distrenzie
 “at their awen Hands for Transgressiouns,
 “by the Advice of the Provest, Baillies, and
 “Counsell.”

DEAN

DEAN OF GILD may convey his Counsell.

" Exceptand alwayis, that the Dean of
" Gild may assamble his Brether and Coun-
" sell in their Gild Courts, conforme to the
" ancient Lawes of the Gildrie, and Privi-
" ledges theirow. And that any ane Craft
" may convey togidder amang thaimselfis,
" for cheifing their Deakens at the Tyme
" appoyntit theirow, and in Maner before
" exprest, making of Masters, and trying of
" their handie Wark allanerlie; and if any
" Brether or Deakens of Craftis fall find out
" or devyse any guid Heids, that may tend
" to the Weill of their Crafts, they fall pro-
" pone the same to the Magistratts, wha
" fall set forward ane Act or Statute thair-
" upon, and interpone their Authoritie
" theirow as it fall be found reasonable.

COMMISSIONERS.

" As twitching the Commissioners in Par-
" liament, Generall Counsell, and Commis-
" sioners in Conventioun of Burrows, it is
" thocht guid by the Commissioners, that,
" in all Tymes comeing, the ane of the
" saids Commissioners for the Brugh of E-
" dinburgh, fall be chosen be the said Pro-
" vext and Baillies, furth of the Number
" and Calling of Craftsmen; and that the
" Persone to be ane Burges and Gild-bro-
" ther of the Brugh be of the best, expert,
" and wyse, and honest Reputation.

AUDITOURS.

" It is agreit, that the Auditours of all
" the Town's Compts, fall heirefter be cho-
" sen of equall Number of Merchands and
" and Craftsmen, be the Provext, Baillies,
" and Counsell."

GILDRIE.

" Toward the lang Controversies for the
" Gildrie, it is finalie with common Con-
" sent appoyntit, agreit and concludit, that
" allswell Craftsmen as Merchands, fall be
" receivit and admittit Gild-brother, and
" the ane not to be refutit or secludit thair-
" fra, mair nor the uther, they being Bur-
" gesses of the Brugh, as meit and qualifiet
" theirow; and that Gild-brother have
" Libertie to use Merchandize; their Admis-
" sion and Tryell of their Qualificatioun,
" to be in the Hands and Power of the Pro-
" vext, Baillies, Thesaurer, and Counsell,
" with the Dean of Gild and his Counsell,
" quhilk fall consist in equal Number of
" Merchands and Craftsmen, Gild-brother,
" not exceiding the Number of sex Per-
" sones, by the Dean of Gild himself. And
" that na Persone of whatever Facultie he
" be, fall bruik the Benefit of ane Gild-
" brother, without he be reffavit and admit-
" tit thairto as said is."

BURGESSES, CRAFTS.

" That na Maner of Persone be sufferit
" to use Merchandize, or occupy the handie
" Wark of ane free Craft within this Brugh,
" or yet to exerceis the Libertie and Privi-

ledge of the said Brugh, without he be
" Burges and Freeman of the same.

EXTENTS.

" Because the Merchands and Craftsmen of
" this Brugh ar now to be incorporat in
" ane Societie, and to make ane hail Town
" and Commonweill, it is thocht guid,
" expedient, and concludit, to abrogat the
" former Custome of divyding and setting
" of Extents, quherein the Merchands payit
" four Pairts, and the Craftis the fifth Part;
" and theirow it is greit, that as they watch
" and waird togidder, swa in all Extents,
" Emprimits, Contributionis, and the lyk
" Subsidies to be imposit upon the Brugh,
" Merchands and Craftsmen to beir the
" Burden and Chairge theirow, indifferentlie
" over-head according to their Abilitie and
" Substance, throw the hail Quarters of
" the Town, without Divisioun of the Rolls
" in Merchands and Craftsmen in any Tyme
" comeing.

" The Extentours fall be of equall Num-
" ber of Merchands and Craftsmen, eight
" Persones of the ane Calling, and eight
" Persones of the uther, to be electit, sworne,
" and receivit be the Provext, Baillies, and
" Counsell, out of the maist discreit and
" skilful of all the Town, voyd of all par-
" tiall Affectioun and Hatred; and that na
" Maner of Persone use the Trade of Mer-
" chand or Craftsman, and occupyand the
" Freidome of this Brugh, and able to pay
" any Extent, not beirand the Office of Pro-
" vext, or Baillie, in the mean tyme, fall
" be any Wayis exeemit from the reall and
" actual Payment theirow.

COLLECTIOUN.

" As the hail Bodie of the Town, con-
" sistand of Merchands and Craftsmen, does
" beir ane common Burden of watching
" warding, extenting, and of the lyk pu-
" bliet Charges, having ane common Guid,
" proper to nane; swa neidfull it is for ma-
" king ane equal Unitie and charitable Con-
" cord; that thair be in the hail Town but
" ane Collectioun, and ane Purse, not pecu-
" liar to any, bot common to all; of the hail
" Dewties and Casualties, callit the Entries-
" silver of Prentieffes, Upsets, owklike Pen-
" nies, Unlawes, and siclyk, to be collect-
" it in all Tymes comeing, and receivit
" baith of Merchands and Craftsmen, and
" put in ane common Purse; and to this Ef-
" fect, the Merchands to take and have
" Prentieffes as weil as Craftsmen, and to
" be astrictit and obleist theirow; and na
" Prenteis alwayis to be receivit of ather of
" them for shorter Tyme, nor the Space of
" fyve Yeirs compleitt.

" And for the better Knowledge to be
" had heirow, and for observing of guid Or-
" dour in Collectioun of the same, that
" there be ane common Buik made and
" keipit be the common Clerk of this Brugh,

“ present and to come, quherein the Names
 “ of all Prentisfes to Merchands and Crafft-
 “ men, the Name of their Master, Day of
 “ their Entries, and Space of their Prenti-
 “ ship fall be insert and buikit; for the
 “ quhilk, the Clerk fall have at their buik-
 “ ing, of ilk Persone; sex Pennies, and for
 “ the out Draught, Twelff Pennies; quhilk
 “ Buik fall be to the Prentis aye sufficient
 “ Probatioun of his Entries, and ane Charge
 “ to the Collectours of the said Dewties.

“ If any Man be an Prentis heirefter,
 “ and not put in the said Buik, his Prentei-
 “ ship fall be to him of nae Effect. Als wa,
 “ be reafone evrie Industrie is not of lyk
 “ Valour and Substance, it is declairit, what
 “ ilk Rank or Degrie of Prentisfes fall pay;
 “ to witt, the Merchand, Prentis, and sic
 “ Kynd of People as wer wont to extent
 “ with them, and ar not under ane of the
 “ said fourteen Crafts, to pay at his Entrie,
 “ the Day of his buiking, to the said Col-
 “ lection Threttie Shillings, and at his Up-
 “ sett or End of his Prenteship, Fyve Pund.
 “ The Prentis to ane Skynner, Chirurgeon,
 “ Goldsmyth, Fleisher, Cordiner, Tailyeour,
 “ Baxter and Hammerman, at their Entrie
 “ and buiking, to the said Collection,
 “ Twentie Shillings, and for their Upsett,
 “ Fyve Punds: The Prentis to an Mafon
 “ and Wright, at his Entrie, Thretten Shil-
 “ ling Four Pennies, and his Upsett Three
 “ Punds sex Shilling eight Pennies: The
 “ Prentis to an Wobster, Waker, Bonnit-
 “ maker, and Furriour, at his Entrie, Ten
 “ Shilling, and for his Upsett, Fyftie Shil-
 “ ling; and their Dewties to be tane by their
 “ owklie Pennies and Dewties of their Bur-
 “ geships; and, to cause all Persones to be
 “ mair willing to enter thamselvis in Pren-
 “ teship with the Burgesfes and Friemen of
 “ this Brugh, this Priviledge is grantit to
 “ the saids Prentisfes, that they fall pay na
 “ mair for their Burgeship to the Dean of
 “ Gild, bot Fyve Punds, by the Dewties
 “ foresaid.

“ And in Augmentation of the said Col-
 “ lection, when any Persone fall happen to
 “ be made Burgesfes of this Brugh, wha was
 “ na Prentis to any Merchand or Crafft-
 “ man, free Burges of the said Brugh, or
 “ has not compleit his Prenteship, fall pay
 “ to the said Collection, at his Admissioun,
 “ the double of the haill Prentis or Entries
 “ Silver, Upsett and buiking, by the Dew-
 “ tie payit to the Dean of Gild for his Bur-
 “ geship, or Gildrie, quhilk is Twenty
 “ Punds for his Burgeship, and Fourtie
 “ Pund for his Gildrie; the Priviledge al-
 “ wayes of the Bairnes of Burgesfes and
 “ Gild-brether not being prejudged heir-
 “ by, quha fall pay the auld and accu-
 “ stomed Dewtie to the Dean of Gild al-
 “ lanerlie.

“ Thir Dewties and Collectiouns or Casu-
 “ alities of Entries Silver, Upsetts, owklie

“ Pennies, Unlawes, and siclyk, to be received
 “ in all Tymes comeing, of all Merchands and
 “ Crafftmen indifferently, put in the said
 “ common Purse, and imployit be the Ad-
 “ vice and Command of the Provest, Bail-
 “ lies, and Counsell, for Support and Re-
 “ lief of the faillyet and decayit Burgesfes,
 “ Merchants and Crafftmen, their Wyfes,
 “ Bairnes, and auld Servants, and uther
 “ poor Indwellers of the Town.

“ The Provest, Baillies, Counsell, and
 “ haill Deakens, everie Yeir efter Electioun
 “ of the Magistratts, fall cheise the Col-
 “ lectours of the saids Dewties and Casual-
 “ lities, of equall Number of Merchands
 “ and Crafftmen, and divyse and set down
 “ sic good Ordour, as they fall think meit
 “ and expedient for the perfyte and reddie
 “ inbringing their of.

“ And last, The said Collectours fall
 “ make yeirlye Compts of their Intromis-
 “ sioun theirwith, at the Tyme of making
 “ of the Town's Compts, and fall find suf-
 “ ficient Caution at their Admissioun, for
 “ Compt, Reckoning, and Payment. Als
 “ so it is ordained, that baith the saids Pair-
 “ ties, Merchands and Crafftmen present,
 “ and their Succesfours, fall inviolable ob-
 “ serve, keip and fulfill this present Ap-
 “ pointment and Decreit-arbitrall, and e-
 “ verie Heid, Clause, and Article conteint
 “ theirin. Lykas his Majestie, and the
 “ saids Judges, wills and ordains them,
 “ with willing Hearts, to put in Oblivioun
 “ all bypast Inormities, imbrace and inter-
 “ tein Love and Amitie; and as they ar of
 “ ane Cittie, swa to be of ane Mynd; then
 “ fall they be acceptit of God, stop the
 “ Mouths of them quha tuike Occasioun
 “ by their Divisioun to slander the Trueth;
 “ then fall they be mair able to do our So-
 “ verane acceptable Service, and have ane
 “ standing and flowrishing Commonweill:
 “ And finallie, his Majestie and the saids
 “ Judges will esteem their lang Travells
 “ fruitfullie bestowit.

CERTIFICATIOUN OF THE SETT.

“ Attour, his Majestie and the saids Jud-
 “ ges ordains the Practise and Executioun
 “ of this present Appoyntment and Decreit
 “ to be and begin after the Day and Daitt
 “ heirof, and to continue, and be observit
 “ and keipit, as ane perpetuall Law in
 “ Tyme comeing; and whatsoever contra-
 “ veins the samen, fall be repute and halden
 “ ane Troubler of the quiet Estaitt of the
 “ Commonweill, incur the Note of Infam-
 “ y, and foirfault and tyne their Friedome
 “ for ever; and utherwayes to be perfewit
 “ and punisht as seditious Persones, con-
 “ forme to the Lawes of this Realme, with
 “ all Rigour and Extremitie: And ordaines
 “ thir Presents to be ratifiet and approvet in
 “ his Hienes next Parliament; and in the
 “ mein time, the same to be actit and regi-
 “ strat in the Buiks of Counsell and Sessioun,
 “ and

"and to have the Strenth of Acts and Decrets of the Lords theirow; and that their Authority be interponit theirow, and Letters and Executorialls to pas theirow in Form as effiirs: And for acting and registering the sament, makes and constitutes Maisters Jobne Sharpe, Jobne Prestoun, Jobne Craig, and Jobne Skene, Procuratours, conjunctlie and severallie, in uberiore forma promittendo de rato.

"In Witness whereof, the saids Judges and Overfman, togidder with the saids Commissioners, in Token of their Consents and Acceptatioun of the Premises, hes subscrivit thir Presents with their Hands, as followis, Day, Yeir and Place foirsaid. Sic subscribitur, James R. Robert Fairlie of Braid, Archibald Naper of Edinbellie, Knight, James Johnstoun of Elphinstoun, Jobne Cockburne, David Lindsay, Robert Pont, Alexander Clerk Provost, Mr. Michael Chisholme Baillie, Andrew Sclater Baillie, Jobne Adamson Baillie, Jobne Prestoun Dean of Gild, Mungo Russell Thesaurer, Robert Ker younger, Henry Charters, Jobne Morejone, Jobne Harwood, Jobne Robertone, William Nesbet, Alexander Naper, James Fergusone, William Mauld, Jobne Johnstoun, Edward Galbraith, Gilbert Primrose, Jobne Watt, James Ur, with my Hand; William Pringle, Edward Hart, Jobne Bairnsfather Tailycour, Thomas Dickson, Andrew Williamson, Thomas Wright, William Britertoun, William Somer, Allane Newtoun, William Weir and William Cowts, with our Hands at the Pen, led by the Nottars underwritten, because we cannot wryt our selfis.

"Ita est, Magister Alexander Guthrie, notarius publicus, ac testis in premissis, de mandatis dictarum personarum scribere nescientium, ut asseruerunt: testantibus his meis signo ac subscriptione manualibus, acta 14 & 25 Maii, 1583.

"Ita est, Magister David Guthrie, notarius in premissis de mandatis dictarum personarum scribere nescientium, ut asseruerunt: teste manu propria.

"Extractum de libro actuum per me Alexandrum Hay de Eister Kennet, clericum rotulorum registri ac consilii, S. D. N. regis, sub meis signo & subscriptione manualibus.

Sic subscribitur, ALEXANDER HAY.

New Differences having arisen between the Merchants and Crafts of Edinburgh, concerning the Qualifications of Persons to vote in Elections, chusing of Deacons, extraordinary Deacons, to vote in certain Cases, auditing the City's Accounts, &c. Processes were commenced at Law for determining the same. But both Parties, rather than proceed in that Way, agreed to refer the Matters in Dispute to Archibald Earl of Ilay (now Duke of Argyll) who generously accepting of the laudable Office, made the following Award or Decreet-arbitral,

whereby all Disputes were judiciously terminated to his great Honour, and Satisfaction of both Parties.

Decreet-arbitral, determining certain Questions, depending between the Magistrates, Merchant Council, and Trades of the City of Edinburgh.

"Whereas by two several Submissions, dated and signed at Edinburgh the 13th and 14th Days of March, 1729 Years, by the Magistrates and Merchant Council, and Deacons of Crafts and Trades Counsellors of the said Burgh, on the one and other Parts; and in the Behalf, and pursuant to the Powers therein mentioned, several Questions and Differences between the said Incorporations and the said Magistrates and Merchant Council, touching the Matters therein set forth, were submitted to me as sole Arbitrator, chosen and elected by both Parties; and particularly certain Processes at their Instance against others, depending before the Lords of Council and Session: And I having maturely considered the said mutual Processes, with the Minutes and Claims, and Answers, with the Vouchers given in by them *hinc inde*, and heard Parties Procurators in my own Presence *viva voce*; and having weighed the Arguments on each Side, and perused the Precedents laid before me jointly by both Parties, I give forth my final Sentence and Decreet-arbitral, in Manner, and to the Effect following.

"That is to say, Finds, decerns, and declares, That no Person who has deserted and given over the Practice and Exercise of his Trade and Occupation within the City of Edinburgh and Liberties thereof, unless he reside within the said Town or Liberties, and at the same time subject himself to the common Burdens of the Town and Incorporation whereof he is free; or who is received as a Member or Servant in any of the Town's Hospitals, or who is a Pensioner of the Town or Trade; or has or enjoys any Benefit or lucrative Office from the Town or Trade; or who at any Time within six Months preceding, has been received, or was Member, Servant, or Pensioner as aforesaid, or held or enjoyed such Benefit or lucrative Office, hath, or ought to have any Vote in the Election of a Deacon or other Officer of the Incorporation, or in making up Leets in order to the Election of a Deacon or other Officer; or to act, or in any Meeting whatsoever of any Incorporation within the City.

"And further finds, decerns and ordains, That the Usage and Custom of presenting Leets of six Persons made by the several Incorporations, and attested by their respective Clerks, to the Magistrates and Council, in order to their making short Leets

“ Leets of three for Election of Deacons, be
“ inviolably for ever observed; and that
“ the short Leets be returned by them of
“ the said Leets of six, regularly and legal-
“ ly made and attested.

“ But finds, decerns, and declares, That
“ the Council to whom the new Deacons
“ are to be presented, and by whom they
“ are by the Sett, to be authorised in their
“ Offices, are, by the Nature of the Thing
“ and the Precedents, and consequently with
“ the Sett, Judges in the first Instance of
“ Questions that may be stirr’d, concerning
“ the Right of Persons claiming to be ad-
“ mitted into the Office of Deacon, subject
“ nevertheless to Complaint, and the Re-
“ view of the proper Court, as Accords of
“ the Law.

“ And finds, decerns, and declares,
“ that the Provost has Right to the first
“ Vote in every Matter and Thing, and to
“ a casting Vote in case of an Equality,
“ and to no other or further Vote in any
“ Case whatsoever.

“ And also finds, decerns, and declares,
“ That, according to the Sett of the Town,
“ there must be three Persons in every Leet
“ for the several Offices of Provost, Dean of
“ Gild, and Treasurer; and twelve Persons
“ in the Leet for Baillies: But it is not de-
“ termined by the Sett, whether the said
“ Leets should contain one and twenty dif-
“ ferent Persons; and the Usage appears to
“ be in the contrary, which therefore ought
“ to prevail.

“ And further finds, decerns, and de-
“ clares, That the Deacons extraordinary, or
“ not of the Council, have a Vote in choo-
“ sing Proxies for the absent Members of
“ the ordinary Council at the annual Elec-
“ tion, in all Steps where they have a Right
“ to be present.

“ And also finds, decerns, and declares,
“ That the Right of calling the Council,
“ ordinary and extraordinary, belongs to
“ the Provost or Preses of the Meeting;
“ and upon an Execution returned of the
“ Members being summoned by the said
“ Provost or Preses, his Order, thirteen of
“ the Ordinary, and seventeen of the Ex-
“ traordinary Council may proceed and act
“ in the same Manner as if all the Mem-
“ bers were present. But if the Provost or
“ Preses shall happen to neglect, or shall re-
“ fuse to call a Council on *Wednesday*, the
“ ordinary Council Day, a Majority of the
“ said Council may, forty eight Hours pre-
“ ceeding the ordinary and stated Time of
“ Meeting, require the aforesaid Provost
“ or Preses, under Instrument, to call a
“ Council, and upon his Refusal or Neglect
“ to comply with the Demand so made, the
“ Majority of the said Council may meet on
“ the said usual and stated Time, and pro-
“ ceed to do Business.

“ And finds, decerns and declares, That
“ the Council, Ordinary and Extraordinary,
“ have the sole Power and Right of go-
“ verning the Trinity Hospital, and cannot
“ delegate the same to any other Person
“ or Persons whatsoever.

“ And decerns and ordains the Accompts
“ of the Town to be fitted and audited with-
“ in the Year to which the said Accompts
“ relate, or within three Months after the
“ Expiration of the said Year; and that no
“ Article of Depursement of the Town’s
“ Money ought to be allowed, unless the
“ same be sufficiently vouched.

“ And finds and decerns, That the Ex-
“ pence of all publick Treats ought to be
“ previously authorised by the Council, and
“ attested when laid out by two of the Coun-
“ cil, or more, who are hereby ordained to
“ write, or cause to be written on the Bills,
“ the Date and Occasion of the Expence,
“ and the Person’s Name to whom the same
“ was paid, or is due, and to sign the said
“ Bills and Report, and produce them in
“ Council within a Month at farthest, after
“ the said Expence is incurred.

“ And further finds, decerns and de-
“ clares, That the said Extraordinary Dea-
“ cons of Crafts have Right to give their
“ special Vote and Consultation annually
“ in electing and chusing the Members
“ of the Dean of Gild Court of *Edin-
burgh* but that they have no Vote in the
“ Election of the Officers of the Train’d-
“ bands, the Constables and Baillies of the
“ publick Markets of the City and their As-
“ sistant, Kirk and College Treasurers,
“ Stent-masters and Auditors of the Town’s
“ Accounts; nor in electing and chusing the
“ Baron Baillies of the Suburbs, namely,
“ *Leith, Canongate, Portsburgh, and Calton*; the
“ Magistrates and ordinary Council ha-
“ ving the only Right of chusing the said
“ Officers.

“ But finds, decerns, and declares, That
“ the said Extraordinary Deacons have a
“ Right and ought to be adjoined with the
“ ordinary Council, at least ought to be
“ legally called for that End, when they
“ are to proceed to the Election of Provost,
“ Baillies, Dean of Gild, or Treasurer; or
“ to set Feus or any Manner of Tacks,
“ attour the yearly rousing on *Martinmas*
“ Even; or give Benefices and other Offices
“ within the Burgh; or to grant Extents,
“ Contributions, Emprimets, and concern-
“ ing publick Buildings, or to dispose of
“ the common Good, above the Sum of
“ Twenty Pounds *Scotish* together.

“ And further find, the said Extraordi-
“ nary Deacons have Right to vote in
“ chusing Committees for deliberating upon
“ and preparing all, or any of the said
“ Matters, and are also capable of being
“ Members of the said Committees: And
“ as to the Article of Commissioners for
“ and

"and from the Burgh, which includes a
"Cafe relating to the Privilege of Parlia-
"ment, the same is hereby to receive no
"Determination of Consent, and at the De-
"fire of both Parties.

"And also decerns and ordains the Mi-
"nutes of Council to be read and signed in
"open Council, the next Council Day im-
"mediately after they shall have received a
"second Reading; and touching the Office
"of Conveener, and the Meetings of Dea-
"cons and Craftsmen among themselves,
"finds the Office of Conveener has the Au-
"thority of too long Usage, and has been
"too much admitted by the Magistrates
"and Council to be at this Time called in
"question; and that the Meeting of the
"Deacons has been also long practised; but
"by the Sett of the Town, neither the Mer-
"chants among themselves, nor the Crafts
"and their Deacons or Visitors can have
"or make any particular or general Con-
"ventions, as Deacons with Deacons, Dea-
"cons with their Crafts, or Crafts among
"themselves, without the Advice and Con-
"sent of the Provost and Council, except-
"ing in Cafes in the said Sett particularly
"excepted: And that the Meeting said to
"be frequently held the first *Tuesday* after
"*Michaelmas*, in the Manner, and with the
"Circumstances the same is particularly set
"forth in the Declarator of the Merchants,
"can in no Ways be contained in the said
"Exceptions.

"And finds, decerns, and declares, That,
"By-laws made by the Incorporations for
"themselves, are of no Force unless they
"are ratified by the Magistrates and Coun-
"cil. But finds that the said Magistrates
"and Council have no Power to make By-
"laws, whereby the said Incorporations and
"their Successors can be bound to admit
"all such Persons as shall request the same,
"and shall appear to the Magistrates and
"Council to be well skilled and qualified
"to occupy and practise in their Crafts up-
"on Payment of such valuable Considera-
"tion as should be rated and determined
"by the said Magistrates and Council. And
"likewise finds, That they have no Power
"to controul the Management of the se-
"veral Stocks belonging to the said Incor-
"porations, or to make By-laws concerning
"the same.

"And this I give forth as my final Sen-
"tence and Decree Arbitral betwixt the said
"Parties; and decerns and ordains them to
"abide by, and fulfil the same to each other
"in all Time coming: In Witness whereof
"I have subscribed these Presents, written
"on this and the preceeding Page, by *Henry*
"*Pujolas* my Servant, at *London*, the twelfth
"Day of *March* 1729-30. before these
"Witnesses, *Richard Lancashire*, and the a-
"bove said *Henry Pujolas* my Servants."

Ilay

Richard Lancashire, Witness.

Hen. Pujolas, Witness.

The Court of COMMON COUNCIL.

The aforesaid Decrees being now Part of
the City Constitutions, Peace and Concord are
thereby happily restored and settled upon a
firm, and it is to be hoped, a lasting Foundati-
on. And, by the said Decrees Arbitral, it ap-
pears, that the Government of *Edinburgh* con-
sists of a Provost, four Bailiffs, a Dean of
Gild, and a Treasurer; and a like Number
of Officers of the same Denominations who
served those Offices in the preceeding Year,
with the additional Appellative of Old,
namely, the Old Provost, Old Bailiffs, Old
Dean of Gild, and Old Treasurer; to which
are added three, called Merchants Coun-
sellors, two Counsellors of Trades, and six
Deacons of Crafts, together, twenty five in
Number, which compose the Common
Council; and in Cafe of an Equality in vo-
ting, the Lord Provost, besides the first,
has the casting Vote.

This Court, both Ordinary and Extraor-
dinary, is called by its President the Lord
Provost; thirteen Members of the former
make a Court, as doth seventeen of the
latter; wherein they treat of all Affairs
regarding the City, as if the whole Num-
ber of Members were present. And if the
said Provost, either through Caprice or Ne-
glect, should omit to call a Council to meet
on *Wednesday*, the usual Council Day; then,
and in such Cafe, a Majority of its Mem-
bers by a proper Instrument, may, forty
eight Hours preceeding the common Time
of Meeting, require the said Provost to call
a Common Council; and in Cafe of Non-
compliance, the said Majority may as-
semble at the usual Place and Time, and
proceed to Business, the same as if the Pro-
vost were present.

To the Common Council of twenty five
Members above mentioned, which is called
the *Ordinary Council*, on certain Occasions,
is added, the remaining eight Deacons of
Crafts, called the *Extraordinary Deacons*;
hence this Court is denominated the *Extra-
ordinary Council*; which is only summoned
at the Election of Magistrates and Mem-
bers of the Dean of Gild's Court; letting
the City Lands, yearly Rowping or Au-
ction on *Martinmas* Eve, conferring Offices,
granting Extents, Contributions and Em-
primits, erecting publick Works, disposing
of any Sum of the Town's Cash above
Twenty Pounds *Scotish*, and in chusing
Committees to deliberate on Matters pre-
paratory to all the above Transactions.
This Council meet weekly on *Wednesday*,
when the Business of the Day, (till of late)
was introduced by the following Prayer,
composed by *Clement*, for some time a Bailiff
of *Edinburgh*.

"O gracious God, and loving Father, ^{1590.}
"we humlie beseeik thy hallie Majestie for ^{Coun. Regist.}
"thy ^{vol. IX. f. 237.}

O o o

"thy Chrystes Sake, to be present in Mercie with us, in geving thy Blessing to all our Affaires; and seing thou art onelie wyfe, be thou our Wisdome in all our a-dois; and grant, that all our Partialitie, and all corrupte Affectionous whatsumevir sett asyde, we may deill in all Materis presentit to us with upricht Hairts, and singilly as in thy Presence; swa that the Twith of our Travellis, by thy speciall Grace, may always tend to the Glorie of thy Name, the Weillfaire of this our native Toun, and Comfort of everie Member of the sam, threw Jesus Chryst our Lord and Savior; to whom with the and the halie Spreit, be all Prayse, Glorie, and Honour for now and evir."

The above very significant Prayer being laid aside, the Council accept of such an one, as one of the Town's Incumbents is pleased to give them.

The Common Council and Government of *Edinburgh* defray all the publick Expences, namely, the Ministers Stipends, Professors in the College Salaries, Town-guard, or Watch, publick Lamps, Scavengers, Waterworks, Firemen, Highways, Publick, &c.

The Lord Provost, Bailiffs, Dean of Gild, and Town Treasurer, take the following Oath to qualify themselves for their several Offices of Magistracy.

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"I sall maintain and defend the true Religion presently profesit and published within this Kingdome; I sall be leill and true to oure Soverane, Lord George II. King of Great Britane, France, and Ireland, and his Hienes Successors; I sall be diligent and cairfull to govern this Burgh according to the Lawis of the Kingdome, and Statuts of this Burgh, and sall put them to due Execution but Feid or Favour; I sall doe nothing hurtfull to the Liberties and Commonweill of this Burgh; I sall fortifie, maintain, and defend the same with my Bodie and Goodis; I sall put the common Rent to the best Availl, and sall na Wayis consent to the bestowing thair of, nor may serve to the necessar Affaires of the Town: And finallie, I sall discharge my Dewtie faithfullie in this my Calling, to the utmost of my Power, so help me God, and God himself."

To the Magistrates and Citizens of *Edinburgh* is committed the Custody of the Standard of the Ell.

The Courts of Justice belonging to *Edinburgh* for the Accommodation of its Citizens are three in Number; namely, the Bailiffs, Dean of Gild's, and the Sheriff's Court; of which I shall give some Account for the Information of the Reader: But before I proceed, I shall premise a few Things concerning the Origin and Office of a Bailiff.

Bailiff, or Bailey, in a general Sense, denotes an Officer appointed to administer Justice within a certain District called a *Bailiwick*. The Origin of this Office is by *Loyseau*, referred to the Usurpation and Indolence of great Men, who, having gotten the Administration of Justice into their Hands, soon became weary of the Burden, and turned it over to their Deputies, whom in *French* they denominated *Bailiffs*, from *Bail*, an old *French* Word, denoting a Guardian, or Governor of Youth.

The Power of the Bailiffs at first appears to have been very great, for they had the Superintendency of Arms, Justice, and Finances or Treasury; but, abusing their Power, were divested of it; and the greatest Part of their Authority conferred on their Assessors, who were Men of the Long Robe. The Office of Bailiff had seemingly the same Power in *Scotland* and *England* it formerly had in *France*; but in the latter, it has so deviated from its antient Repute and Character, that it is become, as it were, a Term of Reproach, by being called a *Bum-Bailey*, whose Office at present is to arrest People, serve Writs and Warrants, summon County Courts, Sessions, Assizes, &c. and in the former, by an Act of Parliament made in the Year 1747, for taking away certain Jurisdictions in *Scotland*, amongst which were those of the Bailiffs of Regality.

BAILIFF'S COURT.

In this Court, which is held in the Northern End of the Parliament House, on *Tuesdays*, *Thursdays*, and *Saturdays*, in the Forenoon, presides one of the Town's Bailiffs, assisted by one of the City's Assessors, who is an Advocate or Counsellor at Law; by whom are tried Causes both Civil and Criminal, other than in Capital Cases.

DEAN OF GILD'S COURT.

For the better understanding the Nature and Business transacted in this Court, it is necessary to give the Constitutions thereof, made many Years ago, and confirmed by the Common Council of the City; viz.

1. "That the Dene of Gild's Counfall, now chosin be the Baillies, Counfall, and Deykins, conforme to the Act of their Election maid the aucht of *Januar* last, to continew quhill fyftein Dayes after the Election of the Magistrates at *Michaelmas* nixt; and the said Dene of Gild and his said Counfall, upon the *Fryday* nixt preceding the said fyftein Dayes, to cum in before the Proveft, Baillies, and Counfall, and remember thame upoun the Day of Election of the said Dene of Gild's Counfall; quhillk Proveft, Baillies, Counfall, and Deykins of Crafts, with the Dene of Gild and his Counfall of the Zeir preceding, fall at the said zeirlye Meeting, elect and chuise the New Counfall to the Dene of Gild, quha fall be Men of guid Fayme, knawin

1585.
Coun. Regist.
vol. VII. f. 162.

"knewin Experience, Caire and Zeall to-
ward the Commonweill, and quha are
Gild-brether, and hes bein thrie Zeires up-
oun the Great Counfall of the Toune, be-
fore. And that the said New Counfall
may be better informit of the Thing
done by their Predecessours, that the awld
Dene of Gild be ane of the said New
Counfall for the Zeir to cum.

2. "The said Dene of Gild and his Coun-
fall fall conveye everie *Tysday* at twa
Houres Afternoone, and as often as the
Necessitie of the common Affaires under
Authoritie, committit to thair Chairge,
fall requyre, being wairnit thairto be the
Dene of Gild or his Officars, to be gevin
to him, and electet be him and his Coun-
fall, quher they think guid; and the Per-
sons absent the said Day and Houre owik-
lie, but further Wairning, and at uther
Times being lawfullie warnit, quha are
nocht feik, or sex Myllis furth of the
Toune, fall pay an Unlaw of sex Schil-
ling aucht Pennies, swa oft as thay failzie;
but gif thay be absent twa Dayes togid-
der, to pay the second Day thretein Schil-
ling and four Pennies; and the Absents
thre Dayes togidder, to pay the thrid Day
twentie Schillings ilk Persoun: And the
Dene of Gild being absent, and nather
feik, nor sex Myllis furth of the Toune,
pay twyse alsmeikill ilk Tyme as is payet
be his Counfall.

3. "The said Dene of Gild and his
Counfall to beir the hail Burding in decy-
ding all Questiouns of Nichtbourheid,
and na Nichtbours Wark to be stayet bot
be him, quha fall caus the Complainer
consign in his Hand an Pledge, worth the
Soun of twentie Schillings Unlaw, and
the Damage of the Partie; and the
Counfall to stay the Wark to ane Day, to be
assignit be him to the Complainer to gif in
his Complaint, and Name of the Pairtie,
quhilk fall be within aughtein Houris af-
ter the Consignatioun: At the quhilk Day,
the Dene of Gild and his Counfall, or
maist Pairt of theme, fall conveye upoun
the Ground, and the Complainer nocht
compearand, or being fund in the Wrang,
fall pay ane Unlaw of twentie Schillings,
with the Parties Damage, for hindering
his Warke, to be instantlie taxit and mo-
defeit be the Dene of Gild and his Coun-
fall, and payit furth of the said Pledge,
and the Partie fined, and the Wark nocht
to be stayit be the Dene of Gild and his
Counfall, but on the Consignatioun of a
dowble Unlaw, to be had before the or-
diner Counfall; and gif haif complaint
wrangullie, to pay the said dowbill Un-
law.

4. "The said Dene of Gild and his Coun-
fall to dischairge, puneis, and unlaw all
Persouns Unfriemen, usand the Libertie
of ane Burges, Gild-brother, or Frie-

"dome of Craftis, as thay fall fynd guid,
ay and quhill the said Unfriemen be put
off the Toune, or ellis maid frie with the
Toune and thair Craftis. Sicklyke, to
persew, before the Juges competent, all
Persouns dwelland without the Burgh,
and usurpand the Libertie and Friedome
thairof, obtaine Decreits against thame,
and caus the sam to be put to speidie Ex-
ecutioun.

5. "The said Dene of Gild and his Coun-
fall to oversee and reform the Mets and
Mesouris greit and small of Pynt and
Quart, Peck and Furlitt of all Sorts,
with the Elvand, and with Wechtis of
Pund and Stayne; and to puneis and un-
law the Transgressours, as thay fall think
expedient.

6. "In all Questiouns of Compt and
Reckoning, and Merchandize, quhilk
may happin to fall out betwix twa Gild-
brether and Burgeses, and the Partie re-
fusand to submit his Caus to the Dene of
Gild and his Counfall, to pay an Unlaw
of Fortie Schillings; the Cause beand
submittit, the Partie fund in the Wrang
to pay ane Unlaw of twentie Schillings.

7. "Na Burges nor Gild-brother to be
maid, nor Prenteis buiket, but in Pre-
sence of the Dene of Gild and his Coun-
fall; and gif any beis utherwayes maid or
buiket, the same to be of na Effect to the
Rasaver, quha fall lykwayes lose his Mo-
ney gevin thairfore.

8. "That na Ships be frauchtit owtwart,
nor refavit inwart, but be the Dene of
Gild and his Counfall; at the leist be the
Dene of Gild and twa of his Counfall, ane
to be ane Merchant, the uther ane Craftif-
man, with the Fermorer of the wyld Ad-
ventures for the Tyme, under the Payne
of Payment of ane Unlaw of Fyve Pund,
to be payet be the common Clerk, for
refaving of the Dewties; and the Skipper
and Merchant be obleist to keip the
Tounis Acts and ilk ane of thame, with
the Acts of Parliament concerning thame,
under the Payne of ane Unlaw of ane
hundret Punds.

9. "The said Dene of Gild and his Coun-
fall to haif Power to execute the Acts of
Parliament, Lawis, and Statuts of this
Burgh, and uplift the Penalties thairof
upoun the Skippers of Ships and Mer-
chants, and thair Souerties contravenand
the sam; and nane to haif Power to saill
at *Leith*, or within the Jurisdiction of
this Burgh, without the Tickets of the
said Dene of Gild and his Counfall.

10. "The Dene of Gild and his Counfall
to haif Power to raise Taxatiouns upoun
the Gild-brether, for the Weillfare and the
Mayntenance of thair Estaitt, and the
Help of thair failzeitt Brether, thair
Wyffes, Children and Servandis; and
quha refusis to pay the said Tax to be un-

lawit

"lawit in the Soum of Fortie Schillings,
"swa oft as thay failzie, provyding the sam
"extend nocht to the Soum of ane hundred
"Punds at anes.

11. "The Dene of Gild and his Counfall
"to haif Power for observing of the Pre-
"missis, to set Paynis and Unlawis thair-
"upoun, and the sam to mitigatt or in-
"large according to the Tyme, Place,
"Persoun and Qualitie of the Trespas.
"And further, to set down Heids and Ar-
"ticles, make Lawis and Statuts for the
"Weillfare of the Toune; and the Proveft,
"Baillies, and Counfall to approve of the
"samyn.

12. "The haill Unlawis mentionat in
"the Articles before written, and conteint
"in the Lawis to be sett down be the said
"Dene of Gild and his Counfall, for the
"ane half thair of, to be imployet be said
"Dene of Gild and his Counfall, as thay
"fall fynd maist expedient, and the uther
"half to come to the Tounis Use, except
"the Unlawis, nocht exceeding the Sum of
"Fyve Pund, quhilk fall haillie pertain to
"the said Dene of Gild and his Counfall.

13. "The Dene of Gild and his Coun-
"fall to haif Power to creatt ane of thair
"awin Members thair Thesaurer, for in-
"bringing of the said Unlawis, and all
"the Tounis Officars to assist thame and
"thair Officars in wairding and poynding
"for the samyn, under the Payne of twen-
"tie Schillings, to be payet to the said
"Thesaurer be the Officars refusand; and
"the said Thesaurer to make his Compt,
"swa oft as he fall be requyred, upon aucht
"Dayes Wairning.

14. "In Absence of the Dene of Gild,
"quhilk fall nocht be without he be seik,
"or sex Myllis furth of the Toune, and that
"for ane verray necessair and urgent Caus,
"to be knawin and tryet be his Counfall,
"and obtenand thair Licence, and thay to
"elect ane of thair awin Members to sup-
"plie his Place, as his Substitute.

15. "In all the Conventiouns of the
"Dene of Gild and his Counfall, that the
"Toune Thesaurer, common Clerk and
"Collectours fall be present; and quhat
"Baillies, Counfallours or Deykins fall
"pleis to assist, to be welcum to give thair
"Opiniounes."

SHERIFF'S Court.

This Court, for the Ease of the Poor,
and Recovery of small Debts, is commonly
called the *Ten Mark Court*, from that Sum's
being the highest that can be sued for in it,
exclusive of Servants Wages, which is not
limited to any Sum; and for the greater
Ease of the said Poor, the Expence of a
Process only amount to Six Pence Sterling.

As the Citizens of *Edinburgh* hitherto
have not had an Opportunity of knowing
the many great and numerous Privileges, Im-
munities and Benefactions conferred on them

by our Kings, by the several Grants being
not only locked up in the Town's Charter-
house, and as it were secreted from their
Knowledge; but the said Grants being
written in Latin, a Language known to
few, I have judged it necessary, for the In-
formation of the said Citizens, to present
them with an *English* Translation of their
valuable Privileges and Royal Gifts, com-
monly called their *Golden Charter*, granted
them by King *James VI.* in the Year 1603.

King JAMES VI.'s Charter.

"*James*, by the Grace of God, King of Preamble.
"*Great Britain, France and Ireland*, De-
"fender of the Faith, to all Our faithful
"Subjects, both Clergy and Laity, greet-
"ing: Know ye, that we, after our just
"and perfect Age of twenty five Years, and
"all our Revocations both general and par-
"ticular, calling to Mind the Antiquity of
"*Edinburgh*, and how the same was anti-
"ently raised to the Dignity of a Royal
"Borough, by our illustrious Progenitors
"of happy Memory, and by the Care, In-
"dustry, and indefatigable Labours of its
"Merchants, in Navigation and foreign
"Commerce, the Revenues of our Crown
"are increased, the Country enriched, and
"the People greatly improved in Courtesy
"and good Manners; and the said Borough,
"in the common Charges, Taxes and Im-
"posts of the Nation, bear a great Share of
"those laid on the Boroughs; and as it has
"been for many Ages, and now is the chief
"Town of the Kingdom, and is the fittest
"and most commodious for holding publick
"Conventiouns, to which our Nobility
"and Counsellors resort; and wherein is
"held the principal Courts of the Nation,
"namely, the High Court of Parliament,
"our College of Justice, which has Juris-
"diction in all Civil Causes; and the Court
"of Justiciary, which decides in Matters
"criminal. We likewise calling to mind
"the many great and signal Services done
"to us and our illustrious Predecessors by
"the Inhabitants of the said Town both in
"Peace and War, not only in Defence of
"the Kingdom against foreign Enemies,
"but with their Bodies and Fortunes, de-
"fended our Person and Royal Authority,
"against the wicked Attempts of rebellious
"Subjects, who, in the Times of civil Se-
"ditions, Insurrections, and intestine Wars,
"usurped on the Crown, as well during the
"Minority of Princes as in their Majority,
"at the Expence of their Blood and Loss
"of their Lives. And their Town being
"often spoiled and burnt on those Occa-
"sions, suffered more Loss and Damage
"than all the other Boroughs of the King-
"dom could have done.

"We likewise considering, that to their *Ibid.*
"perpetual Honour and Praise, Part of their
"good Services are recommended to Po-
"sterity in divers of their Infeoffments; and
"since

"since our Coronation, we have had, and
 "daily have no small Proofs of their Good-
 "will, Love and Affection; and under-
 "standing, that the said Town of late has
 "erected many great and useful Works,
 "namely, the enlarging and repairing the
 "Harbour and Pier of *Leith*, erecting a
 "Market-place, building a commodious In-
 "closure secured with a wooden Fence, for
 "the Reception, Conservation, and Sale of
 "the several Sorts of Timber that shall ar-
 "rive at the said Port of *Leith*, repairing
 "their Causeways, erecting more Churches,
 "and planting them with a sufficient Num-
 "ber of Ministers, and providing Houses
 "for their Residences; founding and erect-
 "ing a College for the Study of Letters,
 "and Hospitals for the Reception of the
 "Poor, with other notable Works, to the
 "Glory of God, Increase of Religion and
 "Piety, and Welfare of the Nation; where-
 "by, and the Advancement of large Sums
 "of Money to us in our greatest Affairs;
 "and for carrying on the said Works, the
 "Town's Revenues have not only been ex-
 "pended, but divers of the Citizens have
 "advanced considerable Sums of their own
 "toward their Completion.

"Now, we being noway inferior to our
 "Progenitors in Munificence, Gratitude,
 "and Liberality to their Subjects, who, by
 "their Fidelity, Virtue and Courage, did
 "deserve the same; we therefore, and in
 "Consideration of the good Services and
 "Affection of the Inhabitants of *Edinburgh*
 "towards us, have resolved to leave in per-
 "petual Remembrance thereof, and for the
 "Maintenance of Religion, Virtue and Po-
 "licy within the said Town, by not only
 "ratifying and confirming their antient
 "Rights, Lands, Liberties, and Immuni-
 "ties, but to enlarge and indow the same
 "with more Privileges and Lands, than a-
 "ny other City or Town within our King-
 "dom.

Ratification of
 Charter.

"Wherefore, and for divers other good
 "Causes and Considerations us thereunto
 "moving, now being past our perfect Age,
 "and all our Revocations aforesaid; we,
 "of our certain Knowledge and mere Mo-
 "tion, with Advice and Consent of the
 "Lords of our Privy Council, and by the
 "special Advice and Assent of Sir *George*
 "*Home of Spott* Knight, our Treasurer, Sir
 "*David Murray of Gosperdy* Knight, our
 "Comptroller, and Mr. *John Prestoun* of
 "*Fentounburns*, our Collector General and
 "Treasurer of the new Augmentations of
 "the Church Lands of this Kingdom, be-
 "longing to our Crown; order and ordain
 "a Charter to be made under our Great
 "Seal, ratifying and approving, and for us
 "and our Successors perpetually confirming
 "all the Charters, Infeoffments, Precepts,
 "and Instruments of Safine, Confirmations,
 "Acts, Sentences, Decrees, Rights, Titles,

"Securities, Letters, Writs, Evidences,
 "Donations, Gifts, Liberties, Commodi-
 "ties, Immunities, and Privileges therein
 "contained, made, granted, or confirmed
 "by us, and our illustrious Predecessors,
 "Kings and Queens of this our Kingdom,
 "Governors and Regents for the Time be-
 "ing, to our aforesaid Town of *Edinburgh*,
 "Provost, Aldermen, Bailiffs, Dean of
 "Gild, Treasurer, Council, Burgeses and
 "Community, and their Successors; and to
 "the several Churches, Ministers, Colleges,
 "and Hospitals of the said Town, of what-
 "soever Form or Forms, Content or Con-
 "tents, Date or Dates the same be of; and
 "the Particularity not to prejudice the Ge-
 "nerality, nor the Generality the particular
 "Charters, Infeoffments, Confirmations,
 "Writs, and Evidents hereafter specified,
 "Donations, Gifts, Liberties, Commodi-
 "ties, Immunities, and Privileges therein
 "contained.

"That is to say, The Charter of Fee-
 "farm, granted by King *Robert Bruce*, of
 "the said Town of *Edinburgh*, Port and
 "Mills of *Leith*, with their Appurtenancies,
 "to the Burgeses of the said Burgh, as by
 "the said Charter under his Great Seal,
 "dated at *Cardross* the twenty eighth Day of
 "*May* (anno 1329) and of his Reign the
 "twenty fourth Year, more fully does ap-
 "pear.

"The Charter made by King *James II.*
 "dated at *Stirling* in the Year of God 1451,
 "and of his Reign the fifteenth Year, grant-
 "ing to the Burgeses and Community of
 "the said Town of *Edinburgh*, their Heirs
 "and Successors, Burgeses of the same, and
 "others buying of them, whether Freemen
 "or Unfreemen, an Acquital of all Duties
 "or Customs on Salt, and on Skins called
 "Shorlings, Skaldings, Futfells and Lan-
 "tron Ware, Lamb-skins, Calf-skins, Co-
 "ney-skins, Fox-skins, Otter-skins, and
 "Fulmert-skins; always excepting the pet-
 "ty Customs payable to the said Burgeses
 "and Community, by all Unfreemen and
 "Strangers for the same.

"The Charter made by the said late King
 "*James II.* dated at *Edinburgh* the fourth
 "Day of *November* 1454, and of his Reign
 "the eighteenth Year, to the aforesaid Bur-
 "geses of our said Town of *Edinburgh*, and
 "their Successors, granting them a Right
 "annually, to hold within our said Burgh a
 "Court of Parliament, or Convention of
 "the four principal Boroughs of the King-
 "dom, namely, *Edinburgh*, *Stirling*, *Lin-*
lithgow and *Lanerk*.

"The Charter made by the said King
 "*James*, dated at *Edinburgh* the fourth
 "Day of *November*, in the Year of God
 "and Reign aforesaid, to the aforesaid
 "Burgeses of our said Town of *Edin-*
burgh, and their Successors, the Haven-
 "silver, Customs and Duty of Ships, Vef-

"fels and Merchandize coming to the Road
"and Harbour of *Leith*, as particularly set
"forth in the said Charter.

Cart. Ja. II.
Green, near
the Caldton.

"The Charter given and granted by the
"said late King *James II.* dated the thirteen
"Day of *August*, anno 1456, and of his
"Reign the twentieth Year, to the Provost,
"Bailliffs, Council, and Community of our
"said Town of *Edinburgh*, and their Suc-
"cessors, all the vale and low Ground, ly-
"ing between the Rocks, called the *Craig-*
"*endgate* on the East, and the King's High-
"way, or common Road leading to *Leith*
"on the West.

Cart. Ja. II.
to fortify the
Town.

"The Charter made and granted by the
"aforesaid King *James*, dated at *Stirling*, the
"thirtieth Day of *April* (in the Year 1450)
"and of his Reign the thirteenth Year, gi-
"ving Licence to the Provost and Commu-
"nity of the said Town of *Edinburgh*, to
"fortify the same with a Wall, Ditch,
"Towers, and Turrets; and otherways to
"strengthen their said Town as they should
"judge necessary.

Cart. Ja. IV.
to feu the
Town's lands.

"The Charter given and granted by the late
"King *James IV.* dated at *Edinburgh* the
"sixth of *October*, anno 1508, and of his
"Reign the twenty first Year, to the Pro-
"vost, Bailliffs Counfall and Community
"of the said Town, and their Successors,
"full Power and Licence to set or let in
"Fee-farm their common Lands, called
"the *Borough Moor*; and the common
"Marsh, denominated the *Common Myre*,
"ratifying and confirming the Infeoffment
"of Fee-farm to be granted by them there-
"upon.

Cart. Ja. IV.
a Grant of
Newhaven.

"The Charter given and granted by the
"said late King *James IV.* dated at *Stirling*
"the ninth Day of *March*, in the Year 1510,
"and of his Reign the twenty third Year,
"to the said Provost, Bailliffs, Council, Bur-
"geffes and Community of the said Town
"of *Edinburgh*, and their Successors, the
"new Port, denominated *New Haven*, late-
"ly made by the said King, on the Sea-coast,
"with the Lands thereunto belonging; ly-
"ing between the Chapel of *St. Nicholas*,
"and the Lands of *Weirdy-brae*, with all
"other Clauses, Faculties, and Privileges,
"mentioned in the said Charter.

Cart. Ja. III.
Office of She-
riffalty.

"The two Charters made and granted
"by the late King *James III.* to the Provost,
"Bailliffs, Council, Burgeffes and Commu-
"nity of the said Town of *Edinburgh*, and
"their Successors for ever, both dated at
"*Edinburgh*, the sixteenth Day of *Novem-*
"*ber*, anno 1482, and of his Reign the twen-
"ty third Year: One of said Charters con-
"tains the Office of Sheriffalty within the a-

Leith Customs.

foresaid Town of *Edinburgh*, with other
"Rights and Privileges: The other of the
"said Charters contains a Detail of the
"Customs, Profits, Exactions, Commodi-
"ties and Revenues of the Port and Road
"of *Leith*, and of the aforesaid Town of

Edinburgh, particularly set down in the
"said Charter, with all the Rights and Pri-
"vileges therein specified.

Cart. R. Log.
Privilege in
Leith.

"The Charter made and granted by the
"late *Robert Logan* of *Lestralrig*, Knight,
"to the Burgeffes and Community of the
"said Town of *Edinburgh*, of all the Ways,
"Paths, and Passages within his Lands of
"*Lestralrig*, with a Power of lading and un-
"lading Ships and Vessels within the same,
"and on the River of *Leith*, with a Liber-
"ty to break up his Ground for the Service
"of Navigation; a Right to sell Bread and
"Wine, keep Merchants Shops, store up
"Corn in Granaries, and to do other
"Things contrary to the Liberty and Cu-
"stom of the said Burgh, with a Penalty
"therein in case of a Contravention; and
"all other Clauses and Circumstances there-
"in mentioned: Dated at *Edinburgh* the
"thirty first Day of *May*, anno 1398.

Cart. Confirm.
Ja. IV.

"The Charter of Confirmation given and
"granted to the Provost, Bailliffs, Coun-
"cil and Community of the said Town of
"*Edinburgh* by the late King *James IV.* of
"pious Memory, ratifying and confirming
"the three Charters next above mentioned,
"namely the aforesaid Charter by the Laird
"of *Lestralrig*; the aforesaid Charter of the
"Office of Sheriffalty; and the said Charter
"of Customs, more largely contained in
"the said Charter of Confirmation, dated
"at *Stirling*, the ninth Day of *March*, anno
"1510, and of his Reign the twenty third
"Year.

"The Charter made and granted by the
"late King *James II.* to the aforesaid Provost,

Cart. Ja. II.
Trinity Fair.

Bailliffs, Council, and Community of the
"said Town, and their Successors, of the
"Trinity Fair, to be held and enjoyed by
"them as freely as their Fair, called *All-*
"*halloes Fair*, was possessed by them at any
"Time heretofore: Dated at *Edinburgh* the
"twenty fourth Day of *November*, in the
"Year 1447, and of his Reign the eleventh
"Year.

"The Letters of Gift made and granted
"by the late King *James IV.* our Great
"Grandfather of good Memory, under his
"Privy Seal, dated at *Edinburgh* the se-
"cond of *November*, anno 1507, and of
"his Reign the twentieth Year, to the
"Provost, Bailliffs, Council and Commu-
"nity of the said Town of *Edinburgh*, of
"the Trinity and Allhallow Fairs, with the
"Duties and Customs thereunto belonging,
"with the Times of their Commencement
"and Duration.

Cart. Ja. IV.
Trin. & All-
hall Fairs.

"The Decreet of the Lords of Session in
"Favour of the Provost, President, Bai-
"liffs, and Council of the said Town of *E-*
"*dinburgh*, against the late *Robert Bartane*
"of *Leith*, and Comptroller to our late
"dearest Grandfather, King *James V.* of pi-
"ous Memory, ordering the said *Robert*,
"and all others dwelling without our said
"Town,

Decreet Lord
Ses. against
Rob. Bart.

- "Town, to desist and cease from using and
"usurping divers Rights and Privileges of
"our aforesaid Town of *Edinburgh*, and
"Liberties thereof, as more fully set forth
"in the said Decreet, given at *Edinburgh*
"the sixteenth Day of *November*, in the
"Year 1518.
- Decr. against
Inhab. Leith. "The Decreet of the Lords of Session
"following thereupon, in Favour of the
"said Town, against the Inhabitants of
"Leith, dated at *Edinburgh* the twenty
"fourth Day of *January*, in the Year 1522.
- Cart. Q. Mary
Rat. Decr. L.
Ses. against N.
Leith. "The Confirmation given and granted
"by our dearest Mother, *Mary* Queen of
"Scotland, dated at *Edinburgh* the eighth
"Day of *October*, anno 1550, and of her
"Reign the eighth Year, ratifying and ap-
"proving the Act and Decreet of the Lords
"of Council and Session, therein inserted :
"Given at *Edinburgh* the seventeenth Day
"of *February*, in the Year 1540, against
"the Inhabitants of *North Leith*, adjudg-
"ing the Provost and Bailiffs of our said
"Town of *Edinburgh* to be proper Judges
"for the said Inhabitants in the petty Cu-
"stoms of *Leith*, belonging to our aforesaid
"Town of *Edinburgh*.
- Id. ibid. "The Confirmation given and granted
"by our dearest Mother, of the aforesaid
"Date, ratifying and approving the De-
"cree of the Lords of Session, in favour
"of our said Town of *Edinburgh*, against
"Thomas Richardstone Inhabitant of *Leith*,
"finding the Arrest made on his Ship and
"Goods by the said Provost and Bailiffs,
"for the petty Customs, not to be taken
"off.
- Confr. Ja. VI.
Decr. Absolv. "The Confirmation made and given by
"us at *Edinburgh*, the fifteenth of *February*,
"anno 1576, and of our Reign the tenth
"Year, ratifying and approving the De-
"cree of Absolvitor contained therein, da-
"ted at *Holyroodhouse* the twenty second Day
"of *December*, and Year aforesaid, in fa-
"vour of the said Provost, Bailiffs, Coun-
"cil and Community of our said Town of
"Edinburgh, and their Successors, against
"the Bailiffs, Council, and Inhabitants of
"the *Canongate*, concerning the bringing
"their Malt to the Market of our said Town
"of *Edinburgh*, before they presume to sell
"or deliver it to any of the Citizens.
- Decr. Ja. VI.
acquit. Const.
Fec. "The Decree given by us, and the Lords
"of our Privy Council, in favour of the
"Provost, Bailiffs, and Counsellors of the
"said Town of *Edinburgh* against the Con-
"stable, his Deputies, and Ministers, or-
"dering them in all Times coming, to for-
"bear taking Constables Fees for any Man-
"ner of Goods brought to the Market for
"Sale, during the Convention of Parliament,
"General Councils, or sitting of the Court
"of Session, till his Authority be produced
"in Parliament or General Council, and
"Judgment given thereon, as mentioned in
"the said Decree, dated at *Holyroodhouse*,
- "the twenty eight Day of *October*, anno
"1581.
- "The Charter given and granted by our
"late dearest Father and Mother to the
"said Provost, Bailiffs, Council, Deacons,
"and Community of the said Town, and
"their Successors of the Superiority of the
"Town of *Leith*, and others fully specified
"in the said Charter, dated at *Edinburgh*,
"the fourth Day of *October*, anno 1565, and
"of their Reigns the first and twenty third.
- Cart Hen. &
Mary, Superi-
ority of Leith.
Let. Gift. Ja.
VI. a Tax to
repair Leith-
Harbour.
"The Letter of Gift under our Privy
"Seal, given and granted by us to the said
"Provost, Bailiffs, Council, and Communi-
"ty of the said Town of *Edinburgh*, their
"Treasurer and Collectors, to receive in
"their Names, a certain Tax therein spe-
"cified, during the Term therein mention-
"ed, towards supporting, erecting and re-
"pairing the Bulwark, Pier, and Port of
"Leith; together with all other Letters,
"Gifts, and Licences granted by us and
"our Predecessors, for receiving the said
"Tax, or any other in Time bypast, given
"for that Purpose; dated the twenty fourth
"Day of *March*, anno 1596, and of our
"Reign the thirty second Year.
- "The Charter made and granted by our
"late dear Mother, to the said Provost,
"Bailiffs, Council, and Community of the
"said Town of *Edinburgh*, and their Suc-
"cessors, of all and several the Lands, Te-
"nements Houses, Buildings, Churches,
"Chapels, Gardens, Orchards, Crofts, An-
"nuities, Tithes, Fruits, Duties, Profits,
"Emoluments, Farms, Alms, Dail-silver,
"Obits, and Anniverfaries that appertained
"to whatever Chapelries, Altarages, or
"Prebends, in whatsoever Churches, Cha-
"pels, or Colleges, founded within the Li-
"berty of our said Burgh, by whatever Pa-
"tron the said Chapelries or Prebendaries
"have been possessed, or where-ever they
"ly within our Kingdom, either within or
"without our said Town of *Edinburgh*, with
"all the Lands which belonged to the Black
"and Gray Friars within our said Town,
"with divers others as more fully set forth
"in the said Charter, dated the thirteenth
"Day of *March*, in the Year 1566, and of
"her Reign the twenty fifth Year.
- Decr. Lord
Ses. Church
Dumbrny,
&c.
"The Decree given and pronounced by
"the Lords of Council and Session, upon
"the ninth Day of *March*, anno 1583, or-
"daining and declaring, That the Church-
"es of *Dumbrny*, *Potty*, and *Moncreif*, do,
"and in all Times coming, shall belong to
"the aforesaid Provosts, Bailiffs, Council,
"and Community of the said Town of *E-
"dinburgh*, according to the Tenor of the
"aforesaid Infeofment granted to them by
"our said dear Mother, of all the Benefi-
"ces, Prebendaries, and other Foundati-
"ons within the Liberty of the said Burgh,
"conform to the Union and Annexation of
"the Tithe Sheaves, and Emoluments of
"the

- “ the Rectory of the aforesaid Church of
Dumberny, whereof the said Churches of
Potty and *Moncreif* are Appendages, and
 “ were antiently annexed to the Collegiate
 “ Church of *St. Giles*, situate within our
 “ said Town of *Edinburgh*, as is more fully
 “ contained in the said Decree.
- Cart. Ja. VI. confirm. Dum. bery, &c. “ The Charter of Confirmation given and
 “ granted by us, confirming the Charter a-
 “ foresaid, dated the fourteenth Day of *A-*
 “ *pril*, anno 1582, and of our Reign the
 “ fifteenth Year.
- Cart. Ja. VI. Trin. College. “ The Charter given and granted by us
 “ to the said Provost, Bailiffs, and Council,
 “ of our said Burgh, and their Successors,
 “ of all the Benefit arising from the Provo-
 “ stry of the Collegiate Church of the Tri-
 “ nity, near the aforesaid Town of *Edinburgh*,
 “ together with all the Lands, Churches,
 “ Tithes, and other Things thereunto be-
 “ longing, with the Parish Churches of
 “ *Sowtry* and *Lympetlaw*, with the Tithes and
 “ Revenues thereof, antiently appertaining
 “ to the said Provostry; dated the twenty
 “ third of *June*, in the Year 1585, and of
 “ our Reign the eighteenth Year.
- Cart. Confirm. Ja. VI. Trin. College. “ The Charter of Confirmation granted
 “ by us, confirming the aforesaid Charter
 “ with a new Gift of the said Provostry, and
 “ of all the several Churches, Tithes, Fruits,
 “ and Revenues thereunto belonging; to-
 “ gether with all the Fruits and Rents ap-
 “ pertaining to the several Prebends, and
 “ Chapelries of the said College, or to the
 “ Prebendaries thereof in common, or to a-
 “ ny other in Property. Dated the twenty
 “ sixth Day of *May*, anno 1587, and of our
 “ Reign the twentieth Year.
- Cart. Ja. VI. Trin. College & Hospital. “ The Charter made and granted by us
 “ to the said Provost, Bailiffs, Council, and
 “ Community of the said Town of *Edin-*
 “ *burgh*, and their Successors, of the Tri-
 “ nity College and Cemetery thereof, with
 “ the several Buildings, Houses, and Gar-
 “ dens, with the Trinity Hospital and Gar-
 “ dens, with their Appurtenances. Dated
 “ the twelfth Day of *November*, in the Year
 “ 1567.
- Don. Ja. VI. Parish. & Vic. of Curry. “ The Donation or Gift made and grant-
 “ ed by us under our Great Seal, on the
 “ fourteenth Day of *April*, anno 1584, and
 “ of our Reign the seventeenth Year, annex-
 “ ing the Parsonage and Vicarage of *Curry*
 “ with the Tithes, Fruits, Rents, Build-
 “ ings, Glebe and Church Lands thereunto
 “ belonging, antiently called the Arch-
 “ deaconry of *Lotbian*, to the College
 “ founded within the aforesaid Burgh, by
 “ the Provost, Bailiffs and Council of the
 “ same.
- Cart. Ja. VI. Gift College. “ The Charter, Gift and Disposition
 “ given and granted by us under our Great
 “ Seal, on the twenty ninth Day of *May*, in
 “ the Year 1594, and of our Reign the
 “ twenty seventh Year; whereby we gave
 “ to the said new College founded within
- “ the said Town of *Edinburgh*, the Tithes
 “ of Corn of the Lands of *Westbarns* and
 “ *Ardrisfies*, Croft of *Crail*, and *Kingf-*
 “ *moor*, when they shall happen to be tithed,
 “ with the Tithes of *Drumrack*, *Mairstoun*,
 “ *Kippo*, *Nakedfield*, *Garstoun* and *Rynd-*
 “ *walls*, with their Appurtenances, all ly-
 “ ing within the Parish of *Crail* in our She-
 “ riffwick of *Fife*, for the Maintenance of
 “ as many Bursars studying Philosophy, as
 “ the same conveniently can sustain in their
 “ proper Chambers within the said Col-
 “ lege.
- “ And likewise all and singular other
 “ Charters, Infeofments, Gifts, Benefacti-
 “ ons, Rights, Immunities and Privileges,
 “ Acts of Parliament, General Conventions,
 “ Privy Council, Sentences and Decrees
 “ given by us, and by our illustrious Proge-
 “ nitors, or made and given by whatever
 “ Person or Persons, in favour of the Al-
 “ dermen, Provost, Bailiffs, Council and
 “ Community of our said Town of *Edin-*
 “ *burgh* for the Time; and to their Prede-
 “ cessors and Successors, concerning the E-
 “ rection of their said Town of *Edinburgh*
 “ into a free Royal Burgh, with the Rights,
 “ Titles and Privileges belonging to the
 “ same, by virtue of the Laws and Customs
 “ of our Kingdom; and of all the Lands,
 “ Ways, Streets, Passages, Moors, Sub-
 “ sidies, Duties, Lakes, Tenements, Hou-
 “ ses, Gardens, Lordships, Possessions, An-
 “ nualrents, Mills, Mill-lands, Multurets,
 “ Dams, Braes, Haughs, and their Ap-
 “ purtenances; together with the aforesaid
 “ Ports and Roads of *Leith* and *New Haven*,
 “ Port-money, Anchorage and Customs,
 “ great and small, belonging to the said
 “ Town, both within and without the said
 “ Burgh, Ports and District aforesaid; and
 “ of all Jurisdictions, Courts, Offices, Pro-
 “ fits, Duties, Fines, Exactions and Casu-
 “ alties thereunto belonging; and of all
 “ Fairs and Markets, with their usual Cu-
 “ stoms, Privileges and Immunities; and
 “ all other Liberties used and wont; Rents,
 “ Lands and Jurisdictions, which the said
 “ Aldermen, Provost, Bailiffs, Council
 “ and Community of our said Burgh, have
 “ by themselves or their Predecessors in-
 “ joyed, possessed, or used in any Time by-
 “ past, on which they at present use, enjoy
 “ and possess.
- “ And likewise all and singular the Mor-
 “ tifications, Rights of Patronage, Infeof-
 “ ments, Donations and Dispositions, made
 “ and granted by us and our Predecessors,
 “ or by what Person soever, either spiritual
 “ or secular, to the said Aldermen, Pro-
 “ vost, Bailiffs, Council and Community
 “ of our said Burgh, Ministers, Hospital
 “ and Poor thereof, and their Predecessors,
 “ of all Lands, Tenements, Houses, Build-
 “ ings, Gardens, Orchards, Churches, Cha-
 “ pels, Chapelries, Patronages, Colleges,
 “ Revenues,

Confirm. di-
verſi Grants to
Edinburgh.

Id. ibid.

Confirmation
of Grants.

“ Revenues, Fee-farms, Obits, Anniver-
“ saries, Dail-silver, Tithes, as well of Re-
“ ctories as Vicarages, where-ever they ly,
“ within or without the aforesaid Town, ei-
“ ther generally or particularly mentioned
“ in their said Gifts, Mortifications, Dona-
“ tions or Dispositions, or any of them, af-
“ ter the Form or Tenor thereof; together
“ with all Acts of Parliament, General
“ Councils, or other Acts, Sentences or De-
“ crees concerning the same.

“ And we will and grant, and for us and
“ our Successors, by the Advice aforesaid,
“ perpetually appoint and ordain, that the
“ aforesaid Generality shall not prejudice
“ the Speciality, or the Speciality hurt the
“ Generality; and this present Confirmation
“ and Approbation of the Premises,
“ is, and shall, in all Times coming, be as
“ good, valid and sufficient to the said
“ Town of *Edinburgh*, Provost, Bailiffs,
“ Council, Burgeses and Community of
“ the same, and to their Successors, Col-
“ leges, Ministers, Hospitals, and Poor
“ thereof, as if all the said Infeofments,
“ Gifts, Donations, Mortifications, Con-
“ firmations, Rights, Titles, Securities,
“ Letters, Writs, Evidents, Acts, Decrees
“ and Sentences; and all Donations, Dis-
“ positions, Gifts, Liberties, Commodities,
“ Immunities and Privileges, whether ge-
“ nerally or particularly therein mentioned,
“ were at full Length inserted and ingrossed
“ Word for Word, notwithstanding the not
“ inserting thereof, by reason of the Multi-
“ tude, great Number and Proximity of the
“ same; wherefore we, for us and our Suc-
“ cessors, have dispensed, and by this our
“ present Charter now and for ever dis-
“ penseth therewith.

A new Grant
of Edin. &c.

“ Moreover, we, without Hurt, Dero-
“ gation or Prejudice of the aforesaid Char-
“ ters, Infeofments, Mortifications, Con-
“ firmations, Rights, Titles, Securities,
“ Letters, Writs, and Evidences; Acts
“ made in Parliament, Conventions, Pri-
“ vy Council, Sentences, Acts, Decrees,
“ Donations, Gifts, Liberties, Commodi-
“ ties, Immunities and Privileges. And,
“ for the better corroborating thereof, *ac-
“ cumulando jura juribus*, we of new, by the
“ Advice and Consent aforesaid, for the
“ good and faithful Service done to us and
“ our illustrious Progenitors, by the said
“ Provost, Council and Community of the
“ said Town of *Edinburgh*, and their Prede-
“ cessors; and the better to induce them
“ to persevere in their said Service, give,
“ grant, and hereditably demise in Fee-
“ farm; and by this our present Char-
“ ter, by the Advice aforesaid, give,
“ grant, and perpetually confirm to
“ our aforesaid beloved and faithful Ser-
“ vants, the Provost, Bailiffs, Council,
“ Burgeses, and Community of the said
“ Town of *Edinburgh*, and their Successors,

“ for ever, all the aforesaid Town of *Edin-
“ burgh*, with its Walls, Ditches, Gates,
“ Houses, Ways, Streets, Passages, Cause-
“ ways, Lands, Territories and Communi-
“ ties thereof, Mills, Mill-lands, Multures,
“ Dams, Braes, Heughs, and Appurte-
“ nancies, as aforesaid, creating, erecting,
“ and constituting the said Town into a Roy-
“ al free Burgh, with all and singular the
“ Liberties, Privileges, Immunities and Ju-
“ risdictions; which by the Laws and Cu-
“ stoms of our Kingdom, belonged, belongs,
“ or justly may appertain to a Burgh Royal;
“ within and about the said Town; and in
“ and through all Parts of the County, as
“ far as the Jurisdiction of the Sheriff of *E-
“ dinburgh* extends, or may be extended,
“ both in Length and Breadth, as well Re-
“ gality as Royalty, and in particular from
“ *Edgebuckling-brae* on the East, to the Ri-
“ ver *Almond* on the West; to the Confines
“ of the aforesaid Sheriffwick on the South,
“ and to the Middle of the Frith of *Forth*
“ on the North; with full Power and Li-
“ berty to the said Provost, Bailiffs, Coun-
“ cil, Burgeses and Community of the said
“ Town, and their Successors, to have, fre-
“ quent, use and exercise the Trade and
“ Traffick of Merchandize; to buy and sell
“ all Sorts of Commodities, both domestick
“ and foreign, not only within our afore-
“ said Town, Lands, Territory, Jurisdi-
“ ction and Liberties thereof, but also with-
“ in the several Lands and Districts, lying
“ within our aforesaid Sheriffwick, as well
“ Regality as Royalty, both in Breadth and
“ Length of the same; and for ever to
“ have, enjoy and possess in the aforesaid
“ Town and Liberties, or mercantile Gild,
“ with its Court, Council, Members, Ju-
“ risdictions, Liberties and Privileges be-
“ longing to the same; and in all Things as
“ freely, as is granted by us and our Prede-
“ cessors to the aforesaid Town, or to any
“ other Royal free Burgh within our King-
“ dom; and as freely as the said Provost,
“ Bailiffs, Dean of Gild, and Council, or
“ any of them, or their Predecessors had,
“ have used or exercised the Liberties and
“ Jurisdictions of the said free Burgh, Mer-
“ chandize and Gildry, with the several Im-
“ munities, Liberties and Privileges, grant-
“ ed by the Laws of this Kingdom, or by
“ Treaties in the Countries of *France* and
“ *Flanders*, appertaining to the Exercise of
“ Commerce, with their Merchant or Gild
“ Court, which belonged to, and still be-
“ longs to them.

“ And also to have, enjoy, and exercise Three weekly
“ weekly within the said Burgh, on every Markets.
“ *Monday, Wednesday and Friday*, or any other
“ three Days of the Week, as the Provost,
“ Bailiffs and Council of the said Burgh shall
“ agree on, whereof Intimation shall be
“ given for holding the publick Markets
“ thereon, with the two above mentioned

Q q q

“ Fairs

"Fairs of *Allballows* and the *Trinity*, to be held and continue as usual, together with the Sheriff's Fees, Sheriff's Gloves, Tolls, Customs, and all other Fees, Privileges, Liberties and Duties, which to the said Fairs or Markets, or to any other Fair or Market within our Kingdom, by Law or Custom, is known to belong, be enjoyed by them, as fully and freely as their Predecessors possessed the same; commanding and charging, that no Unfreeman, whether of Regality or Royalty, presume to use or exercise within the Freedom of the said Town and Bounds of the said Sheriffwick, the Trade or Traffick of Merchandize, either foreign or domestick, appertaining to a Borough Royal, or to any Immunity or Privilege belonging to our aforesaid Town of *Edinburgh*, or District of our aforesaid Sheriffwick, under the Pain of Imprisonment and Escheat of their Goods and Merchandize, where-ever the same may be found.

Acts and Ordinances made for the Government of Edinburgh.

"Moreover, we, with the Advice and Consent aforesaid, and by this our present Charter, give and grant to the aforesaid Provost, Bailiffs, and Council of the said Town and their Successors, full Power, Commission, and Authority to make and publish Acts, Statutes, and Ordinances, for the good Government of the said Town, and maintaining the Liberties and Privileges thereof, to be observed and kept by the Burgeses and Inhabitants of the same, and Persons resorting thereto, under such Pains and Penalties as they shall judge expedient; with Power to put in Execution, within the Liberties of the said Town and Sheriffwick aforesaid, all and singular the said Acts and Ordinances, all Acts of Parliament, General Conventions, Privy Council, Constitutions of the Boroughs, and all other Acts, Decrees, or Sentences given, or to be given, made and published in behalf of the said Liberties: And for the better Execution thereof, to sit, judge, and determine therein; making creating, and constituting them and their Successors, Sheriffs, and Judges within the Bounds aforesaid, with power to call, arrest, ward, and imprison the Contraveeners of the Privileges, Acts, Constitutions, and Sentences aforesaid, to seize their Effects, and escheat the same, to be disposed of for the Benefit of the said Town, in support of the publick Affairs, together with all Penalties and Fines the Contraveeners shall incur, or be adjudged in for their respective Offences.

Confirmation of Lands, &c.

"Moreover, we now long after our perfect Age, with the Advice and Consent aforesaid, have given and granted, and in Fee-farm hereditarily demised; and by this our present Charter of new, sets in Fee-farm, and hereditarily lets, and for us and our Successors perpetually con-

firms to the said Provost, Bailiffs, Council, Burgeses, and Community of the said Town of *Edinburgh*, and to their Successors for ever, all and singular the Lands of the said Town called the *Common Moor*, both Eastern and Western, and *Common Myre*, both arable and unarable, with all the Houses, Buildings, Gardens, Tofts, Crofts, and Appurtenances thereof, as they are at present possessed by the said Provost, Bailiffs, Council, and Community, their Fewers, Farmers, and Tenants; together with the South-lake, called the *Borough Loch*, with the Grounds, Lands, Myres, and Marshes thereunto belonging; and all the other Lake of the said Town, denominated the *Nordloch*, with the Grounds, Lands, Myres, and Marches thereof; the Banks and Braes South and North, situate at the Western End of the said Town, before, and on both Sides our Castle of *Edinburgh*. And that Part of the said Town, called under the *Castle Wall*, ascending Northwards to the Top of the Hill, and crossing the same, descends Northwards and joins the said *Nordloch*. Also the twelve common Mills of the said Town, situate on both Sides the River of *Leith*, with all the other Mills, Mill-lands, Aqueducts, and Dams, Houses, Buildings, Bridges, Heughs, Braes, Ditches, Ways, Streets, and Passages leading to and from the said Mills; all Multures, Knave-ships, Succyn, Thirlage, Parts, Pendicles, Appurtenances, and Sequels thereof, with their several Privileges and Appurtenances, with a Power to erect more Mills and Bridges on both Sides, and over the said River in such Places as they shall judge most convenient. With the vale and low Lands, Banks, Braes Meadows, Myres, Marshes, and their Appurtenances lying between the aforesaid Rocks, called the *Craigendgate* on the East; and the common Way or Passage leading to the said Town of *Leith* on the West. Together with the Lands antiently called the *Greenside*, with the Lepers Hospital and Garden situate therein, with the arable and other Lands thereunto belonging, namely, Banks, Braes, Myres, Marshes, and their Appurtenances, at present possessed and occupied by the Lepers of the said House, and by the said Provost, Bailiffs, and Council, and their Tenants, lying on the Northern Side of the said vale and low Grounds on the Eastern Side of the said Way, leading to *Leith*.

"And also, all and singular the petty Customs and Customs undermentioned to be paid by Duties payable in *Edinburgh*. Unfreemen, on all Goods coming in and going out at the Gates of the said Town, to, or from the Markets of the same, and the House of the Moor; together with the Duties and Customs of Weigh-

"age

"age and Metage of the Halls of the said Town, contained in the Table thereof as follows; that is to say, 1. Of each Load of Merchandize, viz. Skins, Hides, Cloth, Wool, Flax, Hemp, Pitch, Tar, Iron, Ashes, and the like Sorts of Merchandize, Eight Pennies; and for every Burden of the same, Four Pennies. 2. Of each Horse-load of Fish, Flesh, Corn, and Provisions of all Sorts, Four Pennies; and for each Burden of the same, Two Pennies. 3. For every Load of Ale, Eight Pennies; and for each Burden of the same, Four Pennies. 4. Of every Load of Materials for Ploughs, Carts, Wains, Sleds, Harrows, Barrows, and earthen Wares, coming in and going out, Four Pennies; and of each Burden Two Pennies. 5. For every Horse, Mare, or Stag, Eight Pennies. 6. For every Ox, or Cow, Six Pennies. 7. For every Sheep Carcase, Two Pennies; and for each Lamb, One Penny. 8. For every Score of Geese, Twelve Pennies. 9. For every Swine, four Pennies. 10. For all Sorts of Merchandize coming in and going out at the Ports of *Leith* and *Newhaven*, which ought to be weighed in *Edinburgh*, Freemen of other Burghs breaking Bulk, to pay for each Stone Weight, One Penny; and Unfreemen, whether they break Bulk or not, Two Pennies. 11. For each Stone-weight of Wool, Butter, Cheese, Tallow, and *Scotish* Flax, weighed or sold in *Edinburgh*, of every Freeman of this City, One Penny; and of all others, whether free or unfree of a Royal Burgh, Two Pennies. 12. For each Load of Victual coming to the Halls, or Market of our said Town, for Standing-room, House-rent, and Support of the said Halls, or Market-place, Twelve Pennies, every Market Day; together with the Escheat of all Victual or Corn brought into the said Town for Sale, in the Possession of Regraters, or Foresters, or housed, and not brought to Market as aforesaid. 13. For the Metage of all Sorts of Corn, sold or measured within the said Town, each Load, Twelve Pennies.

1d. ibid.

"And further, the said Provost, Bailiffs, Council, and Community, and their Successors, shall for ever enjoy, use, and possess all other Customs of the said Burgh, both within and without the Gates, in the Streets, and Market-places appointed, or to be appointed by them, or their Successors in time coming. And at the Market-place, called the *House of the Moor*, with Weighage and Metage in the said Town, and the Rents of Stands in the Land, Meal, and Cloth-markets, with all other Customs, Sheriff-fees, Duties, and Exactions in and about the said Town, in as full and ample a Manner as the said Provost, Bailiffs, Council, and Community,

their Predecessors, Servants, or Tenants, formerly used to enjoy and receive, without Prejudice of the Speciality by the Generality, or Hurt of the Generality by the Particularity.

"Likewise all the aforesaid Port, Harbour, and Road of *Leith*, with the Lands and Appurtenances thereof, with all and singular, the Piers, Shores, and Bullwarks, with the several Streets, Ways, and Passages, leading to the said Port, Harbour, and River of *Leith*, and adjoining to the Houses and Buildings on both Sides respectively, with all the Privileges, Customs and Conveniencies thereunto belonging; and in particular, all the Privileges, Customs, Harbour, Dock, and Shore-silver, Anchorage, Golden Pennies, Exactions, Rents, Duties, and Casualties of the said Port, Haven, Raid, and Towns of *Leith* and *Newhaven*, according to the following Table, Clauses, Conditions, and Privileges therein contained; which we command and ordain to be inserted in the present Charter, to be observed and kept by all our Subjects and Strangers using the said Ports of *Leith* and *Newhaven*, to be published in the said Town of *Leith*, that none may plead Ignorance.

Confirmation of the Grant of *Leith*.

The TABLE.

"The Provosts, Bailiffs, Council, Burgeses, and Community of the said Burgh, and their Successors, be quit and free from the Payment of Custom for Salt, Shorelings, Shaldings, Futfells, Lantrone Ware, Lamb-skins, Calf-skins, Coney-skins, Otter-skins, and Fulmart-skins; and that it shall be lawful to them to sell the aforesaid Salt and Skins to Aliens and Strangers, or others Custom-free, other than the petty Customs of *Leith*, which are to be paid to the Receivers as in Times past. 2. The Harbour-money of *Leith* to be paid both by Free and Unfreemen and Strangers, importing or exporting Merchandize to and from the Port of *Leith*.

A Table of the Customs of *Leith*.

1. "Of all Bags, Packs, and Barrels of Goods, every Freeman of *Edinburgh* to pay for each Tun, Four Pennies; the Inhabitants of Boroughs Eight Pennies; and Strangers, and Unfreemen, Two Shillings.

2. "For every last of Hides, a Burges of *Edinburgh*, Ten Pennies; Freemen of Boroughs, Twenty Pence; Unfreemen and Strangers, Five Shillings.

3. "Corn, Meal, Malt, and Salt, growing and made within this our Kingdom, a Burges of *Edinburgh*, for each Chalder, Four Pennies; Freemen of Boroughs, Eight Pennies, Unfreemen and Strangers, Two Shillings.

4. "For every Tun of foreign Victual or Corn, Salt, and Granary Goods; *Edinburgh*, Four Pennies; Boroughs, Eight Pennies;

"Pennies; Strangers and Unfreemen, Two Shillings.

"5. "For every Chalder of Coals and Lime imported, *Edinburgh* Two Pennies; Boroughs, Four Pennies; Unfreemen and Strangers, Twelve Pennies; and for every Chalder of the said Goods exported, *Edinburgh*, Four Pennies; Boroughs, Eight Pennies; Unfreemen and Strangers, Two Shillings.

6. "For every Hundred of Boards, Deals, Single-roof Spars, and Bowstings, *Edinburgh*, Eight Pennies; Boroughs, Sixteen Pennies; Unfreemen and Strangers, Four Shillings.

7. "For every hundred of Double-roof Spars, *Edinburgh*, Sixteen Pennies; Boroughs, Thirty two Pennies; Strangers and Unfreemen, Eight Shillings.

8. "For every Joist, Corbale, and Wain-scot, *Edinburgh*, One Penny; Boroughs, Two Pennies; Strangers and Unfreemen, Six Pennies.

9. "For every hundred of *Dantzick* Knappell, *Edinburgh*, Four Pennies; Boroughs, Eight Pennies; Unfreemen and Strangers, Two Shillings. And for *Norway* Knappell, *Edinburgh*, Two Pennies; Boroughs, Four Pennies; Unfreemen and Strangers, Twelve Pennies: And the larger Knappell to pay double of that of *Dantzick*.

10. "For every hundred Wicker-spars, *Edinburgh*, Two Pennies; Boroughs, Four Pennies; Unfreemen and Strangers, Twelve Pennies.

11. "For every hundred of Girth-strings, and Skowes, *Edinburgh*, One Penny; Boroughs, Two Pennies; Strangers and Unfreemen, Six Pennies; and each Fathom of Firewood, the same.

12. "For every Dreg-boat and small Cock-boat, Four Pennies; each Ferry-Boat inward, Four Pennies; and outward Four Pennies: and for keeping good Order in their several Stations, Twelve Pennies.

13. "For every large Lime-boat, and Crear without a Topmast, Haven, and Dock-silver, Forty Pennies.

14. "For every Bark, and Crear with a Topmast, Haven, and Dock-money, Six Shillings and Eight Pennies.

15. "For every Ship or Vessel above Forty Tuns in Burden, Harbour and Dock-silver, Thirteen Shillings and Four Pence.

"Besides, in the Harbour and on the Shore or Quay of *Leith*, the following Customs and Duties are to be paid to the said Town of *Edinburgh*, by the Freemen of Boroughs, Unfreemen and Strangers.

Duties payable in the Harbour of *Leith*.

1. For every Barrel of Tar, Pitch, Ashes, or other Barrelled Goods sold there, Two Pennies. 2. For every Load of Onions, Apples, Corn, Victual, Butter, Cheefe,

or other Goods measured or sold in *Leith*, to be carried out of the same, Two Pennies. 3. For every Load of White Fish or Herrings brought to, or sent from *Leith*, Two Pennies. 4. For every hundred of large Fish, such as Cod, Stock-fish, Ling, Salmon, and others, unbarreled, Twelve Pennies. 5. For every Pack of Cloth landed by Unfreemen and Strangers, Eight Pennies. 6. For every Load of Salt measured in *Leith*, Two Pennies. 7. For every hundred of Boards, Deals, Single-roof Spars, and Bowstings, sold in *Leith*, Five Shillings; and Double-roof Spars at Ten Shillings. 8. For every Joist, Corbale, or Wainscote, Two Pennies. 9. For every hundred of Knappell, Two Shillings. 10. For every hundred of Wicker Spars, Twelve Pennies. 11. For every hundred of Girth-strings, and Skowes, Four Pennies. 12. For every Fathom of Fire-wood, Two Pennies. 13. For every hundred Weight of Osmond, brought into *Leith* by Unfreemen, Eight Pennies. 14. For every Daker of Hides landed at *Leith*, by Unfreemen and Strangers, Eight Pennies. 15. For every hundred of Sheep-skins, Calf, Goat, Coney, or other Skins not paying Custom in *Edinburgh*, Eight Pennies. 16. All the Tume Voiders of Goods, vented or tumed in the Road, Harbour, or Town of *Leith*, and Fyllings, to be Duties to the Town of *Edinburgh*.

"And besides, the following Customs belonging to the Treasury, which the Town of *Edinburgh* receive of Strangers and Unfreemen for Ships and Merchandize arriving at the Port of *Leith*, and entered in the Town's Books, together with the Escheat thereof, of all Persons whatever, whether free or unfree, when seized for Non-entry, viz. 1. For every Last of barrellled Goods, such as Pitch, Tar, Meal, Ashes, and the like, Two Shillings. 2. For every Tun of Wine, Two Shillings. 3. For every But of Malmsey, Eighteen Pennies. 4. Of *Rhenish* Wine, because of the great Steikes of each *Scotish* Pound's Worth, Four Pennies. Of all Sorts of Canvass, dry Measurabled Goods, and other costly Merchandize, for every *Scotish* Pound's Worth, Four Pennies. 5. For every Barrel of Soap, Oil, Butter, Flesh, Tallow, and Salmon, Twelve Pennies. 6. For every Barrel of Onions, and Apples, Six Pennies. 7. For every Last of Flax, Twenty Shillings. 8. For every Last of Hemp, Ten Shillings. 9. For every Last of Iron, Thirteen Shillings and Four Pennies. 10. For every hundred of Boards, Dales, Single-roof Spars, and Bowstings, Six Shillings and eight Pennies. 11. For every hundred of Double-roof Spars, Thirteen Shillings and Four Pennies. 12. For every Joist, Corbale,

Customs to the Treasury paid to the Town.

"or

"or Wainfote, Six Pennies. 13. For every hundred of *Dantzick* Knappell, Two Shillings. 14. For every hundred of *Norway* Knappell, Twelve Pennies. 15. For every hundred of Double-Knappell, Four Shillings. 16. For every hundred of Wickar Spars, Twelve Pennies. 17. For every hundred of Girth-stings, and Skowes, Six Pennies. 18. For every Fathom of Firewood, Six Pennies. 19. For every Bag of Wood, Two Shillings. 20. Of every Ship laden with Granary Goods, two Polls, one before and the other behind the Mast, to be applied to the Church Work. 21. For the Anchorage of each Ship, above forty Tuns in Burden, Thirty Shillings and Four Pennies. 22. For the Anchorage of each Ship below forty Tuns in Burden, Ten Shillings. 23. For each Crear, Six Shillings and eight Pennies.

Customs paid by Unfreemen at Leith.

"And the said Unfreemen and Strangers shall pay to the said Town for their Goods and Merchandize exported from the said Port of *Leith*, the several Duties following, namely, 1. For every Chalder of Salt, Two Shillings. 2. For every Chalder of Smith's Coals, Thirty two Pennies. 3. For every Last of Hides, Ten Shillings. 4. For every Sack of Wool, or Skins, Twenty Shillings. 5. For every Pack of Cloth, Six Shillings and eight Pennies. 6. For every Pack of Lamb-skins, Coney-skins, Otter, Fox, and Fulmarts Skins, and the like, Ten Shillings.

Duties for Support of the Harbour and Pier of Leith.

"Moreover, the said Provost, Bailiffs, Council and Community of the said Burgh, and their Successors, by themselves, their Treasurer, Collectors or Farmers in all Time coming, take and receive the Shore-money, Exactions, Duties and Customs hereafter specified (of which they are in present Possession) of all Goods and Merchandize appertaining to Freemen, Unfreemen and Strangers; and of all Ships, Crears or Boats arriving in the Port of *Leith*, to be employed in building, enlarging, strengthening, and upholding the said Port and Pier of *Leith*. That is to say, 1. Of every Tun of Goods or Merchandize laden or unladen in the Port of *Leith*, Two Shillings; and of the Ship, Bark or Vessel, for each Tun it carries, Twelve Pennies. 2. For every hundred of Timber arriving at the said Port, to take one Piece thereof; and at its going forth, being fold, another Piece. 3. For every Chalder of Victual brought in or carried out at the said Port, Sixteen Pennies; and of the Ship, Crear or Boat, Eight Pennies; and the like of all other Goods which are sold by the Chalder, and the Ship, Bark or Boat wherein the same are laden, as aforesaid.

Merchandize not to remain in Leith.

"Moreover, that no Manner of Staple-goods, whether of Strangers or Freemen

"of other Boroughs, after they are unladen, be housed, or remain longer in *Leith* than they may be carried to the said Town of *Edinburgh*, under the Pain of Escheat; and that the said Goods or Merchandize be not sold or disposed of in *Leith*, under the same Penalty, to be taken by the said Provost, Bailiffs and Council, and their Successors, and applied to the Town's Use.

"And in like Manner, that the said Provost, Bailiffs, Council and Community of the said Burgh, and their Successors, enjoy, use and possess all other Customs and Privileges within our said Burgh, Town of *Leith*, and River thereof, according to Law, with their Water Courts, Attachments, Fines and Duties, in as ample and full a Manner, as they and their Predecessors have done; commanding and charging both our Subjects and Strangers, and all whom it may concern, to obey, answer, and make thankfull Payment to the said Provost, Bailiffs, Council and Community of the said Town of *Edinburgh*, and to their Successors, Factors, Collectors, Farmers and Toll-gatherers of all and sundry the aforesaid Customs, namely, Haven-silver, Dock-silver, and Shore-silver, golden Penny, Anchorage, Exactions, Rents, Duties and Casualties above mentioned, under the several Pains and Penalties that may thereafter follow:

Customs and Privileges to be enjoyed in *Edin. & Leith.*

"We have also, by the Advice aforesaid, given, granted and disposed, and by this our present Charter gives, grants and dispones to the said Provost, Bailiffs, Council and Community of the said Burgh, and their Successors, all the Ground and Land, formerly called the *Common Closets*, and of late denominated the *Burfs*, or Place where the People or Merchants used to assemble to treat of their Affairs, with the Inclosure fenced with Boards, lately erected by the said Provost, Bailiffs and Council, as a Conservatory for Wood, and a common Market-place, and for such other Uses as shall be judged proper, being situate and lying at the Northern End of the Town of *Leith*, adjoining to our Messuage and Garden, denominated the *King's Work*; together with the waste Ground and Sands, partly overflowed by the Sea, lying on the Northern and Eastern Sides of the said Burfs and Inclosure, to be extended and enlarged by them, with Fences or otherwise, at their pleasure, as far within the Flux and Reflux of the Sea, as may be gained and converted into dry Land. The which Bounds lies and extends between the common Passage, leading both Eastward and Westward, to and from the said Shore of *Leith* and our Messuage aforesaid, called the *King's Work* on the

Grants of divers Places in *Leith.*

Ground of the
Western Bul-
wark, and
Sands of Leith.

Divers Places
annexed to
Leith.

Merchandize
not to be hou-
sed in Leith.

“ South, and the said Seas, as far as may
“ be drained and held, on the North; the
“ sandy Place and Lands, denominated
“ *Little London*, belonging to the aforesaid
“ Town of *Edinburgh*, having the Lands
“ and Garden of *Thomas Fisher*, the late
“ *Thomas Aikenhead* and others, on the East,
“ and the said Harbour of *Leith*, the Eastern
“ Bulwark, River of *Leith* and the Sea on
“ the Western Parts.

“ Likewise all the Grounds and Lands of
“ the Western Bulwark of the said Harbour,
“ situate on the Western Side of the said Ri-
“ ver and Harbour of *Leith*; together with
“ the waste Ground, Sea and Sands about
“ said Western Bulwark, as far as the Sea
“ flows at a Spring Tide, with the several
“ Bounds and Grounds on both Sides of the
“ said River and Haven of *Leith*, to be
“ thereunto annexed.

“ We also, with the Advice and Consent
“ aforesaid, and by this our present Char-
“ ter, annex, unite and incorporate the said
“ waste Ground, Lands and Sea on both
“ Sides the said River and Harbour of
“ *Leith*, with the Bridges, Ports, Haven
“ and Lands thereof, within the Districts a-
“ foresaid, to the said Port and Harbour of
“ *Leith*, and to the aforesaid Town of *Edin-
“ burgh*, to be and remain as proper Parts
“ and Appendages thereof for ever, with
“ full Liberty to the said Town of *Edin-
“ burgh* within the same; with special
“ Power, Licence and Liberty to the said
“ Provost, Bailiffs, Council and Commu-
“ nity of the said Burgh, and their Succes-
“ sors, to enjoy and possess the above men-
“ tioned waste Ground, denominated the
“ *Common Closets*, and since called the *Burfs*,
“ with the other Lands, Sands, and waste
“ Ground aforesaid, within and without the
“ Flux and Reflux of the Sea, on both Sides
“ the River and Harbour of *Leith*, or any
“ Part or Parts thereof, and to raise Dykes
“ and Fences, to exclude the Sea, and there-
“ on to erect Bulwarks, Ramparts, Walls
“ and Fortresses, one or more; and on the
“ Ground gained or to be gained from the
“ Sea, within the Bounds aforesaid, to e-
“ rect and build Houses, Fortalices, Halls,
“ Market-places and Inclosures, or Conser-
“ vatories for Wood or other Merchandize,
“ with Granaries and other Buildings for
“ the Reception of all Sorts of Timber and
“ Merchandize arriving at the aforesaid Port
“ and Harbour of *Leith*, with Power to
“ stop, forbid and discharge.

“ We also, by this our present Charter,
“ for us and our Successors, strictly forbid
“ and discharge the housing and keeping the
“ said foreign Merchandize and Timber
“ within any House, Cellars, Closets, Lofts
“ or Yards, within any Part or Place of
“ the said Town of *Leith*, whether Rega-
“ lity or Royalty, or within our Messuage
“ aforesaid, called the *King's Work*, or in

“ any other Part thereof, in all Times co-
“ ming, other than within the Bounds afore-
“ said, under the Pain of Escheat, or the
“ Value thereof, to the Use of the said
“ Town of *Edinburgh*: And for the better
“ inabling them to receive the said Escheats,
“ or Value thereof, we, by this our present
“ Charter, constitute and appoint the said
“ Provost, Bailiffs, and their Successors,
“ conjunctly and severally, Judges of the
“ same; and for defraying the Expences
“ made and to be made, in gaining the
“ said Ground, and making and upholding
“ the said Works, and Increase of the Re-
“ venues of the aforesaid Town; we here-
“ by grant them full Power to make and
“ appoint certain Rates or Duties to be
“ taken daily, weekly, monthly or term-
“ ly, for the lying and keeping of the seve-
“ ral Sorts of Merchandize and Timber
“ within the said Inclosure or Houses; and
“ if Occasion be, to arrest, seize and di-
“ strain for Non-payment of the said Rates;
“ and to set or let the said Bounds, or any
“ Part thereof, to any Person or Persons,
“ and to build Houses, Granaries, Cellars,
“ Offices, and other Conveniencies thereon,
“ as shall be judged necessary for the Benefit
“ of the said Town; and to have, enjoy
“ and exercise all the Liberties and Privi-
“ leges of a Royal free Burgh, within the
“ several Districts aforesaid, as freely as
“ they have, or may have within the said
“ Port of *Leith* or Town of *Edinburgh*, or
“ in any Part or Appurtenance thereof, an-
“ nexed or incorporated therewith in Man-
“ ner aforesaid.

“ And also to enlarge and extend the said
“ Port, Pier, Shore and Haven of *Leith*
“ towards the Sea, with the Bulwarks on
“ both Sides the River, and to build,
“ strengthen and fortify the same in a sub-
“ stantial Manner, both for Duration and
“ the Safety of Ships, Crears, Boats and o-
“ ther Vessels, with their Goods and Mer-
“ chandize arriving in the said Port both in
“ Peace and War.

“ And likewise the two Pieces of Land
“ adjoining, with the Houses thereon, ap-
“ pertaining to, and possessed by the said
“ Provost, Bailiffs and Council, one of
“ which belonged to the late *Cockburne*,
“ contains in Breadth from East to West
“ fifty one Ells, and in Length from South
“ to North sixty three Ells, with the Mount
“ called the *Fort*, and Houses thereon, de-
“ nominated *Little London*, lying on the
“ Eastern Side of *Leith*, in the Barony of
“ *Lestralrig* and Sheriffwick of *Edinburgh*,
“ between the Highway leading from the
“ *Canongate* to the Town and Pier of *Leith*
“ on the West; the Coney Warren, com-
“ monly called the *Links*, on the Eastern
“ and Northern Parts; and the Lands of
“ the late *John Creich* on the South, and the
“ other Part or Piece of the said Lands,
“ lying

Duties to be
taken for
Warehouses-
room.

To enlarge the
Port of Leith.

A Confirm. of
divers Lands
&c.

"lying on the Southern Side of the said
 "Cockburne's Lands, contains in
 "Breadth and Length as aforesaid, and
 "sometime belonging to the said late
 "John Creich, lying on the Eastern Side of
 "Leith, in the Barony aforesaid, between
 "the Lands of the said Cockburne
 "on the North, the said Coney Warren,
 "commonly called the Links, on the East
 "and South, and the aforesaid Highway on
 "the Western Part.

A Confirm. of
 Logane's
 Grant.

"And likewise all that Space or Spot of
 "Ground, granted to the aforesaid Town
 "of Edinburgh by the late Robert Logane of
 "Lestalrig, in the Month of February, anno
 "1413, lying in the said Town of Leith,
 "between the Lands lately in Possession of
 "John Pittendreich, on the one Part, and
 "the Wall newly built on the Bank of the
 "River of Leith, on the other Part, to be
 "and remain for ever a free Quay or land-
 "ing Place, for the Use of the said Town
 "of Edinburgh and Community thereof, for
 "laying Goods and Merchandize, and car-
 "rying them thereon to and from the Sea;
 "for which Use it shall continue void, and
 "nothing to be built thereon, to the Hurt
 "or Prejudice of the said Town, whereby the
 "Burgeffes and Community may suffer Da-
 "mage or Inconvenience any Manner of
 "way: And also all that Space or Piece
 "of Ground, lying within the said Town
 "of Leith, containing at least twelve Feet
 "in Breadth, and in Length, extending
 "from the common Road, lying before
 "the Tenement of the late Maurice Taylor,
 "now appertaining to on the
 "South, the said River of Leith on the
 "North; and between our aforesaid Tene-
 "ment on the East, and the Lands of the
 "late David Dun and John Davidson, at
 "present belonging to on the
 "West, to serve as a common Way or
 "Street, for the Use of the said Provost,
 "Bailiffs, Council, Burgeffes and Com-
 "munity of the said Town of Edinburgh,
 "and their Successors, and all others our
 "Subjects.

A Confirm. of
 Ways to and
 from Leith.

"And for the more commodious Passage
 "to and from the aforesaid Port of Leith,
 "and to and from the Grounds and Lands
 "aforesaid, and Passages leading to and
 "from the same, We give and grant,
 "and by this our present Charter, give and
 "grant to the aforesaid Provost, Bailiffs,
 "Council, and Community of the afore-
 "said Town of Edinburgh, and their Suc-
 "cessors, all the several Ways, Roads, and
 "Passages within the Lands and Barony of
 "Lestalrig, and the said Town of Leith,
 "extending to the Port or Haven thereof,
 "with all other Ways, Places and Passa-
 "ges leading to and from the said Town
 "of Edinburgh, and to and from the afore-
 "said Port of Leith; with full Power, Li-
 "berty, and Licence occasionally to make

"and erect other Ways and Passages in and
 "through the said Barony of Lestalrig, and
 "Town of Leith, to the Port and Harbour
 "of the same; with full Power, Liberty,
 "and Licence to them, their Agents,
 "and Servants, in their Names, to carry
 "all their Goods, and Merchandize, of
 "what Kind soever, upon Horses, Carts,
 "Sleds, or other Carriages to and from the
 "said Port or Harbour of Leith, to what-
 "ever Place or Places they please, in,
 "through, and by the Lands of the said
 "Barony of Lestalrig, and Town of Leith,
 "to lay the same thereon, remove and car-
 "ry them therefrom, lade and unlade the
 "same in and from any Ship or Vessel; and
 "cart, and decart the same at their Plea-
 "sure, without Stop, Let, or Impediment,
 "whatever: With full Power, Liberty, and
 "Licence to them, to build one or more
 "Bridges in the aforesaid River of Leith,
 "and within and upon the aforesaid Lands
 "and Barony of Lestalrig, in whatever
 "Place they shall judge necessary to erect
 "and build the same; with Power to dig
 "and carry away from within the aforesaid
 "Barony of Lestalrig, such Quantities of
 "Earth, Gravel, Sand, and Stones, as may
 "be found lying on the Banks, and in the
 "Neighbourhood of the said River of Leith,
 "towards building and enlarging the said
 "Bridge or Bridges, and the said Port or
 "Harbour of Leith: With full Power and
 "Liberty to them and others coming to,
 "and departing from the said Port of Leith
 "with their Ships and other Vessels, to fix,
 "lay, and fasten their Anchors, Cables, and
 "Ropes, without the Port or Haven of
 "Leith, on the aforesaid Lands or Sands
 "of Leith and Lestalrig as they shall have
 "Occasion.

A Confirm. of
 Newhaven,
 &c.

"Also, we long after our perfect Age,
 "by the Advice aforesaid, have let, and
 "in Fee-farm demised, and for us and
 "Successors, by this our present Charter,
 "have of new given and granted, and
 "in Fee-farm hereditarily confirmed to
 "the aforesaid Provost, Bailiffs, Council,
 "Burgeffes, and Community of the said
 "Town of Edinburgh, and their Successors
 "for ever, all the New Port, called the Ha-
 "ven Harbour, and Port of New Haven,
 "with the Coney Warren, commonly called
 "the Links; Houses Buildings, Lands, and
 "their Appurtenances on the Sea-coast, or
 "Southern Side of the Frith of Forth, from
 "St. Nicholas's Chapel, on the Northern
 "Side of the Town of North Leith, to the
 "Land denominated Weirdiebrow; and in
 "Length to the arable Lands of as
 "the said Provost, Bailiffs, Council, and their
 "Predecessors have, or may possess. To-
 "gether with the several Privileges, Port-
 "money, commonly called Haven and
 "Shore-silver, Anchorage, Dock-silver,
 "Golden-penny, Imposts, Customs, Taxes,
 "Exactions,

“Exactions, Rents, Mails, Farms, Duties
 “and Casualties of the same, to be applied
 “to them and their aforesaid Port of *Leith*;
 “with free Passage to and from the said
 “Town of *Edinburgh* to the said *Newhaven*,
 “Links, Lands, and Bounds thereof; by
 “the several Ways, Roads, and Passages
 “leading thereto, for Men, Horses, Carts,
 “Sleds, and other Carriages, with such
 “Goods and Merchandize as shall be load-
 “ed or unloaded at the said Port of *Newha-*
 “*ven*; the said Ways and Roads to be of
 “such Length and Breadth as shall be judg-
 “ed necessary: With full Power, Liberty,
 “and Space to repair and enlarge the Pier
 “and Bulwark of the said Port or Haven;
 “and the Goods or Merchandize, laden or
 “unladen, in or from Ships, Barks, Crears,
 “or Boats in the said Port, to put them
 “on Shore, and lay them on Land; and
 “to fix or place their Anchors, Cables,
 “and other Fastnings on the Sea-coast,
 “from the High-water Mark in the said
 “Port and Links, to the Fronts of the
 “Houses of the Southern Row, standing
 “on the Southern Part of the Passage of
 “the said Town of *Newhaven*, and in
 “Length to the Bosom of the same;
 “with all other Privileges of the aforesaid
 “Port of *Newhaven*, in all Things as am-
 “ply, fully, and freely as they at present
 “are or were heretofore insoest, and have
 “or may possess in their said Port of *Leith*,
 “with the Customs, Liberties, and Appur-
 “tenancies above specified.

“And that the said Provost, Bailiffs,
 “Council and Community of the said Town
 “of *Edinburgh*, and their Successors, may
 “the more peacefully and commodiously
 “possess and enjoy the above named Port,
 “Haven, Harbour, Raids, Pier, Shore,
 “Bulwarks, Ways, Streets, Paths, Pas-
 “sages, Lands, Liberties, Customs, Ca-
 “sualties, and other Things above men-
 “tioned; we, with the Advice and Con-
 “sent aforesaid, make, create, and consti-
 “tute, and by this our present Charter for
 “us and our Successors, make, create and
 “constitute the aforesaid Provost and Bai-
 “liffs of the said Burgh, or any of them,
 “and their Successors, Judges of all Per-
 “sons who shall contravene or violate any
 “Part or Point of their aforesaid Liberty
 “and Privileges within the said Bounds, or
 “to molest, trouble or disquiet them in the
 “peaceable Possession, Injoyment or Use of
 “the same: And also to be Judges compe-
 “tent in all Questions, Controversies, De-
 “bates, Complaints and Actions, as well
 “criminal as civil, which may arise between
 “Party and Party, upon any Deed, verbal
 “Promise, or by Writ, Bond, Contract
 “or Obligation, made or contained within
 “the said Bounds, Ports, Harbours, Havens,
 “Raids, Piers, Shores, Bulwarks, Ways,
 “Streets, Paths and Passages aforesaid, or

“that which is to be done and performed
 “within the same, as a Place destinate
 “thereto: And likewise to be Judges in all
 “Crimes and Transgressions, both criminal
 “and civil, that shall happen to be committed
 “within the aforesaid Lands, Ports, Wa-
 “ters and Passages; with Power to search,
 “apprehend, take and imprison all Persons,
 “Contraveners of the aforesaid Privileges,
 “and all Persons convened by their Credi-
 “tors, and those guilty of Offences, whe-
 “ther civil or criminal, within the Bounds
 “aforesaid; to call, prosecute, sit, judge,
 “determine and execute their respective
 “Sentences thereon; and for that End, to
 “hold Courts in any Part or Place within
 “the said Lands, Bounds, Waters, Seas
 “and Passages, or within the aforesaid
 “Town, at their Pleasure; and the Fines,
 “Escheats, Penalties and Amerciaments
 “received, be applied to the Use of the said
 “Town; and if it shall be found necessary
 “to appoint one or more Persons under
 “them during pleasure, they shall be an-
 “swerable for the Behaviour of the said Per-
 “sons.

“And we, long after our perfect Age, by
 “the Advice and Consent aforesaid, have of
 “new given, granted, and confirmed; and
 “by this our present Charter, for us and our
 “Successors, gives, grants, and dispones,
 “and for ever confirms to the said Provost,
 “Bailiffs, Council, Burgesses and Com-
 “munity, and their Successors, the Offices
 “of Sheriff and Coroner within the said
 “Town; together with the common Mills,
 “common Moor, common Myre, Lakes,
 “Banks, Ways, Cross-ways, Streets and
 “Passages, leading to and from the said
 “Town of *Edinburgh*, and within the afore-
 “said Ports and Harbours of *Leith* and
 “*Newhaven*, with the Piers, Shores, Raids
 “and Bulwarks thereof; and within the
 “Lands called the common Closets, Burfs,
 “Holf, Halls, Ways, Cross-ways, Pas-
 “sages, Lands, and other Things above
 “mentioned, with all the Rights, Liber-
 “ties and Privileges belonging to the said
 “Offices, according to the Laws and Cu-
 “stoms of our Kingdom, making, creating,
 “and constituting the Provost of the said
 “Town of *Edinburgh*, elected or to be elect-
 “ed yearly, perpetual Sheriff and principal
 “Coroner of the same; and the Bailiffs of
 “the said Burgh, elected, or to be elected
 “yearly, Sheriff's and Coroner's Deputies,
 “to serve conjunctly and severally under
 “him; with Power to them and their De-
 “puties to hold a Court or Courts, both ci-
 “vil and criminal, within the aforesaid
 “Town-mills, Mill-lands, Moors, Marshes,
 “Ways, Raids, Cross-ways, Passages, Ports,
 “Havens and Lands aforesaid, and Liber-
 “ties thereof, and within the aforesaid
 “Ports, Ways and Passages, &c. above
 “mentioned, and within any Part of their
 “respective

Magistrates
 appointed Jud-
 ges.

Offices of Sher-
 riff and Co-
 roner, &c. con-
 firmed.

“respective Bounds, as well upon as against
 “their Neighbours, and upon the Burges-
 “ses and Inhabitants within the aforesaid
 “Bounds, as upon and against all other
 “Persons that shall happen to be attacked
 “for any Promise, Deed, Debt, Cause,
 “Crime or Offence, either civil or criminal,
 “made, contracted or done within the said
 “Town or Bounds aforesaid, or any Part
 “thereof, as often as they shall see necessa-
 “ry: And the said Office of Sheriffalty to
 “use, exert and enforce against all Causes,
 “Actions, Transgressions, Crime or Crimes,
 “that shall happen to be perpetrated in,
 “upon and against all Persons, who shall
 “be arrested or apprehended within the a-
 “foresaid Town, Mill-lands, Piers, Shores,
 “Passages and Places thereunto belonging,
 “as above specified; to administer Justice
 “in the Sheriff’s Court, to call, assemble
 “and convene Absents, to punish Offenders
 “or Criminals by Death, Banishment, or
 “other Punishment, according to their se-
 “veral Transgressions and the Laws of our
 “Kingdom; and the Members or Ministers
 “of the said Sheriff’s Court to be chosen
 “out of the Burgeses of our said Town of
 “*Edinburgh* only, and not from amongst
 “the People inhabiting without the afore-
 “said Town; and to use and exercise all o-
 “ther Things within themselves, and with-
 “in our said Town, Liberties, Bounds and
 “Jurisdiction of the same, and within the
 “other Bounds, Lands, Ports, Ways,
 “Cross-ways, Roads, Passages, Waters,
 “Seas and sandy Grounds, commonly call-
 “ed the *Sands*, and others above men-
 “tioned, which to the Offices of Sheriff and
 “Coroner belong, according to the Laws
 “and Customs of the Kingdom, to be in-
 “joyed by them, in and by all Things, as
 “fully and freely, as any other Sheriff or
 “Coroner of the Kingdom doth use and ex-
 “ercise the said Offices, freely, quietly, ho-
 “nourably, well and peaceably, without
 “Impediment, Revocation or Contradiction
 “whatsoever.

Escheats of
 Goods, &c.
 confirmed.

“And for the better using and exercising
 “of the said Office of Sheriffalty, we, with
 “the Advice aforesaid, of new give, grant,
 “dispone, and perpetually confirm, and
 “by this our present Charter for us and our
 “Successors, have given, granted, and per-
 “petually confirmed to the aforesaid Pro-
 “vost, Bailiffs, Council, Burgeses and
 “Community of the said Town, and their
 “Successors, the Escheat of all Goods,
 “Debts, Contracts, Obligations, Sums of
 “Money, and other Goods and Moveables
 “belonging to the Burgeses or Inhabitants
 “of the said Town, within the respective
 “Lands and Bounds thereunto appertain-
 “ing; and in all other Parts, whether
 “within or without the Kingdom, where-
 “ever they shall be called or convened be-
 “fore the said Sheriff or his Deputies, or

“any other Judge or Judges within the
 “Kingdom, for any Offence or Crime com-
 “mitted by them within the said Town, or
 “within or without the Bounds thereof;
 “and all other Persons whatsoever or where-
 “soever, that shall be convicted before the
 “said Sheriff, his Deputies, or other Judges
 “within this Kingdom, for any Offence or
 “Transgression committed within the said
 “Town, or within the Lands and Bounds
 “aforesaid, the Escheat of as much of their
 “Effects, Debts, Contracts, Obligations,
 “and other Moveables, that may be found
 “or seized within the said Town, or within
 “the Lands or Bounds above mentioned,
 “or Appendage thereunto annexed, toge-
 “ther with all the other Escheats, Penal-
 “ties, Fines, Amerciaments, Exactions
 “and Commodities, with their Appurte-
 “nancies, that shall fall within the Juris-
 “diction of the said Sheriff or Coroner,
 “within the said Town and Liberties there-
 “of, Ports, Lands, Bounds, Ways, Roads,
 “Passages and Places above specified: And
 “all and singular the said Escheats, Penal-
 “ties, Fines, Amerciaments, Casualties
 “and Commodities, with their Appurte-
 “nancies, to be disposed of and applied to
 “the Use and Advantage of our said Town
 “for ever.

Divers Things
 annexed to E-
 dinburgh.

“Moreover, We, with the Advice and
 “Consent aforesaid, of our certain Know-
 “ledge and mere Motion, have united, an-
 “nexed and incorporated, and, by this our
 “present Charter, for us and our Successors,
 “unite, annex, and incorporate to and with
 “the said Town of *Edinburgh*, the several
 “Estates, Liberties and Privileges afore-
 “said; and also give and grant, all and
 “singular, the aforesaid common Moor,
 “Myre, Lakes, Banks, Lands, Ports and
 “Harbours of *Leith* and *Newhaven*, Roads,
 “Stations and Forts, called the Roads,
 “Piers, Shores and Bulwarks, Bounds,
 “Ways, Cross-ways, Streets and Passages,
 “with full Power and free Jurisdiction
 “therein.

“And likewise the hereditary Offices of
 “Sheriffalty and Coroner, with their respec-
 “tive Jurisdctions within the Bounds and
 “Limits aforesaid; together with all Es-
 “cheats, Fines, Penalties, Imposts, Taxa-
 “tions, Exactions, and other Things, as
 “particularly and generally above specified;
 “with the above mentioned Superiority,
 “Liberty and Jurisdiction of *Leith*, Ten-
 “nants, Tenancies, and Services of free
 “Tenants, with their Appurtenances:
 “And also all and singular the aforesaid
 “Church-lands, Annuities, Tithes and o-
 “ther Revenues, in and about the said
 “Town, as already mentioned; together
 “with the Provostry and Prebends of the
 “aforesaid College of the Trinity and Hos-
 “pital thereunto belonging; with the
 “Archdeaconry of *Lothian*, and Parsonage

Offices of She-
 riffalty and
 Coroner, &c.

S f f

“and

Edin. &c. to
be peaceably
injoyed.

A Safine to be
taken for E-
dinburgh, &c.

“ and Vicarage of *Curry*, with the Tithes
“ and Duties thereof, with the College late-
“ ly founded within the aforesaid Town,
“ with all the Church-lands, Tithes and
“ Revenues, with their Appurtenancies, in-
“ to a Royal free Burgh, with Tenants and
“ Tenancies.

“ And we will and grant, and for us
“ and our Successors perpetually appoint
“ and ordain, that the said Provost, Bai-
“ liffs, Dean of Gild, Treasurer, Council,
“ Community and Burgessees of the said
“ Town of *Edinburgh*, and their Successors,
“ shall, in all Times coming, freely, fully
“ and peaceably injoy and possess the said
“ Town of *Edinburgh*, with the common
“ Moor, common Myre, Lands, Mills,
“ Lakes, Stanks, Braes, Ports of *Leith*
“ and *Newhaven*, Raids, Stations, Forts,
“ Piers, Shores, Bulwarks, Bounds, Ways,
“ Streets, Passages and Places aforesaid,
“ with the said Offices of Sheriffalty and
“ Coroner within the Bounds, Liberties
“ and Jurisdiction above mentioned; with
“ all and severall the Escheats, Fines, Pe-
“ nalties and Amerciaments, Taxations,
“ Impositions, and Things above specified,
“ with the Superiority and Jurisdiction of
“ *Leith*, as aforesaid; together with all the
“ Church-lands, Benefices, Tithes and Pro-
“ fits, with their Appurtenancies, both ge-
“ nerally and particularly above recited,
“ which, for Brevity's Sake, is held as if
“ here repeated, as an free Tenant and
“ Tenancy in Fee-farm and free Burgage
“ for ever; and that by virtue of this pre-
“ sent Infeofment and Safine given in Man-
“ ner and Form following; to the Provost,
“ or any one of the Bailiffs of the aforesaid
“ Town of *Edinburgh* for the Time being,
“ who shall stand at the Market-cross of the
“ said Burgh, where he shall be to them and
“ their Successors a sufficient Safine for the
“ said Town, and for the Appurtenancies
“ thereof, as particularly and generally a-
“ bove mentioned, now annexed and united
“ thereto, as above specified; notwithstanding
“ of the Discontiguity of the aforesaid
“ Town, Lands, Ports, Ways, Streets,
“ Passages, Customs, Liberties, Privileges,
“ Jurisdctions, Tithes, Revenues, and o-
“ ther Things thereunto belonging, both
“ generally and particularly above recited.

“ Concerning which, we, for us and our
“ Successors, have dispensed, and by this
“ our present Charter dispenseth; and we
“ considering, that the said Provost, Bai-
“ liffs, Council and Community of the said
“ Burgh, is a Body or Community, tho'
“ without a particular Succession, yet have
“ perpetual Succession; We therefore de-
“ clare, will and grant, and for us and our
“ Successors appoint and ordain, that the
“ aforesaid Safine or Possession being once
“ taken, by virtue of this our new Charter
“ of Infeofment, by the Provost or one of

“ the Bailiffs of the said Town, in the Name
“ and Behalf of the Burgessees and Commu-
“ nity, and their Successors, by delivering
“ Earth and Stones for the aforesaid Town,
“ Lands and Mills, with their Appurte-
“ nancies; and by delivering a Golden-pen-
“ ny for the Rents, Duties, Customs and
“ Things thereon depending; and by deli-
“ vering of a Baton for the Offices and Ju-
“ risdictions aforesaid, with the Superiority
“ of the Town of *Leith* and their Dependen-
“ cies; and by delivering a Psalm-book for
“ the aforesaid Benefices, Church-tithes,
“ Revenues and other Things, with their
“ Appurtenancies; shall for ever stand, and
“ be good and effectual, without Renova-
“ tion, Reiteration, or recovering a new Sa-
“ fine thereafter; to have and to hold the
“ aforesaid Town of *Edinburgh*, with all its
“ Gates, Walls, Ditches, Ways, Streets,
“ Passages, Causeways, Lands, Territories
“ and Community thereof; with all and sin-
“ gular the Liberties, Privileges and Im-
“ munities, which by the Laws and Cu-
“ stoms of this Kingdom appertains, or may
“ belong to any Royal free Burgh; and par-
“ ticularly with the Liberty and Trade of
“ Merchandize, in buying and selling, not
“ only within the said Town and Liberties
“ thereof, but within the severall Bounds of
“ our Sheriffwick of *Edinburgh*, whether
“ Regality or Royalty, in as ample and
“ full a Manner as is above mentioned;
“ together with the aforesaid Privilege of a
“ Merchant-gildry, commonly called Mer-
“ chant-gildries, Jurisdctions, Liberties,
“ Fines, Penalties, Escheats and Amercia-
“ ments thereunto belonging; with all and
“ singular the aforesaid Fairs and weekly
“ Markets, Customs, Privileges and Profits,
“ which by the Laws of this Kingdom has
“ or may belong; with full Power, Com-
“ mission and Authority to make Acts,
“ Statutes and Ordinances for the good Go-
“ vernment of the said Town; to put the
“ same in Execution; and to arrest and pro-
“ secute the Contraveners thereof.

“ And also the aforesaid full Power and
“ Jurisdiction, granted to the said Provost,
“ Bailiffs, Council and Community of the
“ said Town and their Successors, to sit,
“ judge and determine in all Matters and
“ Causes, both civil and criminal, concern-
“ ing the Liberty and Privilege granted to
“ them by Acts of our Parliament, General
“ Councils, Constitutions of Boroughs,
“ Acts, Sentences and Decrees given in fa-
“ vour of the said Liberties, and to put the
“ said Acts and Decrees in Execution; and
“ the severall Sums of Money arising thereby,
“ to be received, applied, and disposed of
“ by them, as aforesaid; together with all
“ and singular the above mentioned com-
“ mon Lands of the said Burgh, called the
“ common Moor and common Myre, as
“ well arable as unarable; the aforesaid

Safine to stand
good.

Confirm. of
divers Privi-
leges, &c.

“ South

"South Loch, called the Borough Loch,
 "with the Grounds, Lands, Myres and
 "Marshes thereof, with the Northern Lake
 "of our said Town, called the *Nordloch*,
 "with the Grounds, Lands, Myres, and
 "Marshes thereunto belonging; with the
 "Banks and Braes, both Southern and
 "Northern, on both Sides the Castle of *Edin-
 burgh*, extending from the Street to that
 "Part of the Burgh called under the *Castle
 Wall*, and running Northwards to the
 "Top of the Hill; thence descends and
 "joins the said *Nordloch*. Also all and sun-
 "dry the twelve common Mills of the said
 "Burgh, as they are at present situated on
 "both Sides the River of *Leith*, with all
 "the Mill-lands, Water-courses and their
 "Appurtenancies, Bridges, Banks, Acres,
 "Houses, Ways, Streets and Passages,
 "leading to and from the said Mills, Mul-
 "tures, Suckens and Knaveships, with their
 "Sequels; with a Power (if it shall be
 "judged necessary) to erect more Bridges
 "and Mills on either Side of the said River
 "of *Leith*, in such Place or Places, as shall
 "be deemed most proper; all the aforesaid
 "low Lands or Vale, lying between the
 "*Craigend* Gate and the Way leading to
 "*Leith*, with the Banks or Braes thereof,
 "with the Lands of the *Greenside* adjacent,
 "and the Lepers Hospital and Gardens, with
 "the Banks, Braes and Marshes, with their
 "Appurtenancies.

Customs with-
 in and without
 the Town, &c.

"And all and singular the Customs of
 "the said Town, both within and without
 "the Gates, in the Streets and Markets,
 "and Market-place, called the *House of the
 Moor*, with the Weighage and Metage
 "within the said Town, Rents of Stands
 "in the several Markets, Sheriff's Gloves,
 "Duties and Exactions whatsoever in and
 "about the said Town, with Power and
 "Liberty to make a Table in Manner a-
 "foresaid: And likewise all the aforesaid
 "Port, Haven and Harbour of *Leith*, with
 "the Raid, Piers, Shores and Bulwarks on
 "both Sides the River of *Leith* at its In-
 "flux to the Sea, together with all the
 "Ways, Cross-ways, Raids and Passages,
 "leading to and from the same on both
 "Sides the said Port and River of *Leith*;
 "and all the Liberties, Immunities and
 "Privileges belonging to the Premises;
 "and in particular, all and singular the a-
 "foresaid Privileges, Customs, Port-mo-
 "ney, Anchorage, Dock-silver, Golden-
 "penny, Taxations, Exactions, Duties,
 "Revenues and Casualties of the said Port,
 "Raid and Town of *Leith*; with the above
 "mentioned Table, Heads, Clauses and
 "Conditions of the same, with the other
 "Clauses aforesaid; with Power and Liber-
 "ty to receive the several Customs, Im-
 "posts and Taxations, both particular and
 "general, as above specified.

Lands of the
 common Clo-
 sets.

"And also all the Lands and Grounds

"formerly called the *common Closets*, but
 "lately denominated the *Burfs*, with the a-
 "foresaid Inclosure of Timber, and the
 "waste Grounds and Sand, commonly call-
 "ed the *Waste Grounds and Sands*, to be ex-
 "tended as aforesaid; and the said Western
 "Bulwark, with the waste Grounds, Sea
 "and Sands about the same, annexed to the
 "said Port of *Leith* and aforesaid Town of
 "*Edinburgh*; with the Power of extending,
 "building, enlarging and damming in Man-
 "ner aforesaid; together with the above
 "mentioned Privileges, Duties, Rents and
 "Liberties within the aforesaid Burfs, In-
 "closures, Grounds, Lands and Sands, and
 "Bulwarks particularly above mentioned.
 "Likewise all and singular the aforesaid two
 "Pieces of Land, adjoining formerly and be-
 "longing to the late *Cockburne*, and

"to *Creich*, founded and bounded as
 "above specified; and all and singular that
 "other Spot of Ground belonging to the
 "said Burgh, by Disposition of the said
 "late *Robert Logan of Lestralrig*, with the
 "other Piece of Ground, containing twelve
 "Feet in Breadth, also in the said Town of
 "*Leith*. And likewise, all and sundry the
 "aforesaid Ways, Cross-ways, Roads and
 "Passages, in, by, and through the Lands
 "and Barony of *Lestralrig*, extending to the
 "said Town and Port of *Leith*, with the a-
 "foresaid Liberty of making new Ways,
 "Roads and Passages, in, by, and through
 "the said Barony of *Lestralrig* and Town of
 "*Leith*, for the Convenience of carrying
 "their Goods and Merchandize by Men,
 "Horses, Carts, or other Carriages, to and
 "from the said Port of *Leith*, to such Place
 "or Places, as the said Provost, Bailiffs,
 "Council and Inhabitants, present and to
 "come, shall please, in, by, and through
 "the said Lands of *Lestralrig* and Town of
 "*Leith*; and to lay, remove, carry, lade
 "and unlade the same; to erect Bridges o-
 "ver the said River of *Leith*, and within
 "the Grounds and Lands of the said Baro-
 "ny and Town; to dig and carry away
 "Ground or Earth from the said Barony,
 "with the Gravel and Stones lying on the
 "Banks, Sides, and near the said River of
 "*Leith*; to lay Anchors, and fasten Cables
 "and other Ropes without the said Port of
 "*Leith*.

Port and Raid
 of Newhaven.

"And all and singular the aforesaid
 "New Port and Raid of *Newhaven*, with
 "the Lands, *Coney-warren*, or Links,
 "Houses, Buildings, and their Appurte-
 "nancies, lying as aforesaid; with all and
 "singular, the Privileges, Port-money,
 "Anchorage, Dock-silver, Golden-penny,
 "Imposts, Customs, Duties, Taxes, Ex-
 "actions, Rents, Farms, and Casualties
 "annexed to the said Port; with all the
 "Ways, Streets, and Passages leading to
 "and from the said New Port or Haven,
 "in manner, and with the Privileges above
 "specified.

Superiority of
Leith.

Lands of the
Black and
Gray Friars.

"specified. Together with the several Jurisdictions, Lands, Bounds, Ports, Raids, Stations, Waters, Grounds, Sands, and Passages, as above mentioned. With all and singular the aforesaid Offices of Sheriff, Sheriff and Coroner, within the Bounds and Limits aforesaid; with all the Privileges, Escheats, Fines, Penalties, Amerciaments, Feus, and Duties, both general and particular, as above specified.

"And likewise the Superiority of the aforesaid Town of *Leith*, with Tenants, and Tenancies, and Services of free Tenants, with their Appurtenancies. Also, all and singular, the aforesaid Lands, Tenements, Houses, Buildings, Churches, Chapels, Gardens, Fields, Annual-rents, Fruits, Duties, Profits, Emoluments, Farms, Alms, Deal-silver, Obits and Anniversaries, which belonged to whatsoever Chapelries, Altarages, or Prebends, founded in whatsoever Churches, Chapels, or Colleges, within the Liberty of our said Town.

"And all and singular the aforesaid Lands which appertained to the above-mentioned Black and Gray Friars of the said Town, with their Appurtenancies. Also all the aforesaid Benefice and Provostry of the Collegiate Church of the Trinity, Prebends and Chapelries thereof; with all and singular the Church-lands, Tithes, and other Things thereunto belonging; together with the Parish-churches of *Sowtry* and *Limpitlaw*, with the Tithes, and Revenues thereof, which were formerly annexed to the said Provostry; with the aforesaid Trinity College, Cemetery, Mansion-house, and Garden of the same; with the Hospital of the said Trinity College, and Garden, with their Appurtenancies. With all and singular the aforesaid Arch-deaconry of *Lothian*, and Parsonage and Vicarage of *Curry*, with the Tithes, Fruits, Rents, Parsonage, House, Glebe, and Church-lands belonging to the same.

"And likewise all the aforesaid Tithes, sheaves of the Lands above mentioned, lying within the aforesaid Parish of *Crail*, and annexed to the said New College, founded within the said Town of *Edinburgh*, with their Appurtenancies as aforesaid, to the said Provost, Bailiff, Dean of Gild, Treasurer, Council, Burgeffes, and Community of the said Town of *Edinburgh*, and their Successors, of us and our Successors, in free Heritage, free Burgage, and Offices of Sheriff, Justiciary, and Coroner for ever within the Bounds aforesaid, by all the Rights, Marches, and antient Divisions, as they ly both in Length and Breadth; with all the Houses, Buildings, Gardens, Stanks, Plains, Moors, Marshes, Ways, Crossways, Pools, Rivulets, Meadows, Pa-

stures, Mills, and Multures, with their Sequels; Huntings, Fowlings, Fishings, Coals, Coaleries, Coney-warrens, Doves, Dove-cotes, Peates, Turves, Broom, Fraibils, Malt-houses, Breweries, Woods, Coppes, Timber, Stones, and Lime; with Court-plaint, Herezelds, Blood-wits, and Womens Marks; with Pit and Gallows, Infangthief, and Outfangthief, common Pasturage, Ingress and Regress: And all and singular, the Liberties, Profits, and Conveniencies to them belonging, whether named or un-named, as well under as above the Ground, near to, or far from the aforesaid Town; Lands, Gates, Mills, Liberties, Privileges, Casualties, Offices, Benefices, and other Things particularly and generally above specified, to be held and enjoyed by them, as fully, freely, quietly, and honourably, in all Times coming, without Revocation, Contradiction, or Molestation whatsoever.

"The said Provost, Bailiffs, Council, Dean of Gild, Community, Burgeffes and Inhabitants of the said Town of *Edinburgh*, and their Successors, to pay to us and our Successors yearly, for the said Town of *Edinburgh*, together with all and singular its Ditches, Gates, Ways, Streets, Cross-ways, Passages, Lands, and the whole Territory and Community thereof, and the several Liberties, Privileges and Immunities above mentioned, with the aforesaid yearly Fairs and weekly Markets, Customs, Privileges and Profits of the same; the common Lands of the said Town, called the common Moor and common Myre, as well arable as unarable; the Lakes called the *South* and *Nord Lochs*, with the Grounds, Lands and Marshes thereof; the Braes and Rocks on the Southern and Northern Sides of the Hill of the Castle of *Edinburgh*, situate, lying and bounded as aforesaid; the above mentioned twelve common Mills of the said Town, Mill-lands, Aqueducts, Dams, Bridges, Braes, Acres, Houses, Ways, Streets and Passages leading to and from the same, with the aforesaid low Land and Vale, between the *Craigend* Gate and the common Road leading to *Leith*; the Lands of *Greenside*, with the Acres adjoining with the Leper-hospital and Garden; the aforesaid Ports of *Leith* and *Newhaven*, with the Piers and Forts thereof, commonly called the Piers, Shores and Bulwarks, Customs, Anchorage, Port-money and others above mentioned; the aforesaid Lands and Grounds, formerly called the *common Closets*, but lately the *Burfs*; the said two Pieces of Land, sometime belonging to *Cockburne* and *Creich*, bounded as aforesaid; with the other Spot of Ground appertaining to the said Burgh, by Disposition of the late *Robert Logane*

Quit Rents to be paid for Edinburgh yearly.

"of

" of *Leithrig*, and their Appurtenancies, " the Sum of Fifty two Marks *Sterling*, at " the Terms of *Whitsunday* and *Martinmas*, " in equal Portions, by the Name of Fee- " farm; and for the Administration of the " aforesaid Offices of Sheriff and Coroner, " and Jurisdictions above written, with the " Burgh-service according to Use and Cu- " stom; and for the said Superiority of " *Leith*, a Golden-penny at *Whitsunday*, in " the name of blanch Farm, if demanded: " And also for all and singular the aforesaid " Church-lands, Benefices, Tithes, Annui- " ties and other Revenues, with their Appur- " tenancies to the said Provost, Bailiffs, Coun- " cil and Community of the said Town, and " Incumbents of the several Churches, Poor " of the said Hospitals, and Scholars of the " aforesaid Colleges and Schools, and their " Successors, they making daily humble " and devout Prayers to Almighty God for " the Preservation of us and our Successors, " conform to the Tenor of former Grants " and Infeoffments.

" In witness whereof, we have to this " our present Charter put our Great Seal, " in Presence of our well-beloved Cousin " and Counsellor, *John Marquis of Hamil- " ton*, Earl of *Arran* and Lord *Aven*; *John* " Earl of *Montrose* and *Graham*, our Chan- " cellor; *George* Earl of *Marischal* and Lord " *Keith*, Marshal of our Kingdom; our be- " loved and familiar Counsellors, *James* " *Elphinstone* of *Barnton*, our Secretary, *Rich- " ard Cockburne junior* of *Clerkington*, our " Secretary, Knights; *Mr. Panne Skene*, Re- " gister of our Rolls and Clerk of Council; " *John Cockburne* of *Ormeiston*, Knight, our " Justice-clerk, and *Mr. William Scot* of " *Elie*, Director of our Chancery. Given " at *Holyroodhouse* the fifteenth Day of " *March*, in the Year of our Lord, One " thousand six hundred and three, and of " our Reign the thirty first Year."

Divers Articles in the above Charter be- ing judged derogatory to the Honour and Dignity of the Crown; the *Edinburghers* vo- luntarily offered to resign the same to King *Charles I.* and in lieu thereof, intreated him to grant them a Charter to confirm all their Rights, Privileges and Immunities, which was accordingly done in the Year 1636, of which the following is a Translation from the Latin Original. I intended to have on- ly taken notice of the castrated Parts of King *James's* Charter; but as that of King *Charles* is not only a Confirmation of former Grants, but a Specification of the said Ar- ticles delivered up and surrendered to the King by the Citizens, I shall insert the whole of the said Charter, for the Satisfaction of the Curious.

King CHARLES I.'s Charter.

Preamble, &c.

" *Charles*, by the Grace of God, King of " *Great Britain*, *France* and *Ireland*, Defend- " er of the Faith, to all our faithful Sub-

jects, both Clergy and Laity, greeting: " Know ye, that we calling to Mind the " many great and faithful Services done by " the Provost, Bailiffs, Council, Commu- " nity and Inhabitants of our City of *Edin- " burgh*, the capital and chief Town of our " antient Kingdom of *Scotland*, not only to " us, from the Time of our happy Acces- " sion to the Crown, but also to our late " dear Father of eternal Memory, and o- " thers our illustrious Progenitors, Kings " of *Scotland*, particularly mentioned and " set forth in the Charters granted to them " by our said Predecessors of eternal Me- " mory, which remain to Posterity as so " many Instances of their Fidelity; as doth " to their Reputation and Praise, the many " great and remarkable Services performed " by them for the Interest and Honour of " our Kingdom.

Ibid.

" We also considering, that a Doubt has " lately arisen, concerning the Extension of " the new Charter of Infeoffment granted to " our said City by our late dear Father, " dated at *Holyroodhouse* the fifteenth Day of " the Month of *March*, in the Year One " thousand six hundred and three; and to " the end that all Doubts and Controver- " sies may be removed and cease, touching " the said Charter, which may either tend " to our Prejudice in particular, or to the " Common-weall or Kingdom in gene- " ral; they of their own free Will and pro- " per Motion, humbly appeared before the " Lords of our Privy Council, on the " twenty eighth Day of the Month of *Ja- " nuary*, anno 1630, and produced in Pre- " sence of the said Lords, an Act by the " Provost, Bailiffs, Council and Commu- " nity of our said City, subscribed by their " common Clerks, dated the twenty eighth " of *January* aforesaid; whereby they rati- " fied the Offer made by our well-beloved " Counsellor, *Mr. John Hay* our Clerk Re- " gister (therein intituled *Mr. John Hay* their " Clerk and Commissioner) in their Name, " concerning the Restriction of the Offices " of Sheriff and Coroner, and Jurisdiction " thereof; contained in the said Infeoffment " granted in the Year One thousand six " hundred and three; and holding of their " Gild-courts within the Bounds following; " contained in the Offer made by our said " City to the Nobility and Gentry of *West* " *Lothian*, comprehending the Lands fol- " lowing, viz. our Town of *Edinburgh*, com- " mon Mills, common Moor, common " Marsh or Myre, Lakes, Walls and " Ditches of the same; the Villages of *Leith* " and *Newhaven*, with the Ports, Raids, " Stations of Ships, Bulwarks, Piers, Shores, " and the Eastern and Western Links " thereof; the Lands called the common " Closets, Burfs, Holf, Halls, and other " Lands properly belonging to our said " Town; with the several Ways, Paths, " Streets,

T t t

"Streets, Roads and Passages leading to
"and from our said Town, and to and from
"the Villages of *Leith* and *Newhaven*; and
"leading through the common Moor and
"Marshes, which are either built or repaired
"by them, as far as the said Moor or Marsh-
"es extend; with the Ways and Streets
"leading to and from their common Mills
"upon the River of *Leith*, as far as the said
"Mills and Mill-lands belonging to our
"said Town do extend.

Ibid.

"And likewise as to the Renunciation
"made in favour of all Right of Regality
"(if any such there be) granted to them or
"their Predecessors; with the Escheats of
"Criminals condemned to die; and also the
"Escheats of the Inhabitants of our said
"Town, who are denounced or put to the
"Horn for Civil Causes; with all other ex-
"traordinary Liberties (if any such there
"be) contained in the said Charter, which
"are not fit to be granted to a Subject, nor
"have hitherto been granted, neither to a
"Sheriff, Coroner or free Burgh: And also,
"in regard to a Renunciation of all the
"Right they had, either to the Southern
"or Northern Banks of our Castle of *Edin-
"burgh*, without Prejudice to a prior Gift,
"which our said Town, or any of its Bur-
"gessees have to the same; and without any
"Alteration in the Use of the said Banks,
"than what has been practised in former
"Times past the Memory of Man.

Ibid.

"And likewise, containing an humble
"Petition, that we would be pleased to ra-
"tify the said Charter, and all their ancient
"Infeofments therein contained, with full
"Liberty, and the sole or only Trade with-
"in the District or Bounds of *West Lothian*,
"appertaining to a Royal free Burgh. To-
"gether with the said Offices of Sheriff and
"Coroner within the Bounds of our said
"Town of *Edinburgh*, Villages of *Leith*
"and *Newhaven*, and others above and
"hereafter specified; with all the Customs,
"petty Customs, and others therein contain-
"ed, whereof our said Town has been in Pos-
"session; with all the Liberties, Privileges,
"and other Things contained in the said In-
"feofments, conform to the Tenors thereof.

Ibid.

"And whereas the said Provost, Bailiffs,
"Council, and Community of our said
"Town, have, conform to the said Act,
"made and subscribed a full and ample Re-
"nunciation and Resignation of the Pre-
"mises in favour of us and our Successors;
"we, out of our gracious Respect and Fa-
"vour towards our said City of *Edinburgh*;
"and as an Encouragement for them to per-
"severe in their good and faithful Services
"to us and our Successors, gratefully ac-
"cept their said Renunciation and Ratifi-
"cation; and ratify their said Infeofments
"with the several Liberties and Privileges
"therein contained, exclusive of the Par-

"ticulars above mentioned renounced as a-
"foresaid.

"Wherefore we, after our lawfull and Ratification of
"perfect Age of twenty five Years, and Charters.
"after all our Revocations, by the Advice
"and Consent of our well beloved Cousin
"and Counsellor, *John*, Earl of *Traquair*,
"Lord *Linton* and *Caberston*, &c. our High-
"Treasurer, Comptroller, Collector, and
"Treasurer of our new Augmentations of
"our Kingdom of *Scotland*; and with Ad-
"vice of the other Lords of our Exche-
"quer of our said Kingdom of *Scotland*,
"our Commissioners, have ratified and ap-
"proved, and by this our present Charter
"confirmed, and by the Tenor hereof ra-
"tify and approve, and for us and our Suc-
"cessors perpetually confirm to the Provost,
"Bailiffs, Council, and Community of our
"said City of *Edinburgh* and their Succes-
"sors, the several Charters, Infeofments,
"Donations, and other Things hereunder
"specified, viz.

"A Charter made and granted by the King Robert
"late *Robert Bruce*, King of *Scotland*, un- Bruce's Chart.
"der his great Seal to the Provost, Bailiffs, of *Edin.* the
"Council, and Community of our said Port and Mills
"Town of *Edinburgh*, and their Successors of *Leith*.
"of the said Town of *Edinburgh*, the Port
"and Mills of *Leith*, with their Appurte-
"nances, to be held of his Majesty and his
"Successors, with the several Liberties and
"Conveniencies, as fully and freely as they
"were in the Time of King *Alexander*, his
"Predecessor, of happy Memory, for Pay-
"ment of the Sum of Fifty Two Marks
"*Sterling* Money in Manner contained in
"the said Charter: Dated at *Cardross*, the
"twenty sixth Day of the Month of *May*,
"in the 24th Year of his Reign.

"Also, a Charter granted by the late Chart. K. Ja.
"King *James III.* of pious Memory, under III. of the Of-
"his great Seal, to the Provost, Bailiffs, fice of Sheriff.
"Council, and Community of our said
"Town of *Edinburgh*, of the hereditary
"Office of Sheriff within our said Town
"and Liberties, with all and singular the
"Privileges and Immunities therein con-
"tained: Dated the sixteenth Day of the
"Month of *November*, in the Year One
"thousand four hundred and eighty two,
"in the twenty third Year of his Reign, to
"be held as therein mentioned.

"Likewise a Charter granted by the Chart. K. Ja.
"said late King *James III.* of good Me- III. of the Cu-
"mory, to the said Provost, Bailiffs, Coun- stoms of the
"cil, and Community of our said Town of *Edin.* the
"of *Edinburgh*, and their Successors for e- Port & Raid
"ver; of all and sundry the Customs of the of *Leith*.
"Port and Raid of *Leith*, as is more fully
"and particularly therein inserted, to be
"held of his Majesty and his Successors in
"manner therein contained: Dated the six-
"teenth Day of the Month of *November*, in
"the Year One thousand four hundred and
"eighty

"eighty two, and of his Reign the twenty third Year.

Chart. Rob. Logane, of the Ways and Passages to & from the Port of Leith.

"And in like Manner, a Charter and Infeoffment granted by the late *Robert Logane of Lestralrig*, Knight, under his Seal, to the Provost, Bailiffs, Council, and Community of our said Town of *Edinburgh*, of all the several Ways and Passages leading to and from the Harbour of *Leith*, containing also divers other Liberties, Privileges, and Immunities therein mentioned, to be held in manner therein specified: Dated the last Day of the Month of *May*, anno One thousand three hundred and ninety eight.

Chart. Confir. K. Ja. IV. of the next above two Charters.

"A Charter of Confirmation given and granted by the late King *James IV.* of pious Memory, under his Great Seal, to the said Provost, Bailiffs, Council, and Community of our said Town of *Edinburgh*, and their Successors, confirming the aforesaid two Charters above written by the said King *James III.* of good Memory, made to our said Town, of the Tenor and Contents aforesaid. And also confirming the said other Charter made by the said late Sir *Robert Logane*, to the said Provost, Bailiffs, Council, and Community of our said Town of *Edinburgh*, and their Successors, of the Date, Tenor, and Contents aforesaid; which Charter of Confirmation is dated at *Stirling*, the ninth Day of the Month of *March*, in the Year One thousand five hundred and ten.

Confirm. Log. Chart.

Char. K. Ja. IV. of the Lands & Port of Newhaven.

"Also a Charter made and granted by the said late King *James IV.* under his great Seal, to the said Provost, Bailiffs, Council, and Community of our said Town of *Edinburgh*, for the Time, and their Successors, of all and singular the Lands and Port of *Newhaven*, lying and bounded as therein mentioned; with the Haven-silver, and other Profits and Duties thereunto belonging; with all and singular the Liberties and Immunities therein contained to be held as therein mentioned: Dated at *Stirling*, the said ninth Day of the Month of *March*, anno One thousand five hundred and ten.

Chart. K. Hen. & Q. Mary, of the Superiority of Leith, &c.

"Likewise a Charter given and granted by our late dear Grandfather, and Grandmother, *Henry*, and Queen *Mary*, after their perfect Age, under their great Seal, to, and in favour of the said Provost, Bailiffs, Council, and Community of our said Town of *Edinburgh*, and their Successors, the Superiority of the Village of *Leith*, and Appurtenancies thereof; as well of the Inhabitants and Indwellers therein, as of the Houses, Tenements, Annual-rents, Links, Orchards, Profits, Duties, Services, Tenants, Tenancies, and Service of free Tenants, with their Pertinents, as more fully mentioned and expressed in the said Infeoffment, to be held

"as therein specified: Dated the fourth Day of the Month of *October*, in the Year One thousand five hundred and sixty five, and of their Reigns the first and twentieth Years.

"Also a Charter (Letter of Assignment) made by our late dear Father, under his Great Seal, granted to his well-beloved Counsellor, Sir *John Maitland of Thirlstane* Knight, his Chancellor and Secretary, his Heirs and Assigns, constituting him and them his Majesty's undoubted Cessioners and Assigns, in and to a Letter of Reversion, granted by the said Provost, Bailiffs, Council and Community of our said Town of *Edinburgh*, to the aforesaid late Queen *Mary*, our dear Grandmother, her Heirs and Successors, for redeeming from them the said Superiority of the Village of *Leith*, granted to them under the Reversion of the Sum of Ten thousand Marks, usual Money of our Kingdom of *Scotland*, as in the said Assignment, dated the twenty seventh Day of the Month of *July*, anno One thousand

Assignment, Superiority of Leith to Maitland.

five hundred and eighty seven, more fully does appear; together with the Act of Parliament, ratifying and approving the said Assignment, dated the twenty ninth Day of the said Month of *July*, in the Year One thousand five hundred and eighty seven; with the Renunciation of the said Reversion, made by *John Lord Thirlstane*, Son and Heir of the said late Sir *John Maitland*, Lord Chancellor, with Advice and Consent of Sir *Richard Cockburne* of *Clerkington*, Knight his Testamentary Tutor, in favour of the said Provost, Bailiffs, Council, Deacons of Crafts, and Community of our said Town of *Edinburgh*: Dated the twenty eight Day of the Month of *December*, anno One thousand six hundred and four: Together with the Ratification of the said Discharge, and Renunciation of the aforesaid Reversion, granted by the said *John Lord Thirlstane*, to the said Provost, Bailiffs, Council, Deacons of Crafts, and Community of our said Town of *Edinburgh*: Dated the twenty fourth Day of the Month of *November*, in the Year One thousand six hundred and four.

The above Assignment ratified by Parl.

Renunciation of the Reversion by Lord Thirlstane.

Ratification of the said Ren.

"Likewise a Charter granted by our late dear Father, under his Great Seal, to the said Provost, Bailiffs, Council, and Community of our said Town of *Edinburgh*, of the Jurisdiction of the Port and Harbour of *Leith*, making and constituting them Judges between the Owners, Masters of Ships, and Mariners in *Leith*, and all other Owners, Masters, and Sailors, as well our own Subjects as Foreigners, with their Ships, Barks, and Boats, within the said Port and Town of *Leith* for the Time, in all maritime Affairs and Actions, and other Causes whatever, with

Chart. K. Ja. VI. appointing the Magistrates Judges in maritime Affairs.

A Grant of the Pryme-gilt.

" a Power to make Acts and Statutes for
" the Benefit of Navigation within the said
" Village of *Leith*.

" And also, give and grant to the said
" Provost, Bailiffs, Council, and Commu-
" nity of our said Town, the Pryme-gilt to
" be paid out of the Freight of every Tun
" of Merchandize, and be applied towards
" the Maintenance of poor and indigent
" Sailors within the said Village of *Leith*,
" as set forth in the said Charter; with
" all and singular the Liberties, Privileges,
" and Immunities therein specified, to be
" held as therein mentioned: Dated at
" *Whitehall*, the third day of the Month of
" *April*, anno One thousand six hundred and
" sixteen.

Chart. Confr.
K. Ja. VI. of
the Offices of
Sheriff & Co-
roner, &c.

" And in like Manner, a Charter grant-
" ed by our late dear Father, under his
" Great Seal, to the said Provost, Bailiffs,
" Council, Burgessees, and Community of
" our said Town of *Edinburgh*, and their
" Successors, ratifying and approving all
" former Infeoffments granted to them by
" his Majesty's Predecessors, of the here-
" ditary Offices of Sheriff and Coroner. Al-
" so concerning a new Grant of the said Of-
" fices of Sheriff and Coroner to our said
" Town; of *Edinburgh*, with the Common
" Mills, Common Moor, Common Myre, Lakes,
" Ports, Streets, Ways, Lanes, Paths, and
" Passages, leading to and from our said
" Town; especially, the Passages on both
" Sides the River, leading to and from our
" said Town to the Villages of *Leith* and
" *Newhaven*, and Ports thereof; and with-
" in the Ports of the Villages of *Newhaven*
" and *Leith*, Harbours, Ports, Raids, and
" Bulwarks or Forts of the same; and with-
" in the Lands of the Common Closets, Burfs,
" Holf, Streets, Ways, Paths Passages,
" Lands and Bounds whatsoever; lying
" within the Liberties of our said Town of
" *Edinburgh*, and Village of *Leith* on the
" Southern Side the River thereof; with a
" Power to register all Letters of Horning
" and Inhibition, executed against what Per-
" son soever, dwelling within our said Town
" of *Edinburgh*, Village of *Leith*, and Bounds
" aforesaid: And against all Persons, Pro-
" prietors of Lands and Tenements within
" the same, against whom the said Letters
" of Horning and Inhibition shall be execu-
" ted. With all other Liberties, Commo-
" dities, and Privileges therein contained:
" Dated at *Whitehall*, the third Day of the
" Month of *April*, in the Year One thou-
" sand six hundred and sixteen.

Chart. K. Ja.
VI. for bear-
ing a Sword
before the Pro-
vost.

" Likewise a Gift given and granted by
" our said late dear Father, under his Great
" Seal, to the said Provost, Bailiffs, Coun-
" cil, and Community of our said Town of
" *Edinburgh*, of having a Sword borne be-
" fore the Provost of our said Town of *E-*
" *inburgh*, within the Liberties of the said
" Town, and at riding the Marches or

" Bounds of the Jurisdiction of our said
" Town: And of the Office of Justices of
" the Peace, in Manner therein mentioned,
" and all and singular the Liberties and
" Immunities therein specified: Dated at
" *Whitehall*, the tenth Day of the Month of
" *November*, in the Year One thousand six
" hundred and nine.

" Also, a Donation and Infeoffment of
" the Justiciary of Peace, granted by our
" said late dear Father, under his Great
" Seal, to the said Provost, Bailiffs, Coun-
" cil, and Community of our said Town
" of *Edinburgh*, within the City of *Edinburgh*,
" Village of *Leith*, and Bounds thereof:
" Dated at *Hampton Court*, the twenty fifth
" Day of the Month of *September*, in the
" Year One thousand six hundred and
" twelve.

Chart. K. Ja.
VI. of the Ju-
sticiary of
Peace.

" And in like Manner, the Gift and In-
" feoffment granted by our said late dear
" Father, under his Great Seal, to the said
" Provost, Bailiffs, Council, and Commu-
" nity of our said Town of *Edinburgh*, of
" all Fines, Amerciaments, and other of
" Things belonging to the Offices of She-
" riffs, and Justices of the Peace, within
" the Bounds of their respective Jurisdicti-
" ons: Dated at *Whitehall*, the seventeenth
" Day of the Month of *April*, anno One
" thousand six hundred and thirteen.

Chart. K. Ja.
VI. a Grant
of Fines be-
longing to the
Offices of She-
riff & Justices
of the Peace.

" Also Letters of Donation, granted by
" our said late dear Father, under his Great
" Seal, to the said Provost, Bailiffs, Coun-
" cil and Community of our said Town of
" *Edinburgh*, and their Successors, a Duty
" of Four Pounds *Scotish* Money out of e-
" very Tun of Wine, bought for Sale, and
" sold by Retail within our said Town, Li-
" berties and Jurisdictions of the same, to
" be collected by them, their Collectors,
" Treasurers and others in their Names,
" from the Drawers, Vintners, Tapsters
" and Sellers of the same in all Times co-
" ming: Dated at *Whitehall* the tenth Day
" of the Month of *November*, anno One thou-
" sand six hundred and nine; together with
" a Ratification of the said Gift and new
" Disposition of the aforesaid Duty of Four
" Pounds of every Tun of Wine bought for
" Sale, and sold by Retail within our said
" Town, Liberties and Jurisdiction thereof,
" and in all Parts within the Village of *South*
" *Leith*, to be collected from the Retailers
" of the said Wine in all Times coming:
" Dated at *Hampton Court* the twenty fifth
" Day of the Month of *September*, in the
" Year One thousand six hundred and
" twelve.

Let. K. Ja. VI.
a Gift of four
Pounds per
Tun on Wine.

Ratification of
the above Gift.

" Likewise a Gift and Privilege under
" the Privy Seal, granted by our said late dear
" Father to the said Provost, Bailiffs, Coun-
" cil and Community of our said Town of
" *Edinburgh*, and their Successors, to erect
" a Weigh-house at the upper Trone of our
" said Town, with divers Liberties, Privi-
" leges,

Chart. K. Ja.
VI. to erect a
Weigh-house.

"leges, Immunities and Duties therein contained: Given at *Royston* the ninth Day of the Month of *December*, anno One thousand six hundred and eleven.

Chart. K. Ja.
VI. of ten
Acres of the
High-rigs.

"And in like Manner, a Charter granted by our said late dear Father, under his Great Seal, to the said Provost, Bailiffs, Council and Community of our said Town of *Edinburgh*, all that Part of the Lands called the High-rigs, containing ten Acres of Ground, or thereabouts, lying bounded, and to be held as specified in the said Charter: Dated at *Edinburgh* the thirtieth Day of the Month of *July*, in the Year One thousand six hundred and eighteen.

Chart. K. Ja.
VI. for the
gauging Sal-
mon, Herring,
&c.

"Also a Gift given and granted by our said late dear Father, under his Great Seal, to the Provost, Bailiffs, Council and Community of our said Town of *Edinburgh*, of the Gauging of Salmon, Herring and white Fish, packed and peiled within our Kingdom of *Scotland*: Dated at *Royston* the nineteenth Day of the Month of *October*, anno One thousand six hundred and eighteen.

Chart. K. Ja.
VI. for visit-
ing Cloth,
Stuffs, &c.

"Likewise a Donation granted by our said late dear Father, under his Great Seal, to the said Provost, Bailiffs, Council and Community of our said Town of *Edinburgh*, appointing them Surveyors and Overseers of all Works, Visitors, Searchers, Measurers and Sealers, or Stampers of all Cloth, *Flemish* Stuffs and Stockings made within the said Town, Village of *Leith*, and our Sheriffwick of *Edinburgh*, as mentioned in the said Gift, which contains divers other Liberties, Immunities and Duties, under the Provision therein specified: Dated at *Whitehall* the eighth Day of the Month of *March*, in the Year One thousand six hundred and twenty one.

Chart. Q. Ma-
ry of Church-
lands, &c.

"A Charter given and granted by our said late dear Grandmother, Queen *Mary*, under her Great Seal, to the said Provost, Bailiffs, Council and Community of our said Town, and their Successors, of all and singular the Lands, Tenements, Houses, Buildings, Churches, Chapelries, Gardens, Orchards, Crofts, Annualrents, Tithes, Services, Profits, Duties, Emoluments, Farms, Alms, Dail-silver, Obits and Anniversaries, which belonged to whatever Chapelries, Altarages and Prebendaries, in whatsoever Churches, Chapels or Colleges, within the Liberty of our said Town, founded by whatsoever Patron, in whose Possession the said Chapelries or Prebendaries were, where-ever the same lie within our Kingdom of *Scotland*, or within or without our said Town of *Edinburgh*; with all the Lands which appertained to the Dominicans and Franciscans, commonly called the *Blackfriars* and *Grayfriars*; with di-

vers other Lands, more fully set forth in the said Charter: Dated the thirteenth Day of the Month of *March*, in the Year One thousand five hundred and sixty six.

Chart. K. Ja.
VI. confirming
Q. Mary's Gift
of Church-
lands, &c.

"And in like Manner, a Charter granted by our said late dear Father, under his Great Seal, dated at *Stirling* the fourteenth Day of the Month of *April*, anno One thousand five hundred and eighty two, whereby he ratified and confirmed the said first Charter, granted by his late dear Mother, of the said Lands and Things aforesaid, dated the said thirteenth Day of the Month of *March*, in the Year One thousand five hundred and sixty six. And also ratifies and confirms the Demission and Renunciation made by *John Gib*, of his Right to the Provostry of the Kirk of *Field*, with all the Houses, Lands and Buildings thereunto belonging, in favour of our said Town of *Edinburgh*, by which our said late dear Father gave, granted and disposed to the said Provost, Bailiffs, Council and Community of our said Town of *Edinburgh*, and their Successors, Liberty and Licence to erect a College, and to build and repair Houses and proper Apartments for Reception of Professors of Humanity, Letters and Languages, Philosophy, Theology, Physick, Law, and all other liberal Sciences: And to elect Professors, sufficient to teach the said Professions; and to that End, gave, granted and disposed to them and their Successors, the Provostry of the Kirk of *Field*, with the Lands, Tenements, Fruits, Possessions, Rents, Duties and their Appurtenances.

Liberty to e-
rect a College.

"Also a Charter made and granted by our said late dear Father, under his Great Seal, dated the fourth Day of the Month of *May*, in the Year One thousand five hundred and eighty four; whereby our said late dear Father considering, that the said Provost, Bailiffs, Council and Community of our said Town of *Edinburgh*, had been at great Expences, and disbursed large Sums of Money in erecting the said College, building Houses, and endowing the same with great Sums of Money, for the Maintenance of the Professors of Humanity, Philosophy and Divinity within the same, for the Instruction of Youth therein: Gave, granted and disposed to the said Provost, Bailiffs, Council and Community of our said Town, for the Use of the said College, and Support of the Rectors and Regents therein, the whole Archdeaconsry of *Lothian*, consisting of the Rectory of *Curry*, Parsonage-house, Glebe, Church-lands, Tithes, Fruits, Rents, Profits and Duties thereof.

Chart. K. Ja.
VI. a Grant of
the Archdea-
consry of Lo-
thian.

"Likewise, a Charter made and granted by our late dear Father, under his Great Seal, dated the twenty sixth Day of the Month of *May*, anno One thousand

Chart. K. Ja.
VI. a Grant of
the Trinity-
College.

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" five

“ five hundred and eighty seven; by which
 “ our said late dear Father considering the
 “ great Expences and Sums of Money laid
 “ out by the said Provost, Bailiffs, Council,
 “ and Community of our said Town of *Edinburgh*, in erecting an Hospital, main-
 “ taining their Ministers, and supporting
 “ their College aforesaid, gave, granted,
 “ and disposed to the said Provost, Bailiffs,
 “ Council, and Community of our said
 “ Town of *Edinburgh*, and their Successors,
 “ the Provostry of the Trinity College,
 “ Lands, Houses, Rents, Churches, Tithes,
 “ and other Fruits, Rents, and Emoluments
 “ thereunto annexed.

Chart. K. Ja. VI. ratifying the Grants of Church-lands, &c.
 “ A Charter made and granted by our
 “ said late dear Father, under his Great Seal,
 “ dated the twenty ninth Day of the Month
 “ of *July*, anno One thousand five hundred
 “ and eighty seven, ratifying the Infeoffment
 “ granted by himself, and by the said late
 “ Queen *Mary*, his Mother, of the said
 “ Church-lands, Trinity College, Provostry
 “ of the Kirk of *Field*, and Archdeaconry
 “ of *Lothian*; containing also a new Gift
 “ of all the said Churches, Provostry of
 “ the Trinity College, and Archdeaconry
 “ of *Lothian*, with the several Lands and
 “ Tithes thereunto belonging, for the Use
 “ of the Ministers, College, and Poor.

Chart. K. Ja. VI. a further Ratification of the Church-lands, &c.
 “ In like Manner, a Charter given and
 “ granted by our said late dear Father, un-
 “ der his Great Seal, dated at *Beauvoir* Castle,
 “ the seventh Day of the Month of *August*,
 “ in the Year One thousand six hundred and
 “ twelve; containing a Ratification of all
 “ former Rights granted to our said Town
 “ of *Edinburgh*, of the said Church-lands,
 “ Provostry of the Kirk of *Field*, Provostry
 “ of the Trinity College, and Archdeaconry
 “ of *Lothian*. Together with a new Gift
 “ of all the said Church-lands, Benefices,
 “ and other Things therein contained, to
 “ be applied by the said Provost and Bai-
 “ liffs, and their Successors, towards the
 “ Maintenance of their Ministers, College,
 “ and Poor; in all the several Points, Steps,
 “ Heads, Articles, Clauses, Conditions, Pri-
 “ vileges, Liberties, Immunities, and Cir-
 “ cumstances whatever, contained in the
 “ said Infeoffments, Charters, Gifts, and o-
 “ ther Things particularly above mentioned;
 “ and in every one of them, according to
 “ the Form and Tenor thereof; providing
 “ always, that the Ratification of the said
 “ Charters, Infeoffments, and Things afore-
 “ said shall noways comprehend or be ex-
 “ tended to a Right of Regality, if any
 “ such there be comprehended in any of the
 “ said confirmed Rights and Infeoffments;
 “ nor shall be farther extended to the here-
 “ ditary Offices of Sheriff and Coroner, and
 “ Jurisdiction thereof; or to the holding of
 “ Guild Courts, but only within the Bounds
 “ of our said Town of *Edinburgh*, *Common*
 “ *Mills*, *Common Moor*, *Common Marsh*, or

Shall not ex-
 tend to a Re-
 gality.

“ *Myre*, Lakes, Walls, and Ditches; and
 “ within the Villages of *Leith* and *Newba-*
 “ *ven*, Ports, Harbours, Bulwarks, Shores,
 “ Piers, Raids, Links, both Eastern and
 “ Western, the Lands called the *Common*
 “ *Closets*, Burfs, Holf, Halls, and other
 “ Lands, the Property of our said Town,
 “ Ways, Streets, Paths, and Passages lead-
 “ ing to and from our said Town of *Edin-*
 “ *burgh*; and to and from the said Villages
 “ of *Leith* and *Newhaven*; and the Ways,
 “ Paths, Streets, and Passages leading thro’
 “ their *Common Moor*, and *Marsh*, which
 “ were made, and are by them repaired as
 “ far as the said Moor and Marsh extended.
 “ And their Ways and Streets leading to
 “ and from their *Common Mills*, on both
 “ Sides the River of *Leith*, as far as the said
 “ Mills, Mill-lands, and other Things be-
 “ longing to them extend. And that the
 “ Ratification of the said Charters shall no-
 “ ways imply an Impediment, Hindrance,
 “ or Prejudice to us and our Successors,
 “ in our Right and Royal Prerogative, to
 “ erect Boroughs of Regality, or Barony,
 “ in any other Part of the County of *West-*
 “ *Lothian*, within the Bounds of the She-
 “ riff and Coroner to which the same is
 “ confined as aforesaid: With this Declara-
 “ tion always, that the Restriction of the
 “ said Offices of Sheriff and Coroner, and
 “ others aforesaid, to the Bounds above
 “ mentioned, shall infer no Prejudice or
 “ Hurt to our said Town of *Edinburgh*, or
 “ Inhabitants thereof, touching their Power,
 “ Privilege, and Liberty of the sole and
 “ only Trade of Merchandize, within the
 “ Bounds of *West-Lothian*, belonging to
 “ them as a Royal free Burgh.

“ And likewise, that the said Ratification^{Ibid.}
 “ of the Infeoffments and Charters above
 “ specified, shall noways extend to any Right
 “ that the said Town, or their Successors
 “ have, or can pretend to the Escheats of
 “ Criminals convicted before them to die;
 “ nor to the Escheats of any of the Inhabi-
 “ tants within the Bounds of their said She-
 “ riffwick and Coroner (restricted as afore-
 “ said) already denounced, or who hereafter
 “ shall be denounced or put to the Horn,
 “ either for civil or criminal Causes. And
 “ also, that the said Restriction shall no-
 “ ways extend to the Southern and North-
 “ ern Banks of our Castle of *Edinburgh*,
 “ without Prejudice always to any lawful
 “ Right they, or the Burghesses of our said
 “ Town may have to the same, preceding
 “ the fifth Day of the Month of *March*, in
 “ the Year One thousand six hundred and
 “ three: And without Innovation or Preju-
 “ dice to our said Town and their Sucef-
 “ fers, of the Use of the said Southern Bank,
 “ conform to the Practice of former Times,
 “ beyond the Memory of Man.

“ Moreover, it is declared, that the
 “ Particulars above specified, excepted from
 “ the A Declaration of Particulars not ratified.

"the said Ratification, are, and shall be held
 "as excepted, not only out of the said
 "Charters and Infeofments, ratified by this
 "our present Charter; but also from all
 "other Infeofments, Rights, and Titles,
 "made and granted by our Predecessors
 "to our said Town, at any Time preced-
 "ing the Day and Date of this our pre-
 "sent Charter, without Prejudice to our
 "well beloved Cousin and Counsellor, James,
 "Duke of Lenox, High Admiral and
 "Chamberlain of our Kingdom of Scotland,
 "his Heirs and Successors in Right of the
 "said Offices, as to any Right, Title or
 "Claim he or they may have to any of the
 "Liberties, Privileges, Jurisdictions, Com-
 "modities, or other Things contained in
 "the Infeofments above specified, granted
 "to our said Town of *Edinburgh* and their
 "Predecessors, and ratified by us in their
 "Favour according to Law. And that the
 "said Admiral and Chamberlain, and o-
 "thers aforesaid, and our said Town of *E-
 dinburgh*, and their Successors, shall be
 "and remain in the same State and Con-
 "dition as to all the Rights and Privileges
 "touching the said Offices, as they were in
 "before the Day and Date of this our pre-
 "sent Charter, as if this our present Rati-
 "fication had never been granted.

Charters, &c.
 ratified under
 Restrictions to
 remain in full
 Force.

"And in like Manner, We, with the
 "Advice and Consent aforesaid, will and
 "grant, and for us and our Successors,
 "appoint and ordain, that this our present
 "Ratification of the Charters, Infeofments,
 "Gifts and Things particularly above spe-
 "cified, always with and under the several
 "Restrictions, Exceptions, Reservations,
 "and Provisions above mentioned; which
 "being held as if repeated in this our pre-
 "sent Charter, is, and shall, in all Respects,
 "be of as great Force, Strength, and Va-
 "lue, as if all the aforesaid Infeofments,
 "Charters, Gifts, and Things above writ-
 "ten, were, Word by Word inserted in this
 "our present Charter, notwithstanding the
 "not inserting thereof, or concerning the
 "not inserting whereof, or all that has fol-
 "lowed or may follow thereon: We, for
 "us and our Successors, have dispensed,
 "and by the Tenor of this our present
 "Charter, dispenses for ever.

Ratification of
 divers Articles.

"Also We, with the Advice and Con-
 "sent aforesaid, and by the Tenor of this
 "our present Charter, ratify and approve
 "the several Heads and Articles of the A-
 "greement made between the said Provost,
 "Bailiffs, Council, and Community of our
 "said City of *Edinburgh*, and Ministers
 "within the said City, contained in an Act
 "of our Privy Council made concerning the
 "same, dated the first Day of the Month of
 "*November*, anno One thousand six hundred
 "and twenty five. And the said Act of
 "Council made concerning the same, of the
 "Date aforesaid, in all and singular, the

"Points, Clauses, and Conditions therein
 "contained; and especially without Preju-
 "dice of the aforesaid Generality; and that
 "the Clause thereof, whereby it was agreed
 "that the said Provost, Bailiffs, Council,
 "and Community of our said City of *E-
 dinburgh*, and their Successors, shall have
 "the Right, Title, and Privilege to no-
 "minate and present the several Ministers
 "to serve the Cures of all the Churches
 "within our said Town of *Edinburgh*, in
 "all Times coming. And We will, grant,
 "declare and ordain, that this our present
 "Ratification of the Heads and Articles
 "particularly above specified, is, and shall
 "be of as great Force, Power, Strength,
 "and Effect, as if they were at full Length,
 "inserted in this our present Charter; where-
 "fore We, for us and our Successors, by this
 "our present Charter dispense for ever.

The Town
 Council ap-
 pointed Pa-
 trons of Chur.

"Moreover, We, with the Advice and
 "Consent aforesaid, and by the virtue of this
 "our present Charter, give and grant to
 "the said Provost, Bailiffs, Council and
 "Community of our said Town of *E-
 dinburgh*, and their Successors, for ever, the
 "Nomination and Presentation of the feve-
 "ral Ministers, for serving the Cures with-
 "in the respective Churches of our said Ci-
 "ty of *Edinburgh*, already built, or here-
 "after may happen to be built within the
 "said City in all Times coming; together
 "with the Right of Patronage of the said
 "Churches for ever; with full Power to the
 "aforesaid Provost, Bailiffs, Council and
 "Community of our said City, and their
 "Successors, in all Times coming, of no-
 "minating and presenting Persons qualified
 "to serve the said Cures within the several
 "Churches of our said City, as often as
 "they shall become vacant, by Death, De-
 "privation, Demission, or otherwise.

A new Dispo-
 sition of the
 Town of *Edin.*
 &c. by Parl.

"Besides, We considering, that our said
 "late dear Father, of eternal Memory, and
 "the Three Estates of Parliament, by their
 "special Act and Statute, of the fourth Day
 "of the Month of *August*, in the Year One
 "thousand six hundred and twenty one, did
 "of new give, grant and dispone to the said
 "Provost, Bailiffs, Council and Communi-
 "ty of our said Town of *Edinburgh*, and
 "their Successors, all our said Town, the
 "Ports and Harbours of *Leith* and *New-
 haven*, with the Bounds thereof and Pas-
 "sages leading to and from our said Town
 "through the Lands of *Lestralrig*.

"And in like Manner, the aforesaid Su-
 "periority of *Leith*, with the said Offices *Leith*,
 "of Sheriff and Justices of the Peace within
 "our said Town of *Edinburgh*, Village of
 "*Leith*, and Ports of *Leith* and *Newhaven*,
 "and Liberties thereof, with other Bounds
 "particularly above mentioned, and Juris-
 "diction of the said Port and Harbour of
 "*Leith*; together with the said Pryme-gilt,
 "to be received to the Use aforesaid; the
 "said

" said ten Acres of the Lands of High-rigs,
 " with as full and ample Privileges and Im-
 " munities, as are contained in the particu-
 " lar Charters, Infeoffments, and other
 " Things above specified, to be held of his
 " Majesty and his Successors, as mentioned
 " in the several Infeoffments and Rights
 " granted to the said Town of *Edinburgh*
 " concerning the same.

Edin. &c. se-
 parated from
 the Crown.

" And for their better Security, our said
 " late dear Father, by Advice of the said
 " Estates, did dissolve the said Town, Ports,
 " Harbours, Offices, Pryme-gilt, ten Acres
 " of Land, and others particularly above
 " specified, from his Crown, and from all
 " Acts of Parliament made concerning the
 " same; in so far as they, or any Parts
 " thereof were annexed, or appear to have
 " been heretofore annexed thereto, to the
 " End particularly above mentioned; and
 " did annul all the several Acts and Sta-
 " tutes, which could be prejudicial or de-
 " rogatory to the Premises, as in the said
 " Acts of Parliament, of the Date aforesaid,
 " more fully does appear; wherefore, and
 " for the many good and faithful Services
 " done to us by our said City of *Edinburgh*,
 " and as an Encouragement for them to per-
 " sever therein, and perform the like in
 " Times coming, We, of our certain Know-
 " ledge and mere Motion, with the Advice
 " and Consent aforesaid, have of new given,
 " granted and disposed, and by this our
 " present Charter confirmed, and by the
 " Tenor hereof do of new give, grant and
 " dispose, and for us and our Successors
 " perpetually confirm to the aforesaid Pro-
 " vost, Bailiffs, Council and Community
 " of our said Town of *Edinburgh*, and their
 " Successors, all and singular our said City
 " of *Edinburgh*, Walls, Ditches, Ports,
 " Streets, Paths, Passages, Lands, Terri-
 " tories and Community thereof, Mills,
 " Mill-lands, Multures, Rivers, Banks,
 " Heughs, Parts and Appurtenancies of
 " the same; together with all the common
 " Lands of our said City, called the com-
 " mon Moor, both Eastern and Western,
 " and common Myre of the same, as well
 " arable as unarable, with all the Houses,
 " Buildings, Gardens, Tofts and Crofts,
 " with their rightful Appurtenancies, as pos-
 " sessed by the said Provost, Bailiffs, Coun-
 " cil and Community of our said City, their
 " Feuars, Farmers and Tenants of the
 " same; with the South Loch, called the
 " Borough Loch, Ground, Land, Marsh-
 " es and Myres thereof; and all the other
 " Lake of our said City, called the *Nord-*
 " *loch*, Soil, Land, Marshes and Myres of
 " the same: And also all the said ten Acres
 " of the High-rigs, bounded as aforesaid;
 " with the twelve common Mills of our said
 " City, at present situated on both Sides the
 " River of *Leith*, Mill-lands, Aqueducts,
 " Houses, Buildings, Bridges, Heughs,

A new Grant
 of Edin. &c.

" Banks, Streets and Passages, leading to
 " and from the said Mills, Multures, Knave-
 " ships, Suckens, Thirlage, Parts, Pen-
 " dicles, Pertinents and Sequels, with their
 " several Privileges and Appurtenancies;
 " with Power to them and their Successors,
 " to erect more Mills and Bridges by and
 " over the said River of *Leith* at their Plea-
 " sure, in such Place or Places, as they
 " shall judge most convenient.

" And also all the Vale and low Lands, *Ibid.*

" with the Banks, Meadows, Marshes and
 " fenny Grounds, with their Appurtenan-
 " cies, lying between the Rocks called the
 " *Craigendgate*, on the Eastern Side, and
 " the common Way or Passage leading to
 " the Village of *Leith*, on the Western Part;
 " together with the Lands antiently called
 " the *Greenside*, with the Lepers Hospital
 " and Garden situate thereon, with the a-
 " rable and other Lands thereunto belong-
 " ing, Banks, Marshes, Bogs, and their
 " Appurtenancies, as they are at present let
 " and occupied by the Lepers of the said
 " Hospital, and the said Provost Bailiffs,
 " and Council, and their Tenants or Farm-
 " ers, lying on the Northern Side of the
 " said Vale and low Ground, on the Eastern
 " Side of the Way leading to *Leith*, with
 " the aforesaid Port, Customs, Harbour,
 " Soil and Raid of *Leith*, and Appurtenan-
 " cies thereof, with all the Forts, Piers,
 " Shores and Bulwarks of the same, and
 " their Pertinents; together with the seve-
 " ral Liberties and Privileges belonging to
 " the Inhabitants of, and within the said
 " Village of *Leith*, granted to our said
 " Town of *Edinburgh*, by the said late Sir
 " *Robert Logane* of *Lestralrig*, Knight, by
 " virtue of his Charter, dated the thirty
 " first Day of *May*, in the Year One thou-
 " sand three hundred and ninety eight,
 " with all the Streets, Ways and Passages
 " leading to the said Village of *Leith* on
 " both Sides of the said Port, Harbour and
 " River of *Leith*; and thence, till it joins
 " the Walls of the Houses and Tenements
 " standing on both Sides the said Port and
 " Harbour, with all the Commodities,
 " Conveniencies, Privileges and Immuni-
 " ties belonging thereto; and especially the
 " Privileges, Customs, Haven-silver, An-
 " chorage, Dock-silver, Golden-pennies,
 " Shore-silver, Exactions, Rents, Duties
 " and Casualties of the said Port, Harbour,
 " Raid and Village of *Leith*, whereof the
 " said Provost and Bailiffs, and their Suc-
 " cessors, are and have been in Possession
 " past the Memory of Man; with the Du-
 " ty of Pryme-gilt, to be raised out of the
 " Freight of every Tun of Goods, as con-
 " tained in the Infeoffment granted by our
 " said late dear Father, to the said Pro-
 " vost, Bailiffs and Council of *Edinburgh*:
 " Dated at *Whitehall* the third Day of the
 " Month

Ibid.

" Month of *April*, anno One thousand six hundred and sixteen.

" And in like Manner, all the Grounds and Lands, commonly called the *common Closets*, but at present denominated the *Burfs*, with the Inclosure fenced with Wood, near the Northern End of the said Town, and Eastern Side of the Port of *Leith*, and Eastern Bulwark thereof: And also the waste Grounds or Sands by the Sea, lying on the Eastern and Northern Parts, together with the said Burfs and Inclosure, shall be by them enlarged, and by proper Fences or Inclosures extended as far within the Flux and Reflux of the Sea, as may be gained, and converted into dry Ground: And likewise the two Pieces of Land adjoining, with the Houses thereon, in Possession of the said Provost, Bailiffs and Council; one whereof contains in Breadth from East to West, fifty one Ells; and in Length from South to North, sixty three Ells, with the Fort and Mount thereof, and Houses situate thereon, called *Little London*, lying on the Eastern Side of the said Village of *Leith*; and the other Spot or Piece of Ground, of the same Length and Breadth, lying on the Southern Side of the aforesaid Piece of Land, is bounded by the Links on the Eastern and Southern Sides, and by the common Passage on the Western Side, with all the Ground and Land where the Western Bulwark of the Harbour of *Leith* is situated on the Western Side of the said River of *Leith*, and Port aforesaid; together with the waste Ground and Sands encompassing the said Western Bulwark within the Course of the Tide: And also all the said Village and Lands of *Newhaven*, and Bounds thereof, extending from *St. Nicholas's* Chapel on the East, and *Wairdie Brow* on the West, with the Port, Estuary, or Arm of the Sea, and Raid thereof, with the Links, Houses, Buildings, Lands, and their Appurtenancies; with the several Privileges, Liberties and Customs belonging to the same, viz. Haven-silver, Shore-silver, Anchorage, Dock-silver, Golden-pennies, Customs, Imposts, Shore-fees, Exactions, Rents, Profits, Farms, Duties and Casualties thereof; with the several Ways and Passages leading to and from the said Port of *Newhaven* to our said City of *Edinburgh*, as fully and freely, as the same are and have been enjoyed and possessed by the said Provost, Bailiffs, and their Predecessors, Time out of Mind.

Lands, Ports, &c. united to Edin. erected into a Burgh Royal.

" And we have united, erected, and incorporated, and by the Tenor of this our present Charter, unite, erect and incorporate all the said Lands, Ports, Harbours, Customs, Bulwarks, and other Things above mentioned, to our said City of *Edinburgh*; and erect the same into

" a Royal City, with all the Rights, Liberties, Privileges and Immunities appertaining to a City or Royal Burgh: Providing always, that the Annexation or Union of the said Places, lying without our said City of *Edinburgh*, shall infer neither Power or Liberty to the Inhabitants of the Places, united as aforesaid, to use or exercise the Trade of Merchandize, without the special Licence and Approbation of the said Provost, Bailiffs and Council of our said City of *Edinburgh*, with Power to the said Provost, Bailiffs and Council of our said City, both present and to come, and their Successors in all Times hereafter, to elect and chuse their Magistrates, Provost, Bailiffs, Dean of Gild, Treasurer and Council, as freely as any other Burgh Royal within our said Kingdom of *Scotland*, and in as free a Manner as ever was used in former Times; together with the Privilege of a Merchant-gildry, with Gild-courts, Council, Members, Jurisdiction, and Members belonging thereunto, within our said Royal City, and the Bounds and Liberties thereof.

" And by the Tenor of these Presents, An exclusive We give and grant to the said Provost, Bailiffs, Council, and Burgessees of our said City, and their Successors, the sole Liberty of Trade and Merchandize belonging to a Royal free Burgh, within the Bounds of our principal Sheriffwick of *Edinburgh*, called *West Lothian*; without Prejudice always to us and our Successors, to erect Boroughs Royal, and Burghs of Barony, with all the Privileges and Liberties thereunto belonging, within any Part of our said principal Sheriffwick of *Edinburgh*, denominated *West Lothian*, except within the Bounds of our said City of *Edinburgh*, Villages of *Leith* and *Newhaven*, Ports, Harbours, Mills, Moors, and others united to our said City of *Edinburgh*, and erected into a City Royal as aforesaid.

" And We likewise, by the Tenor of these Presents, give, grant, and dispose to the said Provost, Bailiffs, Council, and Community of our said City, and their Successors, the Liberty and Privilege of holding weekly Markets within our said City on every *Monday*, *Wednesday*, and *Friday*, or on any other three Days of the Week, that the said Provost, Bailiffs, and Council of our said City shall appoint by common Consent; whereof publick Notice shall be given of the said three publick Market Days: Together with the Privilege and Liberty of two free yearly Fairs, viz. that of *Alballow's* and the *Trinity*, to be begun, held, and continued according to the usual and accustomed Manner: Together with the petty and other Customs, belonging to our said City, of which they

X x x

" and

" and their Predecessors have been long in possession; with the Customs of the said Fairs and Markets; and especially the Sheriff's Fees and Sheriff's Gloves, Tolls, Customs, and all other Fees, Privileges, Liberties, and Duties belonging to the said Fairs and Markets, by the Laws and Customs of our said Kingdom of Scotland; with full Power and Liberty to the said Provost, Bailiffs, Council, and Community, and their Successors, yearly to ride and view the Marches or Boundaries of the Lands belonging to their said City, Mills, Ports, Harbours, and Places appertaining to the same, according to ancient Use and Practice, beyond the Memory of Man, at such Seasons and Times of the Year as they shall judge most convenient.

Right of presenting Ministers.

" We also, with the Consent aforesaid, and by the Tenor of this our present Charter, give, grant, and dispone to the said Provost, Bailiffs, Council, and Community, and their Successors, the aforesaid Right, Title, and Privilege of nominating and presenting Ministers to serve the Cures within the several Churches of our said City, to remain inseparably annexed, united, and incorporated to our said City in all Times coming.

Offices of Sheriff & Coroner.

" And in like Manner, We, with the Advice and Consent aforesaid, and by the Tenor of this our present Charter, give, grant and dispone to the said Provost, Bailiffs, Council, Burgeses, and Community of our said City, and their Successors for ever, the Offices of hereditary Sheriff and Coroner within our said City of *Edinburgh*, and within the Bounds, Moors, Marshes, Lakes, Banks, Streets, and Passages belonging to the same; and within the said Ports and Harbours of *Leith* and *Newhaven*, Piers, Shores, Raids, and Bulwarks of the same; with all the other Lands, Ways, and Passages appertaining thereunto, annexed to our said City, within the Bounds aforesaid, and erected into an City or Burgh Royal, as above specified. And also, within the Bounds of the said Village of *Leith*, on the Southern Side of the River, secluding them and their Successors from all Right and Title of Sheriff and Coroner within any Part of our said principal Sheriffwick of *Edinburgh*, called *West Lothian*, except within the Bounds annexed to our aforesaid City of *Edinburgh*, and erected into a free Burgh, or City Royal as aforesaid; and the Village of *Leith* on the Southern Side of the said River.

Justices and Commissioners of the Peace.

" And We make and constitute the said Provost and Bailiffs of our said City of *Edinburgh*, and their Successors, Justices and Commissioners of our Peace, within our said City of *Edinburgh*, Ports of *Leith* and *Newhaven*, and all the Lands,

Mills, Ports, Harbours, Ways, and Passages, and other Things above mentioned, annexed to our said City, and within the said Village of *Leith* and the Southern Side of the River thereof. We likewise make, create, and constitute the Provost of our said City, elected, and to be yearly chosen for ever, principal Sheriff and Coroner; and the Bailiffs of our said City, elected, and to be chosen yearly as aforesaid, Sheriffs and Coroners Deputies conjunctly and severally, under the said Provost, within the Bounds or Jurisdiction aforesaid. We also make and constitute the said Provost, and Bailiffs, both present and to come, conjunctly and severally, Justices and Commissioners of our Peace, within our said City and Bounds aforesaid; with this Provision always, that by Virtue of the said Offices, they shall not pretend a Right to the Escheats of Persons condemned to die for criminal Causes; which Escheats, We, by the Tenor of this our present Charter, reserve to us and our Successors.

" And We, for us and our Successors, will and declare, that a Sasine, once to be taken, by virtue of this our present Charter, by the said Provost and Bailiffs of our said City, or any of them, at the Market-cross thereof, shall stand and be a Sasine to them and their Successors for the said City, and for all the Lands, Ports, Customs, Harbours, Offices of Sheriff and Coroner, Justices of the Peace, and others thereunto annexed, as aforesaid, notwithstanding of their Discontiguity; wherefore We, for us and our Successors, by the Tenor of this our present Charter, dispense for ever.

One Sasine sufficient for Edinburgh, &c.

" We likewise, with the Consent aforesaid, of new give, grant and dispone to the aforesaid Provost, Bailiffs and Community of our said City of *Edinburgh*, the Superiority of the Village of *Leith*, with the said Village of *Leith*, Houses and Tenements thereof, the Links of *Leith*, Orchards, Gardens, Tenants, Tenancies and Services of free Tenants, with their Appurtenances: And We erect the said Village of *Leith*, to and in favour of the said Provost, Bailiffs, Council and Community of our said City of *Edinburgh*, and their Successors, into an Burgh of Barony, with Power and Privilege to them and their Successors, to elect Bailiffs and other Officers within the said Village, and to make Laws and Statutes for the better Government thereof; together with Liberty, Power, Privilege, and Jurisdiction of Malt-houses, and Brew-houses, with all other Rights and Privileges belonging to a Burgh of Barony in all Times coming. To have and to hold all our aforesaid City of *Edinburgh*, Ports, and Harbours of *Leith* and *Newhaven*, and others

Superiority & Village of Leith.

"others aforesaid; with the said ten Acres of *Highb-rigs*, and all the Liberties, Privileges, Jurisdictions, Offices, and others aforesaid, annexed to our said City, by the Provost, Bailiffs, Council, and Community of our said City and their Successors, of us and our Successors in free Heritage and free Burgage for ever.

To enjoy the
Superiority &
Town of *Leith*
&c.

"And also, to have and to hold all the aforesaid Right and Title of the Superiority of the said Village of *Leith* and Burgh of Barony thereof, with all the Privileges, Liberties, and Immunities appertaining thereunto, of us and our Successors, in free Heritage and free Barony for ever, by all the Rights, Meaths, and Marches thereof, of old divided, and as they lie in Length and Breadth, in Houses, Buildings, Heights, and Plains, Moors, Marshes, Ways, Paths, Waters, Stanks, Rivulets, Meadows, Pastures, and Pasturage, Mills, Multures, and their Sequels; Hawkings, Huntings, Fishings, Peats, Turves, Coals, Coaleries, Coneys, Coney-Warrens, Doves, Dove-houses, Smiddies, Malt-houses, Brew-houses, Whins, Woods, Forests, Groves, Shrubs, and Twigs; Quarries, Stones, and Lime; Courts and their Issues, Herezelds, Bloodwits, and Womens Marchets, with Turk, Toss, Sac, Soke, Thole, Theam, Verr, Wreck, Waith, Wair, Venison, In-fangthief, Outfangthief, Pit and Gallows; with common Pasturage, free Egrefs and Regrefs, with all other Liberties, Commodities, Profits, Conveniencies, and just Appurtenancies whatever, as well not named as named, as well under as above the Ground, afar off, or near to our aforesaid City of *Edinburgh*, with other Things thereunto united, and those particularly above mentioned, with their Appurtenancies belonging to, or in any manner of Way may be known to belong in Time coming, freely, quietly, fully, wholly, honourably, well, and in Peace, without Revocation, Contradiction, Impediment, or Obstacle whatsoever.

Quit Rents to
be yearly paid
for the City of
Edin. &c.

"The said Provost, Bailiffs, Council, and Community of our said City of *Edinburgh*, and their Successors, paying yearly to us and our Successors, for our said City of *Edinburgh*, Ports and Harbours of *Leith* and *Newhaven*, with all the Privileges, Liberties, Jurisdictions, Offices, and others annexed to our said City as above specified, the Sum of Fifty two Marks *Sterling* Money, the old Burgage Rate specified in the Infeofment granted to our said Town, by King *Robert Bruce*, at the Terms of *Whitsunday* and *Martinmas*, in equal Portions: And also, for the Administration of Justice in the said Offices of Sheriff, Coroner, and Justices of the Peace, the accustomed Burgh Service, of the said ten Acres of Land of the *Highb-rigs*,

"and the aforesaid Nomination and Presentation of Ministers to serve the Cures, within the several Churches, built, or to be built within our said City, (and in Places) united and annexed thereunto as aforesaid, the Sum of Two Pennies, in the Name of *Blanchfarm*, if it be demanded. And likewise to pay to us and our Successors, for the said Superiority of *Leith*, and Burgh of Barony thereunto belonging, yearly upon the Ground of the said Village of *Leith*, in the Name of *Blanchfarm*, the Sum of One Penny, of the Money aforesaid, if it be asked; providing always, as by the Tenor of this our present Charter, it is expressly declared and provided, that all the Reservations and Exceptions from the Ratification aforesaid, contained in this our present Charter, shall be held as repeated, reserved and excepted from the new Gift and Infeofment just above written.

"It is likewise hereby declared, that our present new Gift and Infeofment following thereon, nor any of the Heads or Articles contained in this our present Charter, shall no Ways comprehend or be extended to any Right of Regality, nor shall be farther extended than the hereditary Offices of Sheriff, Coroner, and Jurisdiction thereof, and holding Gild Courts; but only to the Bounds of our said City, common Mills, common Moor, common Marsh or Myre, Lakes, Woods, and Ditches of the same; and within the Villages of *Leith* and *Newhaven*, Ports, Harbours, Forts, Shores, Piers, Raids, and Links, both Eastern and Western; Lands called the *Common Closets*, Burfs, Holf, Halls, and other Lands properly belonging to our said City, Ways, Paths, Streets, Lanes or Passages leading to and from the said City, and to and from the Villages of *Leith* and *Newhaven*; and the Streets, Ways, and Passages leading thro' or by their common Moor and Myre, which are built and repaired by them as far as the said Moor and Marsh may extend; and their Ways and Streets leading to and from their common Mills on the River *Leith*, as far as the said Mills, Mill-lands, and Brooks belonging to them do extend.

"And that this our present Charter shall be no Ways prejudicial to us or our Successors, in our Right or Royal Prerogative, to erect Burghs Royal, and Burghs of Barony, in any other Part of *West Lothian*, without the Bounds of the said Sheriffwick and Coronary to which the same are restricted in manner as aforesaid; with this Declaration always, that the Restriction of the said Offices of Sheriff, and Coroner, and others aforesaid, to the Bounds above specified, shall infer no Prejudice to our said City of *Edinburgh*, or to the Inhabitants thereof, touching

The present
Charter not to
extend to a
Regality.

Not to prevent
the Erection of
Burghs Royal,
and of Barony.

"the

"the Privilege and Liberty of the sole Trade
"of Merchandize within the Bounds of
"West Lothian, belonging to them as Bur-
"gesies of a free and Royal City.

Not to have
the Escheats of
Criminals, &c.

"And it is in like Manner by this our
"present Charter declared, that, by virtue
"of our said Charter, our aforesaid Town
"and City, and their Successors, shall no-
"ways have, or pretend to have a Right to
"the Escheats of Criminals condemned to
"die before them, nor to the Escheats of a-
"ny of the Inhabitants within the Bounds of
"their said Sheriffrick and Coronary, re-
"stricted as aforesaid, already denounced,
"or who shall hereafter happen to be de-
"nounced, or put to the Horn, either for
"civil or criminal Causes, which are re-
"nounced in our Favours, as aforesaid,
"which we reserve to us and our Successors
"for ever; notwithstanding of this our pre-
"sent Charter, or other former Rights or
"Infeoffments granted to our said Town of
"Edinburgh, and their Predecessors; with-
"out Prejudice always to our well-beloved
"Cousin, James Duke of Lenox, Lord
"High Admiral and Chamberlain of our
"Kingdom of Scotland, his Heirs and Suc-
"cessors, in Right of the said Offices, of
"any Right, Title or Claim, which he
"may have to any of the Liberties, Privi-
"leges, Jurisdictions, Commodities, or o-
"ther Things whatsoever, contained in this
"our present Charter, granted to our said
"City of Edinburgh, or their Predecessors,
"or ratified by us in their Favour, according
"to Law; and that the said Admiral and
"Chamberlain, and his Heirs and Succe-
"ssors aforesaid, and our said City of Edin-
"burgh, and their Successors, shall be and
"remain in the same State and Condition
"as to all the Rights and Privileges touch-
"ing the said Offices, as they were in be-
"fore the Day of the Date of this our pre-
"sent Charter, as if it had never been
"granted.

Not to preju-
dice the Rights
of others.

"In Testimony whereof, We have to this
"our present Charter of Confirmation, cau-
"sed our Great Seal to be put, in Presence
"of the following Witnesses, viz. the most
"Reverend Father in Christ, our well-be-
"loved Counsellor, John, by the Mercy of
"God, Archbishop of St. Andrew's, Pri-
"mate and Metropolitan, and Chancellor
"of our said Kingdom of Scotland; our
"well-beloved Cousins and Counsellors,
"James Marquis of Hamilton, Earl of Ar-
"ran and Cambridge, Lord Aven and In-
"nerdale; Thomas Earl of Haddington, Lord
"Binnie and Byres, Keeper of our Privy
"Seal; William Earl of Stirling, Viscount
"Camruda; Lord Alexander of Tillibody,
"our Secretary; and our beloved fa-
"miliar Counsellors, Sir John Hay of Baro,
"Clerk to our Council, Register and
"Rolls; John Hamilton of Orbiston, our
"Justice-Clerk; and John Scot of Scotstar-

"vat, Director of our Chancery, Knight.
"Given at Newmarket the twenty third Day
"of the Month of October, in the Year of
"our Lord One thousand six hundred and
"thirty six, and of our Reign the twelfth
"Year."

*A Copy of the Ratification of the Gift on
Wine, by Charles II. anno 1671.*

At Edinburgh, the Eleventh Day of Sep-
tember, anno 1671 Years.

Our Sovereign Lord and his Estates of
Parliament, now presently convened, rati-
fies, approves and confirms the Gift granted
by his Majesty, under his Highness's Great
Seal, to the Provost, Baillies, Council
and Community of the Burgh of Edinburgh,
of Date at Whitehall the first Day of April,
One thousand six hundred threescore
and eleven Years; whereby our Sovereign
Lord, for the loyal, willing and chearful
Obedience performed to his Highness and
his Royal Predecessors their Commands,
from Time to Time, by the said Provost,
Baillies and Community of the said Burgh
of Edinburgh: And for ingaging them far-
ther to a ready Compliance to his Highness's
Commands in Time coming, and for the
other good Causes and weighty Considera-
tions specified in the said Gift, his Majesty,
of his Highness's certain Knowledge, pro-
per Motive and Prerogative Royal, with
Advice and Consent of his Lords and o-
thers, Commissioners of his Majesty's Treas-
ury and Exchequer, has given, granted and
disponed, and for his Majesty and his High-
ness's Successors perpetually confirmed to
the said Provost, Baillies, Council and Com-
munity of the said Burgh of Edinburgh, and
their Successors (to remain with them as a
Part of their common Good and Patrimo-
ny of the said Burgh, which by the said
Gift is annexed and incorporate to the same
in all Time coming) an Imposition and Cu-
stom of the Sum of Two Shillings Scots
Money, upon each Scots Pint of French
Wines; the Sum of Four Shillings Money
foresaid, upon the Scots Pint of Spanish,
Rhenish and Brandy Wines, foreign Aqua-
vitæ, strong Waters, and other foreign Li-
quors distilled; the Sum of Twelve Pen-
nies Money foresaid, upon every Scots Pint
of Mum, and upon ilk Scots Pint of fo-
reign Ale and Beer to be imported or sold
within the said Burgh of Edinburgh, or a-
ny of the Liberties thereof after specified,
to be paid by the Vintners, and all others
the Importers of the said Wines, of the
Kinds and Species foresaid; foreign Ale and
Beer to the said City and Territories there-
unto belonging, to wit, to South and North
Leith, Coalhill and Canongate, Pleasants,
Portsburgh, King's Stables, Potter-row; and
all other Parts and Pendicles within the Li-
berties and Privileges thereof, or lying na-
turally within the same, or any Part there-
of;

of; or lying within the Villages, Towns, Lands, and Territories pertaining to the said City, or holden of the sament City, lying within the Parochin of *St. Cuthbert's*, *South* and *North Leith*, or *Canongate*; under the Provision always, that the said Imposition of Two Shillings upon each *Scots* Pint of *French* Wine, and Four Shillings upon ilk *Scots* Pint of *Spanish* Wine and *Rhenish* Wine, shall be restricted to the Sum of Fourteen Pennies Money foresaid, upon ilk Pint of *French* Wine: To the Sum of Two Shillings and Four Pennies upon ilk Pint of *Spanish* and *Rhenish* Wine, ay and so long as the said City of *Edinburgh* did bruik the Benefit of an former Imposition granted by his Majesty upon the Ale and Beer: And whenever the said City of *Edinburgh* should be deprived of the Benefit of the said Imposition upon the Ale and Beer, that then, and immediately thereafter, the said Imposition of Two Shillings upon the Pint of *French* Wine, and Four Shillings upon ilk Pint of *Spanish* and *Rhenish* Wine, shall take full Force and Effect, and shall be uplifted and gathered by them accordingly. And by the same Gift it is declared, that the said Impositions upon the Wines, are by and attour an former Imposition of Eight Pennies upon the Pint of *French* Wine, and Sixteen Pennies upon the Pint of *Spanish* and *Rhenish* Wine, due to the said City by Act of Parliament in all Time coming, in order to the Payment of a Part of their Ministers Stipends.

And also by and attour an old Gift of Four Pound upon the Tun of Wine granted to the said City, with Power to the said Provost and Council, and their Factors and Servants in their Names, to collect, uplift, and ingather the saids Impositions upon the Wine, Mum, Beer, and other foreign Ale and Beer, to be imported in all Time coming, from the Vintners and Importers of the said Wines, Ale and Beer; with Power also to the said Provost and Council of *Edinburgh*, to make such Acts and Statutes for collecting of the sament, as they should think fit, and administer Oath to the Parties concerning the Quantities of the sament Commodities to be brought within any of the foresaid Places, and to be divided by them, as they shall think fit; and to imprison such as refuses to swear, or to hold them as confest, concerning the Quantities for which their Oaths shall be required, and to exerce summar Execution thereupon.

And, by the said Gift, his Majesty commanded the Lords of Council and Session, to direct Letters of Horning, at the Instance of the Provost, Baillies and Council of *Edinburgh*, for making Payment to them, their Treasurer, Factors and Servants, of the said Imposition and Custom upon the Pint of the said *French* Wine, *Spanish*, *Rhenish*, and Brandy Wines, Aquavita, strong Waters, and all other

distilled foreign Liquors, Mum, Beer, and all other foreign Ale and Beer to be imported in all Time coming, to the said Vintners and Importers of the said Commodities within the said City, Parts, Pindicles and Pertinents of the sament, particularly above expressed.

As also, his Majesty, with Advice and Consent aforesaid, declared, that such Execution should be direct at their Instance, for Payment making of the said Impositions, as they are in use to exerce against such as are liable in Payment of any Part of their common Good. Unto which his Majesty, with Advice foresaid, annexed the saids hail Impositions upon *French* Wine, *Spanish* Wine, *Rhenish* Wine, Brandy-wine, foreign Aquavita, strong Waters, and other foreign Liquors distilled, Mum, Beer, and other foreign Beer and Ale, as a Part of the said common Good and Patrimony of the said City of *Edinburgh*, to remain, annexed and incorporated with the sament, in all Time coming, after the Date of the said Gift; in all and sundry Heads, Articles, Clauses and Circumstances of the said Gift, after the Form and Tenor of the sament, in all Points.

And our said Sovereign Lord and Estates of Parliament declare, that the foresaid Gift, and this present Ratification thereof, is, and shall be an good, valid and sufficient Right to the said Provost, Baillies, Council and Community of the said Burgh of *Edinburgh*, and their said Successors, for collecting, uplifting, receiving, bruiking and injoying of the saids Impositions above written, upon the *French* Wine, *Spanish*, *Rhenish* and Brandy Wines, foreign Aquavita, strong Waters, and other foreign Liquors distilled, Mum, Beer, and other foreign Beer and Ale, as a Part of their common Good, and Patrimony of the said City of *Edinburgh*, annexed and incorporated thereto in Manner above mentioned, in all Time coming.

And farther, our said Sovereign Lord and Estates of Parliament ordain and declare this present Ratification to be of as great Value, Force, Efficacy, Strength and Effect, as if the foresaid Gift were insert Word by Word hereintill, albeit the sament be not swa done. Whereanent, and anent all other Defects and Imperfections, if any be, that can be proponed or alledged against the Validity of the foresaid Gift, or this present Ratification of the sament, our Sovereign Lord and Estates of Parliament has dispensed, and be thir Presents dispenses for ever.

THE ECCLESIASTICAL GOVERNMENT.

That *St. Giles's* was the first Church in *Edinburgh*, is beyond Dispute; but at what Time, or by whom founded, I cannot learn: However, by the first Wall erected for Defence of the Town, the District belonging

to this Church appears to have been of small Dimensions, by its extending only from the upper Part of the Castle-hill Street, to the *Netherbow* in Length, and from the *Nord-loch* to the Town Wall, which ran along about the Middle of the Hill, between the High Street and the *Cowgate* in Breadth; for all Parts on that Side, without the said Wall, were in the Parish of *St. Cuthbert's*, till of late, as hereafter more fully will appear: Wherefore I am of opinion, as already hinted, that the antient small District above mentioned, was at first the Precinct of the Castle of *Edinburgh*; and that both, I think, were taken out of the said Parish of *St. Cuthbert's*, as I have already endeavoured to demonstrate.

Sim. de Gest.
Angl. ad an.
854.

Although I cannot ascertain the Time when this Church was at first erected, yet, that it is of considerable Antiquity, is demonstrable, from *Simeon of Durham*, who, in reckoning the Churches and Towns belonging to the Bishoprick of *Lindisfarn* or *Holy Island*, in the County of *Northumberland*, in the Year 854, mentions *Edwinstown* to have been one of the said Towns; but, lest it should be alledged, that he only names the Town, without mentioning a Church, that is an Omission common to many Writers; however, they are generally understood to be implied; for the Benefactions made by Princes and others in those early Times, were generally Churches, with their Tithes and Glebes and Chapels, with their Profits: Wherefore, I think it is not to be questioned, that there was then a Church in *Edinburgh*. Be that as it will, the first Mention I find of a Church in this Town, is in the Year 1359, when *David II.* by his Charter under the Great Seal, of the 15th December in that Year, granted to the Chaplain officiating at the Altar of *St. Katharine's* Chapel in the Parish Church of *St. Giles, Edinburgh*, all the Lands of *Upper Marchiston*, the Presentation whereof to be in *Roger Hog*, Burgess of *Edinburgh*; and, after his Decease, to be in the Alderman and Community of *Edinburgh*.

Chart. Dav. II.
in Arch. Edin.

Ibid. in Arch.
Edin.

And the next Mention I find of *St. Giles's* Church is in the Year 1380, when a Contract was made between the Provost of *Edinburgh* and divers Masons to vault or arch over a certain Part of the said Church. And, anno 1387, the said Church is again mentioned by the Appellation of *the Parish Church of Edinburgh*; to which a very considerable Addition being to be made, I shall, for the better Illustration thereof, subjoin a Copy of the Contract made on that Occasion, which is as follows.

Ibid. in Arch.
Edin.

"Yis Endenture made at *Edinburgh* ye 29th Day of the Moneth of November, between worthy Men, and Nobyl *Adam Forster*, Lord of *Nether Leberton*, *Andrew Tichtson*, Provost of the Burgh of *Edinburgh*, and Communite of that Ilk, on the

"ta half, and *Jobne Jobne* of *Stone* and *Jobne Skayer*, Masounys, on the toyer half berys Wytnefs in Fourme, ye qwhylyk efter folows.

"That is to say, yat the forsaids *Jhone Jhone*, and *Jhone*, al as ane, and ane as al, fall make and voute Fyve Chapells on the South Syde of the Paryce Kyrke of *Edinburgh*, fra the West Gavyl, lyand and rynan doun Est, on to the grete Pyler of the Stepyl voutyt on the sam Maner by the Masounys, as the Vout above Sanct *Stevynys* Auter, standand on the North Syde of the Parys Auter of the Abbay of the Haly-rude Houfs; ye qwhylyk Patroune yay hef sene.

"Alfua yat ylk Man fal mak in ylk Chapel of the Four, a Wyndow with thre Lychtys in Fourm Masoun lyke, the qwhylyk Patroune yay hef sene; and the tyste Chapel voutyt with a Durre, in als gude Maner, als the Durre standand in the West Gavyl of ye forsaids Kyrk: Alfua ye Chapel and ye llys quhair ye Auttrys fal stand, fal be voutyt all under after ye Maner as it is before spokyn: Alfua ye forsayde fyve Chapellys fall be thekyt abovyn with Stane and Water thycht; ye Buttras, ye Lintels synyt up als hech as ye lave of yat Werk askys: Alfua betwene the Chapells gutryt with howyn Stane, to cast the Water owte, and to save the Werk fra the Water: Alfua ye Communite, as it is before spokyn, syn and al Coste and al Grayth tyl yat Werk; and ye forsayde Masounys doand thair Craft tyl yat Werk trewly, withowtyn Fraude, as trew Man aw to do: Alfua it is acordyt, yat ye forsayde Communite fal gyfe to ye forsayde Masounys for ye forsayde Werk, as it is before spokyn, Sex hundreth Mark of Sterlings of the Payment of *Scotlande*: Alfua it is acordyt, yat ye forsayde Communite fal gyf to the forsayde Masounys, ay Fourtie Pund before hand, for to mak thair awne Werk with, ay tyl ye forsayde Werk be brocht tyl End: Alfua ye forsayde Masounys fal lay in place on thair Cost twal hundreth hewynStanys of aflayr and coynche swylks as fallys to yat Werk; ye quhilks Werk ye forsayds Masounys fal warand Water thycht: And all yire Thingis to be fulfillit; ilk ane of the forsayds Masounys is others bourcht: Wretyn under the Seill of the forsaydis *Adam* ye Provost, and ye Communite, fal anent ye forsaydes Masounys to be remaynande; and *Jhone Primros* has procurit ye Selle of *James Tulsford*; and *Jhone* of *Stone* has procurit ye Selle of *Jhone* of *Irvine*, in failzie yay hade nane of yair awyne; and *Jhone Squyer* has put to his awyne Selle anentis ye forsaydes *Adam*, Provost, and Communite's to be remaynande; the

"There

"Yhere of our Lord, a Thousand ccc
"LXXX and vii."

Answerable to those Chapels on the Southern Side of this Church, there appears to have been five Chapels on the Northern Side, opposite to the same; but at what Time erected I cannot learn: However, they were built against the five Windows still remaining in the said Northern Side, between the Arm of the Cross of the said Church (at present the Town-clerk's Office), and the Northwestern Angle of the same.

Remark. As there appears to have been no Religious Foundations in *St. Giles's* Church, before the Erection of the said Chapels; I imagine they were erected to encourage People to found Altars and Chaplainries in the said Chapels. This Conjecture seems, in some Measure, to be corroborated by the Number of Altars and Chaplainries in the said Church about a Century after, as will appear by the Names of the several Founders, and Dates of their respective Foundations, as follows.

Rec. in Arch. Edin. *John*, Bishop of *Glasgow*, and Chancellor of *Scotland*, in the Year 1427, founded a Chaplainry at the Altar of *St. Katharine*, in the Parish Church of *St. Giles*, and indowed it with an Annuity of Ten Marks, eight Shillings and Four Pence.

Id. ibid. *Alexander Connoure*, Vicar, and *John Logtoun*, Chaplain, in the Year 1466, founded a Chaplainry at the Altar of *St. Nicholas*, and indowed it with an Annuity of Twelve Marks, twelve Shillings.

Id. ibid. *Walter Bertrame*, Burgess of *Edinburgh*, anno 1470, founded a Chaplainry at the Altar of *St. Francis*, situate behind the Great Altar, and indowed it with Twenty four Marks yearly.

Id. ibid. *Robert Auldock* of *Edinburgh*, in the Year 1471, founded a Chaplainry at the Altar of *St. Katharine*, and indowed the same with an Annuity of Ten Pounds.

Id. ibid. *James*, Bishop of *Dunkel*, anno 1477, founded a Chaplainry at the Altar of *St. Martin* and *St. Thomas*, and indowed it with an Annuity of Ten Marks, in Honour of *St. Columbus* the Abbot.

Id. ibid. *Alexander Barcare*, Vicar of *Petyne*, in the Year 1486, founded a Chaplainry in Honour of *St. Blase*, the Martyr, at the Altar of *Blase*, and indowed the same with Twenty one Marks yearly.

Id. ibid. *Richard Robejoun*, Rector of *Sutbill*, anno 1488, founded a Chaplainry at the Altar of *St. Dionysius*, and indowed it with an Annuity of Twenty Marks.

Id. ibid. *William Fowler*, Canon of *Dunblane*, in the Year 1491, founded a Chaplainry at the Altar of *St. James* the Apostle, in Honour of Pope *Gregory*, and indowed the same with Eighteen Marks, and Ten Shillings yearly.

Id. ibid. *Andrew Mowbray*, Burgess of *Edinburgh*, anno 1492, founded two Chaplainries at the Altar of *St. Ninian*, on the Southern

Side of the Church, near the Altar of *St. Laurence*.

Archibald Naper of *Marchiston*, in the Year 1494, founded a Chaplainry at the Altar of *St. Saviour's*, and indowed it with an Annuity of Twenty Marks. *Id. ibid.*

Richard Kepper, Burgess of *Edinburgh*, anno 1502, founded a Chaplainry at the Altar of the Visitation of the Virgin *Mary*, and indowed the same with Twenty six Marks yearly. *Id. ibid.*

Walter Chapman, Citizen of *Edinburgh*, in the Year 1513, founded a Chaplainry at the Altar of *St. John* the Evangelist, on the Southern Side of the Church, in Honour of God, the Virgin *Mary*, *St. John* the Apostle, and Evangelist, and all Saints, and indowed it with an Annuity of Twenty three Marks. *Id. ibid.*

Alexander Lauder, Provost of *Edinburgh*, anno 1513, founded a Chaplainry in the new Chapel, near the Southwestern Corner of the Church, in Honour of God, the Virgin *Mary*, and *Gabriel* the Arch-angel, and indowed the same with Twenty Marks yearly. *Id. ibid.*

In the Year 1462, a great Work seems to have been in Hand at this Church; for it was by the Town Council ordained, that all Persons presuming to buy Corn before it was entered, should forfeit one Chalder to the Church Work: And anno 1511, there seems to have been a great Work still going on, by Fines not only being appropriated for carrying on the same, but the said Council purchased of *Alexander Mauchanes*, four Lands or Tenements in the *Booth-row*, now the *Luckenbootbs*, for the Honour and Common weal of the Church and the Building thereof. This great Work was probably the Erection of the Choir, now called the *New Church*. *Coun. Regist. vol. I. f. 1.*

St. Giles's Church, from its first Settlement, till the Year 1466, appears to have been only a common Parish Church. But the *Edinburghers* at this Time, by Virtue of a Grant from King *James III.* converted the same into a Collegiate Church, and established their new Erection on the old Foundation of Altarages or Chaplainries, which shews them to have been pretty numerous, as will appear by their several Names, which were as follows, viz. *St. Andrew's*, *St. John the Evangelist's*, *St. Michael the Arch-angel's*, *St. Salvator's*, *St. Michael de Monte Tomba's*, *The Holy Trinity*, *The Holy Cross*, *The Holy Blood*, *St. John the Baptist*, *St. Nicholas*, *St. Duthac*, *Sancti Crucis de Lucano*, *St. Sebastian*, *The High Altar*, *Notre Domine*, *St. Gabriel the Arch-angel*, *St. Ninian*, *St. Katharine*, *St. Gregory*, *St. Barbara*, *St. Blase*, *St. Dionysius*, *St. Francis*, *St. Eloye*, *St. Martin* and *St. Thomas*, *St. Roch* and *St. Nicholas*, *The Holy Blood* and *St. Anthony*, *Our Lady of Piety*, *St. James*, *St. Laurence*, *St. Mungo*, *St. Thomas the Martyr*, *The Holy Cross of the Body and Blood of Christ*, and *St. Crispin*, and *St.*

St. Crispinianus. Many of the above Altars had a Plurality of Foundations and Chaplains belonging to them; whereat were performed the numerous anniversary Obits, &c. for the Repose of the Souls of the Founders, their Relations and Friends.

This Collegiate Foundation consisted of a Provost, Curate, sixteen Prebendaries, a Sacristan, Bedall, Minister of the Choir, and four Choiristers.

The Provost, for his Maintenance and Support of his Dignity, was to receive the Fruits, Rents, and Profits; together with the adjacent Manse, or Parsonage-house, and Glebe belonging to the Church, with the Right of chusing a Curate, to whom he was to allow the Sum of Twenty five Marks yearly, with a House near the Church, to dwell in. The Curate, in the Provost's Absence, was to officiate in his Stead, to preside in the Choir, in the Absence of the two Senior Prebendaries, and not to be removed but by an Act of the Provost and Chapter.

The Second Prebendary had a Stipend of Forty Marks yearly, arising from his Prebend of *Raystoun*.

The Revenue of the Third was Twenty nine Marks *per annum*, out of his Prebend of *Craigeruch*.

The Profits of the Fourth, from his Prebend of *Marchiston*, amounted to Twenty Marks yearly.

The Fifth, from his Prebend of *Grotall*, Fifteen Marks; and an Annuity of Seven Marks in *Edinburgh*.

The Sixth, from his Prebend of *St. Andrew's*, and the Profits belonging to the Chaplainry of *St. Andrew's* in the Church of *St. Giles*.

The Seventh received the Revenue arising from his Prebend of *St. Michael*, in the said Church of *St. Giles*.

The Eighth, the Produce of his Prebend of *St. Michael de monte Tomba*, in the Church of *St. Giles*.

The Ninth received that Part of the Income of his Prebend of the Holy Cross, arising from the Benefactions of *John White*, and *Stephen Robertoun*, amounting to Thirty Marks yearly.

The Tenth had that Part of the Profits of his Prebend of *St. Salvator*, of Thirty Marks *per annum*, founded by *John Stury*, and *Stephen Robertoun*, at the Altar of the Holy Cross in this Church.

The Eleventh, from his Prebend of *St. John the Baptist*, the Foundation of *John Peblis*, and *Sir William Preston*, the Sum of Twenty seven Marks yearly.

The Twelfth had the Profits of his Prebend of *St. Nicholas*, amounting to Sixteen Marks yearly; together with Four Marks from the Foundation of *Thomas Ker*, at the Altar of *St. Duthac*, in this Church.

The Thirteenth received the Produce of the Prebend of *Sancti Crucis de Lucano*, a-

mounting to Sixteen Marks yearly, and Four Marks annually out of the Chaplainry of *St. Duthac*.

The Fourteenth had the Profits of the Prebend of *St. Sebastian*, with the Surplusage of the Income of the Chaplainry at *St. Duthac's* Altar.

The Fifteenth received the Revenue of his Prebend of the Sacristan, which were the Profits of the Parish Clerk's Office, antiently due to the Sacristan.

The Sixteenth had the Produce of his Prebend of Minister *Chori*, amounting to Six Marks *per annum*, with the small Oblations at the Lights at *St. Marnech's*, and to have a Beddal under him.

The four Choiristers or singing Boys, who were allowed by the Common Council, and admitted by the Chapter, had an Allowance of Five Commons each.

The Curate, Prebendaries, Sacristan and Minister, besides the Stipends above mentioned, were allowed the Profits of the Chaplainries of our Lord, founded by *John Cookson*, at the Altar of *Nostre Domine*; and that at the High Altar, by *John Chiddisdale*, which were divided amongst them.

The Sacristan, Minister and Choiristers, were presented by the Common Council; the Prebendaries of *Le Foure's* Foundation were collated by the Bishop; and the rest in the Town's Gift, and Admission to the Chapter, by virtue of a Grant from the King, as aforesaid.

The Church of *St. Giles*, which was antiently in the Patronage of the Bishop of *Lindisfarn* or *Holy Island*, in *Northumberland*; and since in the Abbot and Canons of *Dunfermline*; is now in the Magistrates and Town-Council of *Edinburgh*.

The Reformation of Religion being far advanced in *Edinburgh*, the Jewels, Plate, Vestments, and other Treasure and Trinkets belonging to *St. Giles's* Church, being deemed no longer necessary in spiritual Affairs, they were ordered to be delivered to the Town-Council of this City; of which the following is an Inventory, viz.

A silvern Chalice or Communion Cup, ^{1559. Coun. Regist.} weighing twenty three Ounces, A Relique, ^{vol. III. f. 2. 29.} called the *Arm of St. Giles*, weighing five 45. 76. Pounds three Ounces and an half. The Creisten Stock, and two Calls of Silver. The Great Eucharist, with golden Weiike and Stones. Two Cruets of twenty five Ounces. A small golden Bell, with a Heart, of four Ounces and an half. A golden Unicorn; a golden Pix to keep the Host in; a small golden Heart with two Pearls; a Diamond Ring with several small Stones; a silvern Chalice, Patin and Spoon, of thirty two Ounces and an half. A Communion Table-cloth of golden Brocade; *St. Giles's* Coat, with a little Pendicle of red Velvet which hung at his Feet. A round silvern Eucharist; two silvern Censers, of three

three Pounds fifteen Ounces; a silvern Ship for Incense. A large silvern Cross with its Base, weighing sixteen Pounds thirteen Ounces and an half. A triangular silvern Lamp; two silvern Candlesticks, of seven Pounds and three Ounces in Weight. Two other Candlesticks, of eight Pounds thirteen Ounces in Weight. A gilt silvern Chalice of twenty Ounces and an half in Weight. A silvern Chalice and Cross of seventy five Ounces in Weight. Divers priestly Robes of golden Brocade, Deacon, Sub-deacon and Cap Abbas, with the Thessolal of red Velvet embroidered with Gold; and sundry Vestments of green silken Damask. The Plate, &c. above mentioned, were ordered to be disposed of, and the Money arising thereby, to be employed in repairing the Church; and the Surplusage, if any, to be applied to the Service of the Town.

And the Common Prayer and Clock Bells being judged sufficient for the Steeple and Service of the Town, the fourth, called *St. Mary's Bell*, was taken down; which, together with the brazen Pillars in the Church, were ordered to be converted into great Guns, for the Use of the Town: But this Resolution being altered the Year after; the said Bell and Pillars were sold for the Sum of Two hundred and twenty Pounds. And to render this Great Church more useful than formerly, Partition-walls were ordered to be erected therein, to divide the same. The several Divisions were employed for preaching, Courts of Justice, a Grammar School, Town-clerk's Office, a Prison, and a Work-house, to discover the Frauds of Weavers. The latter of which was occasioned by great Frauds committed by Weavers, who wickedly embezled their Employers Yarn; for preventing of which thereafter, the Town Council caused divers Looms to be erected in a certain Part of this Church (probably in one of the antient Chapels) whereon Trial was to be made by Weavers, who were to receive a certain Quantity of Yarn to be wove by them, to ascertain the Produce of Cloth it would make, under the Inspection of certain Overseers.

The Church in *Edinburgh* having been under the Hierarchy of Papists till the Year 1560, Popery was then abolished by an Act of the States of the Kingdom assembled in this City; and the Confession of Faith presented to them being approved, ushered in a new Church Polity on the Protestant Plan, which was confirmed in the first Parliament of King *James VI.* held in *Edinburgh* in the Year 1567.

The Magistrates and Council of *Edinburgh* having hitherto had no certain Seat in the Church for their Accommodation at Divine Service, the said Council, anno 1563, ordered a handsome one to be made in the New Church, for their Use, and Credit of the City.

In the Year 1585, the Clock belonging to the Abbay Church of *Lindores* in the County of *Fife*, was bought for the Sum of Fifty five Pounds *Scotish* Money, to be put in the Steeple of this Church.

The Church of *St. Giles* being divided into four Divisions, each whereof having its own Parish, I shall insert the Antiquities and Things remarkable in the said Parishes respectively, and shall here subjoin the Dimensions of the said *St. Giles's* Church, which are as follows. viz. in Length, on the Outside, from East to West, two hundred and six Feet; in Breadth, at the Western End, one hundred and ten Feet; at the Eastern End, seventy six; and where broadest, one hundred and twenty nine Feet; and the Height of the Steeple, one hundred fifty five Feet and a half, as measured by *James Fife*, Player on the Musical Bells therein; than which, probably none are better: For by their melodious Harmony they captivate the Ear and charm the Hearer, though defective in Number; to which, if there were added a few Bells of a deeper Note, they would be rendered a compleat Set, and perhaps would equal, if not excel every Set of their Kind elsewhere.

Edinburgh, having for some time been divided into Quarters, in respect to Ecclesiastical Affairs; the said Quarters were at this Time converted into so many Parishes, to which the following Churches were appropriated, namely, to the Southwestern Quarter, *St. Giles's* Church; this is a Mistake, for the Central Division of *St. Giles's*, called *The Old Church*; for the Northwestern Quarter *The New Church*; for the Northeastern, *The Trinity College Church*; which, on this Occasion, was ordered to be inclosed within the Town Wall; and by back from the Southwest is undoubtedly meant the Southeastern Quarter, to which was appointed the Chapel of *St. Mary Magdalen*. And for the better Government of the said Parishes, the Common Council, with Advice of the Incumbents, were to select out of each Parish, three Elders and four Deacons, who, together with two of the Bailiffs, four inferior Members of the Town Council and the Ministers were to meet every *Thursday*, on Church and Parish Affairs, and were to be denominated *The Church-Session*.

In the Year 1588, one Minister was judged sufficient for a Parish, which were only four in *Edinburgh*. This being a Time of great Dearth, the Ministers Stipends were insufficient to maintain them and Families: They petitioned the Common Council for an Augmentation; which being granted, to each of the Two first, were added One hundred Marks yearly; to the Third, Fifty; and to the Fourth Twenty Marks; whereby their Stipends were raised to Six hundred,

Five hundred, and three hundred and sixty Marks yearly. But *Bruce*, the first Minister, who had the largest Stipend, it seems, not being satisfied therewith, threatened to leave the Town: The Common Council guesing at the Reason, augmented his Stipend to One thousand Marks; which the very mercenary Creature was graciously pleased to accept of, though it only amounted to One hundred and forty Marks *per annum*, more than those of his three Brethren put together, as already observed! whereby is verified the Saying, *I seek not you but yours*. From this Time the Ministers of *Edinburgh's* Stipends appear to have been in a very fluctuating Condition, by their being risen or fallen according to the Town's Circumstances.

1597. In the Year 1597, *Edinburgh* was, by an Coun. Regist. Act of Common Council, ordered to be divided into eight Parishes, and the College of Justice to pay One thousand Marks yearly; and in Case of Non-payment, the Amount of the said Sum to be deducted from the Stipends of the several Ministers, who were then eight in Number.

This Act of Common Council not being carried into Execution, King *Charles I.* soon after his Accession to the Throne, resolved to settle Church Affairs in *Edinburgh*, according to his late Father's Plan of Articles; wherewith he was so well pleased, that he sent a Letter to the Lord Chancellor and others of his Privy Council in *Scotland*, setting forth, that his late Father King *James*, had, for the regulating Church Affairs in *Edinburgh*, caused draw up certain Articles for dividing the said Town into Parishes; and commanded the said Lord Chancellor to deliver the same to the Magistrates, and strictly to injoin them to take them forthwith into Consideration, and return an Answer thereto without Delay. But the said Magistrates not answering the King's Expectations, in respect to Dispatch, occasioned his sending them a Letter soon after; of which the following is a Copy.

CHARLES R.

Coun. Regist. vol. XIII. f. 289.

"Trustie and weill belovit, we greitt you weill. We houp, that before this Tyme, ze have satlit your Churches according as we directed our Chancellor, and others of our Counfall thair to see doone. And now, knowing how much it importeth the Quyetnes and Guid of that Town, that the Magistrates thair of, with such others as ar of the Counsal of the Burgh, be Men weill affected to oure Service, and obedient to the Orders of the Church and Lawis of the Kingdom; in regaird the ordinarie Tyme is approaching for your Eleciounes; we thocht meitt to put you in Remembrance of your Dewties in that behalt; and to requyre you, that ze be cairfull, that nane be reslavit ather up on the Counfall of your Burgh, or uther-

wayis plaiced in anie Office of Magistracie, but such as will conforme themselfis, to the Order established in the Church, and will goe before others in Exempill of Obedience to the same; whereof we perswade our selfis ze will be so much the more cairfull, that in this Beginning of oure Reign, thair be no Matter of Offence given us by you, whome we intend to benefit and favour in all Buffines whair in ze may happen heirefter to intreat us; assuring you, that we will so esteem of you, as herefter ze sall carye your selfis in this Particular; whiche, remitting to your Cair, we bid you fairweill."

Given at oure Court at *Holburie*, the first of September 1625.

This serving as a Spur to the said Magistrates, they soon after returned the afore-said Articles, with their Answers to the Privy Council; of which the following is a Copy.

Article 1. "Forasmuch as the Ministers of *Edinburgh* cannot possiblie discharge their Dewties unto the People, so long as they ar not distinguished in particular Parochins: His Majestie requireth a present Ordour to be taken for distributing that Multitude into severall Congregationes, with the greatest Equaltie that may be had. For besides, that all populous Townes and Cities in the whole Christian World ar so ordered. The Magistrates and Counsell of *Edinburgh* did themselfis condescend, efter the sevintein Dayes Worke, to the Distribution required, lyke as the same wes putt in Practice, and continewd some Zeares, untill the Ministers then in Plaiice wer put from thair Charges for undewtifull Behaviour towards his Majestie; efter which Tyme Thinges turned bak to the old Confusioun.

Answer. "It is answered to the first Article, The Proveist, Baillies, and Counfall of *Edinburgh* agrie and consent that the Town of *Edinburgh* and Inhabitants thair of, be distribute in several Parochins or Congregationes, and fall appoint thair distinct Limites according to the same Distribution that formerlie hes bein maid, the Supplie and Accessioun of the *Kowgait*, *Westport*, and *Cannogait-head* being proportionallie distribute among the said Parochins, according as the same lye nearest to theme.

Art. 2. "This Distribution required, must be maid as at that Tyme was doone in four Parochins, and Ministers appointed to everie Parochin; so that the Town fall have eight Ministers in the whole, and of that Number the Principal of the Colledge fall alwyse be one.

Ans. "To the second it is answered, That this Distribution fall be maid in four Parochins or Congregationes, and that thair fall be two Ministers appointed to each

"each Parochin; so that the Town fall
"have eight Ministers in the whole, with
"this Provisioun alwayes, that it fall be in
"the Optioun of the Proveist, Baillies, and
"Counfall of *Edinburgh*, whether the Prin-
"cipall of the Colledge fall be one or not.

Art. 3. "These Ministers must be pro-
"vyded of Houses to reside in, within thair
"severall Parochins, which fall be knawin
"to be the Houses of the Church, and
"with Maintenance sufficient, which in that
"Town can be no less then Two thousand
"Merkis *Scottis* to everie Minister, and
"aucht to be payed in all Reason by the
"People that leve under thair Cure. This
"may be doone, either by imposing a cer-
"tain Annuitie upon everie House and Te-
"nement within the Parochins, as is doone
"heir at *Londoun*, and in weill ordered Ci-
"ties; or by some other convenient Means,
"that may be devised; and till this tak Ef-
"fect, the Town must beare the Chairge of
"the whole.

Ibid. f. 275.

Answe. "It is answered to the third Ar-
"ticle: And first, to the first Part of the
"same, That the Town's Houses, which
"they in the Kirk Zaird raised, being thrie
"in Number, being fitted and occupied, viz.
"two of theme be the Ministers of
"Parochin; and the thrid with ane of the
"Ministers of Parochin; and to
"provide the remanent Houses to ilk Mi-
"nister in his awin Parochin. And to the
"second Part thair of it is answered, That
"the Ministers of this Burgh are provided
"each Man with a sufficient House to
"dwell in, Mail (Rent) frie, with a zeirle
"Stipend of Twelt hundreth Merkis *Scottis*,
"thankfullie payed to them, conforme to
"the Agriement maid with them at thair
"Entrie to thair Chairges; and since the
"common Guid is not abill to sustein the
"Burthen alreddie imposed thereupon, and
"of Reason aucht not to be thralled to
"the Payment of the Ministers Stipends;
"and that the Augmentatioun desired, both
"in Mater and Maner, does crave mature
"Advysment; they most humbly intreat
"his Majestie to pardoun theme, that they
"cannot give Answer to the same at this
"present; and to spaire the same, till the
"rest of the Articles be first discussid, and
"the Distributioun desired in Maner con-
"tenit in these Articles and Answers under
"the same annexed, be first satled, and
"brocht to Perfection.

Art. 4. "Everie Parochie fall heirafter
"be governit in Matters Ecclesiasticall by
"thair Ministers and proper Sessioun, con-
"forme to the Ordour of other Churches in
"the Kingdome, which Sessioun fall be e-
"lected zeirle in everie Parochie, eicht or
"ten Dayes efter the Electioun of the Ma-
"gistrates, by the Proveist and Baillies of
"the Toun, and the Ministers of the Pa-
"roche, and no others.

Answe. "It is answered to the fourt Ar-
"ticle, That the Proveist, Baillies and
"Counfall agrie, that everie Parochin here-
"after, be governit in Matters Ecclesiasti-
"call by the proper Sessioun of the Pa-
"rochin: So that in the whole, thair fall be
"four distinct Sessiouns, having thair seve-
"rall Jurisdictiouns within the Limittes of
"thair Parochin allanerlie; and that ilk se-
"verall Sessioun fall consist of the Magi-
"strates, Ministers, Elders and Deykins of
"the same Parochin; and that the said El-
"ders and Deykins fall be elected zeirle in
"every Parochin by the Proveist, Baillies
"and Counfall of the Burgh, and Mini-
"sters of the said Parochin, in the Month
"of *December*, sua that the said Elders and
"Deykins may enter to thair Offices upone
"the first Day of *January* efter following
"zeirle.

Art. 5. "So oft as it fall happin an Id. ibid.
"Plaice of that Ministrie to fall void, by
"Death, Translatioun, or anie other Way,
"the saids Proveist, Baillies and Counfall
"mak choice of such a Person as they think
"meitt, to dischaige the Cure, and pre-
"sent him to the Ordinarie, conforme to
"the Custome of other Patronies in the
"Realme, for eschewing the Confusioun
"and Truble of popular Electioun.

Answe. "It is answered to the fift Ar-
"ticle, That they agrie and consent, that
"quhen anie Plaice or Plaices, ane or moe
"of the Ministrie of *Edinburgh* fall fall void
"by Death, Translatioun, or urtherways
"whatsoever, that the said Proveist, Bail-
"lies and Counfall, fall mak choice of such
"Person or Persones as they think meitt
"to discharge the Cure, and present him or
"theme to the Archbishop of *Sanct An-
"dree's*, conforme to the Custome reslavit;
"and for eschewing of all Confusioun of
"Tumult by popular Electioun, that the
"Electioun of the said Ministers fall be
"maid in all Tyme to cum by the Pro-
"veist, Baillies and Counfall of the said
"Burgh allanerlie; who fall be haldin to
"nominat and present the said Ministers,
"swa to be chosen by theme, to the Arch-
"bishop of *Sanct Andree's* and his Succes-
"sours, to be admitted to the saids vacand
"Plaices of the Ministrie within the said
"Burgh; and to be authorized with his
"Collatioun and Admissioun thereupon in
"dew Forme: And if the said Person e-
"lected, chosen and presented, as said is,
"or anie of theme fall be fund by the said
"Archbishop of *Sanct Andree's* or his Suc-
"cessours, unmeitt and unqualified for the
"saids Plaices of the Ministrie within the
"said Burgh, the saids Proveist, Baillies
"and Counfall fall be held to elect, nomi-
"nat and present others in thair Plaice,
"within the Spaice and Tyme prescryved
"be the Lawis, and observed in other

"Laick

“ Laick Patronages, be the Custome and Practique of the Kingdome.

Art. 6. “ And notwithstanding the Distributioun aforesaid, the Proveist, Bailies and Counfall of the Town must everie Sunday resort ordinarlie to the Heigh Church, at leist in the Forenoone, the rest of thair Families (thair necessar Attendants onlie excepted) being astricted to keip thair proper Paroche Churches, as others of the People.

Ans. “ It is answered to the sixt, That they agrie, that notwithstanding the Distributioun foresaid, the Proveist, Bailies and Counfall of the guid Town, fall everie Sunday resort ordinarlie to the Heigh Church, at leist in the Forenoone, the rest of their Families (thair necessar Attendants onlie excepted) being astricted to keip thair proper Paroche Kirkis, as others of the People.

Art. 7. “ The perverse Custome practised in that Town, of trying and censuring the Ministers by the People, fall be in all Tyme cuming discharged, seing they are subject, as other Ministers, to the trying of thair Ordinarie in the Synods and other lawfull Assemblies of the Church.

Ans. “ It is answered to the Sevint, That the publick Conventiounes upon the *Tysday* preceding the Celebratioun of the Holie Communion, wer introduced in this Church with the Reformatioun of the Gospell, and wes ordainit to be keiped, both by the Superintendants of the Church and Ministers of the same, and wherin the Doctrines, Lives and Conversatiouns of thair Ministers wer tryet; lyik as the same hes bein in continuall Observance these thriescore Zeires; but since it is his Majestie's Pleasure, they are content to discharge the same Conventiounes in all Tyme cuming.

Art. 8. “ Lastlie, His Majestie requirith ane Act to be maid by the Magistrates, and Counfall of the Town, against all such as doe not communicat with thair Ministers in their own Paroche-church, or fall goe out of the Town to other Communiones, without the Licence and Testimonie of thair awin Ministrie; and this Act to contain sum severe Penultie to be inflicted upon the Transgressours.

Ibid. f. 276.

Ans. “ It is answered to the last, that the Proveist, Bailies, and Counfall are content, and consents, and promittis to caus an Act to be maid in thair Counfall-bookes against such as doe not communicat in thair own Parochins, or fall goe out of the Town to other Communiones, without the Licence and Testimonie of thair Ministers; containing a Penultie of Twentie Pundis for everie Fault to be uplifted be the Treasurer of the good Town, to be applied to the common Workis of the same.”

The *Edinburghers* having answered the above Articles, in Obedience to the Royal Command, requested, that the underwritten Liberties and Privileges might be granted and confirmed to them.

1. “ Seeing it hes pleased his Majestie to *Id. ibid.*
“ tye the Electioun of the Ministers to the
“ vacand Churches within this Burgh to the
“ Proveist, Bailies, and Counfall of the
“ same, excluding all popular Electiounes,
“ that quhen anie Plaice of the Ministrie
“ within the same, vaikes, they fall have
“ Power and Libertie to leit one, two, or
“ thrie Ministers out of anie Parochins of
“ Scotland, to Burgh or Land, who fall be
“ haldin to repair to the said Burgh, ther to
“ mak ane Sermon or two, in what Church-
“ es it fall pleis the Proveist, Bailies, and
“ Counfall of the said Burgh to appoint
“ theme; and in caice they refus that they
“ be compellit be the Censures of the
“ Church to obey. And if thairefter it
“ fall happin the saids Proveist, Bailies,
“ and Counfall to elect anie of the saids Per-
“ sones to anie vacand Plaice of the said
“ Ministrie, within any Parochin of the said
“ Burgh, the Persone or Persones elected,
“ one or moe fall be haldin to accept of the
“ Chairge of the Ministrie of that Paroche
“ whereof he is elected and presentit to be
“ Minister; lyikas, the same hes bein in
“ continuall Use and Custome since the Re-
“ formatioun of Religioun allowed be his
“ Majestie and the Commissioners of the
“ Church and Generall Assemblies, and is
“ presentlie practised in their Leitts and E-
“ lectioun of the Ministers.

2. “ If it fall happin the Greit Kirk to
“ vaik upone Occasioun, it fall be leasume
“ to the Proveist, Bailies, and Counfall, to
“ appoint one of the Ministers of anie other
“ Parochin within this Burgh to supplie the
“ vacand Plaice in that Kirk, if so they fall
“ find it fitt, or otherwayes, to caus the
“ same be doone *per vices*; and that Per-
“ sones appointit fall be haldin to obey.

3. “ If anie of the two Ministers appoint-
“ ed to ilk Parochin fall happin to fall seik,
“ or be absent, that the uther supplie his
“ Plaice during his Seiknes or Absence,
“ both in teaching and examinattin the
“ Parochines, and supplieing all other Due-
“ ties to be performit be his fellow Mini-
“ sters.

4. “ If it fall happin that anie one, or both
“ the Ministers of the Heigh Kirk to faill in
“ Voice, ather be Waikness or Infirmite,
“ or utherwayes the Plaices to vaik, that
“ the Proveist, Bailies, and Counfall of the
“ said Burgh mak Choice and Electioun
“ of anie one or two Ministers out of anie
“ of the rest of the Parochines, to be trans-
“ planted to the foresaid Heigh-kirk, and
“ of the saids Ministers of the Heigh-kirk
“ to be transplanted to the other vacand
“ Plaices, and they mak Intimatioun of the
“ Jamin

"famin to the Arch-bishop of *Sanct Andree's*
 "be thair Acts and Letters, and require
 "thair Transplantatioun; that then, and in
 "that Caice, the said Arch-bishop fall caus
 "the famin Transplantatioun to be maid,
 "and plaice theme in the Parochins wherein
 "they are ordained to be transported.

5. "That thair be ilk *Sunday* in ilk Kirk
 "two Sermones, one in the Fornooone, and
 "ane uther in the Efternoone; and weik-
 "lie in the Heigh-kirk, two Sermones up-
 "one the accustomed Dayes of *Tysday* and
 "*Thursday*; and that the same be doone
 "per vices of the whole Number. And if
 "it be thocht fitt be the Proveist, Baillies,
 "and Counfall, that thair be moe Sermones
 "in the Heigh-kirk, upone the Weik-dayes,
 "or in anie other Kirk, that the same be
 "doone; and ilk Minister be haldin to mak
 "two Sermones, at leist, in the Weik, if
 "it fall be thocht necessar be the Proveist,
 "Baillies, and Counfall.

6. "That it fall not be leasume to the
 "Ministers of the saids several Parochines
 "to supplie the Pulpits of this Burgh be
 "young Scollers, and these who ar not
 "actuall Ministers, except onlie the Princi-
 "pall of King *James's* Colledge within the
 "said Burgh; and the Regents of the fa-
 "min having first obtenit the Consent and
 "Approbatioun of the Proveist, Baillies,
 "and Counfall of the said Burgh, for that
 "Supplie of the said Principall and Re-
 "gents.

7. "It fall not be leasume to anie Sessi-
 "oun within this Burgh to mak anie Act or
 "Statut within the famin, befor the said
 "Act be first approvin be the Proveist, Bai-
 "lies and Counfall of the said Burgh, but
 "Prejudice alwayes to them, to execute the
 "Actes of Parliament, and of the Churche
 "in so far as concernis thair Jurisdiction.

8. "That the Elestion and plaiceing of
 "the Clerkis of Sessioun of the said Paroch-
 "ins and Reiders of the Kirkis, and uther
 "under Officers in the Kirkis of this Burgh,
 "be maid in all Tyme to cum, be the Pro-
 "veist, Baillies, and Counfall of the said
 "Burgh allanerlie, with Provisioun alwayes
 "that thair Admissioun be maid conforme
 "to the ressavit Ordour of the Churche.

9. "That the Sacraments of Baptisme
 "and the Lordis Supper be administrat be
 "the Ministers in their severall Parochins,
 "conforme to the Actes of the Churche.

10. "Since the Proveist, Baillies, and
 "Counsal, as Patrounes of the said Kirkis
 "of the said Burgh, at the Entrie and Ad-
 "missioun of ilk Miniuter, agrie with him
 "for his Stipend, that it fall not be leasume
 "for him to exact anie other Duetyes from
 "his Parochines, but fall ressave his Stipend
 "from the saids Proveist, Baillies, and Coun-
 "fall, conforme to the Agriement, and ac-
 "quiese therwith.

Ibid. f. 277. 11. "Forsuameikle as quhen the Distri-

"butioun required fall tak Plaice, it will
 "be necessar to the Proveist, Baillies, and
 "Counfall of this Burgh, to sie that thair
 "be a present Distributioun maid of the
 "present Ministers of this Burgh; and Mr.
 "*Robert Barroun* thair elected Minister, and
 "ane uther who fall be elected to supplie
 "the Plaice of the eight Minister according
 "as fall be fittest for the Guid of the Church-
 "es of this Burgh; that thairfore it be
 "heirby declared, that the same Distribu-
 "tioun of the principall Ministers, unto
 "thair severall Parochins as of the said Mr.
 "*Robert Barroun*, and of the uther Minister
 "to be elected, als weill as of all uthers in
 "Tyme to cum, fall be maid be the Pro-
 "veist, Baillies, and Counfall of the said
 "Burgh allanerlie. And the Distributioun
 "being maid and signified to the Arch-
 "bishop of *Sanct Andree's*, that he fall plaice
 "theme in thair severall Parochins, con-
 "forme to thair accustomed Order."

The above Answers to King *James's* Ar-
 ticles, concerning the Division of *Edinburgh*
 into Parishes, and making Provision for its
 Ministers, being the Resolves of the Town
 Council, they were soon after confirmed by
 an Act of the said Council; as were also the
 aforesaid Articles and Petitions drawn up
 by the Citizens; of which the following are
 Copies.

At *Edinburgh* the 28th Day of September,
 1625.

"The Proveist, Baillies and Counfall of Ibid. f. 304.

"*Edinburgh*, efter mature Deliberatioun
 "taikin concerning the Articles proponit
 "to them by his Majestie's Father, of most
 "blissit Memorie, and since renewed by
 "his Majestie's self, who now reigneth (and
 "that his Reigne may be long and happie,
 "they humbly pray) for settling the Peace
 "and Quietnes of his Majestie's good
 "Town, and the more commodious and
 "profitable Instruction of the Inhabitantis
 "within the same, haith condescendit with
 "ane uniforme Consent to the Articles fol-
 "lowing:

1. "That the Town of *Edinburgh*, in-
 "cluding the *Westport*, the *Kowgait* Street,
 "and the Head of the *Canongait*, incorpo-
 "rated with them by ane late Act of Par-
 "liament, and whole Inhabitants thair of,
 "fall be distributed in four several Paroches,
 "and haif thair distinct Limites appointed
 "with the best Proportioun, that may
 "be kept, and for the best of the said
 "Inhabitants.

2. "That each of the said Parochins and
 "Congregatiouns fall be providit with twa
 "Ministers; so that the Town fall have
 "eight Ministers in the whole, over and
 "besyds the Principal of the Colledge, who
 "fall not be reckoned in that Number, and
 "exemit in all Tyme cumming from the
 "Chairge of an actual Minister within this
 "Burgh.

A a a a. 3. "They

Id. ibid.

3. "They shall provide sufficient Houses for the Residence of the Ministers within their own Parishes, the Town's Houses, which as situate upon the South of *Sanct Giles's Church*, serving for the Residence of three Ministers, viz. two of them for the Ministers of Paroche; and the third for one of the Ministers of

Paroche, wherein they may conveniently dwell, without paying any Dewtie therefor, and shall be thankful pay of yearly Stipend, Twelve hundred Marks *Scottis* for each Minister, as they are presently in use to be paid: And how soon the Distribution intended shall be perfected by the best Means they can find, and with all possible Diligence, they shall agree upon such an Augmentation, as may be fitting for a sufficient Maintenance to each of them.

4. "That every Paroche shall be governed hereafter in Matters Ecclesiastical, by the proper Session of the Paroche, so as their shall be found distinct Sessions, having their several Jurisdictions within the Limits of their own Parishes allanarlie; and every several Session shall consist of the Magistrates, Ministers, six Elders, and as many Deacons residing within the said Parishes: which Elders and Deacons shall be yearly elected and elected in every Paroche, in the Month of *December*, to the End they may enter to their Offices upon the first Day of *January* thereafter, yearly.

5. "When any Place or Places of the Ministry of *Edinburgh* shall fall void by Death, or Translation of any of the said Ministers, or by any other Means whatsoever, the Provost, Baillies, and Council of the Burgh shall nominate and make choice of such Person or Persons as they shall think meet for the discharging the Cure or Cures that shall happen to vaik and present him or them to the Archbishop of *Sanct Andrew's* being for the Time; so that the Nomination and Election of the said Ministers, shall be made, in all Time coming, by the Provost, Baillies, and Council of the said Burgh allanarlie; who shall be held conform to the Custom established in the Realm, within the Space of six Months after the Vacancy, to present a Minister or Ministers to the Place or Places vacant, unto the said Archbishop, that he or they being found meet, may be authorized with Collation and Admissioun by the said Archbishop in due Form. And if the said Persons nominated, elected and presented as said is, or any of them shall be found after Tryell taken by the said Archbishop, unmeet, and not qualified for the said Places, the Provost, Baillies, and Council shall be held to nominate, elect and present others in their Places according

as is prescribed by the Lawis to lyke Patronages and observed customable in the Kingdom.

6. "Notwithstanding of the Distribution foresaid, the Provost, Baillies, and Council of the good Town, shall every Sunday resort ordinarily to the *Heich Church*, callit *St. Giles's*, at the least, in the Forenoone, the rest of their Families (their necessary Attendants only excepted) being obliged to keep their proper Paroche-churches, as others of the People.

7. "The publick Convention that shall be usually kept in former Times upon one the *Tuesday* preceeding the Celebration of the holie Communion, for the Tryell of the Ministers, because of some Disorders that have resulted thereupon, at his Majesty's speciall Desire and Command, shall be, in all Time coming, forbidden and discharged.

8. "The Provost, Baillies and Council shall do what in them lyeth, to cause the People and Inhabitants of each Paroche communicate in the same with their own Pastours; and shall, by Act of their Council, discharge any of the Inhabitants to goe forth of the Town, or from their Paroche-churches, to communicate in other Places without Licence of the Ministers of the Paroche where they dwell, or at least of one of them, and their Testimonie in Writ under their Hands; which Act shall contain any Penultie of Twentie Punds to be uplifted of every Transgressor, *toties quoties*, by the Trespassure of the good Town, and applied to pious Uses by Direction and Appointment of the Council of the Town."

Pursuant to the above Division of *Edinburgh* into four Parishes, the following Regulations were agreed upon by the Common Council and Ministers of the Town, in Presence of the Arch-bishop of *St. Andrew's*, and ratified by the King and Council; wherein the Right of Patronage to the Churches of *Edinburgh* is confirmed to the Magistrates and Town Council, with a Power of calling Ministers to the City from any Part of the Kingdom; which, together with the Duties of the said Ministers, are as follows.

"Since it hath pleased his Majesty to confer the Nomination and Presentation of Ministers to vacant Churches within the Burgh of *Edinburgh*, to the Provost, Baillies and Council of the same, they humbly desire their former Liberties and Privileges as allowed by his Majesty and the Generall Assemblies of the Church of *Scotland* to be continued with them, in the same Force and Effect as before, viz. That they shall have Power and Libertie to take any one or two, or three Ministers, out of any Paroche within the Kingdom of *Scotland*, to Burgh or Land, who

"who shall be haldin to repair to the said Burgh, thair to make a Sermon or twa in the Churches, that the said Proveist and Baillies shall appoint them to preach into, and gif neid be, shall be compellit by the Censures of the Church to do the same; and gif efter having, it shall happen ane of the foresaid Persounes to be nominated and presentit by the Proveist, Baillies and Counfall of the said Burgh, to the vacand Plaice within the said Ministerie, that the Persone nominated shall be haldin to accept the Charge of the Ministerie within the Paroch whereunto he is presentit.

2. "If it shall fall out, that the Heigh Church, called *St. Giles*, be destitute, by Seiknes or Absence of ane of the twa Ministers thair of, it shall be leafume to the Proveist, Baillies and Counfall to appoint ane of the other Ministers to supplie the Plaice in that Church, as they shall think fit to haif it done, either by ane, or by them all by Turns; and the Persounes appointed to do the same, shall be haldin to obey, provyding alwayes, the Counfall tak Ordour for supplying thair Plaices in thair awin Paroch in the mean time.

3. "If it shall happen anie of the twa Ministers appointit to each Parochin to fall seik or be absent, his Colleague shall be haldin to supplie his Plaice during his Seiknes or Absence, in teaching, ministering the Sacraments, Examination of the People, Visitation of the Seik, and all uther Dewties requisit; provyding, that his Seiknes or Absence exceed not the Spaice of thrie Months, in which cais the Counfall of the Town shall concur for supplying the same with him that attended the Charge.

4. "Gif it shall happen the Heigh Church to vaik, by the Deceas of anie ane or both the Ministers thair of, it shall be in the Optioun and Liberty of the Proveist, Baillies and Counfall, to present anie ane or twa Ministers out of the rest of the Parochins of the Burgh, to be plantit in that Church unto thair Ordinarie, that they may be admitted thairto, conforme to the accustomed Ordour observit in Transportation of Ministers, provyding alwayes, that the Church from which they are removed, be provydit of uther qualifiet Men with all possible Diligence.

Id. ibid.

5. "That thair shall be everie Sunday, in everie Church within the Burgh, twa Sermons, ane in the Forenoone, and ane uther in the Efternoone, and owklie in the four severall Parochines, ane Sermon, upone such Days as shall be agriet upone by the Proveist, Baillies and Counfall, with the Ministers.

6. "That it shall not be leafume to the Ministers of the said Parochins to supplie the Pulpittis by anie uther, then those

"who shall be allowit by the publick Actes of the Church.

7. "That the Sessioun of the Church shall not midle with anie civil Affair, nor insert anie uther Censour, but that which is ecclesiastical, upone such as offend and fall under thair Censour.

8. "That the Reiders in all the Churches, the Clerkis of the severall Sessiounes, and uther Under-officers in the Churches of the said Parochines, be electit in all Tyme cumming in Manner following, viz. That the Proveist, Baillies and Counfall of the said Burgh, shall nominat and present the said Reiders, Clerkis and uther Under-officers to the said Sessiounes, to be tryit and admittit by them to the said Offices, so they shall be fund abill to discharge the same; and in caise of ane lawfull Exceptioun, whay they aucht not to be admittit to the said Offices, the same being notified to the said Proveist, Baillies and Counfall, they shall be haldin to nominat and present uthers, against quhome no just Exceptioun can be takin.

9. "For the better establishing Ordour in the severall Parochins, it is agried, That the Holie Sacramentes of Baptisme and the Lordis Supper shall be ministrat to the Parochiners in thair awin severall Churches; as lykwayes that Mariages shall be solemnized and Penetencie refsavit to thair publick Satisfaction, in the severall Parochins quhair they dwell.

10. "That how soone the Distributioun intendit shall tak plaice, the Proveist, Baillies and Counfall of the said Burgh, shall appoint the present Ministers serving in the Town, to the severall Churches and Parochins, as they shall think maist fitting for the said Church and Town; which Appointment being signified to the Archbishop of *Sanct Andrew's*, he shall plaice and ressaive theme to thair said Churches, according to the accustomed Ordour. In witness quhair of, the said Proveist and Baillies, and Mr. *Johune Hay* thair Clerke, in Name and at Command of the Counfall of the said Burgh, and the said Ministers, hes subscrivit these Presentis, Day, Zeir, Moneth and Plaice, as is before written."

The King having received the above Answers to his late Father's Articles from the *Edinburghers*, together with their Regulations and Petitions, he was so well pleased therewith, that he sent a Letter to the Common Council; of which the following is a Copy.

CHARLES R.

"Trustie and weil belovit, we greet you weil. We have ressavit your Answer to our Articles, with certain Petitiounes, agriet upon by you and your Ministers, which we consider to be most reasonable, and are glad to understand, that such a guid

Ibid. f. 302.

"guid Beginning is maid in that Wark,
"which oure late dear Father so earnestlie
"desyrit: And now as we have given Or-
"dour to oure Counfall, for Ratification
"both of the one and the other, so we re-
"quire you, with all possible Diligence, to
"put the same in Effect, causing the Di-
"tributioun intendit to be maid, and Main-
"tenance appointit for the Ministers, where-
"in ye may assure your selfis of the Con-
"currence of oure Authoritie, als weill in
"that Busines, as in all your other Affaires
"tending to the Guid of your Town, when
"Occasion fall present. So we bid you
"fairweill. Given at *Sarisburie* the 19th of
"October, 1625."

And, that the Execution of this Affair
might not be retarded, the King sent a Let-
ter to his Privy Council in *Scotland*, of the
following Tenor.

CHARLES R.

Ibid. f. 307.

Richt trustie, and richt weill beloved Counsellors, richt trustie and weill beloved Counseins and Counsellors, and richt trustie and weill beloved Counsellors, we greit you weill.

"Quhairas our late dear Father, of fa-
"mous and eternall Memorie, out of his
"Zeale to the Advancement of God's Glo-
"rie, and speciall Love to the Town of *Edin-
"burgh*, did, in his Lifetime, urge them
"with certaine Articles concerning the Di-
"tributioun of thair Town in Parochins,
"and some other Thingis belonging to the
"richt ordering of thair Churches, quhair-
"unto they have now by an Act of thair
"Counfall, at our speciall Desire, conde-
"scendit; and the said Town haif prefer-
"rit to us certaine Articles and Petitiounes,
"agried upon by theme and thair present
"Ministers, desyring the same to be rati-
"fiet and approved by us.

"It is oure speciall Pleasure, that you
"caus an Act to be maid and inserted in
"our Buikes of Privie Counfall, beiring
"ane Approbatioun of the said Articles and
"Petitiounes, both which you shall caus in-
"sert in the said Buikes, in perpetual Re-
"membrance theirof; in which Behalf these
"Presentis, with the Articles and Petiti-
"ouns subscriyvit be theme, and heirwith
"sent to you, shall be your sufficient War-
"rand. Fairweill".

Given at *Sarisburie*, the 19th October
1625.

Ibid. f. 304.

Pursuant to the above Royal Precept, the
Privy Council approved and ratified the Ar-
ticles and Petitions aforesaid, by their Act;
of which the following is a Copy.

"At *Edinburgh*, the first Day of No-
"vember 1625, The quhilk Day, in Pre-
"sence of the Lordis of Secret Counfall,
"compeiret personallie, *Jobune*, Arch-bishop
"of *Sanct Andrew's*, and presentit and ex-
"hibite to the said Lordis the missive Let-
"ter above writtin, signed by the King's
"Majestie, and directed to the said Lordis,

"containing his Majestie's Pleasure and Di-
"rectioun, that the Articles and Petiti-
"ounes aforesaid, quhilk were lykwayes
"presentit and exhibite by the said Arch-
"bishop, concerning the settling of the
"Peace and Quietnes of the Burgh of *Edin-
"burgh* micht be ratifyit and approvin,
"and ane Act of Counfall maid therupon.

"Quhilk Missive, with the Articles and Id. ibid.

"Petitiounes foresaids being red, heard, and
"considerit be the said Lordis, and they
"being weill advysit with the same, and
"finding his Majestie's Will and Pleasure
"twitching the Ratification of the said Ar-
"ticles to be Royal and just, and to tend
"to the Weill of the said Burgh, and set-
"tling of Peace and Quietnes within the same:
"Thairfore the said Lordis following his
"Majestie's Will and speciall Command and
"Directioun in this Matter, has ratifiet and
"approvin, and by the Tenuir heirof, rati-
"fies and approves the Articles and Peti-
"tiounes foresaid, and everie one of theme,
"in all and fundrie Pointes, Clauses, Ar-
"ticles and Conditiones contenit therein,
"till, and efter the Forme and Tenuir of
"the same in all Pointis. And thay haif
"interponit and interpones thair Authori-
"tie thairto; and ordain the same to be
"insert and registrat in the Buikes of Secret
"Counfall, thairin to remayne, *ad futuram
"rei memoriam*."

King Charles I. by his Charter of the 29th
September, anno 1633, having founded a Bi-
shoprick in *Edinburgh*, appointed for its Dio-
cesis all Parts besouth the Frith of *Forth*, be-
longing to the Arch-bishoprick of *St. An-
drew's*, in the County of *Edinburgh*, Con-
stabulary of *Haddington*, and Shires of *Lin-
lithgow*, *Stirling*, and *Berwick*, and Baili-
wick of *Lauderdale*; with all the Rights,
Powers, and Privileges of a distinct Bi-
shoprick or Diocesis, in as full and ample a
Manner as any other Bishoprick in *Scotland*;
and appointed *St. Giles's Church* in *Edin-
burgh* for its Cathedral; with all the Rights,
Liberties and Immunities belonging to a
Cathedral Church; and this new Ereccion
to be denominatit the Bishoprick and Dio-
cesis of *Edinburgh*; to have and enjoy all the
Honours, Dignities, Privileges, Authori-
ties, and Jurisdictions, with all the Liber-
ties and Immunities enjoyed or possessed by
any Diocesan or Bishop within *Scotland*, and
to be a Suffragan to the Arch-bishop of *St.
Andrew's*.

And the Bishop to have Precedence of all
other *Scotish* Suffragans in Parliament, Coun-
cils and publick Conventiouns, immedi-
ately after the Archbishop of *Glasgow*. And,
for the good Government of this new Bi-
shoprick, by the Charter of Foundation, it
was to consist of a Bishop, a Dean and
twelve Prebendaries, to whom and their Suc-
cessors the King granted the Churches of *St.
Giles*, *Grayfriars*, *Trinity College*, and that of
the

the South-east Parish in *Edinburgh*, with those of *Holyroodhouse*, *Dalkeith*, *Dunbar*, *Haddington* and *Tranent* in the County of *East Lothian*; *Liberton* in *Mid-Lothian*; *Falkirk* in *Linlithgowshire*; and that of the Town of *Stirling* in *Stirlingshire*, with their Appurtenances; with a Power to the Bishop to have a Seal like other Bishops, to transact his Affairs with; besides, another Seal for him and the Chapter, for transacting the Business of the Chapter, to be called *the Seal of the Chapter of the Bishoprick of Edinburgh*: And, to prepare *St. Giles's Church* for the Reception of the new Establishment, the King sent a Letter to the Common Council of *Edinburgh*; of which the following is a Copy.

CHARLES R.

Trustie and weil belovit we greit you weil.

Coun. Regist.
vol. XIV. f.
182.

"Whereas of our Princelie Motive and Zeale for the Advancement and Government of the Church of that our Kingdom, we have, by the Advice of the chiefeft of our Clergie thair of, erected at our Chairges, a Bishoprick of new, to be callit *the Bishoprick of Edinburgh*, whairby none of your Priviledges or Liberties ar anie wayes to be infringed, but rather preservit and increased: And whereas to that Purpose, it is verie expedient, that *Saint Geille's Church* (designed by us to be the Cathedral Church of that Bishoprick) be ordered, as is decent and fitt for a Church of that Eminencie, and according to the first Intention of the Rectors and Founders thair of; which was to be kept conforme to the Lairgnes and Conspicuitie of the Foundation and Fabrick; and not to be indirectlie parcelled and disjoint by Wallis and Partitiounes, as now it is, without anie Warrant from anie of our Royall Predecessours.

"Our Pleasure is, that with all Diligence, you caus raze to the Ground the East-wall of the said Church; and sicklyke, that you caus raze to the Ground the West-wall therin, betwixt this and *Lambas* infewing; at or before which Tyme, we require you to caus finish the new *Tolbuith*, to the effect it may be for the Use of our Church and uther Judicatories and Commissiounes, as the Tyme and Occasioun shall require. We bid you fairweill, from our Court at *Whitehall*, the 11th October 1633."

Surely never was the Church Hierarchy by a Bishop of so short Duration, as this of *Edinburgh*; for it was erected in the Year 1633, and subverted anno 1639, by the Abolishment of Episcopacy in *Scotland*, both by the Parliament and General Assembly.

In the Year 1636, the Town Council, on the tenth Day of *February*, ordered one of the Bailiffs, and one of the Clerks of *Edinburgh*, to desire *James Hanna*, the Dean of

St. Giles's Church, to repair to *Durham* in the Northern Part of *England*, to take a Draught of the Choir of the Cathedral Church in that City, in order to fit up and beautify the Inside of the Choir of *St. Giles's Church* after the same Manner.

Episcopacy being abolished in *Scotland* anno 1639, Presbytery was established in its Stead, and continued to be the National Church till the Year 1660. When both Monarchy and Episcopacy were restored by King *Charles II.* and the Presbyterian Hierarchy subverted. But this Establishment proving of no long Duration, by the arbitrary Government of that deluded Prince King *James VII.* who for his Mal-administration was forced to abdicate the Crown by the Prince of *Orange* his Son-in-law, when Episcopacy in *Scotland*, through the Weakness and Folly of its Bishops, in adhering to, and thereby justifying the illegal and insupportable Practices of that unhappy Prince, became a Sacrifice to Presbytery, which is still the established Religion in *Scotland*.

The Number of Churches in *Edinburgh* Conn. Regist. proving still insufficient to accommodate the vol. XV. f. Citizens in the Celebration of Divine Service, 214-215. the Common Council in the Year 1641, ordered the Town to be divided into six Parishes; but these being still unfit to supply the People with proper Conveniences, the Parish Churches within the City and Suburbs of *Edinburgh* at present are eleven in Number.

The Ecclesiastical Government of the said eleven Parishes, which is in Subordination to a Provincial Synod and General Assembly of the Church, consists of a Presbytery and eleven of the lowest Judicatories in the Church of *Scotland*, denominated the Church-sessions, the Jurisdictions whereof extend no farther than the Limits of the respective Parishes; the latter of which is a Consistory, composed of Ministers, Elders and Deacons; who meet at least once a-Week, to consider the religious Affairs of the Parish; the Minister whereof is Moderator, but without a Negative; he calls the Church-session, and if at Home, is obliged to attend; but if, through Absence from Home, or Indisposition, cannot be present, the Elders and Deacons may meet about the Affairs of the Poor without him, give Testimonials to Persons who intend to leave the Parish; and being Judges in Matters of Slander, desire the Presbytery to send them a Minister to hold a Church-session in the Absence of their Minister or Ministers.

The Church-session, in Matters of lesser Scandal (greater, such as Adultery, &c. are left to the Presbytery) can suspend from the Lord's Supper for a Time; their Consent in the Call of a Minister and Precentor is necessary; they provide all Things requisite for the Communion, regulate Affairs concerning

B b b b

cerning publick Worship, and give Notice of all Catechisings and parochial Visitations. To this Court belongs a Treasurer, who is chosen from amongst the Deacons to receive and distribute the Poor's Money, which Distribution they direct: They keep two Registers, one of Births and Marriages, the other of their own Proceedings which they must lay before the Presbytery: Appeals lie from them in all Cases to their own Presbytery, whom they are to contradict in nothing.

And the Presbytery, or former of the said Courts, consists of the Ministers of the several Parishes, with a Ruling Elder out of every Church-session, who is chosen every half Year. This Court is held in the chief Town of the District, and from which the Presbytery is denominated. They meet occasionally, choose their Moderator half-yearly, who must be a Minister; and, if absent, choose another for that Time; and when unexpected Business happens within the Time of Adjournment, the Moderator can summon an extraordinary Presbytery to transact the same. In ordinary Meetings there is a Presbyterial Exercise on a Text of Scripture performed in the Church by one or two Ministers, whose Names and Texts if approved of, are recorded by Consent of the Presbytery. The Members Names who meet are registered, and the Absenters marked to be examined the next Meeting, concerning their Non-attendance.

Id. ibid.

The Court of Presbytery, like others, has no Jurisdiction without its own Bounds; it determines all Appeals from the Church-session, but cannot try any Thing at the first Instance which is cognizable before the Church-session. They compose all Differences between Ministers and People; to which End they hold Presbyterial Visitations in every Parish, where they examine the Church-session Register, and proceed to censure or acquit as seems just. They inquire into Repairs of Churches, and see that Glebes and Manes (Parsonage-houses) suffer no Dilapidations. They appoint Schools in all Parishes, and take Care that the Funds settled for their Support be not misapplied; and the Schoolmasters are subject to their Examination and Censure.

This Court can only inflict the Greater Excommunication, that is, an absolute Prohibition from partaking of the Lord's Supper; they licence Probationers, interpose in all Calls and Ordinations of Ministers to different Parishes, and suspend or depose them; and determine all Ecclesiastical Affairs within their Jurisdiction, so as they interfere not with an Act of Parliament. From this Presbytery, as well as others, Appeals in all Cases lie to the provincial Synods: A Fast is observed before they inflict private Censures, and the supposed Aggressor withdraws when the Moderator requires the Opinion of his

Brethren touching his Conduct; according to which he is either acquitted or censured.

Remark. One Privilege belonging to the Court of Presbytery, I think, ought justly to be abolished, that is, the detestable Power of inflicting Penance for Fornication, which is big with Mischief; for, by its Execution, many, both Men and Women, are not only hardened in their Wickedness, but, as it were, confirmed in their iniquitous Practices by the Reverend Judges; who, in examining them, frequently interrogate them in such an indecent Manner, as is offensive to modest Ears, which make many of the bold Transgressors regard the whole as a Farce. Add to this, the dismal Effects resulting from the iniquitous Practice of publick Penance; for bashful Women, rather than be exposed, chuse to murder their innocent Infants, whereby many are brought to the shameful Death of the Gallows: For which, I think, not only the Makers of this wicked Law, but the Reverend Judges for continuing to try by the same, and not endeavouring its Subversion, are equally culpable; and in some measure may be chargeable with the Sufferings both of Mothers and Children.

As, in the Account of the Ecclesiastical Government of *Edinburgh*, I have inserted the chief Things relating to *St. Giles's Church*; I shall subjoin some other Transactions, &c. concerning the said Church, which are as follows.

In the Year 1561, the Common Council Coun. Regist. ordered the Western Gavel of *St. Giles's* vol. III. f. 73. Church to be rebuilt; which is the same we see at present.

The Room over the Northern Door of *Haddow's-bald Church*, was at first denominated the *Priest's Prison*, wherein were kept in Dureſs, Adulterers and Fornicators; but, from the long Confinement of one *Haddow* therein, it is said to have received the Appellation of *Haddow's-bald*. Coun. Regist. vol. IV. f. 85.

The Steeple of *St. Giles's Church*, anno 1599, being the common Prison, the Prisoners greatly indamaged the Roof of the said Church, insomuch that the Town Council discharged the said Steeple from being used as a Prison thereafter. Coun. Regist. vol. X. f. 244.

On the 13th of *October*, in the Year 1643, Bp. Guthry's the Solemn League and Covenant was sworn Mem. p. 122. to and subscribed in the Church of *St. Giles's* in this City, by the Committee of Estates, Commission of the Church, and the *English Commissioners*, Sir *William Ermin*, Sir *Henry Vane*, and Mr. *Marshall*.

In the Year 1648, the Crown of *St. Giles's* Steeple was forely decayed, insomuch that the Common Council ordered it to be repaired, that is, rebuilt; which being accomplished, is the beautiful Crown thereon at present. 1648. Coun. Regist. vol. XVI. f. 253.

In the Year 1661, the Revenues of *St. Giles's Church*, arising from the Parishes of the Eastern and Western *Weems, Limpetlaw, Brothertanes,* 1661. Coun. Regist. vol. XX. f. 29. 30. 31.

Brotherstanes, Gogar, and Dunberry; together with the Ground-annals, and Feu Duties from other Places, amounted to the yearly Sum of Two thousand Five hundred and twenty eight Pounds nine Shillings and eight Pence three fourths, *Scotish Money*; out of which, being deducted the several Sums payable for Ministers Stipends, Communion Elements, and other necessary Expenses; the Sum remaining is only One thousand six hundred and twenty eight Pounds, eight Shillings and nine Pence; being three fourths of the said Money.

THE MILITARY GOVERNMENT.

Although I have not been able, through the Want of Records, to trace the Military Actions of the *Edinburghers* to their Origin; they, nevertheless, appear to have been very serviceable in Defence of their Country against the Attempts of Foreigners, and in repressing domestic Troubles, and were generally ready, at the King's Command, to guard his Person.

Coun. Regist.
vol. I. f. 3. 4.

The first Military Affair I find the *Edinburghers* engaged in, was in the Year 1513, when a Number of them joined the Army of King *James IV.* to invade *England*; and the rest were inrolled to be ready on all Emergencies to defend the Town: but *James's* Army being unluckily defeated at *Flodun*, and himself killed, all the Citizens capable of bearing Arms, were enjoined to appear in their best Accoutrements to march and join the Army.

Coun. Regist.
vol. VI. f. 124.

The first Military Government I find to have been exercised in *Edinburgh*, was in the Year 1580, when the Common Council formed the Citizens into Companies of Fifty Men each; and appointed Burgesses of the best Experience in Martial Affairs to command them.

In the Year 1626, the Common Council of *Edinburgh*, foreseeing the Troubles approaching, (which some time after broke out in a Flame) began to put themselves into a State of Defence, by ordering the Citizens to be divided into eight Companies, of two hundred or more Men each, according to the Number of Inhabitants, and passed the following Act for that Purpose.

Coun. Regist.
vol. XIII. f.
324.

"The Proveist, Baillies, Counsell, and Deacons of Crafts being convened in Council, and considering with themselves, how that in thir Tymes ther is no thing but Combustious abroad, and Weirs and Rumours of Weir: And not knowing quhen anie forrain Enemie sould make Invasioun; and considering withall, how the Inhabitants of this Burgh are unfittlie prepared, both in Armour, as lykwayes in the Exercise of Waerfair, for resisting of siclyke Invasioun; which cannot

"be commodiously done, without the People be trained up in Militarie Discipline, and instructed in all Militarie Exercises; since it hes bein oft fund by Experience, in manie Countries, that it is not so much the Multitud that overcomes, as the Experience and Knowledge of weil trained and exercised Souldiers, seing it is the Knowledge of Waerfair that emboldneth to fecht; for na Man will be afrayed to doe that quhairof he is perswaded to be sufficientlie skilfull. For quhat can be houpit of ane rude and unexercised Multitud, bot to be exposed to the Slaughter and Mercie of the Enemie? Quhairas, urtherways thair hes bein gret Victories obtained by ane few skilfull and expert Souldiers.

"Upon which Consideratioun it is thocht Id. ibid. expedient, that the haill Inhabitants of this Burgh be taucht and instructed in the Lawis of Waerfair, and exercised and strengthened be Militarie Discipline, that that which maye be practised be the Enemie in the Field, maye be foreseein and preventit be the Knowledge of Waerfair; for which Caus, and for the mair commodious training up the People, it is thocht expedient, that the haill Inhabitants for the present, be devydit into aucht severall Companies, and ilk Companie to containe ane Number of two hundred Persounes or mair, as fall be thocht expedient according to the Number of the People.

INSTRUCTIONS TO OFFICERS and SOULDIERs.

"Forasmeikell as the Proveist, Baillies, and Counsell of this Burgh, for the training up of the Inhabitants of this Burgh in Militarie Exercises, hes distribute them in aucht Companies, and to ilk Companie hes appointed twa Commanders, with urther Officers of Weir: Thairfore, and for better Ordour to be observit in the said Matter, the said Proveist and Baillies hes sett down the Injunctions following; whereunto the saids Commanders fall train up thair Companies, and carrie themselves weil towards theme that ar putt under thair Chairge. As lykwayes the saids Companies fall carrie themselves weil towards thair saids Commanders, and uthers Officers appoyntit over theme, for instructing them in the saids Exercises, under the said Proveist and Baillies.

1. "That ilk Commander fall haif ane Cair, to sie his haill Companie weil provided with sufficient and compleit Armour; and to this Effect, fall visite presentlie the haill Houses of such as ar in his Companie, and tak up ane Nott of thair Provision; and such as they fall find unprovydit, fall make Report thairto to the Proveist and Baillies, that Ordour may be taiken thairwith, as lykwayes fall give up

Id. *ibid.*

“ up ane Nott of the haill Armour they fall
“ find in thair Houfes.

2. “ That ilk Commander fall take ane
“ View of the haill Persounes appoyntit to
“ be in his Companie; and according to e-
“ verie Man's Habilitie and Posture, fall
“ appoynt to them thair several Weaponis
“ and Armour fitting for them to carrie,
“ viz. to Men of heich Stature and Habili-
“ tie of Body, to carrie a Pick; and they
“ of less Stature to carrie ane Musket; and
“ the said Pickmen to be provydit with
“ Corflete, Lancelot and Heid-piece; and
“ that everie Musketter be providit with
“ Baneliers and Heid-piece, with all uther
“ Furniture belonging to ane Musketter, sic
“ as Lead, Pouder and Matche.

3. “ That ilk Commander, efter he hes
“ viewed his Companie, and hes appoyntit
“ to everie ane his most commodious Ar-
“ mour for them to carrie, they fall next
“ haif ane Cair for instructing of them in
“ managing of thair Wapounes, and instruct-
“ ing of them in the Discipline of Weir:
“ And to this Effect, he fall leid furth his
“ haill Pickmen, and instruct them in the
“ Use of the Pick, aines in the Weik; and
“ ane uther Day of the Weik, they fall leid
“ furth the Musketters to sum convenient
“ Plaice, and teache them to handell thair
“ Muskettes aines in the Weike, weiklie.
“ And efter they haif sufficientlie instructed
“ the saids Companies in the Use of the
“ Pick and Musket, they fall then aines in
“ the Weik, leid furth thair haill Compa-
“ nies to sum convenient Plaice, and in-
“ struct them in the Ordour of Weir, for
“ governing themselves in the Feild, and sic
“ them exercife in the Ordour of Weir, till
“ they be sufficientlie expert in the Practice
“ of Weir.

4. “ That ilk Commander fall govern
“ thair Companies conforme to the saids
“ Injunctions, and such uther as it fall pleis
“ the Proveist, Baillies and Counsell to in-
“ joine and appoynt to them heirefter; and
“ that the saids Commanders fall carrie
“ themselves to thair Under-officers, and uth-
“ ers of thair Companies, in all Love and
“ Modestie.

5. “ That the Enseigne-beirers fall obeye
“ thair Commanders, and be reddie to tak
“ up the Collors, and march at such Tyme
“ and Tymes, as the Proveist and Baillies,
“ or uther Commanders fall appoynt to
“ them; and that they doe not divert them-
“ selves from thair said Service at na Tyme,
“ without Licence askit and givin, as they
“ will be answerabel to the Proveist, Bail-
“ lies and Counsell, to be censured at thair
“ Discretion.

6. “ That the Searjands be obedient to
“ the Commanders and Enseigne-bearers,
“ and that they divert not themselves from
“ their Charge, under the Payne of Cen-
“ sure at the Counsell's Will.

7. “ That the haill Companies obey
“ their Commanders and uther Officers sett
“ over theme at all Tymes; as they fall be
“ concerned, and fall in all Poynts carrie
“ themselves dewtifullie and respectfullie
“ under the Proveist and Baillies; and fall
“ not absent themselves at na Tyme, under
“ the Payne of Ten Pounds Scots, *toties*
“ *quoties*, sua oft as they fall faillie, to be
“ upliftit be saids Commanders, and im-
“ ployit at thair Discretion, and farder
“ Punishment at the Discretion of the Ma-
“ gistrates.

8. “ That ilk Man be reddie precislie to
“ attend upon thair Commanders at the
“ Plaice and Tyme appoyntit, and fall not
“ divert from theme, till the Collours be
“ brought Home, under the said Payne,
“ *toties quoties*.

9. “ Since that the Ordours above writ-
“ ten ar ordayned and sett down for the bet-
“ ter instructing of the Inhabitants of this
“ Burgh in militarie Art; that if anie for-
“ rayne Invasioun fould happin, they micht
“ be fund fitt and expert for resisting of sic-
“ lyke Invasioun: Thairfore, that the saids
“ haill Commanders, and thair haill Com-
“ panies, and uther Officers be reddie at all
“ Tymes, be Day or Nicht, at the Sound
“ of the Drum, or Toll of the common Bell,
“ to march furth quhither it fall pleis the
“ Proveist and Baillies to command theme;
“ and ilk Man to repair himself to his awin
“ Collours, and marche in Plaice and Or-
“ dour, as they fall be commandit be the
“ said Proveist and Baillies, under the Payne
“ of Death, ilk Man.

And to prevent Disputes from arising a- *Ibid. vol. XIII.*
mong the Officers in Point of Precedence, *f. 332.*
the following Declaration and Orders were
soon after published by the Common Coun-
cil.

“ It is statut and ordainit, that the Inha-
“ bitants of this Burgh be drawin up and di-
“ stribute in aucht Companies, and that to
“ ilk Companie there be appoyntit twa Com-
“ manders; lykas the same was done by Act
“ of Counsell, of the Dait the first Day of
“ March instant; and leif any Queteioun fould
“ aryse betwixt the saids Commanders, it is
“ heirby declarit, that they fall be of equall
“ Authoritie, weare equall Wapounes, and
“ fall in all Things behave themselves as Bre-
“ ther in equall and joynt Commiffioun.

“ And that in thair Musters, upoun the
“ Hie Streittes, or elsqhair, thay march in
“ the Front without anie Inequallitie, except
“ for Ordour's Sake. The first chosen fall
“ haif the Richt-hand, and the nixt, the
“ Left-hand; and quhen Necessitie requires,
“ either in marching, or Battaille, that the
“ first chosen leid the Vangaird; and since,
“ in thair Elefition, the Proveist, Baillies,
“ and Counsell, and Deykins of Craftis, hes
“ maide Choice of the Persounes fittest in
“ thair Judgment for managing of the pre-
“ sent

"sent Affair without anie Reflexioun or
"Relatioun aither to Merchant or Craftif-
"man, bot onlie hes maide Electioun of the
"Persounes as Burgesies of *Edinburgh*.

"It is heirby declairit, that be this pre-
"sent Ordour, or Electioun of the saids
"Commanders, there is nothing twitched
"nor derogatorie to the Libertie of aither
"Merchant or Craftisman, bot that the
"same fall remayne inviolable observit and
"keipit whole unbroken or inviolat; quhair-
"by, in all Tyme to cum, conforme to the
"several Actes and Constitutiones, aither
"of Parliament or of this Burgh maid thair-
"anent. And quha refusses to serve and
"obey conforme to this Act, that they be
"haldin and censurit as disobedient to the
"Magistrates and Counsell."

In the Year 1627, the City Youths were
formed into two Companies; that of the
Merchants to march in the Van of the
Town's Train'd Bands, and the Company
of Crafts or Tradesmen to march in the
Rear of the said Train'd Bands.

Sken. Act. 13.
Parl. Ja. VI.
f. 139. N. P.
Though the *Edinburghers* were, by an Act
of the thirteenth Parliament of *James VI.*
impowered to assemble in Arms occasion-
ally, and to raise Soldiers by a Royal Sancti-
on, to be maintained at their own Expence;
yet, as it does not appear that they applied
to the King on this Occasion for his Consent,
I am of opinion, that the Citizens were not
at this Time formed into Companies; for
by the above Accounts it only appears, that
the Common Council chose Officers, and
made Orders preparatory to the forming of
the intended Companies; which I think is
evident by their Commissioners applying to
Charles I. in the Year 1634, for a Power
to erect themselves into Companies, as will
appear by the following Letter.

CHARLES R.

Trustie and weill beloved we greit you weill.

"Wheras we have been petitioned by
"your Commissioners, to signe a Patent for
"distributing your Inhabitants into severall
"Companies; and having taken the same
"into our Royall Consideration, we have
"thocht fitt, before we proceed further
"tuitching that Purpose, to require you to
"erect within your Citie such severall Com-
"panies as you intend, and so to fitt the
"Way thairof, that it may appear, that
"your Intentiones are reall, and certefie
"us thairof under your Hands, and by ane
"Act of your Counsell, under the Subscri-
"ptioun of your Clerk and Seall of your
"Citie; wherupon be confident, that you
"fall find us readye to advance your just
"and lawfull Designes, by endowing those
"Companies with such Liberties and Privi-
"leges, as fall be thocht fitt for your Good;
"and fall so protect them by our Authori-
"tie and utherwayes, that it fall appear,
"that nothing fall be wanting in us, which
"may tend to the Advancement thairof;

"wherein expecting your Diligence, we
"bid you fairweill. From our Manour of
"*Greenwich*, 14th May 1634."

Whether any Thing was done in this Af-
fair by the *Edinburghers*, in Obedience to
this Royal Injunction, I cannot learn; for I
read not any Thing concerning the same till
the Year 1645, when the Citizens appear
to have been erected into sixteen Compa-
nies, and the Town divided into as many
Parts, each of which containing one of the
said Companies. Now, as the said Divi-
sions are the same at present, though the
Names of some of the Persons, whose Lands
were their Boundaries, are become obso-
lete; I shall nevertheless, for the Satisfa-
ction of the Reader, subjoin an Account
thereof, as follows.

1. The first Division consists of that Di-
strict from the *Westbow* Port, on the Nor-
thern Side of the *Grass-market* and Western
Side of the *Overbow* Street, to *Alexander*
Binnie's Land inclusive. Coun. Regist.
vol. XVI. f.
48. 49. 50.

2. From the said *Binnie's* Land up the
Southern Side of the *Castlebill* Street, and
down the Northern Side thereof to *Thomas*
Gladstone's Land exclusive.

3. From the said *Gladstone's* Land inclu-
sive, down the Northern Side of the High-
street to *Sir William Dick's* Land exclusive.

4. From the said *Dick's* Land inclusive,
down the Northern Side of the High-street,
to the late *Alexander Lindsay's* Close inclusive.

5. From the said *Lindsay's* Close on the
Northern Side of the said High-street exclu-
sive, to the late *Henry Nesbit's* Close exclu-
sive.

6. From the said *Nesbit's* Close down-
wards, on the same Side of the High-street,
to the late *George Smith's* Close inclusive.

7 From the said *Smith's* Close exclusive,
down the said High-street to the *Netherbow*
Port, and without the said Port, *Paul's*
Work, and that Part of *St. Ninian's* Row
within the Jurisdiction of the City; toge-
ther with that Part of the Suburbs belong-
ing to *Edinburgh*, from *St. John's* Stone on
the Southern Side of the *Canongate*, to the
late *Andrew Crombie's* Land exclusive.

8. From the said *Crombie's* Land up the
the Southern Side of the *Canongate* to the
Netherbow Port, including *St. Mary's* Wynd;
and within the *Netherbow* upwards on the
Southern Side of the High-street, to *James*
Denniston's Close exclusive.

9. From the said *Denniston's* Close inclu-
sive, on the Southern Side of the said High-
street to *Kinloch's* Close inclusive; and from
the *Cowgate* Port along the Southern Side of
the *Cowgate* Street to the *High-school-wynd*
inclusive; and on the Northern Side of the
said *Cowgate* Street, from the said *Cowgate*
Port, to *Blackfriars-wynd* inclusive.

10. From the said *Kinloch's* Close on the
Southern Side of the High-street exclusive,
to *Peebles's* wynd exclusive; and from the

C c c c

High-

High-school-wynd on the Southern Side of the *Cowgate Street*, to *Alexander Guthrie's Close* inclusive; and from the *Blackfriars-wynd* on the Northern Side of the *Cowgate Street*, to *Peebles's-wynd* exclusive.

11. From *Peebles's-wynd* inclusive, up the Southern Side of the *High-street* to *Con's Close* exclusive; and from *Peebles's-wynd* up the Northern Side of the *Cowgate Street* to *Con's Close* exclusive; and from *Alexander Guthrie's Close* on the Southern Side of the *Cowgate Street* exclusive, up the Southern Side of the *Cowgate Street* to the *College-wynd* exclusive.

12. From the said *Con's Close*, inclusive, up the Southern Side of the *High-street*, to the Eastern Side of the *Fish-market Close* inclusive; and from *Con's Close*, up the Northern Side of the *Cowgate Street* to the Eastern Side of the *Fish-market Close* inclusive; and from the *College-wynd* on the Southern Side of the *Cowgate Street*, inclusive, to the *Horse-wynd*, inclusive.

13. From the Eastern Side of the *Fish-market Close*, exclusive, up the Southern Side of the *High-street*, to *Forrester's Wynd* exclusive; and from the *Horse-wynd*, exclusive, up the Southern Side of the *Cowgate Street* to *Magdalen's Chapel*.

14. From *Forrester's Wynd*, exclusive up the Southern Side of the *High-street*, to *John Archibald's* stone Land, exclusive; and from *Magdalen's Chapel*, up the Southern Side of the *Cowgate Street*, to *Grayfriars Gate*.

15. From the said *Archibald's Land*, inclusive, up the Southern Side of the *High-street*, to the *Overbow Street*, including the Eastern and Southern Sides of the latter, to *Thomas Begg's Land*, inclusive; and from the *Grayfriars Gate*, Westward, on the Southern Side of the *Grass-market*, to *John Housoun's Land*.

16. From *Thomas Begg's Land*, exclusive, in the turning of the Southern Side of the *Westbow Street*, and down the said Street, and Eastwards along the Northern Side of the *Cowgate Street*, to *Forrester's Wynd*, exclusive; and from *John Ormiston's Land*, Westwards, on the Southern Side of the *Grass-market*, to the West-port; and that Part without the said Port, within the Jurisdiction of *Edinburgh*.

The Captains to the above Regiments were ten Merchants, and six Tradesmen; and each Merchant Captain to have a Tradesman for his Lieutenant; and the Ensigns and Serjeants to be equally Merchants and Tradesmen.

The *Edinburghers* at this Time being obliged to watch by Night alternately, the Common Council, for the Ease and greater Safety of the Town, ordered a Company to be raised to consist of sixty Men, to be commanded by Lieutenant *Affleck* (who no doubt was Captain thereof, though the

Company at present has no other Captain than the Provost) for the Space of six Months whose Pay was two hundred Marks monthly; the Lieutenants, Twenty four Pounds; Two Searjeants Fifteen Pounds each; three Corporals, Twelve Pounds each; and the Centinels, Nine Pounds each, per Month, *Scotish Money*.

This is the first Company of Soldiers that appear to have been raised by the *Edinburghers*, but, it proving of no long Duration, the Citizens returned to their old Practice of guarding the Town; but it seems to have been in a very sorry Manner; for in a Morning their Names were no sooner called over, at the Guard-house, than they left the same, and repaired to their respective Occupations, by the Fatigues whereof, were rendered unfit to watch by Night; so that the Town-guard was only nominal, and the Inhabitants exposed to the Ravages of the Populace in all Tumults and Insurrections; which being taken into Consideration by the Privy Council, they represented the Danger thereof to the Magistrates, assuring them, that, if a sufficient Guard was not provided by the Common Council, for securing the Peace and Tranquillity of the City, the King would send some of his Troops to quarter therein, to prevent all Disturbances it was obnoxious to in its unguarded State.

The Common Council having deliberated on this Representation, found the same to be true; wherefore they resolved to raise a certain Number of Men to be a standing Guard to preserve Peace and Quietness in the City; and for that Purpose ordered forty Men to be raised, clothed, armed, and disciplined, and to be rendered in all Respects as fit for Service as the King's Troops. They were to be commanded by the Captain of the Town-guard, and were to serve both by Day and Night; for which they were to receive Sixpence per Day each.

James, Duke of Albany and York, Successor to the Crowns of *Great Britain* and *Ireland*, at the Demise of his Brother, King *Charles II.* met with a strong Opposition in *England*, in respect to the Succession, on account of his being of the Popish Religion: And being at this Time the King's Commissioner to the *Scotish Parliament*, indavoured, to the utmost of his Power, to secure an Interest in this Country: which he having effectually done among the States of the Kingdom, judged it would be no difficult Matter to accomplish the like in *Edinburgh*, where, by his Friends in the Common Council, (who made a handle of the above mentioned Act of the Year 1679) he prevailed to have a Company of one hundred and eight Men raised, under Pretence of the Safety of the Town; whereas by what follows, it will manifestly appear, they were raised for the King's Service, and to help towards securing his Succession to the Crown:

1648.
Coun. Regist.
vol. XVII. f.
47.

1679.
Ibid. vol.
XXIX. f. 275.

Crown: For in the King was not only vested the appointing of Officers to the said Company, but to cause them march whithersoever he thought proper; whereby the Citizens were liable to be deprived of their Service in their greatest Necessity, though they were obliged to maintain them at a very great Expence, against their Inclinations, as hereafter will appear. The Common Council having servilely obliged the Duke in this Affair, the Magistrates applied to the Privy Council for a Commission to inable them to put their Act in Execution; for which Purpose they received the following Patent.

CHARLES R.

Ibid. vol. XXX
f. 126. 16th
June 1682.

"Charles, by the Grace of God, King of
Scotland, England, France, and Ireland, De-
fender of the Faith, to the Provost and
Baillies of the Burgh of *Edinburgh*, and
to all others, our good and loving Sub-
jects whom it concerns, greeting: Foras-
much as the Lords of our Privie Council
of our ancient Kingdome of *Scotland*, have
represented to us, that they had received
an humble Petition, addressed by you the
said Provost and Baillies to them, bearing
the great Desyre you have to preserve the
Peace and Quyet of the said City, from
all Tumults, Commotions and Disturban-
ces; and that you have made humble Of-
fer of raising and maintaining upon daylie
Pay, according to our Establishment, a
Company of Foot to consist of ane hun-
dred and eight Men, besides Captain, Lieu-
tenant, and Ensigne, three Sergeants, and
other inferior Officers to be payed and
maintained by the Town, conforme to an
Act of the Town Councill of *Edinburgh*,
of the 13th Day of *March* 1679 years;
and humbly supplicating that our Coun-
cell might interpose with us to grant a
Commission to you to levie the said Com-
pany, and to impower you to commission-
ate Captain, Lieutenant, and Ensigne to
the said Company; but, before they should
be admitted to these Offices, to be appro-
ven by us or our Commissioner, or in our
or his Absence, by our Chancellor and
Privy Councill of that our Kingdome, and
to have Power to carrie Musquetts or Hal-
bards, and other Armes necessair; and
making Offer not only to guard the City,
but whenever our Service shall require,
or our Privy Councill shall appoynt to
march furth of the City, where-ever they
shall be ordered, and be under the Com-
mand of our Lieutenant Generall, or Com-
mander in Chief; and offering several Pro-
posals for making the said Matter effect-
ual, as at Lenth specified in your Petition
given in to our Privy Councill, upon the
22d of *May* last.

"And we considering, that by the 184th
Act of the 13th Parliament of King *James*
VI. our Royal Grandfather of blessed Me-
morie, in the Year 1593, his Majestie and

"his Estaits of Parliament, upon the Grounds
and Considerations therein exprest, did
give, grant, and commit to the Provost and
Baillies of our said Burgh for the Tyme,
and to their Successors, frie Libertie,
Power and Authoritie to convocat them-
selves in Armour, and to lift and raise
Men of Weir for daylie, weeklie, and
monthlie Wages, and to bear and use
Hagbuts and other Armour whatsome-
ver, when they should think expedient;
for the whilk, no Cryme nor Offence
should be imputt to them nor their Suc-
cessors, nor should be called in Trouble
in their Persons or Goods, Civill or Cri-
minall; therefore, in any Tyme thereaf-
ter, notwithstanding of any Proclamation
maid in the contrair, and all Paines con-
tained therintill, provyding alwayes that
the Occasion thereof should be first signifi-
ed to the King's Majesty, to the Effect
that the same might be done of his Ma-
jesty's Knowledge and Allowance; and
exonerating and discharging the saids Ma-
gistrates of all Hazard and Danger of slay-
ing, mutilating or hurting any Person
resisting notwithstanding; and deforcing
of them in their Offices, or in redding
or putting sondrie Parties meeting in their
Armes within the Burgh, they alwayes
redding the said Parties with long Wea-
pons allenarly, and not by shutting Hag-
buts and Pistolls at any of the Parties.

"And whereas severall Tumults and
Commotions have fallen, and may fall
out in the said City, and that by reason
of our not being upon the Place, the
Magistrates cannot have ane Opportunity
to represent the same to us, and receive
our immediat Orders, as the said Act of
Parliament appoynts: And we having
sufficient Proofs of the Loyalty of the
Magistrates and Town Council of *Edin-
burgh*, and the Inhabitants thereof, and
of their Reddines to serve us on all Occa-
sions; and particularly the Loyalty and
Affections of the present Magistrates; we
have thought fit hereby to give and grant
full Power and Commission to you the
present Provost and Baillies of *Edinburgh*,
to raise and levie a Company consisting of
the Number of ane hundred and eight
Men, besyde Officers; and to you and
your Successors in your Offices, to keipe
up and maintaine the said Company under
Pay, for the Defence and Guard of the
City from all Commotions, Tumults, Up-
roars, and other Disturbances, that shall
happen to aryse.

"And it being necessair, that the said
Company be commanded by fit and weil
qualifiet Persons, skilled in military Im-
ployments; we do give Power to you to
grant Commissions to the Persons follow-
ing, recommended by our dearest Brother
James Duke of *Albany* and *York*, our
High

1593:

" High Commissioner for that our King-
 " dome, viz. Lieutenant Colonell Patrick
 " Grahame to be Captain, Major John Ly-
 " on to be Lieutenant, and Major Robert
 " Johnston to be Ensigne of the said Com-
 " pany: And, upon Vacance of the saids
 " Officers, or any of them, by Deceise or
 " otherways, doe impower you and your
 " Successors to commissionate others in their
 " Plaices; provyding alwayes, that before
 " these Officers enter to the Exercise of
 " their said Offices, they be approven by
 " us, or our Commissioner, or in our or his
 " Absence, by our Chancellor and Privy
 " Councill of that our Kingdom, with
 " Power to the saids Officers and Soldiers
 " to form themselves into a Company, and
 " to have and carrie Musquetts, Hagbuts,
 " and other Armes necessary; but with this
 " speciall Provision, that the saids Officers
 " and Souldiers shall not be allowed to make
 " Use of Fire-arnes within the said City up-
 " on any Occasion, without the speciall Com-
 " mand of the present Magistrates, and their
 " Successors in their Offices, or of our Privy
 " Councill, Lieutenant Generall, or any of
 " our Officers, by Warrant and Order of
 " our Privy Councill. And that the said
 " Company shall be obliged to march furth
 " of the Town, where-ever they shall be
 " ordered by our Privy Councill, whenever
 " they find our Service require the same;
 " and shall then be under the Command of
 " our Lieutenant-General or Commander in
 " Chief for the Tyme. And ordains this
 " our Commission to stand in Force, and
 " continew during our Royal Pleasure al-
 " lanarly."

Given at our Court at *Windsor* Castle,
 15th of *June* 1682, and of our Reigne
 the 34th Year.

The *Edinburghers* having received the a-
 bove Charter, the Common Council began
 to provide for the Maintenance of their in-
 tended Company, by enacting, that all Per-
 sons of Ability should be obliged to pay to-
 wards its Support, the highest, Sixpence
per Week; and by a gradual Decrease, to
 Two Pence the lowest. But, the Money ar-
 ising by this Method being only sufficient
 to pay the private Men, it was ordained,
 that the Sum requisite to pay the Officers, to
 buy Cloaths, Arms, and Ammunition, should
 be raised by a Stent, or general Taxation
 on the Citizens, which was approved by
 the King, as will appear by the following
 Letter.

CHARLES R.

Right trustie and well beloved, we greit
you well.

Coun. Regist.
 vol. XXX. f.
 136.

" Having seen and fully considered the
 " Aet of your Town Councill, dated the
 " 12th of *July* last, concerning the Way and
 " Manner of maintaining the new Compa-
 " ny (which in Compliance with a Repre-
 " sentation from our Privy Councill, upon

" your Petition to them for that Effect) we
 " did by our Commission, bearing Date at
 " *Windsor* Castle the 15th Day of *June* last,
 " authorize you to raise and keep in Pay
 " (during our Pleasure) for the Defence and
 " Guard of that our City. We have thought
 " fit to let you know that we are very well
 " satisfied with your said Aet, and particu-
 " larly with the Methods of raising, as well
 " the Pay of the Souldiers, as the Money for
 " Payment of the Officers, and for furnish-
 " ing the Souldiers with Cloaths, Armes,
 " and Ammunition; and therefore do here-
 " by ratifie and approve the same in all the
 " Heads, Clauses, and Contents thereof;
 " declairing these Presents to be as valid
 " and effectuell a Ratification of the said
 " Aet to all Intents and Purposes, as if e-
 " very Particular therein mentioned were
 " at Lenth herein inserted, and to be a full
 " Warrant, authorizing you and your Suc-
 " cessors in your respective Offices; and all
 " Persons who shall be employed by you or
 " them for putting the same in Execution
 " during the Space aforesaid. So expect-
 " ing your outmost Care in answering the
 " trew Ends of our said Commission, and
 " appoynting these Presents to be recorded
 " in your Books: We bid you fairwell."

Given at our Court at *Windsor* Castle, the
 first Day of *August* 1682, and of our
 Reigne the 34th Year.

Upon the Report made to the King by
 the Duke of *York*, of the dutiful Behaviour
 of the *Edinburghers* in all his Services,
Charles was pleased to send them the follow-
 ing Letter.

CHARLES R.

Right trustie and well beloved, we greit you
well.

" Our dearest and only Brother having
 " acquainted us, with your Care and Faith-
 " fulness in our Service, and having laity
 " received just Information of your Dili-
 " gence in levying a Company of Foot, to
 " be kept under constant Pay, for guarding
 " that our City, and to be otherways im-
 " ployed in our Service, as we shall com-
 " mand: We have thought fit by these Pre-
 " sents, to let you know the good Opinion
 " we have of you the Lord Provost, Magi-
 " strates, Clerk and Councill of that our
 " good Town, and to assure you of our
 " Royall Protection, and of all due En-
 " couragement in your severall Capacities
 " and Stationes. You have so well begun
 " in raising that Company (which imports
 " your own Security as well as our Service)
 " that we will not doubt your effectuell per-
 " secting and establishing of it, for serving
 " the good Ends to which it is designed.

Id. ibid. f. 144

" We do earnestly recommend to your
 " Care, and as certainly expect from your
 " Loyalty, the effectuell Suppression of all
 " seditious Disturbances of our Government,
 " and of all Phanaticall Schismatics, who
 " rend

"rend the Church within your Jurisdiction, by a prudent and steady Execution of our good and wholesome Lawes for that Effect provided; than which you can do no Service more acceptable to us. We bid you heartily fairwell."

Given at our Court at *Windsor* Castle the 17th Day of *September* 1682 Years, and of our Reigne the 34th.

Thus were the Magistrates and Common Council of *Edinburgh* duped by the Court, and the injured Citizens compelled to contribute to the Support of a Company of Soldiers, which seems to have been raised with a View to help to inflave themselves and their Countrymen, which they seem to have been sensible of; for in the Year 1689, as soon as they durst declare their Grievances, they applied to the States of the Kingdom assembled at *Edinburgh*, to be relieved from that grievous and intolerable Burden, as will appear by the following Ordinance.

At *Edinburgh*, the 16th April 1689.

Conn. Regist.
vol. XXXIII.
f. 5.

"The Meeting of the Estates haveing considered a Supplication given in to them by the Magistrates and Town Council of the City of *Edinburgh*, humbly representing, That in *May* 1682, the Good Town was imposed upon to raise a numerous Companie of Souldiers, under Command of Captain *Grabame*, for guarding of the City, the Charges whereof has proven ane heave and insupportable Burden, and has been the Cause of contracting much Debt; and yet has nowayes answered the pretended Ground for which it was raised; in regard that the Town's common Prison; and private Mens Shops have been more frequently broken, since the raising the said Companie than before; and that the Train-bands and Militia of the Burgh was alwayes employed in Cafes of any Difficultie, sua that the said Companie is altogether superfluous, and occasioned needlesse Expence to the Burgh; and therefore humbly supplicating to the Effect after mentioned.

"The said Estates do hereby grant War-rand to the saids Magistrates and Town Council of the City of *Edinburgh* to disband the said Companie, the saids Magistrates and Town Council alwayes paying to them their Arrears before they be disbanded; and report to the States what they will offer to them for Securitie of the Town, in place of the said Companie, and making Offer of the Souldiers of the Companie to some of those ordered by the King to levie Souldiers here for his Majesty's Service."

Pursuant to the above Ordinance, the Common Council ordered the Town Treasurer to pay the Arrears due to the Officers and Soldiers of the said Company.

1690.
Id. ibid. f. 148.

The *Edinburghers* having disbanded their Company of Soldiers, would now do that vo-

luntarily, which they would not have imposed upon them: For, at this Time not thinking themselves safe without a Guard of regular Troops; upon their Application to Parliament, they were impowered to raise a Company of One hundred and twenty six Men, including Officers; with a Power to affess themselves for their Support, of which Company the Provost for the Time being is always Captain.

The Common Council at this Time perceiving, that the Provision made by Parliament was not sufficient to defray the Expence of the said Company, they reduced their Number to One hundred and two private Men. And a Peace being concluded soon after between *Britain* and *France*, and their Allies, they made a second Reduction of their Company to twenty eight private Men, who were allowed Five Pence per Day each; two Corporals, Nine Pence each; a Drummer Nine Pence; a Serjeant one Shilling and two Pence; and an Officer to command under the Provost, to be called Adjutant, Two Shillings Sterling per Day; which were to be the City Guard by Day, and the Train'd Bands by Night.

This Company continuing in a fluctuating State, it was now augmented to ninety private Men, at Six Pence per Day each, deducting one Penny for their Clothing; three Corporals, One Shilling each, whereof Two Pence for Cloaths; three Drummers, One Shilling each, whereof three Pence for Cloaths; three Serjeants, One Shilling and six Pence each, whereof Three Pence for Cloaths; and two Captain Lieutenants, Four Shillings per Day each.

The Orders to be observed by the Town's Company of Soldiers being so very singular, as probably are no where else to be seen, a Copy thereof may not be unacceptable to the Reader; which is of the following Tenor.

1. That every Centinel, before his Admission into the Company, shall give Security for his honest and good Deportment.
2. That no Centinel stay a Night without the City Walls, without Leave, on Pain of being cashiered, and to be punished at the Will of the Provost.
3. That no Centinel shall neither curse or swear, under the Forfeiture of a Day's Pay; for the second Fault, two Days Pay (both for the Use of the Poor) and to sit four Hours in the Stocks; and for the third Fault, to ride the wooden Horse.
4. That no Soldier shall be absent from the publick Worship, when off Duty, on the *Sabbath* Day, but shall religiously observe the same, on the Penalty of a Day's Pay, and sitting in the Stocks four Hours; and for the second Offence, to forfeit two Days Pay, and ride the wooden Horse.
5. That none sleep, be drunk, or leave his Post, or forbear calling to the next Centinel

D d d

centinel

1696.

1698.

ibid. vol. XXXVI. p. 54.

1700.

Id. ibid. p. 564.

Ibid. vol. XXXVIII. f. 6.

tinel on the first Disturbance in the Street, on the Pain of being broke, and otherwise severely punished, at the Will of the Provost.

6. That as often as any of the said Soldiers shall be disguised in Liquor, or using opprobrious Language, shall forfeit two Days Pay, and ride the wooden Horse the Space of an Hour.

7. That none be absent from his Duty on Guard-Day, on the Penalty of two Days Pay, and riding the wooden Horse one Hour.

8. That the Serjeant of the Guard call over the Rolls twice a Day, at the Hours of Eleven before and after Noon; and oftner, if there be Occasion.

9. That none keep, or be seen in a Bawdy-house, or in bad Company, or Houses frequented by Rogues, on Pain of an exemplary Punishment, to be inflicted at the Will of the Provost.

10. That none discover the Watch-word, or give any other, under the Pain of being broke, and punished at the Discretion of the Provost.

11. That none presume to draw a Sword, Bayonet or other Weapon in Wrath, nor fight or beat one another in the Guard-house, or in Sight thereof, or elsewhere, under the Pain of being broke, and otherwise punished at the Will of the Provost.

12. Whoever mutinieth, or conceals the same in any other, shall be broke, and punished at the Discretion of the Provost.

13. That none disobey the just Commands of his Officer, on Pain of being cashiered, and punished at the Will of the Provost.

14. That no Officer grant a Furlough to any Soldier without the Provost's Permission, under the Penalty of a Day's Pay for every Day the said Soldier shall be absent.

15. That the Officer of the Guard receive all Persons committed by the Magistrates, Church-Treasurer, Constables, and others, and detain them till examined, and discharged by a Magistrate.

16. That no Officer disband any Soldier, or absent himself from his Duty on a Guard-day, without the Provost's Warrant, on

the Pain of an arbitrary Punishment by the Provost.

17. That the Captain of the Guard cause two of his Soldiers patrolle the Streets by Night, to give notice of the breaking out of Fires, and in order to extinguish them as soon as possible; the said Captain shall keep an Account of the Dwellings and Names of the Firemen, to inform them of such an Accident; and in a particular Manner to have Regard to the Diligence of the said Patrol-lers.

18. That the whole Company shall march and be exercised once a Month.

19. That the Captain of the Guard take particular Care to keep the Peace, by suppressing all Riots, Tumults, and other Disturbances, by seizing the Transgressors, whose Names shall be given in every Morning to the Bailiff in Waiting.

20. That the Soldiers keep their Arms and Apparel clean and neat; and that all Offences not above specified, to be punished at the Discretion of the Provost.

This Company, which guards the Town both by Day and Night, at present consists only of seventy five private Men; the Provost as Captain, three Lieutenants, (by Compliment, commonly called Captains) three Serjeants, three Corporals, and three Drummers; which, for Men, Discipline, and Accoutrements, is scarce to be out-done by any.

The Armoury belonging to *Edinburgh*, which is a handsome spacious Room in the High Council-house, adjoining to the Western End of the Tolbooth Church, contains One thousand three hundred and fifty Sets of Arms, (a Set consists of a Musket, Bayonet, Cartridge-box, Sword and Belt) for the Use of the City Train'd Bands; which is supported and kept in good Order and Condition, by Money paid by Persons at their Admission to the Freedom of the Town, namely, by one who is admitted a Burges and Gild-brother (a Merchant) the Sum of Sixteen Pounds *Scotish*; and by a common Burges, the Sum of Ten Pounds of the same Money; which, if wholly applied to this Use, this Magazine, in Time, would vie with some of the most considerable.

The End of the Third Book.



THE



T H E

HISTORY of EDINBURGH.

B O O K IV.

Containing Accounts of the Incorporations of Arts and Mysteries of the Citizens of Edinburgh.

Of Arts and Companies.

AS I have already demonstrated, that the Country of *Lothian*, &c. was subdued and planted by the *English*, and for divers Ages under their Domination, and endeavoured to shew, that the Castle of *Edinburgh* owes both its Origin and Name to that Nation; so do I think, that this City owes its Name to the Castle, and its Government to the *English*: For the Appellation *Burg* or *Burgh*, is *Saxon* or *English*, importing a Castle. Now, Towns being erected in the Neighbourhood of Castles for their Protection, had the Name of *Burgh* or *Burghs* given to them; and as the Soldiers who garrisoned the said *Burghs*, were called *Burghers*, so the Inhabitants of the Towns or New *Burghs*, received likewise the Name of *Burghers*, now corruptly *Burgesses*; and the said *Burgesses* being formed into a Community, the Constitutions made for their good Government were denominated the *Burgh* or *Borough Laws*; and the *Burgesses* or Inhabitants of the said *Burghs* perceiving the Benefit resulting from the said Community, erected themselves into Companies or *Gilds*, as their several Interests led them: But those Societies being regarded by some *Burghs* as spurious, for being set up without their Authority, dissolved them; and in their Stead constituted a General Society or Corporation of Merchants, denominated *the Gild*.

An Instance whereof we have in the Year

1283, by *Robert Durbame* Mayor of *Berwick* upon the River *Tweed*: *Simon Martell*, and others of that Town, made certain Statutes for the Government of their new *Gild*, and called them *the Gild Laws*, which is likewise *English*: For the Word *Gild* in the *Saxon*, imports a Society or Community of Men united together for their mutual Interest. And what is very remarkable, those *Laws* seem to have been made, without consulting the King; and in some measure, to corroborate what has been said concerning *Burghs* and *Gilds* being derived to us from the *Saxons*, it does not appear, that I can learn, that there ever were any such Words in the antient *Gallick* or *Scotish* Language, as either *Burgh* or *Gild*, or that ever the said Appellations were used in the same Sense by any other Nations than those of *Germany*, the *Goths*, *England*, and our own; and that both *Burghs* and *Gilds* are of considerable Antiquity in *Scotland*, is evident by the *Borough Laws* made at *Newcastle* upon the River *Tyne*, by King *David I.* who began his Reign in the Year 1124; and also by *William I.*'s confirming the Merchants *Gild*, who began his Reign anno 1165.

But when, or by whom *Edinburgh* was constituted a *Burgh Royal*, I cannot ascertain; yet that it is one of the most antient in *Scotland*, I think is manifest, by its being the principal of the four *Burghs* in the Year

Sken. auld.
Law Scot. Stat.
Gild. p. 141.

Ibid. f. 118.
141. p. o. n.

Ibid. f. 139.
p. o.

Year 1348, when *David II.* in a Parliament held at *Perth*, ordained, that as long as the Burghs of *Berwick* and *Roxburgh*, which had been two of the said four Burghs, remained in Possession of the *English*, the Burghs of *Lanark* and *Linlithgow* should be put in their Stead. And as in that Act it is said, that these four Burghs in antient Times held the Chamberlain's Court annually at *Haddington* in the County of *East-Lothian*: It is thereby evident, that *Edinburgh* must be one of the most antient of the said Royal Boroughs. More of this in another Place.

Now, though the Town of *Berwick* upon *Tweed*, which belonged to *Scotland*, at the making of the above mentioned Constitution, at present belongs to *England*; yet as it is in *Scotland*, and to which *Edinburgh* and other *Scottish* Boroughs are so much indebted for the excellent Laws of their several Gildries: I shall, in return for that Favour, endeavour to shew the present Inhabitants of that Place both the Origin of their Town, and Etymology of its Name; which have been attempted by divers of the most eminent *English* Antiquarians, seemingly without Success.

Various are the Derivations of the Appellation *Berwick*: *Leland* deduces it from the *British* *Aber*, the Mouth of a River, and *Wick* a Town; therefore it must signify a Town at the River's Mouth. This I take to be very improbable; for *Wick*, the latter Part of the Compound is *Saxon*; therefore could not be conferred by the *Britons*, who were Strangers to that Language. Besides, whenever the said *Britons* mention *Aber*, they add the Name of the River to which it belongs, viz. *Aberavon*, *Aberconway*, *Abergavenny*, &c. which shews that our Author had but a sorry Foundation to build his *Aberwick* or *Berwick* upon. *Somner* derives it from the *Saxon* *Ber-wic*, a Corn Town: This has likewise its Difficulties; for he should have told us the Right this Place had to such an Appellation, preferable to its Neighbours. By others we are told, it was by the *Saxons* denominated *Bernicia-Wic*, that is the Town of the *Bernicians*, from its being situated in the Country of *Bernicia*, the Northernmost Kingdom of the *Northumbrians*. Now, as my Author calls this the Town of the *Bernicians*, it seems to imply there was only one Town in this Kingdom; surely that could not be the Case, for a Country so large as *Bernicia*, which extended from the Frith of *Forth* in *Scotland*, to the River *Tine*, in *England*, must have abounded with Towns, as it does at present; wherefore I think it is not in the least probable that *Berwick* owes its Name to such an imaginary Origin. And *Cambden*, in respect to the Etymology of *Berwick*, declares himself to be intirely in the Dark: Indeed he tells us, that in divers Grants of *English* Kings, it is said, I give the Towns

of *C.* and *D.* cum suis *Berwicis*. And in the Charters of *Edward the Confessor*, *Totbill* is called the *Berwicus* of *Westminster*; and *Wandleworth*, the *Berwicus* of *Patricksey*, and a Number of the like. So unless *Berwicus* signify a *Hamlet*, or Appendage to a Place of Note, he knows not what to make of it.

Chart. Ed. Con.

Now, as the above mentioned Derivations seem not to answer what they were brought for, I shall attempt to deduce the Origin and Name of *Berwick* from a Town of that Appellation in the Circle of *Lower Saxony* in *Germany*.

The Countries whence the *Anglo-Saxons* came into *Britain*; lay both on the Northern and Southern Sides of the River *Elb* in *Lower Germany*; on the Northern Side the Countries of *Angeln*, *Holftein*, *Stormark* and *Waagerland*; and on the Southern, the *Bardengow* and County of *Stadt*, the chief Town whereof was denominated *Bardewick*, which in point of Antiquity was deemed the second City in *Germany*; next to that of *Trier*; and before its Destruction by *Henry the Lion*, Duke of *Saxony*, its Sovereign, in the Year 1189, for Rebellion, it was deemed the greatest and most flourishing Place for Trade, Opulency and Riches in the *German Empire*.

This once famous and celebrated City, which was situated on the River *Elmenau*, in the Circle of *Lower Saxony*, near the Place where the Town of *Lunenbourg* is at present situated, is now a Village under the Name of *Berwick*; which now, in its humble State, is as it were in Derision called the *Hamburgers Cabbage Garden*, from its supplying it with Garden Stuff: However, there is still to be seen Marks of its antient Grandeur, in the Ruins of divers of its publick Edifices; and by its lamentable and unhappy Fate, the celebrated commercial Cities of *Hamburg* and *Lubeck* are risen as it were out of its Ashes; and likewise to its Misfortune, the neighbouring Town of *Lunenbourg* owes its Foundation.

Numerous are the Derivations of *Bardewick*: By the best Etymologists we are told, that it is a *Saxon* Compound of *Bard* and *Wick*; the former signifying a Pagan Bard (a Poet and Singer) who in the Day of Battle sang the Praises of their deceased Heroes, to encourage their Friends, and intimidate their Enemies: And the latter implies a Streight or Arm of the Sea, or other navigable Water-course, adjoining to which Towns being erected, the Appellation *Wick* was applied to them. But that being lost as to Water-courses, it was generally taken to signify a Town, as is evident by the vast Number of Towns in *Germany*, *Norway*, *Holland* and *England*, terminating in *Wick* or *Wich*, which are situated by aqueous Places, as aforesaid, as our Town of *Berwick* is likewise. Now, this Compound

pound of *Bardwick*, importing the City or Town of the Bards, as aforesaid, it is corruptly called *Berwick*, and exactly spelled and pronounced the same as our *Berwick*.

Now, as already observed, that the *Engliff Saxons* came from the Countries above mentioned, *Bardewick*, or *Berwick* the chief City thereof, abounding with Riches, and a great Number of Inhabitants, many whereof undoubtedly came over in the Expedition to *Britain* under the Command of *Offa*, in the Year 452, who settling between the Frith of *Forth* in *Scotland*, and the River *Tine* in *England*, they, according to the Custom of new Colonies, gave the Names of the Towns in their Mother-country to the Places they settled in; as is manifest by the vast Number of Towns and Villages in these Parts of *England* and *Scotland*, of the same Names with those in the Countries of *Germany* above mentioned; wherefore I think we may justly conclude, that our Town of *Berwick* owes both its Origin and Name to the antient and opulent *Bardewick* or *Berwick* in the said Circle of *Lower Saxony* in *Germany*. This, I imagine, is in some measure corroborated by the Royal Seat of the *Northumbrian* Kings in *Elmet*, in the Neighbourhood of *Aberford* in the County of *York*, being denominated *Berwick*; which I likewise take to have been so called from the chief City of *Berwick*, in the Mother-Country aforesaid; whence the above mentioned Leader, *Offa*, probably came.

In the following Accounts of the several Companies of Arts and Mysteries of the *Edinburghers*, the Fourteen principal thereof I shall set down according to Precedence, and those inferior in alphabetical Order, to which I shall premise some Account of the Gild.

The G I L D.

Dean Gild
Regist.

This Fraternity being a Company of Merchants, commonly called the *Gildry*, is the first and most antient Corporation in *Edinburgh*; and, like all the other Gilds throughout *Scotland*, owes its Origin to that of *Berwick* above mentioned; but when or by whom incorporated I cannot learn. Be that as it will, the Magistrates and Common Council-men of this City were, for divers Ages, chosen out of the same, exclusive of the Trades or Craftsmen, nay, in Effect they are so still, by a Majority of Merchants in the Town Council; whereby they carry Things according to their Mind, unless divided amongst themselves, which seldom happens.

The chief Officer of this Community is intituled *the Dean of Gild*, who, assisted by a Council consisting of three Merchants, and three Tradesmen chosen by the Common Council, determine all Differences betwixt Merchants, and between them and Mariners, with the greatest Dispatch in a summary Way. To them belong the Superintendency of all Buildings, both publick and private within the City and Liberties, both in respect to their Construction and Repairs, for preventing Mischief which otherwise might happen, by their not being carefully inspected: They also admit Persons into the Freedom of the City, adjust Weights and Measures, and prevent forestalling staple Commodities, as set forth in the Constitutions of the Dean of Gild's Court above recited.

The Number of Persons admitted into Dean Gild. the Freedom of *Edinburgh*, at a Medium of Regist. the following seven Years, viz. 1732. 1733. 1734. 1735. 1736. 1737. and 1738. amounts to ninety two, forty whereof are Burgeses and Gild-brethren, and fifty one ordinary Burgeses, which, together with the fractional Parts, make up the Number of ninety two.

The Expence of the Freedom of this City is as follows, viz. a Burges and Gild-brother by Purchase, the Sum of Eleven Pounds, two Shillings, two Pence, and two thirds of a Penny Sterling. By Right of a Father or Wife, Two Pound twelve Shillings eleven Pence, and One third of a Penny; and by Servitude, Two Pounds twelve Shillings eleven Pence and One third of a Penny. And a common Burges by Purchase, the Sum of Five Pounds eleven Shillings one Penny and a third of a Penny; by Right of a Father or Wife, One Pound two Shillings two Pence and one third of a Penny; and by Servitude, One Pound nine Shillings and five Pence Sterling.

Remark. How the Chief Officer of the Gild came to be dignified with the Title of Dean, I think is not to be accounted for, without considering, that the first Societies we read of were religious, ruled by a Diversity of Officers for their better Government; one whereof having under his Care or Direction the Number of ten Persons, was stiled the Dean; and when temporal Societies or Corporations came to be erected, the Epithet Dean was chosen by them and conferred on their Chief Officer, without considering the Purport or Meaning of it. Thus I imagine a spiritual Title came to be given to a temporal Officer.

SURGEONS.



The Surgeons being the first Company of Crafts in *Edinburgh*, they, according to the Custom of other *European* Nations, were incorporated with the Barbers, by the following Charter from the Common Council of this City.

Coun. Regist.
vol. I. f. 50.

' To all and findrie, to quhais Knowlege thir present Letters fall cum, the Provost, Baillies, and Counsell of the Burgh of *Edinburgh*, greeting in God everlasting.

' Witt zoure Universities, that the Day of the Dait of thir Presentis, compeirit before us sittand in Jugement in the Tulbuith of the said Burgh, the Kirk-maister and Brether of the Surgeanis and Barbouris within the samyn, and presentit till us thair Bill and Supplicatioun, desyring us, for the Love of God, Honour of oure Sovirane Lord and all his Liegis, and for Worschip and Polecy of this Burgh, and for the gude Reull and Ordour had and maid amongis the saidis Craftis in Tym to cum; that we wald grant and consent to thame the Privilegis, Reullis and Statutis contenit in thair said Bill and Supplication, quhilk efter followis.

' To zow, my Lord Provost, Baillies and worthy Counsell of this gude Toune, richt humble meinis and schawis zoure daylie Servitors, the Kirk-maister and Brether of the Chirurgionis and Barbouris within this Burgh, at all Tymes, as uther Nichtbouris and Craftis dois within the samyn.

' We desyre at zoure Lordship and Wifdomes, to give and grant to us and oure Successours, thir Reullis, Statutis and Privilegis underwrittin, quhilkis ar consonant to Resoun, Honoure till oure Sovirane Lord and all his Liegis, perfect and loveabill to this gude Toune.

Id. ibid.

1. ' That we nicht have zeirliche chosin a-

' mangis us, ane Kirk-maister and Overifman, to quhome the hail Brether of the Craftis foresaid fall obey for that Zeir.

2. ' That na maner of Persoun occupie nor use ony Poyntis of oure saidis Craftis of Suergerie or Barbourie Craft within this Burgh, bot gif he be first Freiman and Burges of the samyn, and that he be worthie and expert in all the Poyntis belonging and to the saidis Craftis, and deligentlie and avysitlie examinitt and admittit be Maisteris of the saidis Craftis, for the honorabill serving of oure Sovirane Lord, his Liegis, and Nichtbouris of this Burgh. And als, that everie Man that is to be maid a Frieman and Maister amangis us, be examinitt and previt in the Poyntis following: That is to say, that he know Anatomie, Nature and Complexioun of everie Member of humanis Bodie; and in lyke wayes he know all the Vaynis of the samyn, that he may mak Flewbothomea in dew Tyme: And alsua, that he know in quhilk Member the Signe hes Domination for the Tyme; for everie Man aucht to know the Nature and Substance of everie Thing that he wickis, or ellis he is negligent; and that we may have ains in the Zeir ane condampnit Man efter he deid, to mak Anatemea of, quhair throw we may haif Experience, ilk ane to instruct utheris, and we fall do Suffrage for the Soule: And that na Barbourie Maister nor Servand within this Burgh hant, use, nor exerce the Craft of Surgerie, without he be expert and know perytlic the Thingis above writtin: And quhat Persoun fall happin to be admittit Freiman or Master to the said Craftis, or occupeis any Poynt of the samyn, fall pay at his Entry for his Upsett,

Upsett, Fyve Pundis usuall Moneý of this Realme of Scotland, to the Reparatioun and Uphalding of oure said Altare of *Sancti Mengow* for Devyne Service to be done thairatt, with ane Dennar to the Maisteris of the saidis Craftis, at his Admissioun and Entre amangis us; exceptand that everie Freiman, Maister of the saidis Craftis, and ane of his lawfull gottin Sonnis, to be frie of ony Money paying, except the Dennar to be maid to the Maisteris, efter he be examinitt and admittit be them, as said is.

Id. ibid.

3. That na Maisteris of the said Craft fall tak ane Prenteis or feit Man in Tyme cuming, to use the Surgerie Craft, without he can baith wryte and reid; and the said Maister of ony of the said Craftis, that taks an Prenteis, fall pay at his Entre to the Reparatioun of the said Altare twentie Shillingis; and that na Maister of the said Craft resset nor reslave ane uther Maisteris Prenteis or Servant, quhill the uther his Termes be cum; and quho that dois in the contrair thair of, als ofe as he failzie, fall pay Twentie Shillingis to the Reparatioun of the said Altare, but Favour.

4. Everie Maister that is resavit Frieman of the said Craft, fall pay his ouklike Pennie, with the Spittes Meill, as he fall happin to cum about; and a Servant that is a feit Man to the Maisteris of the said Craft, fall pay ilk Oulk ane half Pence to the said Altare and Reparatioun thair of; and that nane haif Power to cheise ane Chaplane till do Devyne Service daylie at oure said Altare at all Tymes, when the samyn fall vaik, and till cheise ane Officiar to pas with us, for the ingathering of oure Quarter-payment and ouklike Pennies, and to pas befor us on *Corpus Christi* Day, and the *Octavis* thair of, and all uther generall Processiouns and Gatherings, sicklyke as uther Craftis hes within this Burgh; and that ane of the Maisteris of the foirsaid Craftis, with the Chaplane and Officiar of the samyn, pas at all Tymes neidful, list and rais the said Quarter-payments fra everie Persoun that aw the samyn; and gif ony disobeyis, that we may poynd and distrenzie thairfore, and at all Tymes haiff ane Officiar of the Toune with us.

5. That na Maister nor Freiman of the said Craft purchas ony Lordschip contrair the Statutis and Reullis above writtin, in hindering or skaithing of the Craftis foresaid, or Commonweill thair of, under the Payne of Tynfall of thair Friedomes.

6. That all the Maisteris Freimen and Brether of the said Craft, reddelie obey and cum to thair Kirk-maister at all Tymes quhen thay fall be requyrit thairto by the said Officiar, for to heir quarter Comptis, or till avyse for any Thing concernyng the Commonweill of the said Craftis; and quha that disobeyis fall pay Twentie Shil-

lings to the Reparatioun of the said Altare. And that na Persoun, Man nor Woman, within this Burgh, mak nor sell ony *Aquavite* within the samyn, exceptis the saids Maisteris, Brether, and Freimen of the saidis Craftis, under the Payne of Escheit of the samyn but Favour.

Befeking thairfor your Lordschippis *Ibid. f. 51.* and Wisdomes, at the Reverence of God, that ze will avyse with thir our sempill De-syris, Statutis, Reullis, and Preveligis above writtin, and grant us the samyn rate-feit and apprevit be zow under zour Seill of Cause. And, with the Grace of God, we fall do sic Service and Plesure to the King's Grace, and gude Toune, that ze fall be contente thair of, and zoure Delyverance heirintill humblie we besek.

The quhilk Bill of Supplication, with the Reullis, Statutis, and Preveligis contentit thairintill, being red befor us in Jugement, and we thairwith beand ryplie and distinctlie avysit, thinks the samyn consonant to Reasoun, and na Hurt to oure Soverane Lord's Hienes, us, nor nane utheris his Lieges thairintill; and thairfor, we consent and grants the samyn to the foresaidis Craftis of Suergeirie and Barbouris, and to thair Successours, and in swa far as we may or hes Powar, confirmis, ratifis, and approis the saids Statutis, Reullis, and Privileges in all Poynts and Articlis contentit in the Supplication above writtin. And this to all and fundrie quhome it efferis, or may effer, We mak it knawin be thir oure Letters; and, for the mair Verificatioun and Strenth of the samyn, we haif hung to oure common Seill of Cause; at *Edinburgh*, the first Day of the Moneth of *July*, the Zeir of God Ane thousand five hundred and five Zeires.

The above Charter was confirmed by Clerk. Comp. *James IV.* on the 13th *October*, anno 1506; 6. Account.

and Queen *Mary*, in consideration of the close and necessary Attendance of the Members of the Incorporation on their Patients and Studies, did, by her Letters patent of the 11th *May*, in the Year 1567, exempt them from attending Juries, watching and warding within the City and Liberties of *Edinburgh*. These Grants were confirmed by *James VI.* on the 6th *June*, anno 1613, as they likewise were by Parliament, on the 17th *November* 1641.

And upon Application to the Common Council of *Edinburgh*, they, by their Act of the 25th *February*, in the Year 1657, erected the Surgeons and Apothecaries into one Community; which, with former Privileges, were confirmed by *Charles II.* and ratified by Parliament on the 22d *August*, anno 1670, as they were sometime after by Letters of *William and Mary*, of the 28th *February*, in the Year 1694, with an additional Grant of a Liberty to practise within the

the Counties of *East, West, and Mid-Lothians*, the Shires of *Fife, Peebles, Selkirk, Roxburgh and Berwick*, which was confirmed by Parliament on the 17th July, anno 1695.

The Arts of Surgery and Pharmacy being thus united, the Corporation laid aside the Barber Craft, which occasioned the Common Council, by their Act of the 26th July 1682, to recommend to the Company to take care to supply the Town with a sufficient Number of Persons qualified to shave and cut Hair, on such Terms as they could best agree on; and that the said Persons should be held as Dependants on the Surgeons; which was accordingly performed, and so continued till the 23d of February 1722, when the Court of Session, by their Decree of this Date, separated the Barbers from the Surgeons in all Respects, other than the Barbers are obliged to register their Apprentices with the Surgeons, and to be admitted by them and the Barbers. Now the Barbers being forbid to practise Surgery, the Common Council in lieu thereof allowed them to make a spiritous Liquor called *Aquavitæ*. The Surgeons have a handsome Hall in the High-school-house Yard to treat of the Company's Affairs in.

Coun. Regist.
vol. XI. f. 203.

GOLD-SMITHS.



By a Charter granted by the Common Council of *Edinburgh*, to the Hammermen of this City, on the 2d May, anno 1483, the Goldsmiths appear to have been one of the five Crafts erected into one Society,

by the Appellation of Hammermen; but at what Time they were separated from the said Hammermen, does not appear no more than the Time of receiving their first Charter as an independent Company; though I think the following may, with good Reason, be supposed to have been the first, which was granted them by the Town Council of *Edinburgh*, on the 20th of August, anno 1581.

Coun. Regist.
vol. IX. f. 102.

1. 'That na Unfreeman of the said Craft reffave an Prenteis for ane schorter Tyme nor sevin Zeires, in respect of the Difficultie of the said Craft; and that it fall nocht be lesun to ony Maister of the said Craft, that hes ony Prenteis for the Tyme, to tak or haif ane new Prenteis quhill thrie Zeires be expyrit of the Tyme of his last Prenteis, that he may be helpand and learne the young Prenteis, under the Paine of Threttie Pundis to the Maister, that fall fail in ony of the Premissis. And for the better Tryall and Confirmation heirof, that all Indentouris be subscryvit be the Deykin of the Craft, or ane Notair for him. And

that nane be buikit in the Tounis Prenteis Buik, but quhair the Indentouris is subscryvit as said is.

2. 'Anent the reffaving of Fremmen and

Ibid. f. 102.

Maisters, be resoun of the Excellence of the said Craft, and Difficultie thairof, and thairby subject to the gryter Fraude and Abusis that may be hurtfull to our Soverane Lordis Lieges, and caus an evill Brute and Dishonour to the Craft and Fremmen thairof, that thair, in all Tymes cuming, nane be reffavit or admittit Maister nor Freman of the said Craft, bot upoun the Conditionis and Maner following, to witt,

1. That thay haif bene ane Prenteis of the said Craft, with ane Freman thairof, Burges of the said Burgh, for the Space of sevin Zeires; and haifand servit compleitlie the Zeires of thair Indentouris.

2. That the said Prenteis beand ane Burges Sone, haif servit ane Freman of the Craft for ane Zeir, and ane Straynger for twa Zeires, efter the outrunning of thair Prentischip, afoir thay be admittit Fremmen and Maisteris of the Craft, according to the Set betwixt the Merchants and the Craftismen, and Actis of Counsall maid heira-

ment. 3. That he be of gude Life and Conversation. 4. That he be valiabil in Gudis and Landis, to the Soume of Fyve hundret Pundis, to the Intent he may be mair responsall to answer to all Parties for thair Stufe reffavit, or ellis, that he find sufficient Cawtion before his Admissioun, to be answerabil to all Men for his Admissioun and Fidelitie. Lastly, That he haifing gevin ane sufficient Assay, Pruif and Tryall to the said Deykin and Maisteris of the said Craft for his Cunnyng and Experience, bay thair Workmanschip and Knowlege of the Fynnes of the Metallis, be fund qualifit thairinto. And gif ony fall be reffavit heirefter, bot in Maner foresaid; the Deykins and Maisteris, and ilk ane of thame Receiveris and Admitteris of the same Person, to pay an Unlaw of Fortie Pundis.

3. 'To inhibite and discharge all Goldsmiths quhatsumevir, nocht beand admittit be the Deykin and Maister, is, as said is, to work, melt, or braik down, or sell any Gold or Silver Work within his Buith under the Payne of Twentie Pundis; and gif ony beis fund doand the samyn, that Officiars of this Burgh pas with the Deykin, and Maisteris of the said Craft, serche and braik down thair Hairthes and Rowmes maid for doing of the samyn, and put thair Personis in Waird, quhill the said Unlaw be payit, and forder Ordour tane with theme.

4. 'To inhibite and discharge, that na Maister fall reffave ane uther Maisteris feit Servand induring the Term of his Service agreit upoun with his Maister, without his Leive and guid Will of his Maister, so that he be knawin be the Deykin and Brether

of

of the Craft, that he is cum from his Maister with his Leive, under the Payne of Ten Pundis.

5. That na Maister reffave ane Servand and cullour him under his Fredome, in geving him Libertie to work at his Pleasure, to quhome he pleis, in Defraude of the Libertie of the Bretheren; bot, all Servandis fall work for Meitt and Fie, under the Payne of Fortie Pundis, to be tane of the Maister that fall cullour the said Unfreeman.

6. That nane of the said Craft melt any brokin or haill Work, without it be schawin to the Deykin, that it may be knawin quhiddir it be stollin or nocht, under the Payne of Twentie Pundis.

7. That na Maister tak on him to work any Work in Lattoun or Copper, or gilt the samyn, in Defraude of the Lieges, under the Payne of his Fredome and Payment of Twentie Pundis.

8. That na Maister of the said Craft fall hald ony in a oppin Wark Buithis, bot ane, under the Payne of Twentie Pundis, and wairding of his Persoun.

9. The uplifting and reffaving of the said Unlawis, to pertain to the Townis Collectouris, and Officiaris at the Command of the Magistrates; and the twa Pairt theirof to be imployit be the Toun to the Use of the Pure; and the third Pairt thair of to be delyverit to the Craft for thair Travell in searhing and delating of the Transgressouris. And to this Effect, that ane of the Townis Officiaris pas with the saids Collectouris, and Deykin, and Brether of the said Craft, and arreist, waird, and poynd for the said Unlawis, swa oft as Neid requyres.

Clerk Comp.
Account.

The above I take to be the Seal of Cause mentioned in James VI.'s Charter of the third January, anno 1586, wherein we are told, that the Goldsmiths of *Edinburgh* antiently had divers ample Privileges, Liberties, and Immunities belonging to them. And in the said Charter, not only all Unfreemen are discharged from exercising the Business of a Goldsmith within the City and Liberties of *Edinburgh*; but the Corporation is thereby invested with a Power to inspect, try, and regulate all Golden and Silver Wares, not only in *Edinburgh*, but in all other Parts of *Scotland*, with a Right to punish Offenders concerned in working adulterated Gold or Silver; with a Privilege of making Bylaws for their better Government.

And by a Charter of James VII. of the 14th December, anno 1687, is not only confirmed all the Company's Rights and Immunities, but an additional Privilege is granted them of searhing, inspecting, and trying all Jewels set in Gold or Silver in all Parts of the Kingdom, to destroy all that are false or counterfeit, and to punish Transgressors according to their Deserts, ei-

ther by Imprisonments or Fines; in which they are to be assisted by the Magistrates of the several Places where such Searches are made, to bring to Justice all Offenders. To which is added a Power to seize the working Tools of all unfree Goldsmiths that shall presume to work within the City or Suburbs of *Edinburgh*, and to detain the same, till Satisfaction be made to the Corporation by paying such Fines as shall be imposed on them by the Deacons and Masters of the said Company. This Community has a handsome Hall in the Parliament Close to transact their Affairs in.

SKINNERS.



Although, by the Malevolence of the Clerk of this Company, I have not been able to discover whether it was incorporated before the Year 1586, yet, from certain Words in the following Seal of Cause,

I think it must. If it was, their Constitutions must have been very defective; for, in the said Year, the Skinners applied to the Common Council of the City to have certain Regulations confirmed to them for their better Government; of which the following is a Copy.

1. Forfamekill as certane Brether of the Coun. Regit: said Craft, nocht having Regaird of the vol. VIII. d. Comoneweill, followand thair awin privat⁵⁸ Lucre, hes reffavit ane Multitude of Prentis of ther awin Appetyt, quhilk they could nocht be abill to undertak be instructing of them in the said Craft, and sustein- ing of them as they aucht to do.

For Remeid therfor, to statute and ordane, that it fall nocht be lesun in Tyme cuming to any Brother of the said Craft, to reffave ane new Prenteis, quhill the first Zeir of the last Prenteis quhilk he reffavit immediatlie befoir, be compleitlie outrown, and that under the Pane of Fyve Pund, to be payet to the Collectouris of the Townis Unlawis, in the Name of the Towne, so oft as they failze, the Buithe to be closet and steiket up, and nocht be sufferet to work quhill the sam be reformat.

2. That na Maister reffave in Service any Servand of the said Craft, that hes nocht bene ane Prenteis with ane frie Maister within this Burgh, except he first cum with the Deykin and quates Maister being for the Tyme, and caws him be buiket in the Townis Buikis, to be ane bound Servand for the Space of thrie Zeirs, efter the quhilk thrie Zeirs outrown, the said Servand fall be frie to serve quhair he pleises, with ony frie Maister within the Towne; and this to eschew the Abuse that hes bene

F f f f

throw

‘ throw the Multitude of Servandis daylie
‘ resorting and repairing within this Burgh,
‘ and larning of the said Occupation; and
‘ thereafter passing furthe therof, to remaine
‘ quhair they pleis, under the Pane of Four-
‘ tie Schillings to be payet to the said Mai-
‘ ster, so oft as he failzeis, as said is.

3. ‘ That nane of the Maisters of the said
‘ Craft ressave in Service ony uther Maister’s
‘ Prenteis, without the said Prenteis or Ser-
‘ vand first have satisfiet the last Maister for
‘ his Service, and have obtenit his Discharge
‘ therupone, at the least, without he have ane
‘ sufficient Caws, knawin and tryet to leave
‘ his Maister foresaid, under the Pane foresaid.

Id. ibid.

4. ‘ That na Prenteis of the said Craft
‘ fall be ressavit or admittit to his Upset and
‘ Freidome without he have servit for the
‘ Space of thrie Zeirs at the leist, efter the
‘ utturning of his Prenteisship with sum frie
‘ Maister, that he may be the mair abill,
‘ and that he may serve oure Soverane Lordis
‘ Lieges.

5. ‘ That na Skinner Wark be fauld with-
‘ in this Burgh upone the Hie-streites, or o-
‘ ther publiet Places outwith Buithis, ex-
‘ cept upone the *Monondays* Market, upone
‘ Paine of Eischeit of the same to the good
‘ Townis Use.

6. That nane be admittit nor ressavit
‘ Frieman of the said Craft, except first he
‘ give his Assay to the Deykin and Craft,
‘ and suche as they fall appoynt therto; and,
‘ that the samyn be fund sufficient be thame,
‘ utherways nocht to be maid Frieman.

7. ‘ That the Provest and Baillies, at the
‘ Desyre of the Deykins, or any Brother of
‘ the said Craft, fall put the said Articles
‘ to Executione, and reforme all uther E-
‘ normities of the said Craft, and gif Com-
‘ mand to thair Officers to that Effect.

‘ Quilk Articles beand read and confi-
‘ deret, efter lang Conference and Consulta-
‘ tion had thereupone, and therwith beand
‘ ryplie advyset, the saids Provest, Baillies,
‘ and Counfall, and Deykins of Craftis findes
‘ the same mest ressonabill, lawfull, and pro-
‘ fitabill for the Honor, Weill, and Profit,
‘ and Pollicie of the said Craft, and there-
‘ fore rattifies and approvis the samyn hail
‘ Clausis and Circumstances thereof, be thir
‘ Presentis interponing their Authoritie ther-
‘ to; and decerning thame to be observit
‘ and keipet in all Tyme cuming, with a
‘ Command to the Officiars present and to
‘ cum, to the samyn, to dew Executione in
‘ all Poyntis agais the Contraveners and
‘ Brekkers therof, and to uplift the Paynes
‘ contenet therein, to be imployet in Maner
‘ above mentionat.

The above Charter was confirmed by the
Common Council of this City, on the 26th
November, in the Year 1630, with the fol-
lowing Restrictions.

1. ‘ That none of the Trade presume to
‘ broek Sheep-skins on the Rim or Flesh-side,

‘ either for Points or Gaitt-leather, or to sell
‘ the same for Raphall, under the Pain of
‘ Punishment, at the Discretion of the
‘ Town’s Council, by the Advice of the
‘ Deacon and Brethren of the Craft.

2. ‘ That none presume to sell a bad Com-
‘ modity, under the Pain of an arbitrary Pu-
‘ nishment as aforesaid.

3. ‘ That no Member of the Corpora-
‘ tion presume to bachill any Work in the
‘ Gaitt or in the Kirk, neither on Holy-days
‘ or Work-days, on the Penalty aforesaid.

4. ‘ That no Person hang up Bachall or
‘ Exampill of his Work to publick View
‘ within the Town, or hang out the Sign of
‘ the Glove before his Shop, unless he be
‘ a Freeman of the Company.

5. ‘ That no Freeman of the Corporation
‘ shall take upon him to alum, grow or
‘ lime Sheep, Kid, Lamb or Calve Skins,
‘ or peel the Wool from off the same for
‘ Sale; except such as belong to *Paul’s*
‘ Work, and others who hereafter may be
‘ permitted by the Common Council.

6. ‘ That no Unfreeman presume to wash,
‘ colour Buttoun, or dress any Gloves, or
‘ work with Sheers, Needles, Grind-stones,
‘ or other Implemet belonging to the Craft
‘ or Art of Skinners, except such as have
‘ bought Gloves by way of Merchandize,
‘ who may help or mend unmarketable
‘ Goods.

7. ‘ That no Unfreeman sell any Sort of
‘ Gloves within *Edinburgh*, but on the
‘ Market-days.

8. ‘ And for the better avoiding Frauds Id. ibid.

‘ in Skins, all Persons are strictly enjoined
‘ to bring the Skins with the Carcasses to
‘ Market, to be openly sold, being first
‘ searched, under the Pain of Forfeiture;
‘ and the said Skins to have the Wool on,
‘ under the Pain of Forty Pennies for each
‘ Skin which is either pulled or cut. And
‘ to prevent all ingrossing and clandestine
‘ Bargains, all Persons that shall buy Skins
‘ out of the Market-place, shall be amerced
‘ in the Sum of Ten Pounds *Scotish*, and the
‘ Seller in Five Pounds of the same Money.

9. ‘ That no Unfreeman presume to make
‘ Gloves, exercise the Trade of a Glover,
‘ or hang out a Sign before or in his Shop,
‘ relating to the Craft within *Edinburgh*.

This Corporation has a convenient Hall
in *Skinners* Close, to treat of their Affairs in.

FURRIERS.



Though I cannot as- Coun. Regist.
certain the Time, vol. IX. f. 215,
when the Furriers
were at first erected
into a Corporation,
yet, by their Petition
to the Town Council
on the seventh of Sep-
tember 1593, they seem
to be of a considerable
Standing,

Standing, by their declaring to the said Council, That it is not unknown to them, that they are an antient free Craft, with as old Liberties and Privileges as any other Occupation within *Edinburgh*, paying Scot, and bearing Lot with the rest of the Inhabitants; but of late are greatly decreased, both in the Number of their Members and Profits of their Trade, chiefly occasioned by the Skinners and Taylors practising divers Branches of their Business; which being taken into Consideration by the said Council, they, by their Act of the above Date, strictly enjoined all Persons, not Freemen of the said Craft, not to fur Cloaks or Gowns, nor dress Lamb-skins or Shorlings, under the Penalty of Forty Shillings *Scotish* Money for each Offence.

Ibid. vol.
XXIII. f. 75.

But the above Order proving insufficient to obtain the Ends desired, the Company, on the 5th of *April*, in the Year 1665, applied again to the Common Council for Redress; setting forth, 'That there are sundrie Persones within this Burgh, *Cannogait*, Town of *Leith*, Barronies of *Portsburgh* and *Broughtoun*, who take upon them the Exercise of the Furriers Trade within the saids Boundis, being Unfreemen in Calling, as making of Muffs, furring of Coats and Caps, and working of furred Skins, and hanging out of the samyn in open View for selling thair of; whereby his Majesty's Leidges are abused, and the Calling altogether disenabled and frustrate of their Benefite, to whom it properlie belongis, contrair to all Equitie and Reason, and the Libertie of frie Burrowis, and their awin auld Right and Privileges, who have been a Calling of ane verie antient Standing within Burgh.

'Humble desiring, that the Counsell would prohibite and discharge any Person or Persones whatsoever, to use or exerce the said Art of Furrier Craft, as making of Muffs, furring of Coats or Caps, working of furred Skins, and hanging out of the samyn in open View for selling thair of, or using of any uther Point of the said Calling within this Burgh and Liberties thair of in na Time coming, under the Paine of Twentie Pund, *toties quoties*; the one Halfe to be payit to the Magistratts, and the uther Halfe to the Use of the Calling; besyd the Imprisonment of their Persones at the Discretion of the Magistratts: And sicklyke, desiring a general Concurrance to the Deakin and his Successors of the said Trade, to searche, seik, take and apprehend all such Persones and their Warke within the saids Boundis, who fall be found Transgressors; and the Baillies to punish the Transgressors according to their Fault, as the said Supplication in it self at mair Lenth beires.

'The Counsell finding the Supplication and Desyre thair of reasonable, doe heirby

'prohibite and discharge all Unfriemen, or any uther Persones whatsoever, to use or exerce the said Furrier Craft, as making Muffs, furring of Coats and Caps; working of furred Skins, or hinging out of the samyn in open View for selling, or using any uther Poynt of the Calling within this Burgh or Liberties thair of in na Time coming, under the Paine of Twentie Pund, *toties quoties*; the one Halfe to be payit to the Magistratts, and the uther Halfe to the Calling, besyd the Imprisonment of their Persones at the Discretion of the Magistratts. And sicklyk, gives generall Concurrance to the present Deaken and his Successors, Deakens of the said Calling, to imploy Officars to searche, seik, take and apprehend all such Persones and their Warke within the saids Boundis, who fall be found Transgressors; and the Baillies of the Boundis to punish the Transgressors according to their Fault, as said is; wherant thir Presents fall be their Warrant.'

H A M M E R M E N.



The Hammermen of *Edinburgh*, for aught appears, were at first erected into a Society by a Seal of Cause or Charter from the Common Council of the City, on the second of *May*, in the Year 1483; at which

Time the Corporation consisted of the Arts of Blacksmiths, Goldsmiths, Loriners, Sadlers, Cutlers, Bucklers or Armourers, to whom were granted the following Privileges.

1. 'That no Hammerman, either Master or Servant, presume to practise more Arts than one, to prevent Damage or Hurt to other Trades. Conn. Regist. vol. I. f. 48.
2. 'That no Person presume to expose to Sale any Sort of Goods in the Street, at any other Time than on the Market-day.
3. 'That certain of the most judicious Persons of the said Crafts be empowered to searche and inspect the Goods made by Members thereof; and if found bad and insufficient, to forbid the Sale thereof, under the Paine of Forfeiture.
4. 'That all Hammermen be examined by the Deacons and Masters of their several Crafts, in respect to their Qualifications; and all that are found to be Masters of their respective Trades, to be admitted into the Freedom of the Corporation; and such as are not to be rejected, till by an industrious Application he become Master of his Business.
5. 'That no Person harbour or imploy the

‘the Apprentice or Servant of another, without his Master’s Consent, who shall receive his Wages or Money he may earn.

6. ‘That no Person, not of the aforesaid Crafts, shall take upon him to sell or vend any Sort of Work made by any of the said Hammermen.

7. ‘That all Persons guilty of a Breach of the above specified Articles, to pay Eight Shillings *Scotish* towards the Support of the Corporation’s Altar of *St. Eloy* in the Church of *St. Giles*, and Maintenance of the Priest officiating thereat.’

Coun. Regist.
vol. XII. f. 271.

The above specified Articles proving insufficient to reform the Grievances of the Corporation, the Company, on the third of September, anno 1617, petitioned the Common Council for Redress; setting forth, ‘That be the Lawis and Statutis of this Burgh, thair is Libertie and Priviledge grantit to thame for assembling togidder, and for seing suche Thingis as fall be for the Weill of thair said Craft, and thairefter to propone the samin to the Counsell, to the effect thay may ratifie and approve the samin, and thay may have the Force of thair Act and Statute. Quhairupone the Supplicants, for the Weill of thair said Craft, having conveynit, have fund the Articles underwritten to be necessar for the Weill of thair said Craft, and keeping of Peace amongst them.’

The above mentioned Articles being taken into Consideration by the Magistrates and Common Council, they ratified and confirmed the same, as follows:

‘The saids Proveist, Baillies and Counsell being ryplie advyisit with the same, finds the Articles above written to be agreeable to Reason, and necessar for the Weill of the said Craft; and thairfor, for the Weill of the Deakyn, Brethrene and Friemen of the said Craft, ratifies and approves the saids Articles and Statutis, and ordains that the samin fall be inviolable observed in all Tyme cuming; and that the same have the Force of an Act of Counsell, and the Decreit of the Proveist, Baillies and Counsell of this Burgh interponit thairto in all Tyme cuming; of the quhilk the Tennor followis:

Id. ibid.

1. ‘Thay statute and ordain, that a Hammerman, nor fiet Man-servant, nor uthers tak up in hand fra this Tyme furth to exerce or use any ma Craftis, but allanerlie ane, sua that his uther Brethrene and Craftismen of the said Craftis be not hurt throw his large Extentioun and extending of Bounds.

2. ‘That thair fall be na oppin Mercat usit of any of the saids Craftis or Wark pertaining to thame of thair Craft upone the Hie-streitis, nor in Creamis upone Burdis, nor Backlit, nor schawin in Hand, nor Signis thairof sett out for to sell, in na

‘Pairt foir nor backside within this Burgh, bot allanerlie on the Mercat Day.

3. ‘That upon ilk *Monday*, twa or thrie of the worthiest Masteris, and maist of Knowledge of the saids Craftis, quhilk fall have Power with ane Officer with thame, to pas, seirche and sic all Mens Wark of the said Craft, and give it be sufficient in Stuffe and Warkmanship, and worthie and able Wark to serve the King’s Leiges with; and quhair it bes fund faltes, to forbid the samine to be fauld, under the Payne of Escheat, so oft as it fall be fund faltes.

4. ‘It fall not be lesun to any Maister of the said Craft, to resset or receive any uther Man’s Prentes or Servand, nor give thame any Wark sa lang as he is bund to his Maister that he cumis fra, and beis Part of his Dewtie and Fic.

5. ‘That na Commoun Creameris of the Toun fall sell or top any Hammerman’s Wark, nor regrait it againe to uther Men’s Use.

6. ‘That it fall not be lesun to any For-
Id. ibid.
rainer borne out of this Realme of *Scotland*; bot onlie to our awin Countre-men, to sell any Waires of the said Craft upon the Mercat-day, bot onlie in the proclomit Fairs, conforme to the loveable Custome observit within this Burgh; quhilk Statutis above written thay ordaine to be inviolable observed in all Tyme cuming; and ordains the said Supplication concerning the Articles above written, togidder with this thair Act and Statute, to be insert and registrate in thair Buikis of Counsell, and an Extract thairof to be gevin to the Deakyne and Brether of the Hammermen, to be usit be thame for the Weill of thair said Craft, in Maner above specifiet, under the Sell of Cause, and Subscription of thair commoun Clerk and his Deputies; and ordains Acts of warding and poynding to be derect heirupone in Forme as effeirs.’

This Corporation at present consists of the Blacksmiths, Cutlers, Sadlers, Locksmiths, Loriners, Armourers, Pewterers, and Sheersmiths; to divers of which other Trades are united, viz. to the Locksmiths, the Watchmakers, Gunsmiths, Hookmakers, and Pinmakers; to the Loriners, the Beltmakers, Founders, Braziers, and Coppersmiths; and to the Pewterers, the White-iron Smiths or Tinmen: Whereby it appears, that the Companies of Arts belonging to this Incorporation are no less than seventeen in Number. The Deacons, Masters, and Members of this united Body meet occasionally in their beautiful Chapel of *St. Mary Magdalen*, in the *Cowgate*, wherein they treat of the Affairs belonging to the Corporation. This Body, in its incorporated Capacity, are Patrons of the Hammermen of *Portsburgh* and *Potterrow*,

Potterrow, as they formerly were of those of *Leith*.

Besides, the General Meetings of the united Body, the several Arts whereof it consists have their separate Meetings, wherein are transacted the Concerns relating to each Company; which severally have two Officers, called *the eldest* and *youngest Master*, who preside in the several Meetings respectively.

WRIGHTS and MASONS.



Clerk Com.
Account.

The Wrights and Masons seem at first to have been formed into a Society by a Seal of Cause, or Act of the Common Council of *Edinburgh*, of the 15th *October*, in the Year 1475; at which Time the Corporation appears to have consisted only of the Arts of Masons and Wrights; to the latter of which, by a Grant of the 26th *August*, anno 1489, were added the Coopers. These Grants were ratified by *Andrew Foreman*, Archbishop of *St. Andrew's*, on the 29th *June*, in the Year 1517, and confirmed by a Charter of *James V.* of the 12th *January*, anno 1527; and by a Grant from the Common Council of the City, of the 18th *April* 1633, divers other Arts were added to the above mentioned, which were confirmed by a Charter of *Charles I.* on the 8th of *August*, in the Year 1635; and by a Decree of the Court of Session on the 5th *March* 1703, they appear to have been the Bowyers, Glaziers, Plummers, and Upholsterers, which were added to the Masons; and to the Wrights were united the Arts of Painters, Slaters, and Sieve-wrights, as were the Coopers above mentioned also.

This Corporation consisting of the above mentioned ten Companies of Crafts or Trades have a beautiful Hall in *Niedry's Wynd*, denominated *St. Mary's Chapel*, to treat of their Affairs in. This Chapel, by its Charter of Foundation of the 31st *December*, in the Year 1504, which was confirmed by a Charter of *James IV.* of the 1st *January*, anno 1505, appears to have been founded by *Elizabeth*, Countess of *Ross*, and had its Name from its Dedication to the Virgin *Mary*.

TAYLORS.



Although the Taylors do not appear to have had any Constitutions for their better Regulation either from the Legislature or Town Council, before the Year 1500; yet, by their having had an Altar in the

Church of *St. Giles*, dedicated to *St. Anne*, they must have been a Society before that Period; and having applied to the Town Council for a Confirmation of certain Articles for their better Government, had those, of which the following is a Copy, granted to them by the said Council.

'Till all and findry to quhais Know-
'lege thir present Letters fall cum. The
'Provost, Baillies, and Counfall of *Edin-*
'burgh, greting in God everlesting. Witt
'zour Universitie, that the Day and Daie
'of the making of thir present Lettres, com-
'perit before us in Counfall gatherit, *John*
'*Steill*, Kirkmaster; *George Bell*, *William*
'*Hockburne*, *Jobne Qubyte*, *Robert Richart-*
'*son*, *Jobne of Lauder*, *William Lamb*, *Tho-*
'*mas Foulare*, *William Dick*, *Morice Slenny*,
'and the Laite of the Maisteris of the Tal-
'zors Craft within this Burgh, and put till
'us thare Supplication, contendant certane
'Statutis and Rewles devisit be thame, to
'be affirmit be us, for the loving of God
'Almighty, the Honour of the Realme, the
'Worschip and Profit of this gude Toune,
'and the Profit of all our soverane Lordis,
'Lieges, and utheris reparand thareto; of
'the quhilk Supplication, the Tenore fol-
'lowis.

'My Lordis Proveit, Baillies, and wor-
'thie Counsale of this nobill Toune, unto
'zoure honorable Discretionis, richt humily
'menis and schawis the Kirk-mastir, and
'the Laite of the Masteris of the Talzour
'Craft within this Burgh, that first for the
'loving (Praise) of Almighty God, the Ho-
'nour of the Realme, the Worschip and
'Proffit of this gude Toune, and the Profit
'of all our soverane Lordis Leigis, and
'utheris reparand thareto, and in Exempill
'of utheris, and for the Augmentatioun of
'Divine Service at the Altar of *Sanct An-*
'oure Matrone of the famen, situate with-
'in the College Kirke of *Sanct Geils* of the
'said Burgh. We desyre that we might have
'thir Statutis, Articulis, and Rewlis fol-
'lowand, grantit and gevin till us be zour
'Autoritie, quarethrow gude Rewle and
'gyding may be had amangis us of the said
'Craft, baith Masteris and Servandis, and
'oure Successoris; considering it is saide be
'comone Auctorite, that Multitude but

G g g Reull

Id. ibid.

‘ Reull maks Confusion, and to eschew the
‘ Vice thereof, and be estimat in Tyme to
‘ cum, thir followand ar oure rationable De-
‘ syris.

‘ In the First, That for the several En-
‘ cresments of Vertue, Practick and Know-
‘ lege, standis in gude Begynning and Found-
‘ ment, and fra thinc furth to continew in
‘ Vertue, and persevere to final End : That
‘ fra thinc furth, all Manir of Prentice to be
‘ tane at the said Craft, fall stand in Pren-
‘ ticeship for the Space and Termes of sevin
‘ Zeirs, and na less, without Dispensatioun
‘ of the principall Master of the said Craft,
‘ and specialie Favour of the Sonnyis of the
‘ said Craft; and ilk Prentice to pay at his
‘ Entrie, to the Reparatioun and uphalding
‘ of Divine Service and oure said Altar, Ten
‘ Schillings; and that nouthir thir Prenticis,
‘ nor nane othyr Persoun of the said Craft,
‘ be sufferit to set up Buth within this said
‘ Burgh, without he be fundin sufficient,
‘ habill and worthy thairto, in Practick and
‘ utherwayis, and admittit thareto, first be
‘ the sworne Masters of the Craft, and maid
‘ Freman and Burgesis of the said Burgh;
‘ and for his Upsett, to pay Forty Schil-
‘ lings to the Reparatioun and uphalding
‘ Divine Service at oure said Altar.

‘ And that na Maner of Master of the said
‘ Craft to hous, harbor or refett any uther
‘ Master’s Prentice or Servand; and gif he
‘ dow, he fall pay ane Contribution and
‘ Taxt to oure said Altare, at the Discre-
‘ tioun of oure said sworn Masteris princi-
‘ pall of the saids Craft, and the Cauis there-
‘ of to be reformit be thame : And that ilk
‘ Master haldand Buth within this said Burgh
‘ of the said Craft, fall pay his wolkly Pen-
‘ ny to the Reparatioun of the Adhorne-
‘ mentis of oure saids Altare, and to sus-
‘ stene the Preistis Mete thereof, as it
‘ cummys about; and that the said Kirk-
‘ master and certane of the principall Ma-
‘ steris of the said Craft, that fall happin to
‘ be for the Tyme, may have full Facultie,
‘ Leise and Privilege, with ane Officere of
‘ the Toune, to pas with thame for to poind
‘ and distrenzie, gif Neid be, for the taking,
‘ raising and inbringing of thir Dewities
‘ forsaide, to the Sustentatioun and uphald-
‘ ing of Goddis Service, as said is, but Dan-
‘ ger, Stop or Impediment.

‘ Quharfore, as this our rationable and
‘ simpl Defyris and Petition is conform to
‘ Equitie, and ar consonant to Honore and
‘ Pollecey, according to the Usis and Confue-
‘ tudis of great Antiquitie in uther Realmys
‘ and Provincis; that ze wald grant till us
‘ thame ratifyit, approvit and confirmit be
‘ zow under zowr Sele of Cauis, in perpetuall
‘ Memorial of gude Rewle to be had in
‘ Tyme to cum, with zowr Answere here-
‘ upon we humily besek.

‘ The quhilks Articulis, Statutis and
‘ Rewlis, beand red, hard and understandin,

‘ and diligently confidrit be us, that thay ar
‘ for the Lovage, first of Almichty God and
‘ Sustentatioun of Divine Service, and for
‘ gude Rewlis to be had in Tyme to cum a-
‘ mangis thame of the said Craft, in Aug-
‘ mentatioun and Suple of the comone Pro-
‘ fitt, and for till eschew misgydit Wayis,
‘ that has bene usit in Tyme begane; we
‘ have ratifyt, approvit and confirmit; and
‘ be thir Presents for us and our Successors,
‘ ratifys, approvis and confirmis the samin
‘ in all Poyntis and Articulis to the said Ma-
‘ steris and their Successoris of the said
‘ Craft, in perpetuall Memoriale in Tyme to
‘ cum for evirmair; and this to all quham
‘ it efferis, and mak knawin by the Tenore
‘ of thir our Lettres.

‘ In Witness of the quhilk Thing, to thir
‘ oure present Lettres oure comone Sele of
‘ Cauis of oure said Burgh we have gart ap-
‘ pend.

‘ At *Edinburgh*, the 26th Day of the Moneth
‘ of *August*, in the Zere Ane thousand and
‘ five hundreth Zeres.’

The above Charter, with two others Clerk. Comp.
Account.
granted by the said Magistrates and Coun-
cil on the 20th *October*, anno 1531, and
11th *November* 1584, which contained very
ample Privileges and Immunities, were con-
firmed by the *Jameses V.* and *VI.* on the
18th *November* 1531, and 4th *June* 1594.

The Revenues of this Corporation, like
those of the other Companies of Crafts in
Edinburgh, were, before the Reformation of
Religion in *Scotland*, appropriated for de-
fraying the Expence of their Altar and Cha-
plain officiating thereat in *St. Giles’s Church*.
But Altar-worship being abolished at the
Change of Religion, the said Revenues, as
well as those of other Fraternities, were
laudably employed in maintaining the poor
Members, their Widows and Orphans of
the respective Incorporations. Of the lat-
ter belonging to this Company, three Girls
are carefully brought up in the Trades
Maiden Hospital in this City, and the Cor-
poration has the Presentation of four Bur-
sars to the College of *Edinburgh*.

The Officers in the Direction of the Com-
pany’s Affairs are a Deacon, Treasurer and
four Masters, who are chosen yearly with a
Clerk and Officer, and have a spacious Hall
in the *Cowgate* to transact their Business in.

To this Corporation antiently belonged
the Superiority and Direction of all the Tay-
lors within the Suburbs of *Edinburgh* and
Town of *Leith*; but their Power being now
restricted, extends only to those of *Portf-*
burgh, *Potterrow*, Southern Side of the *Ca-*
nongate, bewest *St. John’s Cross* and *St. Ma-*
ry’s Wynd, who are still subject to their Con-
troll, are to receive Apprentices, and enter
Freemen by their Direction, who pay them
small Sums on those Occasions; as doth al-
so Mantua-makers, for the Liberty of ma-
king Womens Apparel within *Edinburgh*.

This

This Company had the Honour to receive a Letter from King James VI.; of which the following is a Copy.

Dekin, and remanent Maisters and Bretber of the Tailzer Craft within our Burgh of Edinburgh, we gret zow weill.

Rec. Comp.

Foralmeikle as respecting the gude Service of Alexander Millar, in making and working the Abulzements of our awin Person, minding to continew him in that our Service, as ane maist fit and meit Person: We laitie recommendit him unto zow be our Letter of Requeist, desiring zow to reslave and admit him *gratis* to the Libertie and Freedom of the said Craft, as a Thing maist requisite for him, having the Cair of our awin Wark, notwithstanding that he wes not Prenteis amangis zow, according to zowr ancient Liberties and Privileges had in the contrair: Willing zow at this our Requeist to dispense with him theranent.

Quhilk Lettre being presentit and red before zow, we have hard be gude Report of zowr Gude-will and Mynd utterit to the fulfilling and Obedience tharof; sa the same indurit not a Preparative, and was not ane Miens to ony uther Unfreman to sue and obtene the lyke Benefite, to the Hinder of zowr Privileges heirefter; quhilk we esteeme maist ressonable for eschewing of Confusoun and Disorder; alwyse sen the said Alexander is burdenit with the Chairge of our awin proper Service, and man onlie gif Attendance tharupon, as he sall be comandit.

It is our Will, and we effectuouslie requeist zow zit as of befoir, that at this our ernist Requeist, ze will reslave and admit him to be ane Brother of the said Craft amangis zow *gratis*; seing it is maist convenient, that he bing our awin Servand, have that Privilege and Benefite; assuring zow upon our Promeis, that, for evading of Preparatives and Prejudice of zowr Privileges, we fall not burden zow with the lyke for heirefter; not doubting, bot upon this Condition, ze will agre to this our ressonable Desire, as ze will do us maist thankfull and acceptable plesur, we comit zow to God. Subscrivit with our Hand at the Day of

1584.

JAMES R.

BAXTERS.



Although the Company of Baxters or Bakers be one of the chief Corporations in Edinburgh, I cannot learn the Time when it was at first erected into a Fraternity; though, for that End, I not only applied to

their Clerk, but likewise to the chief Men of the Company, but without Success. However, it must have been before the Year 1522, when, by a Grant from the Common Council of this City to this Corporation, of the 21st of March in the said Year, concerning grinding their Corn at the Town's Mills; they then appear to have had both a Deacon and Master; which shews them to have been a Society before that Period. And, to transact their Affairs in, they have a convenient Hall in James's Court.

FLESHERS.



Though I cannot learn the Time when this Company of Fleshers or Butchers was at first erected into a Society, yet, by the following Constitutions, it appears to be of a considerable standing. But, that the said

Company was not formed into a Fraternity long before the Date of the said Constitutions, I think, does in some measure appear, by their seeming to be the first, by the Laws granted to the Corporation; whereof the following is a Copy.

The alewint Day of the Moneth of A. Coun. Regist. 151.
prile, the Zeir of God, Ane thousand foure
hundrethe aughtie and aucht Zeires; the
quhilk Day, compeirit in Jugement, in the
Chalmer of the Tolbuith of Edinburgh,
in Presence of Richt nobill and worschip-
full Men, Thomas Tod, Provest for the Tyme,
George Towris, James, of Cubing, and Thomas,
of Hare, Baillies; John Storar, Dene
of Gild, and Thome of Twedy, Thesaurer;
and the Laif of the Counfall of the Toun
and Broch of Edinburgh; compeirit and
presentit ane Supplicatioun, and Bill of
Complaint, of Richard Furde, Deykin of
the Flethoris for the Tyme, Robert Gray,
and others, principall Maisters of the said
Flethoris Craft, desyrand of the saids Pro-
vest, Baillies, and Counfall of the Toun,
That, considering the grit Trubill and Ve-
xatioun that Officiars haid of before Tyme,
be the evill Reull, Multitude of Dyvors
Persouns, unabill, contenit in the said Broch,
quha slander and blasphemie Men of the
Toun and the hail Craft, throw evill Pay-
ment, and uther wrangous Thingis and
Deidis usit amangis the Craft, in grit Hurt
and Prejudice of the Toun, and common
Profeit, be rectefit and reformait be the
Provest, Baillies, and Counfall of the Toun,
with Avyse of the Deykin and principall
Maisters of the Craft, with sic Statutis
Reulis, and Ordinance, as the said Craft
thinkis expedient with Avyse of the said
Toun.

The

' The quhillk Bill of Supplicatioun and
' Complaint oppinlie red, hard and sene be
' the saids Proveft, Baillies and Counfall, thay
' thairwith, in Absence of the Craftsmen,
' avyfit and considerit the said Bill, and
' fund it was profitabill and neidfull for the
' common Profeit, that amangis themselfis,
' for the guid Reule of the Craft, that thay
' suld mak certane Statutis, quhillk the guid
' Toun with the Deykin of the Craft, and
' the Maisters of the Craft, sould use, exe-
' cute and poneis the Trespaffors as effeirs,
' according to the Lawes of this Broch.
' Than the said Deykin and Maisteris of the
' Craft, present to the saids Proveft, Baillies
' and Counfall, thair Desyris, Statutis and
' Reulis, and causse them in the Tolbuith
' to be red and understandin, with the
' quhillkis the saids Proveft, Baillies and
' Counsale was avyfit, and the Tennor of
' them followis in this Maner :

Ibid. f. 52.

1. ' We the Deykin and principall Mai-
' steris of the Fleshoris Craft within this
' Broch, thinkis it expedient for the com-
' mon Profeit, that the Unfriemen, Ladies
' and Boyis servand oure Craft, be expelit
' thairfre, but gif he owther will be ane
' boundis Prenteis or ane feit Man, gif he
' can wirk for certane Zeires, efter the Ten-
' nor of the auld Actis of the Toun maid of
' before, sua that na Man handell Menis
' (owther at his Stok or utherwayis, bot
' honestlie be the Maister himselff, or his
' Servand or Prenteis) ellenirlic as effeirs;
' and nane utheris, under the Pane of Fortie
' Shillingis, the twa Pairt to be rasit be the
' Officiars of the Toun to the Kirk-werke,
' and the third Pairt to be rasit be the Dey-
' kin of the Craft to the Reparatioun of oure
' awin Alter, unforgevin; and siclyke all
' the Unlawis of the Statutis underwritin
' beiris.

2. ' We think it expedient, for the Ho-
' nor and Honestie of Fremmen of this Craft,
' that are of small Substance, quhill God re-
' fresh them; that thairfoir sic a Burges,
' bot na uther Person, marrow him with ane
' Maister of Substance, and lay his Peny to
' his; and sua far as it will reik, the Peny-
' worth is to be bocht betwixt them; and
' thay to dele thair upoun Wyning and Tyn-
' sell, as effeirs, and sua far als ilk Pairt
' reikis: And gif this Freman gettis Cre-
' dence in the Country of ony Stufe, he to
' bring to the said Toun, and sell it opinlie
' in the Mercat, the said Freman first synd-
' and Surety, that the Craft fall nocht be
' blasphemit throw his evill Payment; nor
' zit the Officiars of the Toun to be vexit
' for Administratioun of Justice, under the
' Pane of Fourtie Shillingis for an Unlaw,
' to be disponsit and rasit as first said, be the
' Officiars of the Toun, and the Deykin of
' the Craft for the Tyme.

3. ' We think expedient, that the Dey-
' kin and best of the Craft daylie ferche the

' Craft, gif ony of them owther buyis, or
' sellis ony infectit Fleshe or Fish; and
' if any soch keppis rottyn purit Beistis,
' cassin or deid by themselfis, or ony uther
' unfufficient Sustentatioun owther of Fishe
' or Fleshe; and quha that beis apprehendit
' thairwith, to be depyvit of his Fredome,
' the Guids to be escheit to the feik Folk
' in Almshouses; and he to be baneist the
' Toun and Craft be the Officiars for evir
' mair.

4. ' We think it expedient, that na Fre-
' man of this Craft dele nocht be Pairtis
' Man with an Unfreman, becaus his Guidis
' under Cullor of his awin, contrair his
' Aith, under Pane of Depravatioun of his
' Fredome, and putting fra the Craft, and
' escheiting of the Stufe that he cullors.

5. ' That na Fleshe be brokin, nor sauld
' in Hiddillis, nor in Bak-housis, but oppin-
' lie in the hiech Mercat, quhair it may be
' sene and fercheit be the Deykin and the
' Craft, with ane Officiar of the Toun, that
' thay may be sene and puneist, and the
' Guids falseis to be escheit and delt; and
' siclyk, quhair ony Nolt Hydys, or ony
' uther infectit Fleshe bene brokin to sell a-
' mangis guid Stufe to the King's Leidgeis,
' that Stufe to be escheit, and the Persoun
' puneist at the Discretioun of the Proveft,
' Baillies and Counsale, and be Awyse of the
' Deykin and of the Heidismen of the Craft.

6. ' We think it expedient, that na Man
' of the Craft, Caindilmakeris nor utheris,
' in Tyme to cum, bot Fremanis Soneis of
' the Craft, use the Craft, and that can
' handell it himselff, baith in slaing and
' breking, and as a Craftesman's Son, slai at
' his Stok, as he hes bene leirnit and brocht
' up thairwith under a Maister, under the
' Pane of Fourtie Shillingis, and escheitng
' of the Guids, as said is, and banishing of
' the Craft.

7. ' We think it expedient that na Man of
' this Craft in Partis, out with the Toun,
' send thair Servandis to buy ony Stufe,
' Fishe or Fleshe, Beif, Muttoun, Veill,
' Lamais, Swyne, nor Kiddis, fra Pashe, to
' Mydsfumer Day, that all Beistis may be
' in ply, under the Pane of Escheit. And
' gif a Maister sends his Servand to Land-
' wart to feche ony Beistis to sla, that his
' Maister hes coste himself, and nocht be his
' Servand under Cullor, he fall first certifie
' the Deykin, and utheris Maisteris of the
' Craft, that the Guids was coste by the
' Maister himself, and nocht be the Servand,
' quhill fall nocht haif Leive nether to by
' nor sell.

8. ' That na Maister ressave ane uther Ibid. f. 53.
' Manis Servand or Prenteis in Service, quhill
' the Itho of thair Termeis; and if it be ne-
' cessair to the Deykin the Tyme of his Lew-
' taking.

9. ' We think it expedient that ilk Pren-
' teis desyre of the Deykin and Maister, that
' lykis

lykis to use the Craft, that first thay desyre and obtene the Fredome of the Town, and gif he be fund abill to be ressavit to the Craft, to pay his Dewties to the Craft and Town as effeirs.

10. ' We think it expedient that the Deykin serche all Faltis, and to puneish twa Faltis, and the thrid Falt to be puneisht be the Toun with all Rigor.

11. ' That na Fleshe that hes bein presentit to the Mercat tuyis, and hes tynt the Seffoun, be put to the Mercat again, under the Pane of Escheit; nor zit, that ony of oure Craft, by ony Fishe fra the Wyffis, nor Regrators of the Toun dwelland in Leith.

12. ' That quhat Persoun of the Craft disobeyand the Deykin in the using of his Office foirsaid, that ane of the Officers pas and puneis his Persoun as effeirs, and quha that beis obstinat, to be put in Waird quhill he amend the Falt.

' The quhilk Statutis and Supplication being red, sene, and understand be the saids Provest, Baillies, and Counsaile, thay fand the same consonand to Reason, and for common Profeit, and increasing of guid Sheip, Fishe, and Fleshe, and guid Reule in the Toun; thay ratyfeit and approvit the samyn, in sua far as in them was in all Thingis, according to the Commoun Profeit, and in sua far with the Help of guid Will, autoreis the said writtin under the Seill of Caus of the said Broch, in Corroboration of the samyn, Dait and Place above writtin.'

CORDINERS.



The Corporation of Cordiners or Cordwainers, which are so denominatid from *Cordovan*, a Sort of Leather made of Goatskins, in the City of *Cordova*, in the Kingdom of *Spain*, were at first erected into a

Fraternity by a Charter from the Town Council of *Edinburgh*, of the 28th July, in the Year 1449, on a religious Account; for each Master of the Trade who kept a Booth or Shop within the Town, was in-joined to pay One Penny *Scotish* weekly, and the several Servants of the Craft an Halfpenny towards the Support of their Altar of *Crispin* and *Crispiniani*, within the Collegiate Church of *St. Giles* in *Edinburgh*, and Maintenance of the Priest who officiated thereat. And by a second Seal of Cause, of the 26th November, anno 1479, was granted to certain Masters and Headsmen of the Trade, a Right to search and inspect the several Sorts of Work brought to Market by Shoe-

makers, to prevent the People's having a bad Commodity imposed upon them. The above Grants relating chiefly to religious Affairs were abolished at the Reformation, and the following Constitutions, which is their chief Charter, were granted to the Company on the first of February, in the Year 1586; whereof the following is a Copy.

1. ' Forfamekill as the Predecessours of the Provest, Baillies, Counsaile and Deykins of guid Memorie, diligentlie considering and understanding upoun the Supplication gevin in to thame be the Masters and Heidismen of the said Craft for the Tyme, thair Nichtbouris and Burgeses, that oure Soverane Lord's Lieges ar greitumelie skaithet and defrawdēt be insufficient Wark of ignorant Persouns, Lawbourers, bayth in black Wark and barket Ledder, be thame daylie boucht and sauld within this Burgh, alsweill be Friemen als Unfriemen and Owthlandsmen on the Wolkedays, alsweill as on the Market-dayes, the Friedome and Privileges of Burgeses destroyed thairthrow, contrare to the Commonweill. For Reformation thairof, be thair Lettres patent, under thair Seill of Caus, limit and ordanet certane Persouns, Maisters and Oversmen of the said Craft, sworne in thair Presence, quha suld every Market-day diligentlie serche, visie and sie all maid Wark and barket Ledder, cummand presentit in the Market, and that thay find sufficient Persouns to mark it; and quhair they find fals seyngezeit Wark, or barket Ledder, the Sercheris till bring it to the Provest and Baillies for the Tyme, and at the Will of thame to escheit the Stufe saltie, and the Persouns to puneis as effeires, swa that the King's Lieges be nocht dissavit: And that na sic Stufe be sauld on the Market-day quhill the Sercheris have visie the samyn. Nor zit, that nane be strikkin up to sell quhill seven Houres in Somer, and nyne Houres in Wynter before None, under the Payne of Escheit, and punesing the Persouns as said is. And that na Outlandfolks dwelland without this Burgh, nor Unfriemen, by any rowch Hydes or barket Ledder within this Toun bot on the Market-day allanerlie, under the Payne above writtin. And attour, they, for certane resonabill Causis moving thair Predecessours, bayth for Honestie of the said Burgh, and Profit of the said Stufe, maid Wark and uthers pertaining to the said Craft: Thay locat, limit and ordanet the Market-place for selling of thair Wark and uther Stufe foresaid on the Market-day in the *Korogaitt*, fra the new Well to the *Grayfrieries* allanerlie, as at lenth is containet in the said Lettre of the Dait, the sext Day of December, 1513 Zeires.

' The quhilk being of sic Antiquitie, and for ane Comounweill, the said Deykin and
H h h h Breter

Coun. Regist.
vol. VIII. f.
70. 71.

Clerk Comp.
Account.

Ibid.

1513.

Coun. Regist.
vol. VIII. f.
72.

1. Breter desyre thair Lordships to ratifie, approve, authoreis, and allow, in all Poynts, and ordane the samyn to be observit, keipit, and obeyit in all Tyme cuming; and to mak, creat, and constitute the Deykin, and sex Quarter-maisteris of the said Craft, and thair Successouris zeirliche, to be generall Searchers for paiting the samyn to Execution be the Assistance of thair Officers, exceptand heirin the Place of Market of barket Ledder to be in the nyther Kirk-zaird, quhair the samyn is presentlie plaicit, induring the Townis Will allanerlie; and that it fall be lesum to the Burgeses of this Burgh and Friemen, to sell thair barkit Ledder at all Tymes, the samyn beand guid and sufficient Stufe.

2. For putting Remeid to the present Derth, and eschewing the lyke in Tyme cuming, that all Forestallers, Regraiteris, and Cowperis of barket Ledder be dischargit; and do statute and ordane, that na Maner of Persouns present any barket Ledder to the Market, bot sic as buyes the samyn rowch, and barkis the samyn be thameselfis or thair Servands; and that nane of the said Ledder be huirdet or keipit in Houffes, bot be brocht altogidder to the Market, at the Houres before mentionat, that the samyn may be tryet be the Serchers to be sufficient Stufe to serve the King's Lieges, under the Payne of escheiting of the said Ledder; and that the Friemen of the said Craft be nocht sufferit to sell insufficient Stufe mair than the Outlandsmen. Thairfore, that they lykewayes that bark any Ledder within this Burgh, present thair barkit Ledder or ane resonabill Pairt thairof to the common Market appoyntit; to the Effect that the samyn may be serchit and markett as the Outlandsmen's Ledder is, under the Payne foresaid.

3. That na Unfrieman cum to the Market to by any Ledder before elevin Houres be past, to the Effect that Friemen may be first stoikit that beirs portabill Chairges, under the Payne of wairding of the said Unfrieman, and paying of an Unlaw of Twentie Schillings.

4. That all maid Stufe be presentit to the Market, and be fauld be the Lawboreris thairof, or thair Servands, that the samyn may be tryet, gif it be sufficient or nocht for serving the King's Lieges, be the Serchers foresaid, and the insufficient Wark escheitt. And that all Wark unfauld be removit at twelf Houres every *Monnday*, conforme to the auld Ordour, under the Payne of Fourtie Schillings.

5. That na Unfrieman bring any Buits or Schone, or uther maid Wark to sell within the Freedom of this Burgh, bot on the *Monndayes*, and present the samyn to the Market in Tyme and Place appoyntit, under the Payne of Escheitt thairof.

6. That all Buithes within this Burgh be serchit owklike, or swa oft as Neid is, be the said Serchers, and the insufficient Wark escheitt.

7. That on the *Sondayes* ne Buithes be oppin after nyne Houres in the Morning; and that na Wark be wrocht at any Tyme the said Day, under the Payne of Twentie Schillings.

8. That na habill young Men be sufferit to keip ane Cobleris Buith, bot onlie the samyn to be permittit to thame that ar past threttie Zeir awld, that the Friemen may have their Servands to serve thame; and that the said Cobleris sell thair awld Wark in the *Kowgait* on the *Monndayes* and nocht at the Croce, nor on the *Hiestreitt*, in Dishonour of the guid Toun, under Payne of Escheitt of thair Stufe.

9. That na Frieman of the said Craft, being Burges, pack nor piell, nor be Partner with Unfriemen, nor mak Conventioun with thame, under the Payne of Ten Pund and Tynsell. And that na Frieman and Burges of the said Craft, owt with the Freedom of this Burgh, nor wirk his Wark owt with the Freedom, under the Payne foresaid.

10. That na Maister resett ane uthers Prenteis or Servand without Leif, or ane resonabill Caus first schawin and tryet, under the Payne of Twentie Schillings.

11. At the taking of any Prenteis, that Tryall may be tane, gif the Resaver be worthie to tak ane Prenteis, and to instruct him and gif him Meitt and Drink sufficientlie; to statute that all Indentouris be subscrivit be the Deykin or his Clerk, utherwayes the Prenteis nocht to be buikit in the Tounis Prenteis-buik. And that na Maister of the said Craft tak any uther Prenteis, quhill thair be thrie Zeires owtrun of his former Prenteis, to the Effect that the awld Prenteis may be habill to teache the Servand for eschewing of insufficient Wark, under the Payne of Fyve Punds.

12. That nane be maid Maister of the said Craft, except he haif bene ane Prenteis for fyve Zeir, and servit ane Frieman for Meitt and Fie thrie Zeires thairafter, or ellis marie ane Burges Dochtor, under the Payne of Ten Pund to be payit be the Deykin and Craftmaister that admits him Maister; and alsmeikill be thame that procures the same.

13. To ordane ane of thair Lordships Officers to put the Premisses to Execution, be passing with the Serchers, and ane of the Tounis Collectors of the Unlawes and wairding or poynding for the Unlawes, and intromitting with the Escheitt Guids, to be delyverit be him to the said Collectors, to be imployit be thair Lordships, and according to the Decreit arbitrall and the saids Collectors to gif zeirliche Compt thair-
of.

'The

' The above Articles beand consider-
' it, the saids Proveft, Baillies, Counfall and
' Deykins of Craftis, gaif Commiffioun to
' certane Merchants and Craftifmen, to in-
' treat, confidder, and refoun upoun the said
' Articles, quhilks Perfouns haifand convenit,
' refonit, and confultit thairupoun; and re-
' formit certane Poyntis and Claufes thairof,
' maid Report this Day of the famyn to the
' saids Proveft, Baillies, Counfall and Dey-
' kins of Craftis, quha cawfet the said Ar-
' ticles to be oppinlie red; and beand advy-
' fet, thairefter mature Deliberatioun, found
' the famyn guid, honest and profitabill for
' the said Craft, and all oure foverane Lord's
' Lieges; and thairefore ratefeit and appro-
' vit the famyn, interponit thair Authoritie
' thairto; and decernit and ordainit thame
' to be obfervit and keipit as perpetuall
' Lawis in Tyme cuming, in Maner and un-
' der the Paynes conteinit thairunto, with
' redde Executioun to follow thairupoun;
' and has grantit to the said Deykin and Bre-
' ther and thair Successours, this present Act
' and Ordinance thairof, and ordanet the
' Seill of Caus to be appendit to the Extract
' thairof: Provyding alwayes, that gif any
' Queftioun fall arife upoun the said Ar-
' ticles, or any Poynt or Claufe thairof, the
' Interpretatioun, Executioun, and Mitiga-
' tioun of the famyn fall be at the Discreti-
' oun and Judgement of the Proveft, Bail-
' lies, and Counfall of the said Burgh for
' the Tyme, according to the Qualities and
' Circumftances of the Perfouns, Tyme,
' Maner, and Places.'

1598.

This Grant, which seems to be the chief
belonging to the Company, was confirmed
by James VI. on the 6th of March, in the
Year 1598, in Consideratioun of ' the
' Goodwill and thankfull Service done to us
' by our Servitor, *Alexander Crawford*, pre-
' sent Deacon of the said Cordners, and his
' Brethren.'

This Corporation which at present is de-
nominated *the Deacon, Boxmaster, and re-
manent Masters of the Incorporation of Cord-
ners*, have a handsome Hall at the South-
western Corner of the *Horse-wynd*, to treat
of their Affairs in.

WEBSTERS.



The Websters or
Weavers of *Edinburgh*
having, in the Year
1475, petitioned the
Common Council to
erect them into a So-
ciety; their Request
was readily granted,
as will appear by the
following Charter.

' Tyll all and fundrie quham it effeirs,
' quhais Knowlege this present Letteris fall

' cum; the Proveft, Baillies, and Connfale
' of the Burgh of *Edinburgh*, greeting in God
' everlafting.

' To your Univerfitie we mak it knawin,
' that there comperit before us, in our Tol-
' buith, we sittand in Jugement, the best
' and worthiest Personis of the haill Craft of
' Wobftaris within the said Burgh, quhilkis
' presentit to us thair Bill of Supplicatioun,
' in the quhilkis was contenit certane Statutis
' and Articles maide and avifit with thame,
' for the Honour and loving of God Almigh-
' tie, and of his Modir the Virgin *Marie*, and
' of *Saint Soverane*; and for the fuppleing and
' uphalding of divyne Service, and apparel-
' ing of thare Altar of *Saint Soverane*, foun-
' dit and uphaldin be thame in *St. Giles's*
' Kirk; and for the Governace of thare
' Warks and Laboure and gude Reule baithe
' for the Worship of the Realme, commone
' Profite, Laute of the Craftifmen, and for
' other diverse and mony Causes of gude
' Motive; the quhilkis Bill we have fene,
' hearde, and gart be rede; and tharewith
' beande riple avifit, confiderande thare De-
' fyres of us tharein, to have our Benevo-
' lence, Affiftance, and Leif thareof, and
' to have our Affirmatioun and Ratificati-
' oun thareupon, fo far as in us is, or may
' be. We tharefore have confiderit the said
' Defyris and Statutis, and find thame con-
' fultant to Reafone, Honour, and Wor-
' fhip to God and Hale Kirk, profitable to
the Realme and Craft; and thir are the
' Defyres and Statutis.

1475.

' In the first, that the haill Craftifmen
' may zeirliche chese them a Deykin, like as
' uther Craftifmen dois, quhilks fall reule
' and govern the Craft in all gude Reulis as
' effeirs; to the quhilk Deykin, all the Leif
' of the Craft fall obey in all leifull and ho-
' neft Thingis concerning the Craft; and
' this Deykin to be chosen with Freemen of
' the Craft that are Burgeffes, and nane u-
' ther to have Voyce tharein.

2. ' That na Man occupy the Craft as
' Foremaster quhill he be maide Burgeff and
' Freeman, and to be examine be the Dey-
' kin and Maifteris of the Craft, gif that he
' be worthie; and that he fall have gude and
' fufficient Graith and Warklounis, to be
' feene and confiderit be four Men of the
' Craft; this beande, he fall pay Twa Marks
' and Twa Pund of Wax to the said Altare,
' and Uphald thereof; and gif he be a Bur-
' gef's Son, he fall pay half a Mark to the
' Altare foresaid.

3. ' Na Maifteris fall tak ane Prenteis
' for less Terms then five Zeirs, and fall
' pay at his Entrie to the said Altare, Five
' Shillings, or less, as can be tretit with
' the Craftifmen gif he be nocht of Power,
' and the Mynifar of thir five Zeires, fall
' pay Twentie Shillings quhen it is tayntit
' upon ony Maifter.

4. Thare

4. 'Thare fall na Maister tak ane uther
' Maisteris Prenteis in Service, nor ane u-
' ther feid Servand quhilk be feid, or els have
' Leif of his Maister that awis him, under
' the Payne of Ten Shillings and a Pund of
' Wax, and restore the Prenteis and Servand
' again.

5. ' That na Man tak on Hand to resave
' nor wark ane uther Mannis warpit Zarne,
' nor Wark but Leif, but he fall pay ane
' Pund of Wax, or the Price thereof.

6. ' Ilk Man or Woman that occupie the
' Craft, fall gif the Priest his Mete, and ilk
' Owk gif to the Altar a Pennie; and this
' to be gaderit be the Dekin; and ilk feit
' Servande fall gif in the Zeire Foure Pen-
' nies. And also, that the Personis that dis-
' obeys the Dekin, and will nocht underlie
' the Ordinance of the Craftis statute for the
' Gude thareof; alse oft as he disobeyis, he
' fall pay ane Pund of Wax, or the Price
' thareof, and to be tane but Favour.

7. ' That na Woman fall occupie the
' Craft as a Master to hold Warkhouis, but
' gif she be a Frieman's Wyfe.

8. ' That na Man fall tak ony Loumis to
' hyre for dout of spilling of them; but gif
' it be a Freiman, and quha that dois, fall
' pay a Pund of Wax ay quhen he can be
' tantit tharewith.

' The quhilks Statutis, Articles, and all
' Pointes contenit tharein, we find thame
' lovable to God, and haly Kirk, honour-
' able for all the Realme, profitable and
' Worship for the Craftesmen; and therefore
' wi admitt the samyn: And for us and our
' Successours, We the said Provest, Baillies,
' and Counsaile of *Edinburgh*, appreis and
' ratifies in all Points and Articles, as is a-
' bove wryttin, in sua far as in us is, and
' that we have Power. And this to all and
' fundrie quham it effeires, we mak it kna-
' win be thir oure Letteris; and for the maire
' witnyssing to the samyn, we have to hungin
' oure commoune Seill of Cause. At *Edin-*
' *burgh*, the last Day of *January*, the Zeire
' of oure Lord 1475 Zeires.'

This Charter was confirmed by the Com-
mon Council of *Edinburgh* on the 27th of
February, anno 1520, with an additional
Right of receiving from every Country
Weaver that wrought for the *Edinburghers*,
One Penny weekly, towards the Support of
their afore said Altar; both of which Grants
were confirmed by *John*, Archbishop of *St.*
Andrew's, as they since were by the *Scottish*
Parliament.

About the Beginning of the sixteenth
Century, certain Disputes having happened
between the Companies of Weavers and
Wakers in Point of Precedence, they ap-
plied to the Town Council to get the same
adjusted; who, the better to obviate all Con-
tests of this Kind thereafter, made the fol-
lowing Regulations on the 15th *May*, anno

1509, which put an effectual Stop to all
Differences of that Sort.

' That in Tyme to cum, baith the Crafts
' of Webstaris, Wakers, and Scheraris, in
' all Tymes of Processioun, quhairvir thair
' Banars beis borne, that thay pass togid-
' der, and be incorporat under ane Banar in
' als Formis as thay pleis; and to be maid
' in this wyf: That thair Banars of Baith
' the saidis Crafts be payntit with the Ima-
' gis, Figuris and Armis, of the Webstaris,
' and principalie becaus thay are found the
' elder Craft, and first placit; and with the
' Image, Figuris, and Armys of the said
' Scheraris and Wakers, quarterrie rymand
' togidder.

' And the Armes of the Webstaris, viz.
' Thair Figure of the Spule to be inmoist
' in ilk Baner, and ilk ane of thair Craftis
' to have thair By-marks on thair awin Ba-
' ners, that thay mak principal Cost upoun
' for the keeping of the samyn. And the
' said Scheraris and Wakeris to pass under
' the Bannar of the Webstaris, quhill thay
' may gudlie furnis thair awin. And the
' Armes of the said Scheraris and Wakeris
' to be now put in the Webstaris Banneris,
' gif thay may be gudlie formit and gottin
' thairintill.

W A K E R S.



The Members of
this Company of Wa-
kers, from a Petition
presented to the Com-
mon Council of *Edin-*
burgh in the Year 1500,
are of opinion, that
their Craft was incor-
porated before that Pe-
riod; nay, very soon

after the Foundation of the City. I am
nevertheless of opinion that it does not
appear so by the said Petition, for the Ap-
pellatives, *Masters* and *Craftsmen*, whereon
they seem to found their Opinion, I take
only to be meant Masters and Journeymen
of the said Craft; for had they been incor-
porated before that Time, they would have
had no Occasion to have applied to the
Town Council for a Liberty to meet, to
manage the Affairs belonging to their Trade;
for this is the principal Thing granted in
all Charters, which I think will appear by the
Constitutions set forth in the said Seal of
Cause of the 20th of *August*, anno 1500;
which are of the following Tenor.

1. ' They may annually chuse their Kirk-Clerk Com-
' master, to manage the Affairs of their Al- Account.
' tar of *St. Mark*, *Philip*, and *Jacob*, in the
' Collegiate Church of *St. Giles*.

2. ' That each Member of the Compa-
' ny, before he begin Buiness on his own
' Account, be examined by four Masters of
' the

the Trade, concerning his Qualifications in his Art, to prevent People's being imposed on by ignorant Persons; and if approved of, to pay the Sum of Five Crowns *Scotish* to the Corporation, as Upsett Money.

3. 'That each Person, at his entering on Business for himself, be worth three Pair of Sheers, and of Ability to pay for one Stock of white Cloth, whereby he might be in a Condition to make good Damages to those who employ him.

Id. ibid.

4. 'That each Master, on his taking an Apprentice, to pay the Sum of Ten Shillings *Scotish*, for the Support of the said Altar. And whatever Master shall take into his Service, either the Apprentice or Journeyman of an other Member of the Corporation, to forfeit the Sum of Twenty Shillings for the same Purpose.

5. 'Whatever Person of the Craft be found working with Cards in the Country, shall, for every such Offence, forfeit the Sum of Fifteen Shillings *Scotish* Money, to be equally divided between the Work of *St. Giles's Church*, the aforesaid Altar, and the Informer.

6. 'That the Masters and Godsmen of the Craft may assemble and determine all Controversies that may arise amongst the Members of the Corporation.

7. 'That the Kirkmaster, with one of the Craft, collect the Duties and Sums above mentioned, for the Support of Divine Service at the aforesaid Altar, Ornaments of the Church, Chalice, and Vestments.

8. 'And as the Country Wakers and Sheermen receive much Work from *Edinburgh*, without contributing to the great Expence, the Members of the Company must necessarily be at, it is therefore ordered that all Unfreemen who are employed in this Way, shall weekly pay one Penny each, towards the Support of the said Altar.

Though to the Wakers and Sheermen the Fraternity of Hatters were only united on the 13th of September, in the Year 1672; yet we are told in the Council Register of this City, that the said Hatters had a Charter granted them by the Common Council of *Edinburgh* on the 18th February, 1473; this I take to be a Mistake for Bonnet-makers; for it no where appears that I can learn, that Hats were used in *Scotland*, till about the Middle of the sixteenth Century. Be that as it will, they seem to have been incorporated before the Year 1661; for, on the 12th of July in that Year, they were by Parliament allowed to have an Overseer and Quartermaster to be appointed from amongst themselves by the Common Council of *Edinburgh*; and the said Overseer, by Advice of his Brethren of the Trade, are to judge of the Qualifications of all Persons before they be admitted into the Freedom of the Company.

BONNET-MAKERS.



The Bonnet-makers were incorporated by a Charter granted them by the Town Council of *Edinburgh* on the 31st March, anno 1530; at which Time they appear to have been united to the Fraternity of Wakers and Sheermen; and in the said Grant were contained the following Privileges.

1530.

1. 'That the Company yearly chuse, with the Approbation of the Town Council, an Overseer or Master to inspect the Work made by the several Members of the Trade, to prevent their imposing a bad Commodity on the People.

2. 'That no Person presume to work as a Bonnet-maker, unless he has served his Apprentiship to one of the Corporation; and that neither Master or Mistress of the Craft, employ the Apprentice of an other without Consent of his Master, on the Penalty of Twenty Shillings *Scotish* Money.

3. 'That no Member of the Company make use of unwarrantable Stuff, under the Pain of Forfeiture, to be disposed of by the Town Council.

4. 'For the more effectually preventing Frauds in the Manufacturing of Bonnets, the Overseer or Master is to make a weekly Search throughout the Trade, and inspect their Work.

5. 'That every Member of the Company, working for him or herself, to pay at their Admission, a Freeman or Freewoman, the Sum of Thirty Shillings *Scotish* Money, to be employed in Support of the Altar of *St. Mark*; and for each Apprentice they take, the Sum of Six Shillings towards the same Use. And as often as the Chaplainry of the said Altar shall become vacant, the Bonnet-makers to have a Right equal with the Wakers and Sheermen in chusing a Chaplain for the same.

6. 'The said Craft shall have two Market-days weekly, viz. *Monday* and *Wednesday*, whereon to sell their Bonnets; and for the better carrying on their Business with Success, each Person to put his or her Mark on the Goods they severally make.

7. 'And that this Craft or Trade shall have a Key to the common Box or Chest wherein the Cash is deposited, as well as the Fraternity of Wakers or Sheermen.

The Bonnet-makers in *Edinburgh*, by the great Use of Hats, were reduced to so low a Condition, that they were neither able to support their Families, or the Expence of their Company, without the Assistance of an other Trade being annexed to them; wherefore by Consent of the Fraternity of Listers

or Dyers, they applied to the Common Council of the City to have the said Craft united to them, as the only Means to preserve the very Being of their Corporation.

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The Town Council perceiving that an Union of the said Trades would greatly contribute to the Support of both, granted their Request, by giving them a Charter; whereof the following is a Copy.

1. 'The Counsell by thir Presents, unites, annexes, and incorporates the Freemen of the Incorporation of the Bonnet-makers and the Litsters, Burgeses of this City, viz. *John Robertsons, &c.* and their respective Successors in the said Arts into one Body and Incorporation perpetually in all Tyme comeing, with Power to them, as one Body and Incorporation, to meitt, sitt, and vote, and conclude in the Election of their Deacones and Officers of the said Calling, and in all other Things relating to the Good of the said incorporate Callings; siclyke, and als freily in all Respects as any other Freemen of the Incorporation of any other Craft are in Use to do.

2. 'The Counsell makes, constitutes, and erects the foresaid Persones, present Litsters, and their Successors, in all Tyme comeing, Judges of the Tryall and Qualificatioun of the intrant Litsters, conforme to the foresaid Act of Parliament, and the Agreement past betwixt the said Bonnet-makers and them.

3. 'In respect to the saids Trades of Bonnet-makers and Litsters are unite in one Body; the Counsell heirby declaires, that for the first two Years after the Tyme of the Electione of the Deacones of Crafts this nixt enshewing Year, the Deacon of the said incorporate Callings, is to be elected out of the Bonnet-makers, in regaird by the Sett; the Litsters now incorporate must be two Years Masters of the Calling before they be in a Capacity to be in the Leit to be Deacon; and efter the said two Years is expyred, the said two incorporate Airts are to choyle sex Litsters for the List, which they are to present to the Counsell; out of which they are to have thrie for a Leit; out of which Leit, ther Deacon, called *The Deacon of the Bonnet-makers*, is to be elected, conforme to the said Agreement.

4. 'Conforme to the said Agreement, for the first two Years that the Deacon must be a Bonnet-maker, the Boxmaster to the said two Airts now incorporate, is to be a Freeman Litster; and so furth, two Years *per vices*. The List that is to be given in to the Counsell, in order to the Electione of the Lists of ther Deacones the same fall consist of sex Bonnet-makers on two Years, and sex Litsters on two Years; and when the Deacon is a Bonnet-maker, the Boxmaster shall be a Litster;

and when the Deacon is a Litster, the Boxmaster shall be a Bonnet-maker.

5. 'The Counsell, be thir Presents, in all Tyme comeing, prohibits and discharges all Litsters whatsoever, except the Persones above named, who are Freemen Litsters of this Cittie, to exerce and profess the said Trade and Airt of litting and dying within this Cittie, unless they be admitted Freemen of the said Incorporation, be the foresaid Persones, present Litsters, and ther Successors that shall be lawfullie admitted Freemen of the said Incorporation, with Advice and Consent of the saids Bonnet-makers, to take Tryall of the Sufficiencie of the Worke and Cullour dyed and litted by any of the intrant Freemen of the said Incorporation of the Litsters that shall heirafter be admitted, and to make Acts and Statuts amongest themselves for improveing of the said Airt, conforme to the foresaid Act of Parliament in favour of the said Litsters.

6. 'It is statut and ordained, conforme to the foresaid Agreement, that the Bonnet-makers and ther Successors, shall in no Wayes incroach upon the Airt of litting of Cloathes and Stuffs, which is only proper to be dyed, litted and drest by the Litsters; and that non of the said Freemen Litsters, nor their Successors in ther Airt shall medle with, nor incroach upon the making and dying of Bonnets, Night-caps, or any other Things that they bein in use to work and dye, or to have Liberty to doe be Ver-tew of ther Seal of Cause.

7. 'The Counsell statuts and ordains; that, in no Tyme comeing, any Litster shall have Liberty to exerce the Airt of Litting and Dying within this Cittie or Priviledges therof, but such as are actuall Dyers and Litsters, Burgeses of *Edinburgh* at present, or have been already bound Prentices, and are booked in the Dean of Gild's Books as Litsters; and those shall be obliged, before they can exerce ther Art, to byde Tryall as to ther Qualifications, before they be actually admitted to the Exercise of the said Airt, conforme to the Clauses mentioned in the said Act of Parliament; and after Tryall, before they exerce, unless they be of the Number of the Persones above named, they are to be lawfully admitted Freemen of the said Incorporation, before they can exerce the said Art.

8. 'That no other Persones in any Tyme comeing are to be admitted Freemen of the said Incorporation, as Litsters, wer they never so weill qualified, unles they serve a Freeman Litster of the said Incorporation five Years at leift, and be booked in the Dean of Gild's Books, and in the said Incorporation ther Books as Prentice, unles he be a Freeman's Son, or marie a Freeman's Daughter of the said Incorporation
' of

of the Litters. And it is heirby speciallie provydit and declaired, that this present Grant, establisshing and uniting the foresaid two Airts in one Corporatioun, shall be but Prejudice to the Merchants, Burgeses and Gild-breither of this Cittie, to import any Cloaths, Stuffs, Stockings, or any other Wair in use to be dyed (which are not prohibited by Law) from any forraigne Cuntre, of whatsomever Dye or ColLOUR, to this Cittie, or to the Burgeses of this Cittie, to import any Cloaths, Stuffs, or what els is in Use to be dyed or litted within this Kingdom, or any Place within the samyn, and to vend the same, sicklyke, and als freily in all Respects, as they have bein in use to doe in any Tyme bygone, or may doe in Tyme comeing, as Merchants, Burgeses and Gild-breither of this Cittie.

9. It is declared, That all these that are actually exerceing the Airt of Litting and Dying, shall have Liberty to come in, and be incorporate with the said Bonnet-makers and Litters, provyding they be Burgeses, and qualified in ther Airt, albeit they be not of the Number of the Persones above named; provyding they come in within the Space of three Moneths efter the Dait of thir Presents; and sicklyke, that all they that have bein bound Prentices before the Dait heirof to Freemen Litters, Burgeses of *Edinburgh*, shall be admitted Freeman of the said Incorporation, they being found qualified, and payin ther ordinary Upsetts as Prentices.

10. It is declared, That no Person whatsoever, have Liberty to sett up a Lit-house in any of the Suburbs of the good Town, or within any other Pairt of the Priviledges of the same, or exerce the said Airt of Litting or Dying within the said Bounds, unles they have Liberty swa to do from the said Incorporation.

11. It is heirby provydit and declaired, That when any of the Inhabitants of this Cittie shall take Occasione to export any Cloaths, Stuffs, or any Thing else, to be litted out with the Priviledges of the good Town, that they shall have free Liberty, without any Maner of Interruptione, to export the same, and import the samyn litted, as they have been in use to do, in any Tyme comeing.

The Counsell heirby interpones ther Authority to the Articles above mentioned, and decernes them to be observed inviolably in all Tyme comeing; and that the Magistrates of this Burgh, present and to come, are to give Concurrence to the Officers of this Cittie, to put the same in Execution in all Points, against the Contraveiners and Breakers therof; and consents, that the Deacone and Breitheren of the Incorporation of the Bonnet-makers and Litters swite and obtaine ane Ratifi-

cation of thir Presents to be past in Parliament; and ordaines an Extract heirof to be given to them, and that under the Subscription of the Town-clerk, and the Seall of Cause therunto appendit.

Inferior Trades or Crafts.

Of the inferior Arts or Trades in *Edinburgh*, by what I can learn, four only are incorporated, viz. the *Barbers*, *Candle-makers*, *Hatmakers* and *Pewterers*. The first is partly independent, the second subsists by itself, the third is united to the Wakers, and the fourth to the Hammermen; all the rest being united to some of the fourteen Incorporations, have no independent Government of their own: Their Names however are as follow.

CANDLE-MAKERS.



Although the Candle-makers at present are not one of the City Incorporations, that send a Member to the Common

Council of *Edinburgh*, they are nevertheless one of the most antient Crafts in Town; as will appear by a Charter from the Magistrates and Town Council of *Edinburgh*, confirming their antient Rights and Priviledges; of which the following is a Copy.

To all and sundrie quhom it effeirs, to quhais Knowledge thir present Letters fall cum, the Provest, Baillies and Counsall of the Burgh of *Edinburgh*, gretin in God evirlasting: Wit zour Universities, that the Day of the Dait of thir Presentis, comperit before us sittand in the Tolbuit in Jugement, the hail Craftismen of the Candilmakers of the said Burgh; that is to say, *Robert Tassintoun*, *Andrew Gallo-way*, and uthers. The quhilk Persones and Craftismen, producit as their Supplication and Bill of thair Desyres, for the confirming and keeping of thair Statutes and Rules, maid for the commoun Weill of this Burgh and King's Lieges reparand thairto, according and conformand to the awld Statutes and Previledges, that they had of the Provest, Baillies and Counsall of the said Burgh of *Edinburgh*; the quhilk Supplication and Bill red before us at Lenth; and we thairat beand ryplie avysit, thocht the samyn consonant to Reasoun, and greitt Appearance of Profeitt to the said Craftismen, to this guid Town and King's Lieges reparand thairto; and thairfoir, it is oure Will, and als we grant and ordain,

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ordain, that the said Craftsmen and thair Successors, bruik, injoy and use thair awld Freedom, Statutes, Rowles, Articles and Conditionis, maid for the guid Rowle of the said Occupatioun and Craft, as efter followis :

Id. ibid.

1. ' That zeirlic the hail Craft of the said Candilmakers within this Burgh, fall cheyse ane Deykin amangs them, that is Freman and Burges of the Toun; quhill Deykin fall be obliff and sworne to rowle the said Craft in all guid Rowle and Ordinance, for the Honor and Worschip of the Realme and Toun, lyk as uther Craftsmen dois within the samyn :

2. ' That na Maner of Man nor Woman occupy the said Craft, as to be ane Maister, and to set up Buit, bot gif he be ane Freman, or ells an Freman's Wyfe of the said Craft allanerlie; and quhan thay set up Buit, thay fall pay to *Sanct Geil's-wark*, half a Mark of Sylver, and to the Reparatioun, bylding and uphalding of the Licht of ony misterfull Alter within the College Kirk of *Sanct Geils*, quhair the said Deykin and Craftsmen thinks maist neidfull, and half ane Mark by and quhill the said Craftsmen be furnist of ane Alter of thair awin.

3. ' And in lykwayis, ilk Maister and Occupiar of the said Craft, fall, in the Honour of Almightie God, and of his blesit Mother, *Sanct Marie*, and of oure Patroun *Sanct Geill*, and of all Sanctis of Heaven, fall gif zeirlic to the helping and furthering of ony guid Reparatioun, either of Licht or ony other neidfull Wark till ony Alter situate within the said College Kirk, maist neidfull, Ten Shillings; and to be gaderit be the Deykin of the said Craft, ay and quhill thay be provydit of an Alter to thameselfis; and he that disobeis the same, the Deykin and the Leif of the Craft fall poynd with ane Officiar of the Toun, and gar him pay Walx to oure Lady's Alter, quhill thay get an Alter of thair awin. And that nane of the said Craftsmen send ony Lads, Boyis, or Servands, oppinlie upoun the Hie-gaitt with ony Candill, to roup or to sell in playne Streites, under the Payne of escheiting of the Candill, paying ane Pund of Walx to oure Lady's Alter the first Falt; the second Tyme, escheiting of the Candill, and pay of twa Pund of Walx; the third Tyme, escheiting of the Candill, and his Persoun to be brocht with the Deykin of the Craftsmen of the said Craft to the Provost and Baillies of the Toun, and thair to be punist with Aveyse of the said Deykin, for the Tyme, and the Leif of the said Craft for the breking of thair said Statutes and Rowles. But it fall be lesull to ilk Maister of the said Craft to haif ane Servand that fall gang honestlie throw the Town with Creills and Stufe to furneis his Cal-

ender with, bot nocht to rowp them openlie to sell; and that he beir in his Creill his Maister's Mark, to kea him and his Stufe. And quha that beis sein gangand otherwayes, the Candill to be escheitt, and the Persons punist as said is.

4. ' That na Man of the said Craft tak ony Prenteis for less Tyme than four Zeir; and that na Man of the said Craft, nor na utheris, tak ane uther Man's Prenteis not Servand without Licence and Leif of his Maister, askit and obtenit, quhill the compleit End and Ischew of thair Termis; and quha fa dois the contrar heirof, the Deykin and the Laif of the said Craft to puneis thame as effeirs; and attour, that all the Maisters of the said Craft mak guid and sufficient Stufe, and honestlie handlit and sufficient wrocht worth the Money; and that all Women be expellit the said Craft, bot Freemennis Wyffes of the said Craft allanerlie, thay doand and obeyand to the Deykin and Craftsmen, lykeas is contenit in the aforesaid Statutes; but gif it be allanerlie for thair awn Use, and byrning in thair Howfs. And quha that will not be maid Freeman, he fall not sett up nor hald Buit, bot to be ane Servand under a Maister, quhill that he grow and be reddy thairto. And that nane of the said Craftsmen, Servands, Boyes nor Prenteis, thair Tymes beand run, mak Service to ony uther Man, except to the Craftsmen of the said Craft, unto the Tyme that thay be reddy to wirk thair awin Wark, and to be Freman of the Toun.

' The quhill Articles, Statutes, and Rowles, we the saids Provost, Baillies, and Counsell of the said Burgh, for us and oure Successors, approve, ratifye, and confirm the samyn, in swa far as effeirs till us or his Powar; and this till all and sundrie quhom it effeirs or may effeir in Tyme to cum, we mak it knawin be thir present Letters; and for the mair Confirmation and Strenth of the samyn, we haif to thir present Letters hungin the common Seill of Cause of the said Burgh of *Edinburgh*, the Fyft Day of the Monet of *September*, the Zeir of God ane thousand five hundred and seventein Zeirs.'

The above Charter was confirmed by King *James VI.* in the thirtieth Year of his Reign, anno 1597.

This Company injoyed all its Rights and Privileges till the Year 1582, when a Difference happening between the Merchants and Crafts of *Edinburgh*, and the same being left to Arbitration, the several Incorporations of the City were to lay their respective Grants or Charters before the Arbitrators and Umpire, to shew them their several Rights and Immunities. But the Candle-makers on this Occasion, by some unlucky Accident, did not bring in their Charter, nor signed the Reference in Conjunction

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on with the rest of the Crafts; wherefore they were not mentioned amongst the City Incorporations in the Award or Decree Arbitral, called *The Sett of Edinburgh*, whereby all Disputes and Controversies were happily terminated in an amicable Manner betwixt the said Merchants and Crafts of *Edinburgh*.

By the aforesaid Omission, this Corporation was regarded with an evil Eye; and they, from the Conduct of the Common Council, imagining their Rights and Privileges to be in danger, they applied to Parliament to get them secured against all Attacks and Attempts that might happen to be made against them. And an Act being on the 17th of *July*, in the Year 1695, past for that Purpose, their several Rights, Immunities and Privileges were thereby confirmed in the most ample Manner; but their exclusive Right being, it seems, still doubted by the Town Council, the Company, to quash Disputes on that Head thereafter, raised an Action of Declarator in the Court of Session, by whose Decree of the fourth of *July*, anno 1716, all their antient Rights and Privileges (exclusive of their having a Representative in the Common Council) were confirmed, which they still enjoy.

ARMOURERS.

This Trade or Craft is united to the Corporation of *Hammermen*.

BARBERS.

Coun. Regist. vol. XLIX, p. 246. The Barbers of *Edinburgh*, on the first Day of *July*, in the Year 1505, were, by a Charter from the Town Council, incorporated with the Surgeons; but, imagining themselves injured in their Rights and Privileges by their new Brethren, frequent Disputes happened; which continued till the 23d of *February*, anno 1722, when, in a Process before the Court of Session, the Barbers were, by a Decree of the said Court, separated from the Surgeons in all Respects, other than registering their Apprentices with the said Surgeons, to be admitted both by them and the Barbers. The Barbers, by the aforesaid Decree, being a Society empowered to govern themselves, formed certain Constitutions and Rules for their better Government, and applied to the Common Council of *Edinburgh* to ratify the same; of which Rules or Orders the following is a Copy.

1. 'That all those who shall after this be admitted free Barbers within the Burgh of *Edinburgh*, shall be first free Burgeses thereof, and produce their Burgeses Tickets with a Petition of the Society; upon which they shall be tried and examined by the Masters of the Trade and receive their

Acts of Admission in the Terms of, and as is provided by the said Decree of the Lords of Session upon Payment to the Boxmaster; and that no Freeman shall protect in his Trade or Employment any Unfreeman, under the Penalty of Forty Pounds for each Transgression.

2. 'That none be hereafter admitted a free Barber, but such as is Son or Son-in-law of, or has served his Apprenticeship to, or discharged of his said Indentures from a free Barber; or is the Son, or Son-in-law of a Chirurgeon, in the Terms of that Decree; reserving still to the Society the Consideration of the Circumstances of such as have been assistant to them in the Prosecution of the fore said Process, and a Discretion or Power of admitting such as they shall think deserve of the Society.

3. 'That all Apprentices shall be bound for five Years, and for no less Time: That their Indentures be written by the Clerk of the Society, and that they be regularly recorded or booked, as is ordained by the said Decree, within forty Days after the Date of the Indentures, at the Sight of the Preses and Boxmaster, and two at least of the other Masters of the Trade; and that there shall be paid for every such Booking Three Pounds Scots Money to the Boxmaster, for the Use of the Society; besides the common Dues to the Clerk and Officer, and the Crown appointed by the foirmentioned Decree to be paid therefore to the Society of Surgeons.

4. 'That no Freeman take Apprentices, more than one in three Years for the Freedom.

5. 'That all hired Servants, who are Strangers, and have not been Apprentices to Freeman, shall be recorded or booked in Manner foir said in the Books of the Society, and shall pay for and at such Booking, One Pound ten Shillings Scots to the Boxmaster, for the common Use foir said: beside Twelve Shillings Scots to the Clerk, and Six Shillings Scots to the Officer; and that, on booking of such a Servant, is and shall be sufficient, though they shall afterwards have different Masters: And that no Freeman receive another Freeman's Apprentice or Servant, untill he be discharged from his former Master.

6. 'That all free Barbers within the Burgh, be obliged punctually to attend the quarterly Meetings of the Society, and all other Meetings lawfully warned thereto by the Officer, at Command of the Preses, under the Penalty of Six Shillings Scots for Absence from each Meeting, and shall pay One Shilling Scots for each Meeting, that they shall com in after calling the Rolls.

7. 'That every Barber to be admitted in
K k k k *Canon-*

' *Canongate, Leith, Portsburgh, Potterrow, Bristo, Pleasants*, and other Suburbs of *Edinburgh*, shall first make Application to the Society of Barbers of *Edinburgh*, and be tryed and examined by the Maisters, and pay an Upsett of Fifty Punds Scots, unless he be Son, or Son-in-law of a Free-man in those Places; in which Case he shall pay only Threttie Punds Scots, and receive his Admission in the Terms of, and as appointed by the before mentioned Decreet; and that all the Barbers in the said Suburbs shall be obliged to obey the Statuts and Acts made, and to be made by the Society of the Barbers of *Edinburgh*; and that all their Indentures be written by the Clerk of the Society, and their Apprentices and Servants shall be booked and recorded in Manner foirsaid.

8. ' That all Barbers, both in *Edinburgh, Canongate, Leith, Portsburgh, Potterrow, Bristo, Pleasants*, and other Suburbs of *Edinburgh*, pay punctually One Merk Scots Money to the Boxmaister of the Barbers of *Edinburgh*, at *Whitsunday, Lambas, Martinmas* and *Candlemas*, in all Tyme coming; beginning the first Payment at *Lambas* next, for mantening the Poor, and supporting the common Burdens of the Society, under the Pain of Poynding and taking in their Bafons, till full Payment of Bygones.

9. ' That no Barber in Town or Suburbs, by himself, or his Apprentice or Servant, exercise his Employment on *Sunday*, under the Penalty of Six Punds Scots the first, and Twelve Punds Scots for each following Transgression.

10. ' That the Preses and Boxmaister be annually chosin, and that no Man be allowed to continew in one of these Offices for more than two Years together; and that the Boxmaister shall make, and be discharged of his Accompts, before he can be in a Capacity to be chosin Preses: But they inclining to do nothing without the Allowance and Approbation of the Council, they are in Duety bound to demand the same.

11. ' They therefore, with all duetyfull Submission, expect the Council would give their Concurrence for the due Execution of the before mentioned Statutes, and such other Rules to be made as shall be necessary for preserving the good Order and Government of the Society, and recovering the quarter Accompts, and other Money now payable to them, and thereby supporting their own Poor, and curbing all Unfreemen from inroaching upon their Employment agreeable to Law; and to their said Constitution established by the Seal of Cause, and the said Decreet of the Lords of Session: Craving therefore the Council to approve of the afore written Rules and Statuts, and to give their Concurrence for

' the due Execution thereof, according to, and in the Terms of their said Rights; and as the Council are in use to grant to other Societies within the Burgh, as the Petition signed by the said *John Blair* and *Alexander Steven* bears.'

The above Petition &c. being referred to the Consideration of a Committee, made their Report in favour of the same. Which being considered by the Council, they, with the extraordinary Deacons, approved, and hereby approve of the Committee's Report, and of the Articles and Rules before written, in the whole Tenor and Contents thereof; and do hereby give their Concurrence for the Execution of the said Rules and Articles contained in the said Petition; the Desire of which they granted, and by thir Presents grant and interponit, and hereby interpone their Authority thereto, for the punctual Observation of the said Rules and Articles in all Time coming, as craved in the Petition. And statute and ordained, and by thir Presents statute and ordain the above Rules and Articles to be inviolably observed in all Time coming; and granted, and hereby grants full Power and Warrant to the Petitioners, and their Successors in Office, to see these Rules and Articles observed accordingly, whereanent thir Presents shall be a Warrant.'

BELT-MAKERS. This Art or Trade is incorporated with the Loriners and Hammermen.

BOWYERS. This Mystery or Craft is annexed to the Mafons.

BLACK-SMITHS. This Art is the first of the Seventeen Trades which compose the Incorporation of Hammermen.

BRAZIERS. This Trade is united to the Loriners and Hammermen.

COOPERS. The Fraternity of Coopers as already mentioned, is joined to the Company of Wrights.

COPPER-SMITHS. This Craft is joined to the Loriners, who are annexed to the Hammermen.

CUTLERS. This Art or Trade is united to the Society of Hammermen.

FOUNDERS. This Mystery or Craft is annexed to the Loriners, a Branch of the Company of Hammermen.

GLAZIERS. The Glaziers, for their better Accommodation, are united to the Corporation of Mafons.

GUN-SMITHS. This Trade is joined to the Lock-smiths, a Branch of the Company of Hammermen.

H A T - M A K E R S .

To promote the Trade and the Interest of the Hat-makers in *Edinburgh*, the Parliament in the Year 1641, and 1661, by an Act, impowered them to chuse an Overseer

feer and Quarter-master, to be elected yearly from amongst themselves by the Town Council of *Edinburgh*; and having petitioned the said Council for that Purpose, it was judged to be more for the Advantage of the said Trade to be united to one of the Fourteen Incorporations belonging to the City, than take the Benefit of the said Acts of Parliament made in their Favour. And having obtained the Consent of the Company of Wakers to join with them, both Crafts applied to the Common Council to be united; which being agreed to, as the only means to promote the Interest of both the said Trades, the said Council granted them a Charter; of which the following is a Copy.

Coun. Regist
vol. XXVII.
f. 81.

1. 'That the said Trade, Airt, and Handicraft of making of Hats within this Burgh, shall be united and incorporate with the said Calling and Trade of Wackers in Tyme coming. Lykeas the Council by thir Presents unitts, annexes, and incorporates the Freemen of the said Incorporation of the Wackers and the present Hat-makers of this Burgh, viz. the said *James Brown*, first effectual Mover of the said Designe, *George Anderson*, &c. and their Successors respectively in their said Airts, into one Bodie and Incorporation, to meitt, sitt, and vote, and conclude in the Election of their Deacons and Officers of the said Calling of Wackers, and in all other Things relating to the Good of the said incorporated Calling.

2. 'Maks, constitutes, and creates the foresaid Persones, present Hat-makers, and their Successors, in all Tyme coming, Judges in the Tryell and Qualifications of the intrant Hat-makers conforme to the Provisions underwritten.

3. 'In respect that the saids Trades of Wackers and Hat-makers are unite into one Bodie; therefore the Council declairs, that the Members, Freemen of the saids Callings, shall indifferently be capable of being lited Deacons, and shall be capable of being elected Deacons and other Officers of the saids Callings, consisting of Wackers and Hat-makers.

Id. Ibid.

4. 'That in respect in all Tyme coming, the Hat-makers of this Burgh are to be under the Rule and Government of one Deacon and Incorporation; and that everie ane shall not have Libertie as formerly at his own Hand, without previous Tryall of his Qualification to exerce the said Trade of making of Hatts within this Burgh, and Liberties thereof: Wherefore the Council, by thir Presents, in all Tyme coming, prohibits and discharges all and whatsomevir Persones, except the Persones whose Names are particularlie before exprest, to exerce and profess the said Airt and Trade of making Hatts within this Burgh and Liberties thereof, without they be lawfullie admitted and received Freemen of the

said Incorporation, be the saids Persones, present Hat-makers, and their Successors in their Trade, conforme to the following Provisions, excepting alwayes such Persones, Hat-makers, who, by Vertue of the Act of Parliament, in favour of Manufactures, wes sett up before the Date of thir Presents, and actuallie exercees the said Trade of making Hatts, as Master of the said Calling, within any of the Liberties of the good Toun.

5. 'The Magistrates of this Burgh, present and to come, are to give Concurrence to the present Deacon and his Successors, for apprehending all Unfreemen of the said Calling, and the Half of the Penalties and Fynes that they happen to exact from the Members of the said Calling is to be applied to pious Uses, at the Discretion of the Magistratts, and the other equall to belong to the Poore of the Calling.

6. 'That no Freeman of the said Trade of Hat-makers shall make insufficient Hatts under the Paine of Escheit.

7. 'That the Tyme that a Prenteis shall serve to any Freeman of the said Trade of making of Hatts, shall not exceed seven Zeires.

8. 'That no Freeman of the said Calling shall take ane Apprentice bot once in three Zeires, except they be Burgeses Sones; and that they shall be booked in the Dean of Gild's Books, conforme to the Custome of Prentiees of other Crafts within this Burgh.

9. 'That none of the said Freemen of the said Trade shall take ane other Man's Servand, without ane reasonable Caus.

10. 'That no Freeman of the said Calling of Hat-makers cullor any other Unfreeman to work in the said Trade.

11. 'That no Freeman of the said Calling dwell, or worke without the Toun of *Edinburgh* in no Tyme coming, except they be licensed by the Deacon and the Incorporation: And to the Effect, the granting of the foresaid Privileges in favour of the Hat-makers may not prejudice any just Interesses within this Burgh; therefore the Council ordaines the following Provisions to be insert therein, and to be holden as a Pairt thereof in all Tymes coming, which the foresaid Hat-makers, for themselves and their Successors, by their Acceptation of thir Presents consents hereto.

1. 'That the importing of forraigne Id. Ibid. Hatts shall be free to all Burgeses, whether Merchands or Trademen; and to sell the samen in Chopes and Houffles as thay think fitt.

2. 'That the retailing of Hatts made within this City, or any Pairt of this Kingdom, shall be free to all Merchands and Trademen that are only Burgeses.

3. 'That the retailing of imported Hatts shall

shall be free to all Merchands and Tradesmen that are Gild-brether.

4. ' That all Merchands and Tradesmen, and their Children; who shall happen to marry their Daughters and their Prentieses; and generallie all Persones that shall happen to be Burgeses, any maner of Way, and who shall be found, after Tryall, qualified to make Hatts, wherein they have learned the said Airt, whether within this Kingdom, or in forraigne Nations; and are desirous to be Members of the said Incorporation of Hat-makers; the said Incorporation is hereby obliged to admit and receive them Freemen of the said Trade, and that upon Payment, *viz.* the Sones of Burgeses and Gild-brether that hes learned the said Trade abroad, the Soume of Twentie Marks for the Upsetts, and all other Expenses. And all others promising couoslie to pay for the Upsetts, as the Wackers Prentieses are in use to pay.

5. ' That no Person be admitted Freeman of the said Trade of Hat-makers, without they be first actually entered Burgeses.

6. ' That albeit by the said Union and Incorporation of Hat-makers and Wackers into one Bodie, as to Government and Policie, and having one Deacon and other Officers in common; yet the said Wackers by themselves, shall only admitt and examine Freemen, and receive Prentieses, and meddell with the Servands of their said Calling of Wackers, and cognosce upon what relates to their Trade of Wackers. And sicklye the saids Hat-makers shall only by themselves examine and receive Freemen, and their Prentieses, and meddell with the Servants of their said Calling of Hat-makers, and cognosce upon what shall relate to their said Trade of Hat-making. And that the said Wackers and Hat-makers shall enjoy the Privileges and Liberties of their respective Trades, without incroaching or invading upon one ane others Liberties. And hereby it is not only expressly declared and provided, that the Wackers former Rights and Seall of Caus shall not in the least be waikned, infringed, or impaired by any Thing contained in their Presents. Bot also the Council grants full Power and Warrant to the said Hat-makers and Wackers, to make such Acts and Ordurs amongst themselves, whereby cleare Limits, Bounds and Marches may be made betwixt the saids respective Trades.

7. ' It is declared, that notwithstanding the said Incorporation consists now of both, Wackers and Hat-makers, yet, that in all Tyme coming, the said Incorporation shall be called, termed, and denominated *The Incorporation of the Wackers*; and the Deacon of the said Incorporation to be called allanerlie, *The Deacon of the Wackers*.

8. ' It is always expressly provided and

declaired by thir Presents, that in all emergent and occasional Debates that shall happen to arise betwixt the said incorporated Callings, or betwixt the Members thereof, or concerning the receiving of intrant Hat-makers; that the Council of this Burgh shall be competent Judges thereto.

9. ' And in respect the Council of this Burgh hes been most full and free in granting the foresaid Privileges in favour of the said Incorporation of the Hat-makers; therefore it is heirby declared, that in Case in any Tyme herefter, the said Incorporation shall happen to obtain from the Council of this Burgh, any further Privileges which may any Wayes be destructive to the foresaid Provisions: Then, and in that Case, the haill foresaid Liberties, Immunities, and Priviledges granted to them, shall; *ipso facto*, become voyd and null; quhilks Articles above written being sua qualified, cautioned, and secured by the Provisions foresaid, the Council finds the samen just; lawfull, and for the Good and Commonweill of this Burgh: Therefore ratifies and approves the samen in the haill Clauses and Circumstances thereof, and interpones their Authority thereto, and decerns them to be observed and kept in all Tyme coming. And that the Magistrates of this Burgh, present and to come, to put the same to Execution in all Poynts, against the Contraveners and Brekers thereof. And consents that the said Deacon and Brethren of the Incorporation of the Wackers, consisting as said is, of Wackers and Hat-makers, sute and obtaine ane Ratification of thir Presents to be past in Parliament, and ordains an Abstract hereof, to be given to them, and that under the Subscription of their Clerk and the Seall of Caus of the said Burgh to be appended thereto.

HOOK-MAKERS. This Fraternity is joined to the Society of Lock-smiths, a Branch of the Company of Hammermen.

LITSTERS OR DYERS.

This Trade was by the Town Council united to the Company of Bonnet-makers for their mutual Advantage. But the Litsters, in Conjunction with the Weavers and Wackers, having committed great Frauds in their respective Occupations, to the great Hurt, and almost Ruin of the Woolen Manufactures, the Toun Council of *Edinburgh*, to redress those pernicious Practices, by Virtue of an Act of Parliament, made certain Regulations to restrain the iniquitous Actions of the said Crafts within their Jurisdictions. The Litsters of this City, for the more effectually putting the said Regulations in Execution, voluntarily appeared before the said Council, and obliged themselves, in all

Times

Times coming, to observe the following Constitutions presented by them to the aforesaid Council, viz.

1564.
Conn. Regist.
vol. IV. f. 114.

1. ' That thay nor nane of thame, in ony Tyme cuming, fall lit ony maner of Cul-lor of *Muster de Villois*, *French Gray*, or *Ruffatis*, with *Brissell* or *Urfell*, nor lit ony *Blakis*, with *Cupprufs*, *Gallis*, *Aller-barkis*, or sicklike fals Cullors, bot the samyn to be littit with *Mader*, *Alme*, *Glew*, and sic trew Cullors as hes bene, and is usit amongis Men of *Honestie*, *Experience*, and *gude Conscience* of the said Craft, under the Pane of *Five Pund* for the first Falt, *Ten Pund* the next Falt, to be disponit to the commoun Workis; and, the third and last Falt, to be baneist the Toun and *Fredome* thair of for ever. And sa oft as fall happin ony of the saidis Littisteris or utheris of that Occupatioun, or taking that Craft upoun thame, to spill, in thair Defalt, the Claith or Woole gevin to thame to lit, to pay to the Awiner the uttermaist *Availl* and *Pryce* that the samyn wald gif, in cace it wer perfitelie, compleitlie and sufficientlie wrought and littit, provyding the spilt Claith and Woll be gevin to the Littisteris *Spillar*is thair of, the uttermaist *Availl*, as said is, beand payit. And in cace thay be nocht abill, the *Availl*, as said is, to be spanit from the Occupatioun, and baneist the *Fredome* of this Burgh, quhill the *Partie dampnaget* be satisteit in Maner above written, and Cautioun found under *Pains*, at the Will of the Jugeis, for trew Labouris and trew Cullors in all Tymes cuming.

2. ' For the mair sure Tryall of the *Honestie*, *Lawtie*, and sure Wark of the said Occupatioun, that thair be made ane Stamp, and the Tounis Arms thairupoun, quhilks fall be gevin in keiping to ane honest, trew sworne *Nichtboure*, of *Experience* in making and colouring of Claith, quha fall be *Oversear* of all Claith littit and made within this Burgh, and fall stamp in *Leid* and utherwayis, quha fall have for his Labouris of everie Pece of Claith stampit be him, as said is, *Twa Pennies* allanerlie; and that na Littister deliver furth of their House, ony Claith littit be thame, bot markit with thair awin Mark, under the Pane of acht Shillings, to be distributit in Maner above written, sa oft as he failles, bot *Favour*; and that the Keiper of the said Stamp be in *Redynes* at all Tymes for stamping of Claith, quhen he fall be requirer; and gif *Neid* be, that he seirche and seik the samyn to be stampit; and gif it happyns the said Stamp-keiper to stamp ony Maner of Claith, not sufficientlie coulrit, to pay *Five Pund* for everie Falt, to be applyit as said is, and to be puneist in his Bodie at the Will and Plesoure of the *Provest*, *Baillies* and *Counsale* for the Tyme.

' And farder, That na Maner of Man nor Woman within this Burgh, take up-
' oune thame the Occupatioun of *Litting*,
' bot sic as be *Burgesles* and *Fremen*, and
' before their *Admissioun*, that they mak
' thair *Assay* of *Colouris*, and deliver the
' samyn to the *Provest*, *Baillies* and *Coun-*
' sale of this Burgh, and thay to call in be-
' fore thame the honest *Nichtboures*, with
' the said *Oversear*, and tak thair *Juge-*
' ment of the *Wordyness* of the said *Assay-*
' gevar, and of the *Justnes* of the *Coloure*,
' undar the Pane of baneishing of the
' Toun; and thir *Ordinances* to be observit
' in all Tymes cuming, togidder with
' the uther *Statutis* and *Ordinances* in the
' *Actis* made the Twentie secund Day of
' *Marche* last, twitching the making and
' liting of *Wooll* and *Claith* in all Sorts, as
' said is.

LOCKSMITHS. The Locksmiths being of the Hammermen Craft, is one of the Trades which form the Incorporation of that Name.

LORINERS. This Craft likewise belonging to the Hammer, it is a Branch of the Company of Hammermen.

PAINTERS. This Trade being united to the Wrights, is a Member of the Corporation of *Masons* and *Wrights*.

PEWTERERS. This Art being also of the noisy Kind, it constitutes a Part of the Company of Hammermen.

PIN-MAKEES. This Fraternity being added to the Locksmiths, is a Branch of the Company of Hammermen.

PLUMMERS. This Craft is annexed to the *Masons*, is a Member of the Incorporation of *Masons* and *Wrights*.

SADLERS. This Trade, which is united to the Hammermen, constitutes Part of that Corporation.

SIEVE-WRIGHTS. The Art of Sieve-wrights being joined to the Wrights, make Part of the Company of *Masons* and *Wrights*.

SHEAR-SMITHS. This Mystery being a Constituent of the Hammermen, is one of its seventeen Members.

SLATERS. The Brotherhood of Slaters united to the Wrights, is a Member of the Incorporation of *Masons* and *Wrights*.

UPHOLSTERERS. This Society being annexed to the *Masons*, is a Constituent of the Company of *Masons* and *Wrights*.

WATCH-MAKERS. The Fraternity of Watch-makers being added to the Locksmiths, is a Member of the Company of Hammermen.

WHITE IRON-SMITHS. This Craft of Tinmen being united to the Pewterers, belongs to the Corporation of Hammermen.

Remark. The Arts and Mysteries or Companies of Trades in *Edinburgh* being forty two in Number, are governed by their severall Deacons, &c. but, as the Meaning of the Appellative Deacon is seemingly un-

L 111 known,

known, both to the Governors and Governed, I think it will not be amiss to shew the Craftsman of *Edinburgh* what I take to be the Origin and antient Office of their Deacons. The Title of Deacon was at first religious, and given to one of the meanest Officers in the Church, whose Business it was to assist the Priest in the Performance of religious Offices. And divers of the Crafts of *Edinburgh*, before the Reformation of Religion in *Scotland*, having had Altars in *St. Giles's Church*, in Honour of their tutelary Saints, the chief Officer of the several Fraternities of Crafts, was indifferently stiled Kirkmaster, Godfman, or Deacon; not only from his having the Care and Superintendency of the Company's Altar, but by his assisting the Chaplain in the Celebration of certain Offices at their said Altar. But Altar-worship being abolished, and the Saints expelled their Shrines at the said Reformation, the Title of Kirkmaster or Godfman was obliged to make way for the more general one of Deacon; which has ever since not only prevailed in *Edinburgh*, but in all other Boroughs throughout the Kingdom.

CONVEENRY.

Although this Meeting or Court, which is unknown in foreign Parts, be not an incorporated Society, nor the Time of its Election known; yet, as it consists of the Heads of the several Arts or Trades in *Edinburgh*, I shall endeavour to shew its Origin as near as I can.

Frequent Disputes and Controversies having happened between the Gild or first Merchant Company of this City, and the several Fraternities of Crafts or Trades in *Edinburgh*, concerning their respective Privileges. And that the latter might, on all Occasions, be ready to maintain their Rights against the Attempts of the former, chose a wise and judicious Man from amongst themselves, to call the Deacons or Heads of the several Crafts together, on all Emergencies, to withstand the Efforts that might happen to be made against their Liberties and Privileges; who, by virtue of his Office, was stiled *The Deacon Warner*, but at present *The Deacon Conveener*.

Though the Time of this Officer's being at first appointed be unknown as aforesaid, yet it could not be before the Year 1424, when the Parliament at first ordained, That, for the better Government of the several Crafts throughout *Scotland*, the respective Trades in each Town, should chuse from amongst themselves, a prudent and judicious Man for their Deacon. Now, as there seems to have been no Deacons of Crafts before this Period, it cannot be imagined that there was then a Deacon Conveener. I am therefore of opinion, that no Time bids so fair for the

Institution of this Office, as the Reign of Queen *Mary*, about the Year 1556, when Disputes ran so high between the Merchants and Trades of *Edinburgh*.

The Crafts of *Edinburgh* having chosen a Warner or Conveener, they, some Time after, appointed the Deacons of their several Companies to be his Assistants; who, together with the Trades two Counsellors, form the present Conveentry, which occasionally meets in *St. Mary Magdalen's Chapel* in the *Corogate*. Their Business is to take care of the Rights and Privileges of the several Incorporations of Arts in *Edinburgh*; and to determine all Differences that may happen to arise amongst them; and numerous are the Instances of their determining Controversies brought before them from other Royal Boroughs; nay, so famed has their Integrity and Wisdom been, that many of the said Boroughs have had Recourse to them for Advice and Protection when oppressed, and their Immunities attacked, as is evident by their Records. In Matters of great Concern, the Deacon Conveener may, and frequently does summon all the Trades of *Edinburgh*, or the old Deacons, or other Members of Experience for their Advice in critical Cases.

The Conveentry meet, previous to the Election of the City Magistrates, at *Michaelmas*, to consider which of the Persons on the Lists or in Nomination are most proper to be elected; and being generally unanimous, the Persons they fix on, seldom miss being chosen. Their Unanimity has not only great Influence in Elections, but likewise on Affairs in the Town Council, which has occasioned frequent Contests between the Merchants and them, the former always endeavouring to get the Conveentry abolished, and the latter as strenuously maintain their Rights; particularly in the Year 1684, when they obtained a Decree in the Court of Session in their Favour, ascertaining divers of their most valuable Privileges, especially that of their Meeting, and concerting the Election of Magistrates as aforesaid; which was confirmed by Parliament, on the 13th of *June*, in the same Year. There being no Fund to defray the Expence of this Court, they impose a small Tax on the several Companies of Arts in *Edinburgh*, to pay the Salaries of their Clerk and Officer.

The Person and Office of the Deacon Conveener is in great Esteem, being not only deemed the chief Craftsman in *Edinburgh*, but in *Scotland*. To him is committed the Custody of the Flag, falsely called *The Banner of the Holy Ghost*, but commonly *The Blue-Blanket*; which is delivered from Conveener to Conveener, with great Ceremony, as a valuable Jewel; the Origin of which, according to an idle Tradition, is, that a Number of *Scottish* Tradesmen, chiefly *Edinburghers*, having amongst other great Feats performed in the Holy

Holy War, were the first who fixed their Banner on the Wall of *Jerusalem*; and that such of them as returned being called *Knights of the Holy Ghost*, had many Privileges granted them, and their Banner hung up at *St. Cloyes Altar* in *St. Giles's Church* in *Edinburgh*.

But this deserves not the least Credit; for the present Flag, properly called *The Tradesmens Banner*, but vulgarly *The Blue Blanket*; so denominated from its Colour, was granted to the Crafts of *Edinburgh* by King *James III.* in Return for the great Service done him, in freeing him from Durefs in the Castle of *Edinburgh*, in the Year 1482, after a Confinement by his rebellious Sub-

jects, for the Space of nine Months; and impowered them to display the said Banner in Defence of their King and Country, and their own Rights. At the Appearance of this Banner, attended by the Deacon Conveener, 'tis said, that not only the several Artificers in *Edinburgh* are obliged to repair to it, but all the Artisans or Craftsmen throughout *Scotland* are to resort to it, and to fight under the Command of the said Conveener. Besides the aforesaid Banner, the said Conveener has in his Custody, the Trades Youths Banner. These were the Ensigns of *Edinburgh* when its Military Force consisted only of two Companies.

COMPANY OF MERCHANTS.



Though the Merchants of *Edinburgh* are not Artificers; yet, as they were lately incorporated, by a Royal Charter, into a Company for the Incouragement of Commerce; I shall in this Place subjoin the Tenor of their Charter, which is as follows.

The Merchants, Importers, or Dealers in Cloth, Stuffs, or other Goods relating to Apparel, obtained a Charter from *Charles II.* on the 29th October, anno 1681, erecting them into a Company by the Stile and Title of *The Company of Merchants of the City of Edinburgh*; whereby they are impowered to have a Master and twelve Assistants, with a Treasurer, to be annually chosen, and a Clerk and Officer to continue during Pleasure; to have a House or Hall to transact their Affairs in, with a Right to make By-laws for the good Government of the Corporation, to be approved of by the Town Council of *Edinburgh*. To execute all Acts

and Things for the Benefit of the Company, and to punish Offenders by pecuniary Mulcts, provided the same do not exceed the Sum of Twenty Pounds *Scotish* Money, which is to be recovered by the Concurrence of the Magistrates of *Edinburgh*.

It is also ordained, That no Person presume to merchandize within the City and Liberties of *Edinburgh*, till he be admitted into the Freedom of the Company, and paid the Fees due on that Occasion. And it is farther declared, That the several Burgeses, Gild-brethren of *Edinburgh*, shall be admitted Members of this Corporation, on paying the Sum of Six Pounds *Scotish* Money, and Six Shillings of the said Money quarterly, so long as they continue in Trade: And that every Person entering himself an Apprentice to a Member of the Company, shall pay the Sum of Three Pounds of the aforesaid Money; and the Incorporation is impowered

impowered to make free and voluntary Contributions amongst themselves, as shall be sufficient, not only to defray the necessary Expences of the Company, but to relieve and support their poor Members, Widows and Orphans.

It is also declared, That the erecting the said Merchants into a Company, shall no-wise exclude them or their Successors from becoming Members of any Company of Merchants, that hereafter may be incorporated.

And, *Lastly*, The Company is impowered to purchase Lands, Tenements, Annuities, and Possessions; to borrow and lend Money; and to do all other Acts and Things relating to Commerce, as fully and freely, as any other Corporation of the like kind: And they are also impowered to have and use a common Seal, for ratifying and confirming their several Transactions, to be appointed by Lyon King at Arms.

And it is expressly declared, That the Rights and Privileges of the several Incorporations of the Crafts or Trades of *Edinburgh*, are hereby reserved and confirmed to them according to Law. This Grant was ratified by Parliament on the 15th of June, anno 1693.

To investigate the Commerce of *Edinburgh* to its Source, I am of opinion it can be traced no higher than the Year 1329, when the *Edinburghers* bought of Robert Logan of *Leith* the Port and Mills of *Leith*, which was confirmed to them by a Charter from King Robert Bruce, of the same Date. But the Citizens, it seems, having unluckily forgot to purchase of him a Way-leave or Road, to and from their Harbour, they seemingly made but little or no Use of it till the Year 1398, when they purchased of the said Logan, or of one of his Successors, a Right to all the Ways, Paths and Passages within his Lands of *Leith*; with a Power to lade and unlade Ships in the River *Leith*, and Liberty to break up Ground for the Use of Navigation, which then must have been very little: But Trade continuing to increase, it was at length extended to *Norway*, the *Baltick*, and *England*, to which it seems to have been confined till the Year 1692, when the Convention of Royal Boroughs, to prevent an Imposition by the lesser Burghs, ordered among other Things, the Number of Ships and Vessels to be taken and returned to them, upon the Oaths of the Magistrates and Town Clerks of each Maritime Borough within *Scotland*; at which Time the *Edinburghers* returned the Masters Names, Tunnage, and Value, in *Scottish* Money, of the several Ships and Vessels belonging to the Port of *Leith*; a List whereof on Record is still to be seen in the Archives belonging to the Conven-

tion of Royal Boroughs in the Town Clerk's Office of *Edinburgh*.

A TABLE anno 1692.

Masters Names.	Tuns.	Value.
James Kendal - -	90	L. 8000
James Simpson - -	120	5000
Alexander Tait - -	150	8000
Robert Gray - -	100	6000
Thomas Weir - -	90	3000
Thomas White - -	90	6000
Thomas Riddel - -	100	3500
Andrew Simpson - -	70	3000
Alexander Stevenson - -	130	5000
James Sutherland - -	90	6000
John Tait - -	60	4000
James Law - -	90	6000
John Brown - -	140	8000
John Barr - -	40	1000
John Milne - -	15	300
John Haigs - -	40	2000
John Auchinmontie - -	36	1500
David Ricby - -	25	900
Thomas Henderson - -	25	900
John Gair - -	16	500
John Hay - -	12	300
John Syme - -	30	1000
Gilbert Dick - -	20	600
Walter Greg - -	15	500
Matthew Bertain - -	24	900
William Brown - -	24	900
Malcolm Maccauly - -	30	1200
Alexander Gevie - -	16	700
Walter Lesley - -	14	500
Numbers total 29	1702	85,200

Rec. Arch. R.
Boroughs.

Chart. Rob. I.
anno 1329.

Ibid. Chart.
anno 1398.

A TABLE for the Year 1740.

Ships Names.	Tuns.	Men.
George - - -	60	5
Helen - - -	50	6
Isobel - - -	30	4
Jean and Janet - -	50	6
Janet - - -	50	6
Mary - - -	40	5
Katbarina - - -	40	7
Betty - - -	60	7
Adam - - -	40	4
Conveener - - -	180	13
Peter and William - -	70	7
May - - -	50	6
Charming Betty - -	100	8
Jean - - -	80	7
Helen - - -	50	6
Grizel - - -	80	8
Adam - - -	50	4

Rec. in Cu-
stom house
Leith.

Hopeful

Ships Names.	Tuns.	Men.
<i>Hopeful</i>	45	85
<i>Concord</i>	80	7
<i>Anne and Catbarine</i>	35	5
<i>Charles and Margaret</i>	30	5
<i>Charity</i>	24	3
<i>Jean</i>	24	3
<i>Sufanna</i>	30	4
<i>Edinburgh</i>	100	7
<i>Jeans</i>	50	4
<i>Robert and Mary</i>	30	3
<i>Jean and Janet</i>	20	3
<i>Charles and Margaret</i>	50	4
<i>Robert</i>	50	5
<i>James</i>	16	3
<i>Margaret and Mary</i>	40	4
<i>Peter</i>	24	3
<i>Providence</i>	40	4
<i>Isobel and May</i>	110	10
<i>Edinburgh Pacquet</i>	120	11
<i>Glasgow Pacquet</i>	120	12
<i>John and Margaret</i>	40	4
<i>Magdalene</i>	50	4
<i>Isobel</i>	50	4
<i>Peter and William</i>	60	6
<i>Edinburgh Merchant</i>	110	11
<i>Elizabeth</i>	50	4
<i>Anne</i>	40	4
<i>Anne and Katbarine</i>	40	4
<i>Hopeful</i>	40	4
<i>May and Anne</i>	90	9
Numbers total	47	2628

A TABLE for the Year 1752.

Ships Names.	Tuns.	Men.
<i>Tryal</i>	350	45
<i>Edinburgh</i>	300	45
<i>Royal Bounty</i>	300	45
<i>Prince of Wales</i>	300	17
<i>Thistle</i>	200	13
<i>Industry</i>	250	17
<i>Leith Galley</i>	230	17
<i>Fort</i>	200	13
<i>Grampus</i>	200	13
<i>John</i>	160	8
<i>Edinburgh</i>	160	8
<i>St. Andrew</i>	140	9
<i>Endeavour</i>	140	9
<i>Friends Goodwill</i>	140	12
<i>Concord</i>	120	7
<i>Happy Janet</i>	120	6
<i>Leith Pacquet</i>	120	6
<i>Rachel</i>	120	7
<i>Adventure</i>	120	7
<i>Edinburgh Merchant</i>	110	6
<i>Glasgow Pacquet</i>	100	5
<i>John and Margaret</i>	120	6
<i>Peggy</i>	100	7
<i>Fair Sufanna</i>	100	13

Ships Names.	Tuns.	Men.
<i>Isobel and May</i>	100	7
<i>St. Andrew</i>	100	7
<i>Princess Augusta</i>	100	6
<i>Jamaica Pacquet</i>	190	12
<i>Peggy</i>	90	5
<i>Hope</i>	90	6
<i>Hope</i>	80	6
<i>Britannia</i>	100	6
<i>May</i>	80	7
<i>Edinburgh</i>	70	6
<i>Angus</i>	80	7
<i>Helen</i>	80	6
<i>George</i>	80	5
<i>Isobel</i>	80	6
<i>Cargubin</i>	70	5
<i>Janet</i>	70	5
<i>Elizabeth and Mary</i>	60	6
<i>Elizabeth</i>	60	6
<i>Isobel</i>	60	6
<i>Betty</i>	60	9
<i>Jeans</i>	50	4
<i>Martin and Euphan</i>	50	6
<i>Mary</i>	50	6
<i>Charming Betty</i>	50	9
<i>Grizel</i>	50	6
<i>Hawthorn</i>	40	6
<i>John and Elizabeth</i>	40	5
<i>James and Lily</i>	40	5
<i>Unity</i>	40	6
<i>Margaret</i>	70	6
<i>Jobanna and Barbara</i>	36	6
<i>Margaret and Mary</i>	40	4
<i>Skinner</i>	30	4
<i>Sea Flower</i>	30	6
<i>Union</i>	30	5
<i>Betty</i>	30	4
<i>Margaret</i>	30	4
<i>Unity</i>	20	3
<i>Elizabeth</i>	18	3
<i>William</i>	30	4
<i>Edinburgh Buys</i>	76	18
<i>Thistle Buys</i>	71	18
<i>Miller of Mansfield</i>	100	9
<i>Free Love</i>	15	4
Numbers total	68	6935

Rec. Custom
Leith.

Although the Tunnage of the Ships belonging to the Port of *Leith* in the last Period, only amounts to six thousand nine hundred and thirty five, yet, by the best Information I have been able to come at, the Number is considerably more; for the Masters of the said Ships, to save certain Expenses attending Navigation, viz. that of Light-houses, &c. 'tis said, seldom give in the Measure of their Ships at above three Fourths of their respective Burdens, and by some said to be still less; however, I shall only reckon a Fourth short, whereby the Tunnage of all the Ships belonging to *Leith*

M m m m will

will appear to amount to eight thousand six hundred and eighty six Tuns. Nor is the Number of men more to be depended on; for, to save a certain Duty payable to *Greenwich* Hospital, 'tis said, that many able Seamen are reckoned as Boys.

By the above Lists it appears, how the Commerce of *Edinburgh* advanced during those Periods, viz. the second exceeding the first in the Number of Ships, eighteen; and Tuns, nine hundred and twenty six; and the third exceeds the second, in Ships, twenty one; in Tuns, four thousand three hundred and seven; and in Men, three hundred

and fifty three. This great Increase, in so short a Time as the Space of Twelve Years, is owing to the Merchants of this City's falling into the Plantation-trade, and to the great Incouragement given by Parliament, to revive the Herring and Whale Fisheries; to the Adventurers in the former, is allowed a Premium of Thirty Shillings *per Tun*, on all the Vessels they shall send out on that Account; and Three *per Cent.* Interest on all the Money they shall advance for that Purpose: and to the latter is given a Premium of Forty Shillings *per Tun* on all the Ships they shall fitt out for that Trade.

The End of the Fourth Book.



THE

T H E HISTORY of EDINBURGH.

B O O K V.

Containing Accounts of the Offices and Societies within Edinburgh:

Of Offices and Societies.

Company of ARCHERS.

ALTHOUGH the Archers of *Edinburgh* be neither a Company of Arts, or an Office belonging to the Publick, yet as they are a Society of Gentlemen united to preserve the antient Military Art of Archery, I shall subjoin an Account of this modern Incorporation.

The Practice of Archery being greatly decayed in *Scotland*, divers Gentlemen in the Year 1676, associated themselves to restore the same, and to obtain Letters patent to erect a Company for that Purpose; preparatory to which they drew up certain Articles of the following Tenor for their better Regulation.

1. That a Council consisting of seven Members of the Society be annually chosen, one whereof to be President, who shall make Rules and Constitutions for the Government of the Company.
2. The said Council shall appoint three of the most expert Archers to hear and determine all Disputes and Differences which may happen to arise amongst the several Members concerning Archery.
3. That the Council constitute a Treasurer, Fiscal, Clerk and Officer, one Beadle; and to provide Books for recording the Transactions of the Society.
4. That none be suffered to practise the Art of Archery within the City or Suburbs of *Edinburgh* but Freemen of the Company; and each Person, before his Admission, to undergo a Trial, in respect to his Knowledge in Archery, and, if approved by the Judges appointed for such Trial, shall be admitted into the Freedom of the Company, by a proper Instrument under the Seal of the Society.
5. That certain Persons be appointed by the Company to instruct the unexperienced who desire to become Members of the Soci-

ety, till they be qualified to undergo a Trial preparatory to their Admission.

6. That each Person, at his being admitted a Member of the Society, to give a Discretionary Sum of Money, according to his Quality for the Use of the Company; and that all pecuniary Mulcts and Amerciaments be paid to the Treasurer for the Use of the Society.

7. That publick Butts be erected, either at the Company's Expence, or by Donation from the Town Council, for the Use of the Society, which Strangers shall likewise have the Use of, without Fee or Reward.

8. That a Prize be provided at the Expence of the Company (if one be not given by Way of a Present) to be yearly shot for, to be prepared at the Will and Pleasure of the Town Council, whether a Silvern Arrow, Cup or other Piece of Plate, and the Solemnity to be observed at and after winning the said Prize, to be in the said Council's Option.

9. That the Company, or as many of them as shall be summoned by the Council to shoot, either at Butts or Rovers, for an extraordinary or any publick Occasion, shall be sure to attend, no Excuse to be admitted for Absence, but Sicknefs, or other lawful Impediment.

10. That the Company have proper Officers, with Colours and Drums, under proper Regulations, with all necessary Accoutrements, and to be mustered once a-Year, with the Societies Arms, or a Symbol in their Hats or Bonnets, and to perform such Exercises as the Council shall please to order.

The above Constitutions were not only confirmed by the Privy Council on the 6th of *March*, anno 1677; but the Commissioner of the King's Treasury, at the Recommendation of the said Privy Council, gave the Company the Sum of Twenty Pounds *Sterling* to purchase the first Prize to be shot for.

The

The Company being, by Letters patent from Queen *Anne*, of the 31st *December*, in the Year 1713, erected into a Corporation by the Stile and Title of *The Royal Company of Archers*; applied to the Common Council of *Edinburgh* for a Piece of waste Ground on the Western Side of the Parliament Close near *Beth's Wynd* to erect Butts on. The said Council, willing to encourage this laudable Undertaking, not only granted their Request, but, as a further Incouragement, in the Year 1709, gave them the Silvern Arrow belonging to the City to be annually shot for; and on the 20th of *May*, anno 1726, confirmed the same with Additions, of the following Tenor.

1. That the said Silvern Arrow be shot for at Rovers, in the Links of *Leith*, on the second *Monday* of the Month of *July*, yearly, at ten of the Clock in the Forenoon, if good Weather; if not, to be shot for on the first fair *Monday* following.

2. That Notice be given on the last *Monday* of *June*, and first *Monday* of *July*, of the yearly shooting for the City's Arrow, by beat of Drum throughout *Edinburgh*.

3. That none be admitted to shoot for the said Arrow, but the Members of the Company, who are ready and willing to admit all qualified Persons into the Freedom of their Corporation.

4. That a Spot of Ground, of at least thirty Ells square round each Mark be set up for Security of the Spectators, and the Archers Arrows; and that none but the Members of the Company presume to enter the same during the Time of shooting, under the Penalty of Four Pounds, *Scotish* Money.

5. He that wins the Arrow shall keep it in his Possession till the first *Monday* of the following Month of *April*, on his giving Security to return it to the Treasurer of the Company, with his Badge affixed thereto.

6. That, on returning the said Arrow to the Treasurer by the Winner, the Dean of *Gild* to pay him the Sum of Five Pound *Sterling* as the Prize in Lieu thereof.

7. That a Register be kept of the Times the Arrow was shot for, by whom won, the Names and Numbers of the Archers who shot for it, with those of the Badges or Symbols appended thereto.

This Royal Company of Archers, consisting of the prime Nobility, Gentry, and other Persons of Distinction, on the yearly Day of shooting, are richly apparelled in the Highland Drels; and in their March thro' the City, form a very pompous Procession, which not only attracts Persons of Note from the distant Parts of *Scotland* to behold the same, but many Persons of Distinction from the Northern Parts of *England* resort hither on that Occasion.

BANK of Scotland.

As the Bank of *England* was projected by *William Paterfen* a *Scotishman*, so was this of *Scotland* by *John Holland*, an *Englishman*, who, with others, being of opinion, that a national Bank would be of great Service to the Kingdom; they applied to the Parliament for a Power to put their Design in Execution; which being approved of, they were by an Act of the 17th *July*, anno 1695, erected into a Body politick and corporate, by the Name of *The Governor and Company of the Bank of Scotland*, to have perpetual Succession, and a common Seal to purchase Lands, Rents, Tenements, and Hereditaments of what Kind soever; and to sell, grant, demise and dispose of the same at Pleasure; and to do and execute all other Things which any Corporation lawfully can, and to take Six *per Cent.* for all the Money advanced by them either on real or personal Security.

This Corporation, whose Capital consists of One Million and two hundred thousand Pounds, *Scotish* Money, or One hundred thousand Pounds *Sterling*; is governed by a Governor, Deputy-governor, and twenty four Directors, whose Qualifications for their several Posts, is, for the Governor, the Sum of Eight thousand Pounds, *Scotish* Money, capital Stock; Deputy-governor, Six thousand; and a Director, Three thousand; and the Adventurers or Stock-holders, who are vested with the Right of Election, must be possessed of One thousand Pounds *Scotish* of the said Stock each.

The British LINNEN-COMPANY.

Since the King, pursuant to an Act of Parliament, of the 13th of King *George I.* did, by his Letters patent, establish a Plan for improving the Fisheries and Manufactures of *Scotland*, whereof the Linnen being one of the chief, the Duke of *Argyll* and *Andrew Fleteber* of *Milton*, a Senator of the College of Justice, out of their Zeal for the publick Welfare, as a farther Incouragement to the said Manufacture, did obtain a Charter dated at *Westminster* on the 5th of *July*, anno 1746, whereby *James*, Earl of *Lauderdale*, *William*, Earl of *Pannure*, and others, were constituted a Body politick and corporate by the Name, Stile, or Title of *The British Linnen Company*, to be under the Direction of a Governor, Deputy-governor, and five Directors, to have perpetual Succession, with a common Seal; to sue and be sued in any Court of Judicature within the Kingdom of *Great Britain*, to raise a joint Stock of One hundred thousand Pounds *Sterling*; to make By-laws for the Government of the Corporation, providing the said Laws be not repugnant to the Laws of the Kingdom; with

with a Power, if judged necessary, to increase their Capital, by borrowing, under the Seal of the Corporation, an additional Sum of One hundred thousand Pounds *Sterling* by Bill, Bond, or Obligation; with a Licence to carry on the said Linnen Manufacture in all its Branches, to employ Artificers, to buy and sell Flax, Yarn, and Linnen; and to transact all Things tending to promote the said Linnen Manufacture. And for the better Government of the said Company, they are impowered to hold four general Courts quarterly, with Courts of Directors as often as it shall be judged necessary.

The Success of this Corporation has been so great, that the Subscription for raising the capital Stock was no sooner opened, than a Moiety thereof, amounting to Fifty thousand Pounds *Sterling* was subscribed by Virtue of a By-law; and the whole being since completed, the Money at present employed by the Company is upwards of One hundred thousand Pounds *Sterling*, which is not only used in a ready Money Trade, but advanced to poor Manufacturers, to enable them to carry on their Business; which has greatly contributed to promote the laudable Spirit of Industry that now prevails in most Parts of *Scotland*; nay, even in the Northwestern Highlands, in the Counties of *Ross* and *Strathnaver*, and to the Northern Extremity of *Britain*. And by the great and laudable Pains taken by *Archibald*, Duke of *Argyll*, and the neighbouring Gentlemen; it is introduced to the County of *Argyll*, and in all Probability will not be long before it enters the Country of *Lochaber*, and the Southwestern Parts of *Galloway*; in which Countries, till the Erection of this Company, Industry seems to have been only an empty Sound.

And the Manufacturers, by the Advance of Money and receiving Cash for their Goods as soon as made, are enabled to return their Money in half the Time they formerly did: For, before the Erection of this Corporation, many were obliged to give Credit to Merchants and Linnen Drapers; whereby, instead of carrying on their Business with one Capital, were necessitated to have a double Stock, to their great Prejudice: So that, next to the Premiums given by the Board of Trustees to encourage the making of Linnen, it may justly be said, that to this Company is owing the great Extension of this Manufacture, whereby will be yearly saved to the Nation considerable Sums paid to Foreigners on the Balance of Trade; and the Poor thereby will not only be enabled to provide for themselves and Families, but, becoming sensible of the great Advantages arising from Industry, will soon have some Property of their own; the Sense whereof, will not only prevent their becoming Dupes to their Chiefs, or Heads of Clans, but will secure to the Country a State of Tranquilli-

ty, and will make them become loyal and faithful Subjects to the present Government, wherein, it may be presumed, they will continue during an industrious Application to Business.

BREWERS Servants Society.

The Brewers Servants within the City Coun. Regist. and Liberties of *Edinburgh* being desirous to vol. XLIV. be erected into a Society for their mutual P. 60. Advantage and good Government, applied to the Town Council for that Purpose; which being approved of, they were erected into a Fraternity by the following Charter.

‘ The Council have erected and hereby erects the Petitioners into ane Society, under the Rules and Regulations aftermentioned, and no otherways, to be continued during the Council’s Pleasure.

1. ‘ That all Persons that are Brewers Servants within this City, &c. should be erected into an Society, under the Name of *Brewers Servants*.

2. ‘ That all of them shall pay unto their Box at their Entry, Half a Crown, being Threttie Shillings *Scots*, and Four Shillings *Scots* Money quarterly. And for each Oath Four Shillings Money foirsaid, attour the Penalties imposed.

3. ‘ That the Society be allowed to meet frequently for making Rules and good Orders amongst them; and to examine Complaints, and to lay the samen before any of the Baillies, to the Effect he may cause punish the Transgressors; and particularly, that if any of the Society be guilty of any Misdemeanors towards their Maisters, upon Examination and Probation thereof, the Persons, Transgressors, are to be punished by Depravation out of the said Society.

4. ‘ That there be ane Boxmaister elected (by Advice and Consent of one of the Bailies, out of their own Number), who is to have the Custody of the Box, to be made; and, that he, with such of their Number as shall be thought proper, be allowed to have Entrants, and that the Entry-money, Quarterly-accompts, &c. is to be put into the said Box, and applied for maintaining of their decayed Brethren, Relicts, and Children, or other pious Uses as shall be condescended on and agreed to by one of the Magistrats for the Tyme, and the Society.

5. ‘ That the Magistrats appoint one of their Number to be present at the opening of the Box once in the Year, which is to be on *Lammass* Day; at which Tyme the Boxmaister is to make his Accompt, and ane new Boxmaister elected at the said Tyme, who is not to continew above two Years together.

N n n n

6. ‘ In

6. 'In caise any Accident of Fire should happen, such of them as are not imployed in driving of Water on Sledges, are to wait upon the Magistrates to receive their Orders for Service in extinguishing of Fire.

7. 'That all the Members of the Society shall strictly observe the Acts of the Town-Council, particularly that Act discharging their ryding upon their Horses or Sledges through the Streets of the City or Suburbs, and that under the Penalty of Sex Shillings *Scots*, to be paid by each Offender into the Box of the Society, attour the Penalty of Sex Shillings imposed already by Act of Council.

8. That, to avoid unnecessary Expences to Entrants and Irregularities, there shall be no such Thing as that which is commonly called *Brotbering* in this Society; and that the Entrant shall be subject to no other Expence than the neat Dues mentioned in the foregoing Articles.

9. 'That their annual Meeting shall make Choice of a Committee not exceeding Ten in Number, wherof the Boxmaister and two Key-keepers are always to be three; which Committee is to manadge the Affairs of the Society throughout the Year; and no greater Number of the Society is to meet at any Tyme together, without one of the Magistrates be present.

10. 'That their Meetings and Regulations are no Wayes to be prejudicial or hurtfull to the Interest of the Freemen Burgeses Brewers of *Edinburgh*. And that they are to make no Acts nor Statuts contrair to the Acts of the Town Council of this City; but that they are to observe the samen in all Points: And if they do in the contrair, they are to be punished as the Magistrates shall determine, and their Society broken, and thir Presents declaired voyd and null in all Tymes coming.'

C A D E E S Company.

The Cadees, Errand-men, News-cryers, or Pamphlet-fellers in *Edinburgh*, till the Year 1714, had no Manner of Government among them; which being taken into Consideration by the Town Council, it was judged necessary to put them under certain Restrictions for their better Regulation in their Way of Business; to which End the following Orders were made for their Observation.

1. 'All such as are above narrated, are to enter into an Society during the Council's Pleasure. Every one at his Entry shall give Caution (to the Value of Ten Pounds *Scots*, for his Honesty and good Behaviour, and to pay Fourteen Shillings and Six Pennies *Scots* in to the Companies Box.

2. 'To prevent the dispersing of profane and scandalous Papers, none shall

presume to expose to Sale any Papers or Pamphlet, (except such as are revised by one or other of the Magistrates for the Time being); and for every new Impression of News-papers, Pamphlets, or other Papers publickly sold, every Boy (or others) who shall sell any of them, shall pay Six Pennies *Scots* in to the Company's Box at least, or more, as shall be found reasonable.

3. 'Every one of the Company shall behave himself decently, and shall not use any unbecoming Language to one another, much less to any other Person; neither shall they curse or swear by Faith, Conscience, or the like, much less profane the Lord's Name, or break the Sabbath-day; but shall go to Church every Lord's Day, and therein behave themselves discreetly during divine Worship; and such as cannot already read and write, shall go to School one Diet every Week-day, on Pain of paying Four Shillings *Scots* in to the Company's Box for each Transgression, and be further liable to Punishment, as the Magistrates shall find just.

4. 'Whoever shall be found fighting with any, beating his Neighbour, or keeping a Correspondence with Thieves, Pickpockets or debauched Persons, or shall buy Paper or Pamphlets in a clandestine Manner, shall lose his Privilege.

5. 'When one is called to go an Errand, or sell a Paper, where two or more are present, he who cometh first to the Person who called him, shall have the Benefit of what is sold or had for going the Errand, unless the Person who called otherwise determine it: And when they are sent an Errand, if the Business wherein he is intrusted, or Thing committed to him, be miscarried through his Default, he shall lose his Privilege, and be further punished as the Magistrates, or their forefairs, shall think fit, and his Cautioner shall make good the Damage to the Party injured.

6. 'Whoever shall be found drunk, tippling, or gaming away his Money, shall pay Two Shillings *Scots* in to the Box for each Transgression.

7. 'Whoever shall not keep himself in decent Apparel and an honest Lodging-place, and does not pay for what Books or Papers he gets on Trust, twenty four Hours after Sale, he shall lose his Privilege.

8. 'The Number of the Company shall be twenty Persons or more, as the Magistrates shall think fit, who are to meet weekly or monthly (as shall be found most convenient, to give an Account of their Behaviour) and pay their Dues: And such as are absent at these Meetings, without a reasonable Excuse, shall pay Two Shillings *Scots*.

9. 'All the Money put into the Company's Box, shall be preserved, and allanner-

ly bestowed for supplying their great Necessities,

10. 'The Badge to be worn by each of the said Society, is appointed to be a kind of Apron of blue Linnen, made in Form of a Badge, which none may lend, on pain of losing his Privilege.

11. 'The first Monday of August yearly, is henceforth appointed the Day on which they are to open their Box, at the Order of the Magistrates; and the Money therein to be disposed of as they shall think fit, as above designed; at which Time they are to chuse two Persons of their Number, for keeping each a Key of their said Box for the ensuing Year, the Box being in the Custody of a distinct Person from the Company, as the Magistrates shall appoint.'

Rules and Instructions by the Town Council of Edinburgh, to be observed by all who are permitted to cry Gazettes and other Papers, or to sell Roses and Flowers (Nosegays) or to carry Links upon the Streets of Edinburgh, Noblemen and Gentlemen's Servants excepted.

Not being able to come at the Constitutions above mentioned, I shall subjoin the following Order:

'These are hereby giving Warrant to any of the Town's Officers and Soldiers of the Town's Guard, to take and apprehend all Persons, that shall be found crying Ballads or other Papers upon the Streets of Edinburgh, except those that are incorporate in the Society of Paper Criers; and that upon Application of any one of the said Society; and that the Person or Persons so found crying, be imprisoned in the Town-guard of Edinburgh, till they are examined by the Magistrates.'

CARTS and SLEDS.

Although the Carters and Sledgers in Edinburgh be not a Fraternity, or have an Office to transact their Affairs in, yet, as they are liable to pay certain Duties to the Town, towards supporting the Pavements of Streets, I shall insert a Table of the said Duties, to prevent those employed in this Affair from being imposed on by the said Carters and Sledgers.

'A TABLE of the Duties pertaining to the City of Edinburgh, payable by all Carts, Sledges or Slips coming into the City or Canongate-head, on both Sides, from St. John's Cross upwards, or Leith Wynd, with whatsoever Goods are made use of within the same, which are payable to the Town's Collectors of the said Duties, or to the Tacksmen of the famen in Time coming.

	l.	s.	d.
1. 'For ilk Draught of a Puncheon Weight —	00	00	06
2. 'For ilk Quarter of an Hundred Dails in one Draught —	00	00	06
3. 'For ilk Half-weight of Iron —	00	01	00
4. 'For ilk Pack of Lint or Wool —	00	01	00
5. 'For ilk Bale of Madder or Butt of Prunes —	00	01	00
6. 'For ilk Draught of three Barrels Weight —	00	01	00
7. 'For ilk hired Coach or Hearse, to pay yearly	12	00	00
8. 'For ilk Country Cart coming to the City with Coals	00	02	00
9. 'For ilk Workman's Cart made use of within the City, to pay for ilk two Draughts	00	00	06
10. 'For ilk Cart-draught of Stones, excepting Causey-stones, or Stones for the Good Town's common Works —	00	00	06

11. 'All Carts coming into this City with Ale or Beer, from the Country, or any Part without the Town or Privileges thereof, belonging to the Brewers, shall pay Two Shillings of Causey-mail for each Cart, (the Brewers in Canongate, and other Suburbs thereof, paying Six Pennies as formerly); and each nine Gallon Tree of Ale or Beer brought in upon Sledges, Slips, or otherwise, to pay Eight Pennies Scots, and proportionable for greater or lesser Quantities

	l.	s.	d.
12. 'That ilk Cart-draught of Hay, Grass or Straw, sold in the City or Suburbs shall pay —	00	02	00
13. 'That ilk Cart of Knap-pel shall pay —	00	01	00
14. 'That ilk Cart-draught of Plenishing brought in or out by the Carters of Edinburgh or Leith, pay	00	01	00

15. 'It is declared, that all Carts coming into the City with Plenishing, Provisions, Ale, Coals, Hay and Straw, belonging to Noblemen, Lords of Session, Gentlemen, Members of the College of Justice, and Burgeesses for their Family-use allanarly, are declared free of the said Duties.

16. 'All the Coachmen are hereby ordained to number their Coaches and Hearses, and enter them so numbered in the Tacksmen's Books; certifying the Coachmen and Owners of the said Coaches and Hearses, if they either not number or not enter their Coaches and Hearses as said is, or put false Numbers on the same, or the same Number on more Coaches than one, they shall be unawed in the Sum of Ten Pounds Scots Money for each Transgression.

'And

‘ And ordains the Tacksmen to exhibit the Table, signed by the Treasurer for the Time, to the Lieges, when required, that they may not be imposed upon, under the Penalty of Ten Marks, *toties quoties*; and in case of the Tacksmen’s Refusal to exhibit the said Table, the Lieges are declared to be free.’

CHANCERY OFFICE.

This Office, which is under the Management of the Directors of the Chancery, chiefly consists in issuing the seven Brieves of Succession, or *Morte Antecessoris*, Tutorry, Idiotry, Tearce, Division, Lying and Perambulations, in receiving the Returns of the three first, which are called the retourable Brieves; and particularly with respect to the Rights of Lands held of the Crown, transmitted by a Defunct to his Heirs by Service: And the Director is to take special Care, that the Service be agreeable to former Investitures; and particularly, that the Crown be not defrauded of the Casualties of Superiority, whether by the Ignorance or Fraud of the inferior Judges or their Clerks.

That all Charters of Lands, and other Rights held of the Crown, are dispatched in this Office, all Confirmations of feudal Rights held of Subjects; and all Grants from the Crown, which pass the Great Seal, such as Commissions, Remissions, &c.

Extracts from the Records of this Office, are of the same Authority with the Originals; so that the Director is Keeper both for the Crown and Subjects, of all the Rights of the Lands throughout Scotland; and the Destruction of the original Writs does no way affect their Rights in point of Validity, since an Extract from them is equally good.

The Director is likewise Keeper of the Quarter Seal, and in his Office are made out all the Writs which pass the same, namely, Gifts of Tutorries, lawful and dative Commissions for Brieves of Mortancestry; the Macers before the Lords or other Delegates; and all Commissions, or Acts of what Nature soever, which pass the Office, relating to the Acts and Decrees of the Court of Session.

And the said Director makes annually out the Responsives or Casualties due from the Sheriffs and other inferior Judges, who grant Infeudments to Heirs served upon Precepts from the Chancery, which the Sheriffs and inferior Judges account for to the Crown: And soon after *Whitsunday* yearly, transmit a Copy thereof to the Treasurer’s Remembrancer’s Office in the Exchequer, as a Charge upon the said Sheriffs. And the Director issues annually above three hundred Precepts to the Sheriffs and others liable to account and fit Equies in the Exchequer.

CUSTOM-HOUSE.

This Office is kept in the Parliament Close, under the Direction of five Commissioners, who till of late had each a yearly Salary of One thousand Pounds *Sterling*; but at present only the Sum of Five hundred Pounds.

EXCISE-OFFICE.

This Office, which is kept in the *Cowgate*, is under the Management of five Commissioners, who have a Salary of Five hundred Pounds *Sterling* each yearly.

FELLOWSHIP PORTERS FRATERNITY.

The Porters and Workmen of *Edinburgh* being greatly imposed on by the Society of Trone-men in this City, who, pretending a Jurisdiction over them, extorted from each the Sum of Two Shillings *Sterling* yearly, which they applied to their own Use, without shewing the least Regard to the said Porters in Sicknefs, or burying their Poor. Wherefore the said Porters petitioned the Common Council, that they might be freed from the slavish Oppression and Exactions of the Company of Trone-men; and to have Liberty granted them to meet at certain Times, and to have a Box of their own for the Use of their Poor.

The above Petition being referred to a Committee, they made their Report, setting forth the great Grievances and Hardships imposed on the said Porters by the said Company of Trone-men; and to redress their present Grievance, presented the following Regulations to the Town Council for their Approbation and Confirmation.

‘ 1. That the said Porters and Workmen may be the better enabled to assist their sick Poor, their Widows or Children, or bury their Dead, they be allowed to keep a Box of their own, whereinto every Person, who shall be admitted to work and labour, as Porters within this City, shall on or before his Admission, pay in to the said Box, for the Use above mentioned, Two Shillings and six Pence *Sterling*: And that every Person of the said Porters and Workmen shall pay into the said Box quarterly, for the Use aforesaid, Six Pence *Sterling*: And that there be two Keys to the said Box, one whereof to be kept by *Lachlan Rattray*, and the other by any of their Number they shall appoint.

‘ 2. That no Person be allowed to labour, or carry Burdens within the City, in the Character and Station of a Porter, without producing Certificates of his Honesty, and enacting himself for his good Behaviour, and observing the Rules and Regulations

1738.

Coun. Regid.

vol. LIX. p.

132, &c.

‘ Regulations made by the Council, of the
‘ Date the 13th of *June* 1694, as well as
‘ the Regulations herein contained, or any
‘ others that shall be made in Time coming.

3. ‘ That the said Porters or Workmen
‘ shall be ordained to wear on their Breasts
‘ such Badges as the Council shall think pro-
‘ per; and that none of them do presume
‘ to labour within the City, or appear on
‘ the Streets, without the said Badges, un-
‘ der the Penalty of Five Shillings *Sterling*,
‘ to be paid by them for every such Of-
‘ fence; the one half whereof to the In-
‘ former, and the other half to the Box-
‘ master, for the Use of their Poor.

4. ‘ That if any of the said Porters or
‘ Workmen shall refuse, when called upon
‘ to serve either Burgesses or Inhabitant of this
‘ City upon Payment of the Fares herein
‘ after mentioned, shall, upon their being
‘ convicted of every such Offence, be fined
‘ in the Sum of Five Shillings *Sterling*, to
‘ be applied to the Use of their Poor, as a-
‘ fore said.

5. ‘ That the following Fees, and no
‘ more, be allowed and exacted by them in
‘ Time coming, *viz*, for the carrying or
‘ transporting every Dale of Coals from the
‘ High-street to any House or Cellar, no
‘ more than Four Pence *Sterling*. For e-
‘ very Burden of Merchant Goods, &c. car-
‘ ried by them from or to any Place within
‘ the City, one Penny *Sterling*.

6. ‘ That in case of any accidental Fire
‘ within the City, all the said Porters and
‘ Workmen shall, upon the first Alarm
‘ thereof, immediately repair to the Place
‘ where the Fire shall happen, to be there
‘ employed, as the Magistrates or Fire-
‘ masters shall direct; and are of opi-
‘ nion, thir Presents ought to continue
‘ only during the Council’s Pleasure, or un-
‘ til the same shall be altered or varied by
‘ the Council, as the Report subscribed by
‘ the Committee bears.

‘ Which Petition and Report, together
‘ with the Act, dated the 13th *June* 1694,
‘ having been considered by the Magistrates
‘ and Council, with the Deacons of Crafts,
‘ ordinary and extraordinary, they approved
‘ of the fore said Report; and did, and
‘ hereby do disjoin the said Porters or
‘ Workmen from the said Company of
‘ Trone-men, and do for ever relieve and
‘ free them from answering, and paying any
‘ Entry-money, or other Fee or Allowance
‘ unto the Box kept by the said Tronemen:
‘ And do authorize and empower the said
‘ Porters and Workmen to keep a Box of
‘ their own; and to meet among themselves
‘ yearly and quarterly: And do appoint the
‘ said *Lachlan Rattray* to superintend them,
‘ with respect to their observing and fulfil-
‘ ling of the afore said Regulations, or any
‘ other that may hereafter be made by the
‘ said Magistrates and Council; and that

‘ the afore said Regulations be inviolably
‘ observed by them on all Occasions in every
‘ Article thereof, which are hereby declared
‘ to continue in Force only, until the same,
‘ or any Part thereof shall be varied or al-
‘ tered by the Council.’

FIRE-COMPANY.

Two dreadful and destructive Conflagra-
tions having happened in the *Parliament*
Cloze and *Land Market* in a short Space of
Time, the Common Council of the City,
to prevent as much as in them lay, the like
Disasters in Time coming, by putting a
speedy Stop to the Progress of every casual
Fire, made the following Regulations for
that Purpose.

1. ‘ That the Council do name out of the Coun. Regist.
‘ Burgesses and Freeman of this City, twelve vol. XXXVII.
‘ Men, to be called by the Name of *Fyre-* p. 466. 21st
‘ masters, and each Fyre-master to be im- April, 1703.
‘ powered to name six Assistants to him-
‘ self, to be ready at all Times upon the
‘ Occasion of Fyre. The Fyre-masters to
‘ receive their Orders from the Magistrates,
‘ and their Assistants from the respective
‘ Fyre-masters; who are all to present them-
‘ selves to the Magistrates each first *Monday*
‘ of *February* and *August* yearly.

2. ‘ That each Fyre-master have in his
‘ Hand an Baton, and each Assistant an Lea-
‘ ther Cap on his Head, with a cross Iron-
‘ bar on it, and a Badge of Pewther on the
‘ Front of it, bearing a Number from One
‘ to Seventy two; to be made by sic Per-
‘ sons as the Counsell shall appoynt, and
‘ by non other.

3. ‘ That each Fyre-master and his Af-
‘ sistants have one large Hand-aix made
‘ with Luggs, nailed to the Shaft; and an
‘ Sledge-hamer with an Hand-saw, all
‘ marked with the Tounes Mark; and
‘ twelve Links alwayes lodged in each of
‘ the Fyre-masters Houses.

4. ‘ That each Fyre-master have his
‘ Name above the Door of his House, or
‘ Cloze-head, where he dwells, bearing them
‘ to be such, and a List of the whole lodged
‘ in the Tounes Guard.

5. ‘ The Counsell appoynts to be made
‘ twentie four Sayes, and threttie sex Stings
‘ with Knags, whereof sex standing full of
‘ Water, and the Stings hanging by them,
‘ and some Bucketts, with sex Shovells and
‘ sex Mattocks, with the Good Tounes
‘ Mark upon them; to be lodged on the
‘ North-side of the Weigh-houfe, under a
‘ Shade to be made for that End; and the
‘ lyke at the East-end of the Court of Guard;
‘ and the lyke at the Back-cloze of the laigh
‘ Counsell-houfe; and the lyke at the New
‘ Well at the Foot of the *Horse-wynd* in the
‘ *Cowgate*: And that each of the Fyre-ma-
‘ sters have a Key to open the severall Shades

above mentioned, and ane other Key to be lodged in the Toun Gaird.

6. The Counsell appoynts three hundred leather Buckets or more to be made, and that there be lodged thereof in the Toun Gaird as many as can with Convenience; and the rest to be hung up in the *Old Kirk*: As also twelve Ladders, whereof three of them fourtie six Foot, three of them threttie Foot, three of them twentie Foot, and three of them fifteen Foot; all to be hung in the *Old Kirk*.

7. The Counsell appoynts the whole Men to have each of them a Creill, and to repair to the Fyre with the Creills full of Horse-dung or Muck upon the first Alarm.

8. The Counsell appoynts the Wells to be put in good Condition, and the Fyre-cock in good Order, that the whole Fyre-masters may know how to put on the Water to the Fyre-cocks, and make the Water to run to every Syde of the Street, by the Help of a Timber-spout, which the Counsell appoynts to be made for that Effect; and one to lye in each of the said Places, with the Sayes and Stings.

9. The Counsell appoynts ane to open the Wells, the Shades, and the *Old Kirk*.

10. The Counsell appoynts the Captain of the Guard, upon the first Alarm of Fyre, to send to the Magistrates and haill Fyre-masters, and the Keepers of the good Toun's Stores, and advertise them thereof; and to call the haill Watermen and Fyremen, and injoin them to carry Water to the several Places where the Fyre-masters shall judge most convenient.

11. The Counsell appoynts the Captain of the Guard for the Tyme being, to cause two Men, of the best qualified of their Squadron, to walk nightly through the Streets, with a large Battone in their Hand, of fyve or sex Foot long, who are heirby appoynted to give notice immediately to the Fyre-masters and the Gaird, in case of Fyre; and the said Capitaine is to take ane Accompt of their Diligence each Morning.

12. The Counsell ordeans each House in a Tenement within this Citie, to keep two or three Ropes in ther Houses, that may reach from the Top of the House to the Ground; and four Fathom more, with a sufficient Quantitie of Water in ther Houses or Cellars, readie on all Occasions, under Certificatione.

13. The Counsell recomends to the present and succceeding Capitaines, the present and succceeding Deacones of Craftes, the present and succceeding Constables, to attend the Magistrats on all Occasions of Fyre.

14. The Counsell recomends to, and appoynts the present Dean of Gild and Successors in Office, to see the Wells and

Fyre-cockes put and keiped in good Order and Conditione in all Tyme coming; and recomends to and appoynts the present Treasurer, and his Successors in Office, to cause make all the saids Materials; and being made, to see them lodged in Maner above prescryved, and to supplie them from Tyme to Tyme, as Occasion shall requyer.

15. The Counsell discharges the selling, pledging, resetting, or anyways imbezelling of the said Materials, certifying the Transgressors, they shall be fyned and imprisoned at the Will of the Magistrats.

And the Council, as an Incouragement to the Assistants aforesaid, settled an Annuity of Ten Pounds *Scotish* on each.

In the Year 1720, a Deed of Settlement was agreed upon, and entered into by certain Persons, who signed the same, to insure one another from Loss by casual Fires, a Copy whereof shall be inserted in its proper Place hereafter; in the interim, the Common Council, for the more effectually extinguishing of the said casual Fires, made certain Regulations; of which the following is a Copy.

1. That the Number of Fire-masters and Firemen, with their Utensils and Equipage, be continued, as appointed by former Acts of Council. 1726.
Coun. Regul.
vol. II. p.

2. That the Fire-men, now consisting of twelve Companies, be formed into four Squades, to consist of three Companies each Squade.

3. That five Standards be provided, viz. one for each Squade, to be numbered, 1, 2, 3, 4, and the fifth of a larger Size, to be denominated the President of the Fire-masters Standard, to be marked, F. P. S.

4. That those Standards be kept in the Town Guard-house; and, on the first Cry of Fire, to be carried by a Party of the said Guard to the Neighbourhood of the Fire, and erected at convenient Distances.

5. That on the first Alarm of Fire, the several Firemen with their Caps and Implements, repair forthwith to their respective Standards, where they are to receive their several Orders.

6. That a Number be ordered from every Squade to bring the Fire-ladders, leather Buckets and Syes, and to be employed in working the same; while the rest are occupied with other Utensils in extinguishing the Flames, according to Direction.

7. That on the first Notice of Fire, the President and Fire-masters shall repair to the President's Standard (where the Magistrats are to assemble) whence they shall go to view the Danger, and return with their Opinion in what Manner the Fire may the soonest be brought under; which being

being agreed on, the Fire-masters, with their Assistants, to repair to their several Standards and Stations, to be employed in the best Manner, in extinguishing the said Fire.

8. That the President continue at his own Standard; that, on a sudden Alteration, the Magistrates, and he, in Concert with the Fire-masters, may give such Directions for a new Disposition as may be necessary.

9. That the Standard-bearers, who are to be Soldiers of the Town-Guard, shall inform the late coming Fire-men of the Post taken up by their respective Masters, for them to repair thither.

10. That eight Men be chosen out of each Squad of the Town-guard, making Twenty four in Number, to be employed solely in working the Engine, and to be called *The Water Company*, to be under the Direction of the Superintendant of the Water or his Assistants, who shall be at least two.

11. That, on the first Out-cry of Fire, the eight Water-men who are on the Guard shall immediately repair to the Magazine; and for the greater Dispatch, the Key thereof shall be lodged in the Guard-room, with a List of the Water-mens Names, and Places of their Abode.

12. That the Officer on Guard, on the first Notice of Fire, send one of the Water-men on the Guard to call his Fellows not on the Guard, for them likewise to repair to the Magazine; and by an other Messenger to give notice to the Master of the said Water men.

13. When a Fire shall happen, all the Soldiers belonging to the Town's Guard, shall, on the first Alarm, repair to the Guard-house, to be employed as the Magistrates shall direct.

14. That four new Fire Engines be provided, viz. one double barrelled and double valved, of a continued Stream, to discharge at least a hundred Scots Pints in a Minute; another capable of discharging sixty Pints in the same Space of Time; and a third to discharge twenty four Pints in a Minute; and, that a sufficient Number of leathern Pipes be provided to carry the Water from the Fire-cocks to the Engines, and from the Engines to the Places to be defended.

15. That three Lengths of the leathern Pipes be alwayes screwed together in the Magazine; and that Hand-barrows be provided in Proportion to the Number of Rolls of the said leathern Pipes; and, that a proportionable Number of Hand-screws of proper Sizes be bought, to screw the several Parts of the Pipes together, to prevent Confusion and Inconvenience of twisting and turning the Pipes when they are to be used.

16. In order to render the Water-company expert in managing the leathern Pipes and Engines, they be exercised in the Use of them once a Month, by the Overseer and his Assistants; and the Watermen, besides their Pay, to have each the same Allowance with the Fire-men: And in order to prevent Confusion in removing Furniture from upper Rooms, certain Ropes shall be provided to lower them down on the Out-sides of the Houses.

17. That the Ground adjoining to the Northern Side of the great Cistern, be inclosed by a Wall of fourteen Feet in Height, and Shades to be built therein for the Reception of the leathern Pipes, Engines, Hand-barrows, and other Utensils employed in the extinguishing of Fires.

18. That three Ladders, each of forty Feet in Length, with double Steps, be provided, for carrying the leathern Pipes to upper Rooms, and the Tops of Houses, never to be let out, or used on any other Occasion than that of Fire.

19. That the Number of leathern Buckets, amounting to one hundred and fifty, and thirty Syes be kept in good Repair in the lower Parliament-house till the Fire Engines be provided, and the Use of them perfectly known.

Although by the above Regulations Care was taken to extinguish Fires when they happen, yet no Provision was made to reimburse the unhappy Sufferers; wherefore certain Persons, in the Year 1720, mutually agreeing to insure their respective Houses from Loss by Fire, by an amicable Contribution, entered into a Deed of Settlement, of the 13th of January 1720, for that Purpose, which being signed by every Person desirous of becoming a Member, he, she, or they are thereby admitted into the joint Contributionship, and become equal Sharers in Profit and Loss, in Proportion to their several Insurances; which Deed of Settlement is inserted in the Town Council Charter of Ratification or Confirmation, of the 18th of March 1728; of which the following is a Copy.

To all and sundry whom it effeirs, We Coun. Regist.
Archibald Macaulay Esq; Lord Provost, vol. LI. p. 535.
Thomas Fenton, Alexander Simson, James &c. 18th
Watson, and James Flint, Baillies; Patrick March, 1728.
Lindsay Dean of Gild, and James
Donaldson, Treasurer of the City of Edinburgh, with the Council, and Deacons of Crafts ordinary and extraordinary of the same, greeting in God Everlasting:

Do hereby make known, That a Petition having been presented to us by the friendly Contributors, Proprietors of Houses within this City and its Suburbs, &c. for Insurance against Losses by Fire, setting forth the Motives which induced them to make such a Contribution, with the Advantages that do thence arise to this City,

1720.

City, and to the whole of this Part of the united Kingdom; and therefore praying, that the original and additional Contracts and Agreements entered into between them touching these Matters, might be by us ratified, approved and confirmed; and that they, with all others hereafter to be assumed by them, might be erected and established into a Corporation, or Body incorporate in Deed and Name, by the Name and Title of, *The Edinburgh Friendly Insurance against Losses by Fire*, with a perpetual Succession, and with certain Powers and Privileges herein after insert.

And due Consideration thereof having been had by us, and we having carefully perused and examined their aforesaid original and additional Contracts and Proceedings had thereupon; and we having been fully persuaded and convinced that such a Confirmation and Erection do evidently tend to the Advantage of this City, and to this Part of the united Kingdom; the said Undertaking in itself being laudable, legal, and just: We, in Pursuance of the Power vested in us by our ancient Charters of Erection, and other Royal Charters of Confirmation, and sundry Acts of Parliament and Practice in like Cases, by our Act of Council of the Date hereof, did ordain a Seal of Cause to be extended in the most ample Form, with all usual and necessary Clauses in their Favour, for confirming of their aforesaid original and additional Contracts and Proceedings had thereupon; and for incorporating them into one Body politick, and corporate in Manner herein after specified, as is more fully contained in the above, in Part recited Act of Council whereunto Relation is hereby had; and therefore, pursuant to the aforesaid Act of Council, We do hereby ratify approve, and confirm the original and additional Contracts before mentioned, in every Head, Article, Clause, Matter and Thing therein contained, in so far as the same are not hereby altered and varied.

Articles of Agreement to be signed by the friendly Society of the Heritors of Edinburgh and Suburbs thereof, in Canongate, Leith &c. for a mutual Insurance of their Tenements and Houses, from Losses by Fire.

Coun. Regist.
vol. LI.

1. That each Subscriber, contributing as below, his Heirs or Successors whatsoever, in the Tenements, Houses, Shops, Cellars, &c. insured, shall be intitled to a perpetual Insurance of their Tenements, Houses, &c. and have an equal and proportional Interest in the Stock that shall arise from the said Contribution and Dividends of Profits that shall be made thereupon; which Stock and Profits shall be inseparably annexed to the Tenements, Houses, &c. insured.

2. Each Subscriber shall have his Tenements, Houses, &c. by him insured, recorded in the Books of the Society, bearing the Value, bounding and present Possessor thereof, subscribed by him, and two of the Directors for the Time.

3. That a Committee of the Directors, with such of the Society as they shall call to assist them, shall visit the Property of each of the Subscribers, that a just and equal Value be put thereupon before recording, or the Party be bound to the Society.

4. That every Heritor shall be bound personally, and his Tenement really subjected to pay in to the Society, to the Extent only aftermentioned, viz. Four Pounds Scots yearly upon each thousand Pounds Scots Value, insured for the Space of twenty five Years, at *Candlemas* and *Lammas*, by equal Portions, or in lieu of such annual Payment, One hundred Marks for each thousand Pounds Value insured; and that for his own, and the Society's mutual Relief, of all Damages occasioned by Fire in all Times coming.

5. Any Member or Subscriber in this Society, refusing or neglecting to pay the said Premiums against the Time limited, or within thirty Days thereafter, shall lose the Benefit of this Society; so that, in case of any Accident by Fire during the Neglect of his Payment, he shall have no Reparation of his Damage or Loss; and the Default of his Payment is hereby declared not purgeable after any such Accident or Damage is sustained, but prejudice to the said Member to rebuild his Tenement, House, &c. on his own Charges, and pay up his bygone Premiums, in order to be restored to the Privileges of the Society, reserving to the said Society Power to prosecute such a Subscriber as accords, if no Damage happens.

6. Any Heritor subscribing, and disposing of his Tenement, House, &c. upon procuring his Successor's signing in his Place, shall be free of any personal Obligation, so far as relates to the Subject disposed.

7. Any Person evicting the Right of Property, or any Subscriber, and not signing or homologating the Right granted to the Society by the Subscriber, and fulfilling the Conditions prestable by him, shall not be intitled to any of the Privileges or Benefits of the Society; reserving nevertheless to the Society to make good their Right, as accords, against the Tenement which shall happen to be evicted.

8. Liferenters shall also be admitted to subscribe in this Society, they giving sufficient Security, for Payment yearly of Two per cent. of the yearly Rent by them insured, at the Terms aforesaid; and under the same Penalty and Certification, for which

which they shall be alienably intitled to have their Losses made good, either in one Sum, or their annual Liferent to be paid by them yearly, in the Option of the Liferenter.

9. For accommodating any that shall incline to join in this friendly Society, the Books shall ly open every *Monday*, from ten to twelve in the Forenoon, and Attendance given by one or more of the Directors, with their Book-keeper to receive Subscriptions. Each Subscriber, at his Entry into this Society, during the Currency of the first Year, from opening of the Books on the thirteenth of *January*, One thousand seven hundred and twenty, paying one Year's Premium to prevent all Disputes betwixt any suffering Member and the Society, as to ascertaining partial Losses or Damages occasioned by Fire, where the whole Tenement or House, &c. is not burnt down.

10. There shall be annually chosen at the general Meeting, by a Plurality of Voices, three Persons sworn Appraisers for determining the Extent of all such Damages, and their Determination therein shall be final; who shall likewise have the Power of determining the Value of Liferents.

11. Where any Loss, total or partial happens by Accident of Fire, upon any of the Tenements, Houses, &c. insured, the same must be laid before the first General quarterly Meeting of the Directors thereafter; which quarterly Meetings are to be held the first *Monday* after *Whitsunday*, *Lammas*, *Martinsmas* and *Candlemas*, yearly: And after the same is adjusted, the Directors shall give the Person or Persons sustaining the Loss, or any administering for them, an Order upon the Cashier of the Society for Payment of the same within three Months thereafter. The Area, Space or Ground Right with the Ruins, if rebuilt within the Space of three Years, is allowed by the Society to the Proprietors *gratis*; and if not rebuilt within the three Years, from the Adjustment and Payment of the Damage, to belong to the Society, if there be no legal Impediment hindering him to build within the said three Years.

12. That the Accompts of this Society shall be fully balanced, audited and signed in the Books by the Directors for the Time, against the last lawful Day of *December* yearly; and be laid before the Society, the second *Monday* of *January* thereafter, to be perused by all concerned, and shall, at least remain a Month open; and all the Members or Subscribers allowed Access without Fee or Reward.

13. That every Subscriber have as many Voices in the Society as he hath Stock insured to the Value of Three thousand Pounds, and appoint one of themselves to

vote at all Meetings and Occasions of the Society; the absent Members allowed to vote by Proxies, given to a Member of the Society only.

14. That the Society, by the Majority of Voices present, and Proxies for those that are absent as aforesaid, are to chuse nine Directors for managing the Affairs of the Society for one Year, who are to attend by turns, three officiating weekly; whereof two to be a *Quorum*. The Directors so chosen are to appoint a Book-keeper who is also to be Cashier, and for whom they are to be accountable to the Society; and to employ such a Number of able-bodied experienced Fyremen, and other Officers as the Service of the Society shall require.

15. The Directors are impowered to employ the annual Contribution on Interest, with Consent of the Society, otherways to the best Advantage. The Fees payable to the Directors for their Service and Attendance shall not exceed, to each of them, half a Crown for each Day's Attendance.

16. The Directors for the Time are impowered, upon all Occasions, to call a General Meeting of the Society, by publick Advertisement in any News-paper, upon ten Days Notice at least.

17. Upon the second *Monday* of *January* yearly, new Directors for the Year ensuing are to be chosen by the Plurality of Voices present, and Proxies for those that are absent, as by the fourteenth Article: And any of the former Directors may be again elected, or new ones chosen, as the Plurality of Suffrages shall determine; there being at least three new ones chosen yearly.

18. That the Society, at any General Meeting, may from Time to Time, make such other Rules for their Government, as shall to them seem meet.

Additional ARTICLES.

1. That in the Front of all Copies or Doubles to be made of the original Contract, Indenture or Articles; and in all Deeds granted by them or to them, in place of the Words, *Friendly Society*, they shall hereafter assume and take the Designation of, *Friendly Contributors or Co-partners*.

2. That in place of Directors, there shall be yearly chosen nine Managers and Trustees in ordinary; as also eighteen Managers and Trustees extraordinary, who shall have all the same Powers, and be under the same Obligation, as the Directors were by the original Indenture, Contract or Articles: And each and every one of us oblige ourselves to ratify and confirm the Powers and Trust that shall be given to the said Managers and Trustees by the

P P P P

Majority

Majority of the General Meeting, to be held yearly on the second Monday of January, as is agreed by the original Contract or Articles.

3. That notwithstanding of the fourteenth Article of the original Contract, each and every Member, Contributor, shall by himself or by his Proxy (if absent) given to a Contributor, shall have a full Voice without Relation to Shares.

4. The Cashier shall be, and hereby is appointed Factor for the Copartnery, and is hereby empowered to take all Obligations relating to the Contribution to himself personally, and his Successors in the said Office of Cashier and Factor, to grant Discharges with Concurrence of any two of the said Managers and Trustees in ordinary; which shall be as valid as if signed by the whole Contributors; with Power to him, in his own Name, to settle all Manner of Actions competent, and to do every Thing in relation to the Copartnery, and for its Behoof, as we might do ourselves, he still accompting to the Trustees for the Management, and they to the Contributors.

5. That in place of the Appretiators, as by the tenth Article of our said Contract, there shall be yearly chosen by the Plurality of Voices present at the General Meeting or Proxies, as by the fourteenth Article, with the Alterations above expressed, as to the Voters for the Purposes mentioned in the Articles. And it is agreed, that their Determination shall have the Force of a Decreet-arbitral; and yearly at their Election, they shall sign their Acceptance of the Office in this Form; That they do accept, and as having God and a good Conscience before them, they do promise to determine equitably in the Things submitted to them, to the best of their Knowledge.

6. That every Person contributing after the twenty fourth June 1720, shall sign the original Contract or Articles, together with their Presents, before two subscribing Witnesses; and shall give upon their subscribing, Obligations to our said Factor and Cashier, and his Successors in that Trust, and that for Annuals, as well as the full or capital Premiums.

7. It is agreed, That all Certificates bearing the Tenements, &c. insured formerly, issued by the Directors, and that shall be in Time coming issued by our Trustees and Managers, are, and shall be burdened with the Payment of the said Obligations, granted to our said Factor and Cashier for the said Premiums: And our Trustees and Managers are hereby empowered to call in all Certificates formerly issued to the Contributors, that they may be renewed in the Terms of this Article.

8. We do hereby nominate and ap-

point Mr. William Carmichael, &c. our Trustees and Managers in ordinary, and Sir Alexander Ogilvie, &c. our Trustees and Managers extraordinary, and George Main, &c. our Arbiters, to continue for this current Year to the next annual Meeting, upon the second Monday of January next. And it is further agreed, that all Persons formerly signing, who pay annual Premiums, as well as those who shall after the twenty fourth of June 1720, sign and pay only annual Premiums, shall give Obligations to the said Cashier and Factor, for the Payment of their haill Premiums, in the Terms of, and under the Burden contained in the Article thereanent, in the original Contract or Articles.

9. It is agreed, That the Articles of the Managers, which are to be ingrossed in the Sederunt-book, shall hereafter be signed by the Secretary, and any two of the ordinary Managers, in regard it is not thought proper to act any more by Preses.

As also we do hereby ratify, approve and confirm the whole Proceedings had by the said friendly Contributors upon the foresaid original and additional Contracts, as they are fully contained in the Books of the Sederunt of their general Meetings, and of the Meetings of their Managers and Trustees, preceeding the Date hereof, and have dispensed, and hereby dispense for ever, with the not reciting or ingrossing of those Proceedings in this Seal of Cause; and have admitted, and hereby do admit this general Ratification, Approbation and Confirmation thereof, to be as effectual and sufficient to every Intent and Purpose, as if the same were herein Word by Word recited and ingrossed.

Further, we have established and erected, and do hereby establish and erect, all and every Person or Persons, Incorporations, Bodies corporate and Proprietors of Houses within this Part of the united Kingdom called Scotland, who have entered into the said Copartnery, for contributing as aforesaid, since the said thirteenth of January, One thousand seven hundred and twenty, or who shall hereafter be thereunto assumed by them, to be in all Time coming one Incorporation or Body incorporate in Deed and Name, under the Name and Title of, *The Edinburgh friendly Insurance against Losses by Fire*, for carrying on an Insurance against Losses by Fire only; and as such a Corporation, to have a perpetual Succession, with full Power to them to act, contract, hold, enjoy and possess, as any other Incorporation or Body corporate may do, by the Laws of the Land and Customs of this City, they using the said Power and Liberties hereby granted, to the Purposes mentioned in the said Contracts allenarly, as said is;

and

and at any of their general Meetings to be holden by them, to make By-laws and Regulations, necessary for Management and Administration of the common Stock; and of every Matter and Thing belonging to their Corporation, as any other Corporation may, by the Laws of *Scotland* and Customs of this City, doe.

And for the more regular and effectual executing of the Affairs of the said Corporation, the same shall be managed by nine ordinary, and eighteen extraordinary Managers or Directors, according to the Rules made in that behalf by the aforesaid Contracts, or which shall hereafter be made by any general Meeting of the said Corporation, who are to be elected out of the Number of the said Corporation; by a Majority of Voices at any general Meeting according to the Rules made in that Behalf by the aforesaid Contracts: And who shall have Power and Authority to act and do all and every Thing or Things consistent with the Laws of the Land, the Laws and Customs of this City, and necessary and proper for the managing and executing the Affairs of the said Corporation, agreeable always to the Trust reposed in them by the aforesaid Contract and By-laws made or to be made.

And further, we do hereby give and grant to the said Corporation, full Power to meet at such Times and in such Manner as is appointed by the fore said Contracts, or their By-laws made or to be made; and at all such Meetings, whether general of the whole Contributors, or of their ordinary and extraordinary Managers or Directors jointly, or of their ordinary Managers or Directors by themselves to chuse a Preses, who shall sign the Minutes of the Proceedings of that Meeting; they being always regularly recorded, whose Subscriptions of the whole present at the said Meeting were thereto adhibited, their Proceedings always being consistent with the Laws of the Land, the Laws and Customs of this City, and the Trust reposed in themselves; in Testimony whereof, these Presents, &c.

This Office being calculated for the mutual Advantage of the Contributors, they insure Houses at the easy Rate of Four *per Mille*, or Four Pound *Scotish* yearly for every thousand Pounds insured for the Term of twenty Years; or in lieu of annual Payment, the Sum of One hundred Marks, *Scotish* prompt or down for every thousand Pounds insured.

- For Premiums to Adventurers in the Bush Fish, after the Rate of Two Pounds *Sterling per Last*, of the true Burden of the Vessel, according to the Rules in the last Plan established — — —
- For Premiums to Adventurers, who shall by Contract fit out and apparel four Vessels, not under twenty, nor above fifty Tuns Burden each, after the Rate of Two Pounds *per Tun*, for fishing three

The Affairs of this Community are managed by nine ordinary Directors, three whereof attend alternately weekly, who are severally allowed Half a Crown for each Day's Attendance. There are likewise eighteen extraordinary Directors, who meet the former at quarterly Meetings, and at other Times when they think proper to summon them. To the Company belongs a Secretary, who is likewise their Clerk, and a Number of able-bodied Persons, called *Firemen*, for extinguishing casual Fires.

The Deed of Settlement, together with the additional Articles and Charter above specified, were all confirmed by Parliament in the first Year of his present Majesty King *George II.* in the Year 1727.

F I S H E R Y.

Although the *Scotish* Seas are stored with an immense and inexhaustible Treasure of Herring; which by Industry might be rendered the very Base of our Commerce, and become mote advantageous to *Britain*, than the Treasures of *America* are to the *Spaniard* and *Portuguese*; yet, such has been our Indolence, that we, for Ages, have suffered our more industrious Neighbours the *Dutch*, to continue sole Masters of this unparalleled Treasure, whereby they have not only enriched themselves to a very great Degree; but, by it, have made themselves; as it were, the common Carriers by Sea, to and from the principal Sea-ports in *Europe*, by catching the said Herrings (which Nature seems only to have designed for us, by bringing them to our very Doors) and transporting them to other Countries, barter for their Commodities, carry them to other Nations, and exchange them against the Merchandize of their Produce, whereby they are become, as it were, sole Masters of the Commerce of those Countries; but, if deprived of this inestimable Branch of Business, their Trade must be ruined, and they soon revert to their ancient State of Indigence; whereas, should we, by an industrious Application, become Masters of this incomparable Traffick, it would be more advantageous to *Britain* than the Woolen Manufacture ever was to *England*.

The Parliament, to animate us to ingage in this Trade, for our own as well as the publick Benefit, did by their Act in the Year 1727, for the Incouragement of our Manufactures and Commerce, order the following Premiums to be given on that Account.

l.	s.	d.
1839	00	0

* Months

Months; and a further Premium of One Pound per Tun for continu-	l.	s.	d.
ing to fish three Months longer	360	00	0
3. For Premiums to incourage five Boats, from twelve to twenty Tuns			
Burden each; to cruize and fish on the Eastern, and in the Chops of			
the Friths of <i>Forth</i> and <i>Murray</i> ; a Sum not exceeding	150	00	0
4. For Premiums to Fishermen, who shall search and discover Shoals of			
Herrings in the Frith, on the Eastern of <i>Forth</i> , according to the			
Rules laid down in the former Plan	36	00	0
5. For Salaries to ten Wreck and Cure-masters, at Ten Pounds per an-			
num each	100	00	0
6. For Salaries to three general riding Officers, at Fifty five Pounds per			
annum each	165	00	0
Making in the whole for the Fishery, the Sum of	2650	00	0
Notwithstanding of this great Incouragement given by Parliament, the Fishery, rather than receiving any Improvement thereby, seems to be on the Decline.			

HACKNEY-CHAIRS.

The Common Council, on the first Day of *March*, anno 1738, made the following Regulations for the better Government of the Chairmen within *Edinburgh*.

1. That betwixt this and the first Day of *April* next, the Owners of the said Hackney-chairs shall severally cause affix a Number on every Chair, by painting Figures, denoting the Number both on the fore and on the back Part of each Chair; and that such Numbers be progressive and different from one another; and that no Chair shall be allowed to ply, unless thus numbered, under the Penalty of Ten Shillings *Sterling*, to be paid by the said Owners for every such Offence.

2. That betwixt this and the said first Day of *April*, the Owners of the said Chairs shall severally make out and sign a List, containing the full Number of Chairs to them belonging, with the different Numbers affixed on them, and the Names of their Servants who are to bear them, for whom their Masters are to be answerable; and to deliver in such Lists to the Clerks of this City, whereof an Entry is to be made by them in a Book to be regularly kept for that Purpose; for which no more is to be exacted than Sixpence *Sterling*. And hereafter such Lists shall annually, within the Space of fifteen Days next after every Term of *Whitsunday* and *Martinmas* be made out, signed, delivered in and entered, under the Penalty of Ten Shillings *Sterling* to be paid by the Offender for every such Offence.

3. That no Persons keep Chairs for Hire, but such as are free of the City, (unless such as have a special Allowance from the Council to that Effect), and the Penalty of Forty Pounds *Scots* to be paid by every Offender, for every such Offence.

4. That none of the above Chair-masters employ any of the Soldiers in the Service of the City-guard, to carry any of their

Chairs at any Time, under the Penalty of Twenty Shillings *Sterling*, to be paid by the Masters of the said Chairs.

5. That none of the Chair-bearers go within the Pales, or on the Plain-stones, (at the Sides of the Streets); with their Chairs, under the above Penalty of Twenty Shillings *Sterling* to be paid by the Masters of the said Chairs, and the Chair-bearers to be committed to Prison to the City-guard for twenty four Hours for every such Offence.

6. That no unsufficient Chairs or unsufficient Chairmen be allowed to ply.

7. That all Chairs attending for a Fare shall stand on the South Side of the Street, from the lower End of the Guard (house) to *Blackfriars Wynd*, and no where else on the High-street, under the Penalty of One Shilling *Sterling* to be paid by the Owners for every such Offence.

8. That Chairmen attending for a Fare or being unhired, shall not refuse to take one when offered, under the Penalty of Five Shillings *Sterling* to be paid by the Master of the Chair for every such Offence; and that the Chairmen, for every such Offence, shall be committed Prisoners to the City-guard, and be there detained, at least for the Space of twenty four Hours.

9. That the said Owners or their Servants shall not demand or exact more Fare than that which is established by the Table hereunto subjoined, whereof, and of their Presents the said Chairmen are always to have a printed Copy, to shew to the Persons employing them, under the Penalty of Half a Crown, to be paid by the Offenders for every such Offence.

10. That the Owners of the said Chairs and their Servants may receive Payment of their Fares punctually, according to the said Table, the Constables are hereby required and authorised to give their Assistance thereto.

The TABLE of Fares.

	l.	s.	d.
For every Lift within the City or Suburbs of <i>Edinburgh</i> -	00	00	06
For a Chair for a whole Day -	00	04	00
For a Chair for half a Day -	00	02	06
For a Chair for a Week -	01	00	00
For a Chair to the Distance of half a Mile from <i>Edinburgh</i> , there to be free -	00	01	00
To the Distance of a Mile from <i>Edinburgh</i> ; there to be discharged -	00	01	06
To the Distance of half a Mile from and to the City or Suburbs of <i>Edinburgh</i> -	00	01	06
To the Distance of a Mile from and to the City or Suburbs -	00	02	00

The Hackney Chairs belonging to *Edinburgh* being considerably increased of late, their Number at present amounts to ninety.

Having treated of both the Hackney Coaches and Chairs belonging to *Edinburgh*, I think it will not be amiss to shew the Reader how the Appellative *Hackney* came to be applied to them.

Hackney is a noble and spacious Village, about the Distance of three Miles from *London*, inhabited by a Number of Persons of Distinction, for whose Convenience, to carry them to and from that City, a Coach was set up divers Ages ago; which being the first of the Kind, it was denominated the *Hackney-coach*; and the Owners reaping great Advantage thereby, put others on setting up Coaches of the same Sort, to carry People to and from *London* to the principal Towns and Villages in its Neighbourhood, which not only received the Names of *Hackney-coaches*, but all others of the same Kind set up in several Parts of *Britain* since, have likewise been denominated *Hackney Coaches* and Chairs.

The Owners of the Hackney-chairs and their Servants, being of opinion, that it would greatly conduce to their Interest, to be erected into a Society, petitioned the Common Council to that End; the Consideration whereof being referred to a Committee, they reported, that the granting the said Petition would not only be of great Use to the said Chairmen, but of considerable Service to the City; wherefore they were of opinion, that the Council, during their Pleasure, should grant their Request: And besides the Rules or Orders granted them on the first of *March* in the Year 1738, were pleased to appoint the following additional Regulations or Articles to be strictly observed by them.

1. 'That each Chair-master pay in to the 'Box, of Entry-money, Five Shillings *Sterling*, and afterwards One Shilling *Sterling* per Quarter, while they continue in that 'Employment.

2. 'That each Chair-bearer pay in Two 'Shillings and six Pence *Sterling* to the Box 'of Entry-money, and Six Pence per Quarter, while he continues to carry a Chair.

3. 'That no Chairman be intitled to have 'any Charity out of the Box, if he has for 'six Months left the Employment.

4. 'That they may convene with their 'Conveniency, and elect a Prefes, Boxmaster, Clerk and Officer; which Election 'must be always approven of by the youngest 'Baillie, before it stand good; and that the 'said Election, if approven of, to continue 'till the first *Tuesday* of *March* next, when 'they are to elect again: And so on yearly, 'every first *Tuesday* of *March*; and that 'they may allow such Salaries to their Clerk 'and Officer, as they shall see Cause.

5. 'That the Clerk keep an exact numerical Register in a Book, of all the Hackney-chairs, and to whom they belong; 'and another Register of the Chair-bearers: 'And that not only the Hackney-chairs 'bear their Number marked on them, but 'that the Chair-bearers wear on their Breasts 'a brass or leaden Ticket, bearing the 'Number of the Chair they carry; and that 'under the Penalty of Five Shillings *Sterling* for every Omiffion: And that on the 'Death and Change of their Servants, none 'be employed in their Places, till recorded 'in the Register-book by the Clerk, under 'the Penalty of Five Shillings *Sterling*, to 'be exacted of the Master so employing 'them.

6. 'That their Box have three Keys, one 'to be kept by the youngest Baillie, one by 'their Prefes, and one by their Boxmaster; 'and that the Boxmaster may be allowed 'not above Twenty Shillings *Sterling* at a 'Time for Casualty; and of the Disposal 'of which he must account for, before he 'can have more Money out of the Box.

7. 'That all Amerciations for fighting, 'swearing, and unbecoming Language among Chairmen, and for Transgressions 'of the printed Table, be paid in to their 'Poor's Box, excepting such Moiety as shall 'be allowed by the Magistrates to the Dilators: And that two of the soberest of the 'Chairmen be appointed Censors, who are 'to dilate all Offenders in this Way to the 'Magistrates, and that they be allowed in 'their own Society Constable's Power; and 'may for such Offences commit any of their 'own Number twenty four Hours to the 'City-guard, as the said Report signed by 'the Committee bears.

'Which having been considered by the 'Magistrates and Council, they, with the 'Deacons of Crafts ordinary and extraordinary, approved of the said Report, and 'erected, and hereby erects the said Hackney Chair-masters into a Society, for the 'Behoof of themselves and Servants, for 'the Relief of their sick and indigent, and

for burying their Dead, under the Regulations before mentioned; and that besides the Rules and Orders given them by the printed Table the first of *March* 1738 Years, which they are hereby strictly ordered to observe, and that during the Council's Pleasure allenerlie.

HACKNEY-COACHES.

The first Mention I find of Hackney-coaches in *Edinburgh*, is in the Year 1673, at which Time they appear to have been twenty in Number, but it seems under no Regulations; for the first I read of is in the Year 1686, but those and others since being very defective, the Common Council, on the 17th of *June*, in the Year 1747, made the following Regulations for their better Government.

1. That, betwixt this and the first Day of *July* next, all the Owners of Hackney-coaches shall severally take care that a Number be affixed on every Coach, by painting the Figures, denoting the Number on each of the Doors, and on the Back of each Coach. And that no Coach be allowed to ply within this City, and its Privileges without being thus numbered; and that such Numbers be progressive and different from one another, under the Penalty of Ten Shillings *Sterling* for every such Offence, to be paid by the Owners of the Coaches.

2. That betwixt this and the said first Day of *July* next, the Owners of such Coaches shall severally make out and sign a List containing the full Number of Coaches to them belonging, and the different Numbers which are thereupon affixed, or to be affixed as aforesaid; and of the Names of their Servants who are to drive the same, their Servants not to be under the Age of twenty Years, and for whom the said Owners, their Masters, are to be answerable: And to deliver in such Lists to the Clerks of this City, whereof an Entry is to be made by them in a Book, to be kept regularly for that Purpose; for which no more Fee is to be exacted than Sixpence *Sterling*; and that thereafter such Lists shall annually, within the Space of fifteen Days next, after the Terms of *Whitsunday* and *Martinmas*, be made out, signed, and delivered in, and entered, under the Penalty of Ten Shillings *Sterling*, to be paid by every Owner of the said Coaches for every such Offence.

3. That no unsufficient Coach or unsufficient Horses be allowed to ply; and when any Coach shall want any of its proper Furniture, such as Boards or close Shutters, it shall be lawfull to the Person or Persons who have hired the same, to detain to their own Use from the Hire, One Shilling *Sterling*.

4. That all Coaches, while they are attending for a Fare, shall stand below the lower End of *Mills's Square*, with their Coach Doors thrown open; nor shall any Coach that is not hired stand on any other Part of the Street than the Place before mentioned, under the Penalty of One Shilling for each Offence, to be paid by the Driver, or Coachman.

5. That a Coachman, while attending for a Fare, shall not refuse to take one, under the Penalty of Five Shillings *Sterling*, to be paid by his Master, Owner of the Coach; and that the Coachman himself, for every such Offence, shall be committed Prisoner to the City-guard, and be detained there for the Space of twenty four Hours at least.

6. That, upon Failure of Performance or Engagement undertaken by any of the said Owners or their Coachmen, there shall be no Hires due nor payable to them: Further, they shall be punished by the Magistrates according as the same shall deserve.

7. That no Hire shall be demanded, either by the said Owners or Coachman, but according to the Table hereto subjoined; a printed Copy whereof, and of their Presents, every Coachman is to have always ready in his Pocket, to shew to the Persons hiring him, under the Penalty of Ten Shillings *Sterling*, to be paid for every such Offence by the Offender.

8. That all Care shall be taken by the said Coachman while they are plying on the Streets, that they drive slowly and do no Injury to any Person by rash unskilful driving.

9. That the Owners of the said Coaches and their said Servants may receive Payment of their Fees punctually, according to the Table subjoined, the Constables are hereby authorised, directed and required to give their Assistance thereto.

10. That as the keeping in Repair the Highway leading from the *Water-gate* to *Leith*, is attended with a considerable Expence annually, and which evidently doth tend to the Benefit of the Owners of the said Coaches; they, upon their being licensed to ply, are to be bound (for every Coach to them belonging) to lay upon the said Highway annually, when thereto required by any one of the Magistrates, so much Gravel or rotten Stone, as can be carried in ten Carts.

A TABLE of the Rates or Hires to be taken by Coachmen, in Sterling Money.

Hires within the City and Suburbs.

For a Coach to or from any Part of the High-street, from the Castlehill to the Netherbow, setting down	l.	s.	d.
— — —	00	00	06
For			

	<i>l.</i>	<i>s.</i>	<i>d.</i>
For a Coach to or from any Part of the High-street, to any Part of the Cowgate, Grass-market, Abbey, or any Part of the Suburbs, of the like Distance, setting down	00	01	00
For a Coach to return within the Space of an Hour	00	01	00
For a Coach to and from any Part of the City, to any Part of the Suburbs, with an Hour's Attendance	00	02	00
For each Hour's Attendance after the first	00	01	00

Hires from the City and Suburbs, to and from Leith.

	<i>l.</i>	<i>s.</i>	<i>d.</i>
From any Part of the City and Suburbs, to and from the Town of <i>Leith</i> , setting down	00	02	00
From <i>Edinburgh</i> to <i>Leith</i> in the Morning, to return before Noon	00	03	00
From <i>Edinburgh</i> to <i>Leith</i> , after one of the Clock in the Afternoon, to return before six in the Evening	00	03	00
From <i>Edinburgh</i> to <i>Leith</i> , before one of the Clock in the Afternoon, to return before six in the Evening	00	04	00
For the first Hour's Attendance after six in the Evening	00	00	06
For every Hour's Attendance after seven in the Evening	00	01	00

Hires from the City or Suburbs to Places in the Country, of the following Distances.

	<i>l.</i>	<i>s.</i>	<i>d.</i>
For a Coach for the Distance of half a Mile, and setting down	00	01	00
For a Coach for half a Mile, an Hour's Attendance, and to return	00	02	06
For every Hour's Attendance after the first	00	01	00
For a Coach not exceeding a Mile setting down	00	02	00
For a Coach for half a Mile, two Hours Attendance, and to return	00	03	00
For every Hour's Attendance after Two Hours	00	01	00
For a Coach not exceeding two Miles going and returning in one Day	00	06	00
For a Coach, not exceeding three Miles, going and returning in one Day	00	07	00
For a Coach, not exceeding four Miles, going and returning in one Day	00	10	00
For a Coach, not exceeding six Miles, going and returning in one Day	00	12	00

	<i>l.</i>	<i>s.</i>	<i>d.</i>
For a Coach, with four Horses, not exceeding eight Miles, going and returning in one Day	00	15	00
For a Coach, with four Horses, not exceeding ten Miles, going and returning in one Day	00	18	00
For a Coach, with six Horses, for ten Miles, going and returning in one Day	01	00	00
For a Coach, with six Horses, not exceeding twelve Miles, going and returning in one Day	01	04	00

The Hackney-coaches in *Edinburgh*, which in the Year 1673, were twenty in Number, are now reduced to fourteen. This Decrease I take to be owing, not only to the Loss of our Parliament, whereby the Resort of the Nobility and Gentry to *Edinburgh* is not so great as formerly; but likewise to the vast Increase of Chaises, which were hardly known in *Scotland* at that Time.

HACKNEY-COACH Drivers.

The Coachmen or Drivers of the above Coaches, Servants to the Owners thereof within the City and Liberties of *Edinburgh*, having formed a Design to get themselves erected into a Society for their mutual Interest and better Government; to which End they petitioned the Town Council, to erect them into a Fraternity, under such Rules and Regulations as they should think fit. The Council, willing to promote the Good and Interest of the said Drivers, erected them into a Society by their following Act.

1. 'The Council have erected and here-
' by erect the said Servants to the Masters
' of the Hackney-coaches in and about *E-*
' *inburgh* into an Society, by the Name of
' Coach-dryvers, under the express Condi-
' tions and Regulations under written, viz.
' That the first Monday of May yearly, in
' Presence of two or more of their Masters,
' they out of their own Number allenarly,
' make choice of an fit Person to be Box-
' maister, who is heirby impowered to re-
' ceive Donations, Mortifications, Entrent-
' money, weekly Payments and Fines, as
' the same shall occur for the Behoof of the
' Society, and hold Compt for the same to
' be put into the Box quarterly; and the
' Box to be opened the said first Monday of
' May, yearly, in presence of the youngest
' Bailey, and the Subject therein to be em-
' ployed upon such pious and charitable
' Uses as the Bailey and Society shall think
' fitt, their own Poor being first preferred.
' As also, four more of their said Number be
' chosen, who are to be Assistants to the said
' Boxmaister; which Election is to continue
' for one or two Years at most, and there-
' after,

after, they are to choise new Successors yearly, or ilk two Years as said is. And to be caice any of the said Persons shall happen to deceife in the Tyme of their Office, then they are to elect an other to officiate in Place of the Defunct, untill the next Day of annuall Election.

2. That there be a Box got with three Locks of Iron, and the Box with the Keys to be lodged in Manner underwritten, viz. the Box with the said Boxmaister, and one Kie with the youngest Baillie of *Edinburgh* for the Tyme being, and one other with one of their Maisters; the third with one of their Number, who is to be one of the said Assistants.

3. That no Person is to be admitted into the said Society, untill he be compleat seventeen Years of Age, and first tryed by a *Quorum* thereof, not under three in Number; and the said Tryall to be in Prefence of Two of their said Maisters, or more, as they shall think fitt, who are to certify the Intrans's Qualifications to the said youngest Baillie of *Edinburgh*, or Magistrates thereof; and thereupon the said Baillie or Magistrates is to direct a Warrant to the said Boxmaister, who, with his Assistants, is to receive Intrans, upon paying the Dues following:

4. That each Person found qualified to be a Member in the said Society, shall pay of Entry-money six Pounds *Scots* Money.

5. That all Members of the Society shall pay weekly to their Box Two Shillings.

6. That whoever of the Society shall be guilty of Immoralities; for the first Fault shall pay Three Shillings *Scots*, the second Six Shillings *Scots*, and the third Fault Twelve Shillings *Scots*; and in case he or they continew therein, upon the Boxmaister and Assistants (who are to take Tryall of the said Misdemeanors) complaining thereof to the said youngest Baillie, the said Baillie is to suspend the Transgressor from the Benefit of the Society; and the Maisters not to employ him any more, under the Penalty of Ten Marks *Scots*, *toties quoties*, to be paid to the Box by the said Maister swa employing the said Transgressor: But, upon the said Transgressor's amending, and applying of new again to the Society, and finding Caution for his good Behaviour, and paying to the Box Twelve Pounds *Scots*, he is to be re-admitted to the Benefit of the Society. And to the effect none of the Society may pretend Ignorance of the Laws and Acts made against Immorality, appointed the Acts made thereanent to be read to them yearly, at the Election of their said Boxmaister and Assistants.

7. That the said Society is hereby empowered to meet as oft as Occasion offers,

and to make such Acts and Statutes, as shall be thought necessary, for their better Regulation and Incouragement, which is to be agreeable to the Laws of the Kingdom; and not to make any private or publick Acts to the Prejudice of the good Town, the Liedges, or their Maisters: And such Acts so made, are to take no Effect, unless the Authority of the Councell be interponed thereto: And in caice the Makers thereof do use the same, without Authoritie foresaid, then are to be punished as the Councell shall think fitt, and the said Acts and Statutes be cancelled.

8. That no Person have Libertie to drive Hackney-coaches, untill he or they be first tryed and entered with the Society, in Manner foresaid; and if any Person officiate in the contrair, they shall be lyable to pay into the Box Three Pounds *Scots*, *toties quoties*; and the Maister employing such an unfree Person, shall be lyable of ane Fine of Six Pounds *Scots* to the Box, *toties quoties*, so oft as they shall transgress.

9. That they have Liberty to elect ane fit Person to be their Clerk, who is to keep ane distinct Record of their Acts and Statutes, and of their Accounts, and produce the same to the Councell or Magistrates, as oft as he shall be required thereto, under the Pain of Deprivation by the said Magistrates.

10. That the youngest Intrans officiate alwayes as Officer for warning the Society to meet, as the Boxmaister shall give Directions; and the Person or Persons so warned, either personal, or at their Dwelling-houses, and being upon the Place, and refusing to meet with his Brethren, he is to be fined by those of the Society in Two Shillings *Scots*, *toties quoties*, so oft as he shall withdraw from their said Meetings, which Fines are to be put into the Box.

The Councell have appointed, and hereby appoints the above Statutes to be observed by the said Society in all Tymes coming, and the Transgressors thereof to be fined, or otherwayes punished as the youngest Baillie of *Edinburgh*, for the Tyme being, shall think fitt; the said Fines being alwayes applied in Manner contained in the first Article. And also, the said Society is to be subject and lyable to acts or Statutes made or to be made by the Town Councell of *Edinburgh* for the Tyme being; and particularlie to observe the Councell's Act of the seventh Day of *September*, 1711 Years, or any former Act made by the Councell anent Coach-hyers or their Servants, and that under the Pain of breaking their said Society, and declairing the same of no Effect in all Tyme coming.

HOUSE OF CORRECTION.

Edinburgh being become, as it were, the common Receptacle for strolling Poor, lazy Beggars, idle Vagrants, and common Prostitutes who crowded hither from all Parts of the Kingdom; wherefore, it was, in the Year 1632, judged necessary to erect a House of Correction for employing and punishing these disorderly Persons, and Pest of Mankind, as will appear by the following Act of the Town Council.

Forasmuch as the Provost, Baillies, and Counsell of this Burgh, finding the Town, and all the Bounds of their Liberties to abound with Beggars; and all Sort of Vice and ungodlie Manner of living was grown to such an Height, that thir Pairtis of this Kingdome are become ane common Receptacle of all evill, and leud-lie-dispositiounes, so that all Vertew was suppressed, and the whole Poore of the Kingdome had sett themselves to nowther Thing bot to continuell begging; for Remed whair-of, the saids Provost, Baillies, and Counsell had erected an Hous of Correction, and had brocht hame ane certain Strangeir expert therein, for trying for some Tyme, if therby Vertew might be advancit, Vice suppressit, and ydill People compellit to betake themselves to sum Vertew and Industrie.

As lykwayes had, with Consent of the haill Sessiounes, agriet and ordaynit, that the Kirk Thesurer of this Burgh shold bestow upone the home-bringing of the said Stranger, furnishing of Tooles and Implementis necessar for the said Hous, and for his Zeires Maintenance; the Sum of three thousand Markis, as the severall Actes of Counsell of the Dait the 27th Junii last, at mair Lenth beires.

And now considering, that *William Stanfeild*, Indweller in *Wakefeild* in *England*, had for keeping and governing of the said Hous, with whome they had transacted and agreit, in Manner, and conforme to the Conditiones heirafter expressed: He had repaired with his whole Family to this Burgh; thairfore they have allotted, and be thir Presentis allot for his Dwelling-house, the Eistmost Hous in *Sant Paul's* Wark: And for the said Hous of Correction, the twa Eistmost Houses upon the South Syde of the Clois of the said Wark; and ordayns the saids Bounds to be inclosed with ane Dyik, from the Eistmost Gavill of the Hous buildit with the *Kalender Mylne*, to the West Gavill of the said twa Eistmost Houses; and the said Houses to be stanchelled with Yron Stanchellis for keeping of the Prisoneris; and the North Dyik of the said Clois, with the Dyik upon the South of the Cisterne to be heichted, and the Expensis to be debursit theropone to be allowed to *Johnne Flying*

present Kirk Thesurer, in his Comptes, with the Expensis and Chairges for making and provyding of all Furniture necessary to the said Hous, to be delyverit be him to the said *William Stanfeild* upon Inventar.

And lykwayes ordanis him to pay to the said *William*, for his Trial, from the first of July last, to the first of July nixt 1633 Zeires, the Soume of Fourscore and ten Poundis *Sterling*, at equall Termes in the Zeir, beginning the first Tymes Payment presentlie; and to pay to the said *William* and his Spous, the Soume of Ten Poundis *Sterling* presentlie, and the same shall be allowit in his Comptis, upon Provision; and special Condition always, after following.

1. That the said *William* shall be obleist to ressaive into the said Hous of Correction, all such Personnes as shall be sent unto him be the Magistrates, and shall use such Discipline and Correction upone theme as is used in any Correction Hous elsquhair, or as the Magistrates shall appoint theme to ressaive, provyding the Number of Prisoneris exceed not the Number of fifty at one Tyme, upon his own Chairges.

2. He shall provyde upon his owne Chairges, Servandis and Meanes sufficient to sett on worke the said Prisoneris. Also, he shall, upone his owne Chairges, find such competent Dyett to the haill Prisoneris, as he in his Discretion shall think they deserve, at the Sicht of the Magistrates.

3. He shall, upone his owne Chairges, repair and amend all the Tooles, Instrumentis and Implementis for working, and bedding and Cloathes for the Prisoneris, so often as neid shall require; and if ther be Necessitie of renewing of them, the same to be provydit be the Counsell.

4. He shall ressaive into the said Hous, over and above the Number foresaid if the said Hous can contyne theme, all such other young or old as the Magistrates shall send to him, to ressaive Imprisonment for four or fyve Days, and corporal Punishment in such Sort as the Magistrates shall express and appoynt.

5. He shall keip ane Register-buik, and shall therin insert alswell the cumming in or Release of any Prisoner; as also, the Proceedings of the Magistrates or others whome the Counsell shall appoynt at their several Meitings, ather for Punishment or Inlargement of Prisoneris, or utherwayes, quhairby the succeding Magistrates may be informit of the Estait of the Hous and Prisoneris. And that the said Magistrates may be therby dischairged of anie Prisoner that shall be committit or delyverit thence.

6. He shall take cair that the Prisoneris goe not abroad, bot that he keip them clois at thair Wark, and shall appoynt ane

R r r r

of

' of the Servandis, on the Sabbath Day, to
' reade the Prayeris.

7. ' Gif anie generall Seiknes or Infecti-
' oun fall happin among the Prisoneris, in
' the said Hous of Correc̃tioun, that then
' the said Maister shall be obleift, of his
' owne Chairges, to relieve and mantein
' theme, so long as the Seik exceed not the
' Number of sex Persounes at one Tyme,
' for the Space of two or thrie Dayes; and
' if ther fall be above that Number at one
' Tyme, that the Counfall fall tak farder
' Ordour for Relieff or Dimissioun of such
' lyke Prisoneris, as they fall think fit.'

L I N N E N - O F F I C E.

This Office, which is in the Parliament-
close and belongs to the Trustees of the Lin-
nen Manufacture, was set up in the Year
1727, for the Improvement of Trade. For,
by the numerous Frauds and Abuses com-
mitted in the Linnen and Hempen Manu-
factures of Scotland, the raising of Flax and
Hemp was greatly discouraged; the Credit
of the said Manufactures destroyed, and the
Demand for them lessened for Want of pro-
per Laws and Regulations to prevent the
same.

To obviate these Grievances in Tyme co-
ming, the Parliament, in the Year 1727,
made an Act for the better regulating the said
Manufactures; and for their Improvement,
granted certain Premiums or Rewards, as
Incouragements to the Manufacturers there-
of, which have already had a very good Ef-
fect, and will undoubtedly prove of great
Advantage to the Nation. And, for the
more effectually putting the several Orders
and Regulations in the said Act in Executi-
on, twenty one Trustees were appointed by
Letters patent under the Great Seal, to su-
perintend, direct, and improve the said Ma-
nufactures, with a Power for any Number
of them to meet at such Place or Places as
shall be judged proper; and make such
Rules and Orders for the Improvement
thereof as shall be thought necessary.

And the said Trustees, by their Plan of
the Year 1733, as an Incouragement for all
Persons to exert themselves in improving
the Linnen and Hempen Manufactures a-
foresaid, ordered the following Premiums to
be distributed on those Accounts.

	<i>l.</i>	<i>s.</i>	<i>d.</i>
1. ' For Premiums, after ' the Rate of Fifteen Shil- ' lings (<i>Sterling</i>) per Acre, ' for two thousand Acres ' of Ground to be sow- ' ed with Lint-seed and ' Hemp-seed, according ' to the Rules establish- ' ed in the former Plan	1500	00	00
2. ' For Salaries to two ' Flanders Flax-raisers, at			

	<i>l.</i>	<i>s.</i>	<i>d.</i>
' Thirty Pounds (<i>Ster-</i> ' ling) per annum each -	60	00	00
3. ' For incouraging spin- ' ning Schools, for teach- ' ing the spinning of Flax	110	00	00
4. ' For Prizes to those who ' shall spin the finest Yarn	50	00	00
5. ' For incouraging two ' Dutch Weavers to per- ' fect Journeymen Wea- ' vers, at Fourty Pounds ' per annum each -	80	00	00
6. ' For purchasing Dutch ' Looms, with compleat ' Tackle, to be given to ' such Journeymen as are ' completed -	95	00	00
7. ' To Salaries to fifty five ' Lappers and Stamp- ' masters, at so many ' Stations, Ten Pounds ' per annum each -	550	00	00
8. ' For Prizes to be given ' to the House-wives that ' shall make the best ' Webs of Linnen Cloth ' at the respective Stati- ' ons of the Stamp-ma- ' sters -	275	00	00
9. ' For purchasing Reeds, ' Shuttles, Temples and ' Kames, or Hamefs, to ' be given as Prizes to ' the most expert Wea- ' vers at the several Sta- ' tions -	100	00	00
10. ' For Salaries to two ' General riding Officers, ' at One hundred and ' twenty five Pounds per ' annum each -	250	00	00
11. ' For a Salary to a ' skilful Person, for in- ' structing the Manufa- ' cturers in the several ' Branches of the Lin- ' nen Trade -	130	00	00
12. ' For a Salary to the ' Warehouse-keeper for ' the Cambricks -	100	00	00
13. ' For defraying the Ex- ' pence of carrying on ' Prosecutions against ' such as transgress the ' Laws concerning the ' Linnen and Hempen ' Manufactures -	100	00	00
14. ' For procuring Mo- ' dels of the best Looms ' and Instruments for im- ' proving the Linnen and ' Hempen Manufactures	50	00	00
Making in the whole the an- nual Sum of - - -	3450	00	00

That

That the aforesaid Trustees have effectually put the said Act of Parliament in Execution, is evident by the following Account of the great Improvements made in the said Linnen Manufacture of this Country, in so short a Space of Time as that of Twenty five Years; viz. from the Commencement of the stamping of the said Linnen on the first of November, anno 1727, to the first of November, anno 1752, as will appear in the following Table, by the respective Number of Yards of Linnen made for Sale, and stamped in the several Parts of Scotland within the Space of twenty five Years as aforesaid.

ACCOUNT of Linnen Cloth for Sale, stamped in Scotland, from 1st November 1727, to 1st November 1752, distinguishing the Quantities and Value annually; and also distinguishing the Quantities and Value every five Years.

T A B L E.

Years.	Yards Linnen.	Value in Money.
1728	2,183,978	103,312 9 3
1729	3,225,155½	114,383 19 8½
1730	3,755,622½	131,262 15 11½
1731	3,891,573	145,656 14 3
1732	4,384,832½	168,322 14 10½
Sum tot.	17,441,161½	L. 662,938 14 ½
1733	4,720,105½	182,766 2 1½
1734	4,893,499	185,224 3 11
1735	4,880,633½	177,466 3 9½
1736	4,538,478	168,177 13 ½
1737	4,721,420½	183,620 13 9½
Sum tot.	23,754,136½	897,254 16 8½
1738	4,666,011½	185,026 11 9½
1739	4,801,537½	196,068 16 11½
1740	4,609,672½	188,777 16 5½
1741	4,858,190½	187,658 15 3½
1742	4,431,450½	191,689 6 6½
Sum tot.	23,366,863½	949,221 7 ½
1743	5,061,311	215,927 6 7½
1744	5,480,727	229,364 12 3½
1745	5,536,925½	224,252 8 ½
1746	5,486,334	222,870 13 2½
1747	6,661,788½	262,866 10 2½
Sum tot.	28,227,086½	1,155,281 10 4½
1748	7,353,098½	293,864 12 11½
1749	7,360,286½	322,045 8 9½
1750	7,572,540½	361,736 12 5½
1751	7,886,374½	367,167 11 6½
1752		
Sum tot.		

N. B. Not having had Time to wait for the Account of the Year 1752, to finish

the last quinquennial Account, which is vastly increased beyond any of the former, I have therefore, to shew the great Improvement in our Linnen Manufacture in so short a Term of Years, left a blank Line for that Year, which, together with another for the Sums total of the said Quinquennial, may be filled up with a Pen, whereby will appear the amazing Increase of the said Manufacture, to the Pleasure of all the Lovers of their Country.

By the above Account it appears, That during the Term of twenty five Years, our Linnen Manufacture is considerably increased, above double the Quantity; as it likewise is to near double the Value. And to shew the Reader, to what a Degree of Perfection our Linnen is brought, I shall subjoin the Copy of a Letter published at London on the 6th of April, anno 1742, by a Gentleman well skilled in the manufacturing of our Linnen, as well as in that of Holland, which please to take as follows.

Sir, 'There are two Sorts of Yarn or 'Thread used in the Manufacture of *Dutch* 'or *Flemish* Linnen, viz. *Flemish* Yarn and 'Silesia Yarn. *Flemish* Yarn is of a good 'Quality, but very dear. *Silesia* Yarn is 'of the very worst Quality, but is from 'thirty to fifty per cent. cheaper than the o- 'ther. The Warp or Chain, which is the 'Yarn that lies long-ways in the Loom, is 'made of *Flanders* Yarn. The Shute, which 'is the Yarn that is thrown in cross-ways 'by the Weaver in the Shuttle, is made for 'Cheapness Sake of *Silesia* Yarn; which is 'so weak and rotten in its Quality, that he 'must be a skilful Weaver, who can pass 'this Shuttle thrice without breaking the 'Thread.

On the other hand, the *Scots* Linnens 'are made of one and the same kind of 'Yarn, both in the Warp and Shute, which 'Yarn is either spun of home Flax, which 'is remarkable above all others for its 'Toughness, or of the best foreign Flax, 'by which Means the worst of *Scots* Yarn 'is equal in Strength and Toughness to the 'best *Flemish* Yarn. One need only but 'look at the Selvidges of *Dutch* Holland, 'and he shall not find one Piece among ten, 'that is not torn and shattered in the Sel- 'vidge, almost from the Beginning to the 'End of the Piece: The Reason is, that 'the Linnen in weaving, is fixed in the 'Loom long-ways by Brads-pins stuck into 'the Selvidge; thus the Shute, which is of 'Silesia Yarn, bears the whole Strefs of 'weaving; and, so unfit is the *Silesia* Yarn 'to bear this Shock, that it is continually 'breaking and giving way.

On the other hand, view a Piece of 'Scots Linnen from End to End, and you 'shall not find a single Thread broke in the 'Selvidge among an hundred Pieces; be- 'cause the Yarn whereof the Shute is com- 'posed,

posed, being tough and strong, is able to bear the Shock and Pressure of weaving. And further, as the Merchants abroad buy the Linnen brown from the Weavers, but are at a Loss to ascertain the Value of a Piece of brown Linnen by the Eye, the general Practice is to weigh it, and proportion its Price by the Weight: Now, the Weaver, that his Piece may weigh light in the Scale (for the lighter it is, the finer it is) and thereby get a better Price, makes the Yarn of his Shute double as fine as that of the Warp. Thus the Shute, which is of *Silesia* Yarn, is at least double the Weakness of the Warp of *Flemish* Yarn, on account of its Quality.

Secondly, The Disproportion is again increased, by the Shute's being double the Fineness of the Warp. To which we may add in the third Place, That in bleaching the Linnen, as the Shute Threads are finer than those of the Warp, they come sooner to a Colour; so while the Warp-threads are bleaching, the Shute-threads being already bleached, are receiving another Addition to their original Rottenness.

To prove these Facts, take a Piece of *Dutch* Holland, and endeavour to tear it against the Selvidge, in which Case, the Warp, which is of good *Flemish* Yarn, strongly resists your Force; whereas, let any one try to tear it the contrary Way where the *Silesia* Yarn which composes the Shute, is to resist him, he will find it not only to give way immediately, but that it is absolutely rotten.

Every Person who wears Shirts of *Dutch* Linnen, knows, that when a Hole breaks out in his Linnen, it is immediately followed by a Rent, which never stops till it arrive at the Seam. Now, you'll observe, that those Rents never run cross-ways in your Linnen, contrary to the *Flemish* Warp, but always up and down, contrary to the *Silesia* Shute; but in *Scots* Linnen, a Hole may grow wider by wearing, but you will never find it give way by a Rent; because the Shute Threads of the *Scotish* Hollands are of equal Strength with the Warp Threads.

And this Difference in the Manner of wearing is of Consequence to the Consumer; for, if he wears Linnen which is apt to rend when a Hole happens, his Shirt is good for nothing after, for a Rent cannot be mended; whereas, if he uses Linnen, which will wear out into a Hole only, darning of the Hole may preserve the Linnen in Wear for Years. By the artfully placing the worst Yarn in the Middle of the Pieces, which are seldom seen or examined by the Buyers, and placing the best at the Selvidge, which is always examined, you'll scarce meet with a Piece of *Dutch* Holland that does not appear even thick and strong towards the Selvidge, but

thin, knotty, and rowy in the Middle. On the contrary, examine a Piece of *Scotish* Linnen, and you shall find it of an equal Substance throughout, even, and free of Rowyness. In this Manner are *Gulix*, *Gauntish*, and the rest of the stronger Hollands. As for the Baggs, and other fine threaded Linnens, they are made intirely, both Warp and Shute, of *Silesia* Yarn, and consequently are scarce worth making up to the Weaver.

The Bagg-linnens were so called from being put up in a Bag, in the double Fold (the strong Thread Linnen being put up in a white Paper in the long Fold), but the *Dutch* finding the Discredit their Bag Hollands justly lay under, have long accustomed themselves to put them up on the *Gulix* Form; and as such, they seldom fail to pass currently with the Publick. I shall only add, that *Scotish* Thread is almost solely used in this Kingdom for sewing, because it has near double the Strength of foreign. If *Scotish* Thread then is stronger than foreign, must not *Scotish* Linnen be so too, since the Thread and the Linnen of the *Scotish* Manufacture are made and spun of the same Materials, and bleached in the same Manner?

We may safely conclude, that our home Manufacture of Linnen will do double or treble the Service to the Consumer that the *Dutch* Hollands will or possibly can do. From thence it is evident, that Five Pounds laid out on *Scotish* Linnens will go as great Length in Wear, as Ten or Fifteen Pounds laid out on *Dutch* Hollands. Besides, the *Silesia* Yarn which is used in the Shute, and composes about Half of every Piece of *Dutch* Holland, is from Thirty to Fifty per Cent. cheaper than the *Flemish* Yarn which composes the other Half. Therefore, if they were to make their Linnen in the same Manner as the *Scotish* Linnens are made, I mean, by using Yarn equally good through the whole of the Piece, they could not afford to sell them by Fifteen or Twenty per Cent. so cheap as they do, there being that Difference in the Cost between making a Piece of Linnen wholly of *Flemish* Yarn, and using a Mixture of *Flemish* and *Silesia* Yarn. But, with a little publick Encouragement, the *Scotish* Dealers are able to undersell the *Dutch* in this Commodity; for the Price of Labour and the Rent of Lands fit for raising of Flax is lower in *Scotland* than it is in *Holland* and *Flanders*; the Price of bleaching is higher, but then it is owing to the Duty on Soap and Ashes; great Quantities whereof are used in bleaching.

As it is impossible for any Person, not perfectly skilled in the Commodity, to be certain what Kind of Linnen he buys, so he will find it as impracticable to procure any Remedy if he is imposed upon; for

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no Draper will warrant the Sufficiency of foreign Linnen, because he has no Recourse against the Dealers abroad; whereas, in buying the Linnen of the *Scotish* Manufacture, he may be certain of the Value and Goodness of his Commodity; for, if he should accidentally light on a damaged Piece, the Seller will be no Loser by exchanging it, or making him Reparation, because the Law has not only given him Recourse, but the Benefit of an ample Penalty against the Stampmaster for stamping insufficient Linnen; and against the Bleacher, (whose Name is likewise stamped on each Piece) for damnifying the Cloth.

A Buyer, if he is ever so little attentive, cannot be imposed upon in buying the Linnen of another Country for *Scotish*; for though the Stamps may, and often are counterfeited, and though the several Manners of making them up are easily attained to, yet there is a Mark in the *Scotish* Linnens which is peculiar to itself, and different from those of foreign Countries; and is impossible by the most skilful Workman to be imitated after the Piece is out of the Loom. This consists of a large Thread at the End of every Piece which is wrought in the Loom along with the Piece, and traverses the Breadth of the Cloth like a Chain, by forming as many Links as there are hundreds of Threads in the Breadth of the Cloth.

MINISTERS Widows and Orphans.

The Widows and Children of the Ministers of the Church of *Scotland*, and of the Principals and Masters of the Universities thereof, being often left in very low and mean Circumstances, without any Provision for their Subsistence or Education; which being taken into Consideration by certain of the Clergy, they indeavoured to find out Means, whereby this great Grievance might be remedied. Pursuant to which, they drew up a Plan for that Purpose, and laying it before the General Assembly of the Clergy for their Approbation, it was by an Act of the said Assembly, of the 23d of *May* anno 1743, approved of, and Application made to Parliament to confirm the same, and to enable them to put the said laudable and charitable Design in Execution, for accomplishing so good and desirable an End.

The Parliament, to encourage this commendable Undertaking, enacted, That every Minister of the Church of *Scotland*, and the Principals and Masters of the Universities of *St. Andrew's*, *Glasgow* and *Edinburgh* (*Aberdeen* proving obstinate) that now are or shall be admitted to a Benefice in the said Church, or as a Principal or Master in any of the said Universities, after the 25th Day of *March*, in the Year 1744, shall be liable to contribute

to so good an End, by a yearly Payment of one of the four following Sums, viz. Two Pounds twelve Shillings and six Pence, Three Pounds eighteen Shillings and nine Pence, Five Pounds five Shillings, or Six Pounds eleven Shillings and three Pence *Sterling* Money, which he shall think proper to chuse, and by an Attestation under his Hand, to declare his Choice of the Sum he annually intends to pay.

And for the better raising a Fund for carrying on this good Work, every Minister in *Scotland*, and Masters of the Universities aforesaid, that were married before the said 25th Day of *March*, anno 1744, or shall thereafter marry, shall pay a Sum of Money equal to that of his yearly Payment, and the like Sum for every succeeding Marriage, unless he marry a Widow intitled to an Annuity; in which Case, he is exempt from paying on account of his said Marriage: As are likewise all Ministers, who have Benefices besides their Cures, or who being at the same time a Master in any of the said Universities, and is intitled to a Salary by virtue thereof; the said Minister and Master shall only be liable to pay one of the above mentioned yearly Sums for both Offices.

And, as a further Addition to this Fund, all the Benefices in the Church, and Salaries in the Universities aforesaid, that shall happen to be vacant at the Time above mentioned, shall severally pay the Sum of Five Pounds *Sterling* for every half Year, during the Time of their respective Vacancies; and that every of the said Benefices and Salaries that shall become vacant after the said 25th Day of *March*, in the Year 1744, shall pay the Sum of Two Pounds ten Shillings of the like Money every Year during their several Vacancies.

And in Consideration of the Payments aforesaid, the Widows of the said Ministers and Masters of Colleges, are intitled to receive yearly the following Sums, according to the annual Payments made to the Fund by their late Husbands, viz. For the Sum of Two Pounds twelve Shillings and six Pence, an Annuity of Ten Pounds *Sterling*. For Three Pounds eighteen Shillings and nine Pence, Fifteen Pounds *per annum*. For five Pounds five Shillings, Twenty Pounds yearly. And for Six Pounds eleven Shillings and three Pence, an Annuity of Twenty five Pounds; which are paid in equal Portions at the Terms of *Whitsunday* and *Martinsmas*, during the Lives of the respective Widows or Widowhood.

And such of the said Ministers or Masters, who leave a Child or Children, such Child or Children are intitled to a Sum of Money, to the Amount of ten Years Annuity. And if any of the said Widows happen to die, or be married, before the Expiration of ten Years, from the Com-

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mencement

mencement of her Annuity, shall have a Child or Children by her late contributing Husband, under the Age of sixteen Years, he, she, or they shall be intitled to such a Sum of Money, as shall be equal to ten Years of the Widow's Annuity, abating so much thereof, as shall have been received by the said Widow.

And for establishing a perpetual Fund for Support of this necessary and useful Foundation, the Surplusage, (after defraying the yearly Expence of the amicable Society) to be lent to the several Ministers and Masters afore said; to the Amount of Thirty Pounds *Sterling* each (which they are obliged to receive) at an Interest of Four *per Cent.* for which they shall give their respective Obligations to repay the same on their several Promotions, Resignations, Deprivations, or Decease. Now, the Number of Parishes in *Scotland*, being nine hundred and seventeen, and the Principals and Masters of the Universities fifty five, the Sum lent to the said Ministers and Masters must amount to Twenty nine thousand one hundred and sixty Pounds *Sterling*, to which being added the Sum of Thirty five thousand Pounds which the Trustees are impowered to raise by the growing Surplusage, the whole Capital belonging to this Corporation will amount to the Sum of Sixty four thousand one hundred and sixty Pounds *Sterling*, at which it is fixed; which, at Four *per Cent.* Interest when full, will bring in the yearly Sum of Two thousand five hundred and sixty six Pounds eight Shillings *Sterling*, which, 'tis thought, will be sufficient to defray the whole Expence without a Contribution.

And, for the greater Security of this Fund, it is ordained, that no Part of the Sum of Thirty Five thousand Pounds shall be lent or employed, but by the Advice of the President, and two *Senior* Lords of the Court of Session, the Lord Chief Baron, and *Senior* Baron of the Court of Exchequer; Lord Justice General, and Lord Justice Clerk, or any three of them. And that the said Fund may suffer no Diminution by bad Debts, or by Disbursements in some Years above the Income, the Deficiency shall be made good out of the Money payable to the Widows and Orphans in that Year; which is to be reimbursed to them out of the Produce of the following Year or Years.

And that the Trustees might, with the greater Security, carry on the Affairs of the Corporation, they ordered a Calculation to be made, setting forth the Probability of their Fund increasing in the Term of eighty three Years, to the Sum of Ninety three thousand nine hundred Pounds *Sterling*; as will appear by the following Table; as in the Explanation whereof, will likewise ap-

pear, that the Fund of the Corporation in the Year 1831, will be burdened with the full Numbers both Widows and Children; and after the Expiration of the Years in the said Table, by what is already entered of the real Account, it seems that of the imaginary will be pretty well demonstrated.

A TABLE

Shewing, by a Calculation made by Order of the Trustees, the Amount, both of the imaginary and real Stock of the Corporation in the following Years.

Imaginary Stock.					Real Stock.				
Years.	L.	s.	d.	<i>ths</i> 12	L.	s.	d.	<i>ths</i> 12	
1748	18620	7	7	0	18290	4	1	1	
1749	22292	5	5	3					
1750	26092	19	9	3					
1751	29639	5	10	10					
1752	32932	11	9	3					
1753	35974	7	8	8					
1754	38766	7	4	10					
1755	41110	13	10	7					
1756	43333	3	3	3					
1757	45427	1	11	5					
1758	47401	12	11	9					
1759	49261	11	10	4					
1760	51012	0	3	9					
1761	52660	4	4	0					
1762	54211	13	6	6					
1763	55672	4	9	1					
1764	57049	8	1	9					
1765	58348	17	8	1					
1766	59578	15	7	3					
1767	60747	14	6	6					
1768	61863	13	3	4					
1769	62933	3	3	1					
1770	63963	4	8	9					
1771	64961	9	0	0					
1772	65934	15	3	5					
1773	66889	6	5	3					
1774	67829	3	3	8					
1775	68761	6	1	5					
1776	69690	15	9	8					
1777	70622	16	4	3					
1778	71560	12	7	0					
1779	72508	8	6	2					
1780	73470	15	4	2					
1781	74411	12	2	5					
1782	75330	6	1	10					
1783	76225	15	0	9					
1784	77097	0	3	11					
1785	77943	2	7	3					
1786	78763	1	9	3					
1787	79555	16	10	10					
1788	80320	6	2	11					
1789	81055	7	1	10					
1790	81759	16	1	3					
1791	82352	8	7	4					
1792	82928	15	2	8					

Imaginary Stock.					Real Stock.				
Years.	L.	s.	d.	<i>ths</i> 12	L.	s.	d.	<i>ths</i> 12	
1793	83488	2	10	9					
1794	84029	18	1	0					
1795	84553	6	8	1					
1796	85057	14	1	1					
1797	85542	4	10	0					
1798	86006	3	3	6					
1799	86448	12	10	8					
1800	86868	16	5	7					
1801	87185	16	2	3					
1802	87495	9	6	0					
1803	87797	10	6	6					
1804	88091	13	2	9					
1805	88377	11	2	8					
1806	88654	17	11	3					
1807	88923	6	6	3					
1808	89182	9	10	2					
1809	90432	0	6	1					
1810	90711	10	9	6					
1811	90982	4	8	3					
1812	91243	15	1	9					
1813	91493	14	9	9					
1814	91737	16	0	10					
1815	91069	10	11	9					
1816	92190	11	3	5					
1817	92400	8	4	10					
1818	92598	13	4	10					
1819	92784	17	0	0					
1820	92958	9	6	6					
1821	93119	0	11	10					
1822	93266	0	10	8					
1823	93398	18	4	8					
1824	93517	2	2	3					
1825	93620	0	6	6					
1826	93707	1	2	9					
1827	93777	11	6	6					
1828	93830	18	3	2					
1829	93866	7	7	11					
1830	93883	5	5	2					
1831	93900	16	8	6					

EXPLANATION.

As there is the greatest Probability that the Widows of Contributors will arise to four hundred in Number, and that three hundred and eighty of them will receive full Annuities, and ten of them half Annuities at the same Time; the second, third, fourth, and fifth Columns of the first Division of the Table shews how the Stock must gradually advance; that in the Year 1831, it should amount to Ninety three thousand nine hundred Pounds sixteen Shillings and eight Pence Halfpenny *Sterling*, in order to provide for the great Number of Widows, and answer the other yearly Disbursements; on a Supposition that the Mediums of their Annuities continue at Twenty Pounds *Sterling*, as they are at present.

The second Division of the said Table, containing the real Stock, one Year where-

of viz. 1748, amounting to the Sum of Eighteen thousand two hundred and ninety Pounds four Shillings and three Halfpence *Sterling* being only entered, the several Sums for the remaining Years must be annually filled up at passing the Collector's Accounts; when it is to be communicated by the Trustees to the several Presbyteries of the Kingdom, in their yearly Reports; that, by comparing the real Stock with that of the calculated or imaginary Stock, they may be enabled to judge how the Scheme will hold: If the real Amount of it be equal to what is supposed in the Calculation, all is well; and if it should exceed the Calculation, so much the better; but if it fall short, so much will be wanting to secure the Capital. But if it should happen (which 'tis hoped it will not), that the Amount of the real Stock should be less than that of the imaginary Stock, according to Calculation; and if it should continue to increase, Care must be taken to supply the Defect, otherways there will not be a Sufficiency to pay the Annuitants the several Sums they are intitled to.

The Government of this Corporation is vested in the Presbytery and the Masters of the College of *Edinburgh*, who, or any Nine of them, Six whereof being Ministers, are empowered to transact all Matters and Things relating to the same; to chuse themselves a President, to have four Meetings yearly in the *Old Church* Isle of *Edinburgh*, between the Hour of Ten to Twelve, viz. on the second *Tuesdays* of the Months of *February*, *March*, *May* and *November*; and from Time to Time to adjourn themselves to such Time and Places, as shall be judged necessary. In the first of the said Meetings, the Trustees are to chuse a Clerk for the Service of the Trust, and to appoint him a Salary, not exceeding the Sum of Fifty Pounds *Sterling per annum*, who shall give Security for the faithful Discharge of his Office, with a Penalty of One hundred Pounds of the like Money; and shall from Time to Time provide Books for recording the Transactions of the Trust; shall have an Officer for summoning and attending the Trustees at their several Meetings, for whom he shall be allowed the Sum of Five Pounds *Sterling* yearly; the said Clerk to be approved by the next General Assembly; and in case of Non-approbation, the Assembly to substitute one in his Stead: And in case of Malversation in the said Clerk, to suspend or remove him, and to appoint another; as they likewise may on the Resignation or Decease of the said Clerk, nominate another, to be approved by the General Assembly, as aforesaid; who are empowered to hear and determine the Causes of Deprivation or Suspension of the said Clerk, and to confirm or reverse the Judgment of the said Trustees.

And the first General Assembly that shall meet after the said 25th of *March*, anno

1744, are impowered to chuse a General Collector or Receiver of the aforesaid yearly Rates and Appointments; who is impowered to sue for and recover the said Rates, to pay the Widows Annuities and Provision for the Children, and to lend the Surplusage to the above mentioned Ministers and Masters; and the subsequent Surplusages on Interest to others, by the Direction of the Trustees. And for the better Discharge of his Office, the said Receiver may appoint a Deputy or Deputies for his Assistants; for whose Fidelity, and the faithful Discharge of his Office, he shall give Sureties for the Sum of Seven thousand Pounds *Sterling*; and for his Service, is to have a Salary, not exceeding the Sum of One hundred and fifty five Pounds *Sterling* yearly.

And the said Trustees are impowered, for reasonable Causes, to remove the said Receiver; and, on his Resignation or Decease, to appoint another to supply his Place till the Meeting of the ensuing General Assembly, which is impowered to hear and determine the Causes of Deprivation or Suspension; and by reversing or confirming the Sentence of the Trustees, to restore the said Receiver, or to appoint another in his Stead.

And for the more effectually preventing the Trust from being imposed on, the several Presbyteries in *Scotland*, and Universities aforesaid, after the said 25th Day of *March*, anno 1744, are appointed to keep exact Accounts of the Times when Ministers are admitted to Benefices, and Masters to Offices within their respective Presbyteries and Universities, and whether single or married; if the latter, the Time when such Marriage was solemnized. They are likewise to keep Accounts of the Times when the several Ministers and Masters die, whether they have left Widows or Children, with the Names of both, and Ages of the latter; with Accounts of the Widows who have died or been married yearly; and what Children of the said Ministers and Masters were alive at the Decease or Marriage of the said Widows respectively; of which yearly Lists shall be made out, attested by the Moderator and Clerks of the several Presbyteries, and by the Principal and Clerk of the respective Universities, to be transmitted by the said Moderators and Principals to the Trustees Clerk at *Edinburgh*, on the Penalty of Ten Pounds *Sterling* for every Omission, to be paid by the Moderators and Principals not sending in the said Lists, to be applied to the Use of the Trust.

And the said Moderators and Principals are to give Certificates to the several Widows and Children claiming a Right to an Annuity or Provision; certifying the Decease of the Minister or Master, in order to the former's being entered amongst the Annuityants, and the latter to receive the Pro-

vision due to them. All the said Annuities and Provisions are by Warrants from the Trustees to be paid by the General Receiver. And for the more effectually preventing the said Widows and Children from being imposed on by the said General Receiver or Clerk, that either of them exacting or extorting Money on the Delivery of the aforesaid Warrants, or Payment of the several Sums due thereon, to forfeit his Office, and be discharged in all Times coming from acting as an Officer in any Manner of way relating to the Trust. And if any of the Persons or Servants acting under the said General Receiver or Clerk, shall receive any Money on the aforesaid Accounts, the said General Receiver or Clerk, by whom the Offender was appointed, shall for every such Offence forfeit the Sum of Ten Pounds *Sterling* to be applied to the Trust.

And for the better securing the Money to be paid to the Widows and Children aforesaid, it is not lawful to arrest or attach the same; but that the several Sums due shall either be paid to themselves, or Persons in Trust for them: And, that the Execution of the Trust may not be obstructed through Neglect of the Trustees, it is ordained, that all and every of the said Trustees, who shall not attend the stated Meetings and the Adjournments thereof, and all occasional Meetings to which they shall be duly summoned, shall, without a sufficient Reason assigned for every such Offence, forfeit the Sum of One Pound *Sterling*, to be applied to the Benefit of the Trust. And the said Trustees are enjoined yearly to state the Accounts of their Trust, and to lay them before the General Assembly of the Church, and to transmit a Copy thereof to the several Presbyteries throughout *Scotland*, and to each of the Universities aforesaid. And that no Disputes may hereafter arise in Processes of Modification and Augmentation of Ministers Stipends, the annual Rates above mentioned, payable by the said Ministers, shall be deemed and taken a Part of their said Stipends.

N. B. There being only one Sum inserted of the real Stock for the Year 1748; to which the Sums for the Years 1749, and 1750, being since added: By virtue of an Act of Parliament made in favour of the Corporation in the said Year 1748, whereby the real Stock in the said Years appears to be considerably increased; viz. in the Year 1749, it amounts to the Sum of *L. 21946 8 s. 2 d.* and in that of 1750, to *L. 25837 10 s. 4 d.*; whereby is, in some Measure, demonstrated, that the real Stock will at least equal, if not exceed the imaginary.

I think it is not in this Place amiss, by way of Precaution, to acquaint the several Widows and Orphans of the said Ministers and Masters, that, in case they, through Negligence, omit to make their several Claims

Claims within a Year after they are there- | held as deferted and given up, and never
unto intitled; their several Rights will be | allowed thereafter.

P O S T - O F F I C E .

Of what Antiquity the Post in *Scotland* is, I cannot ascertain; however, its present Establishment is owing to an Act of Parliament in the Year 1710, whereby the Rates or Postage of Letters, to and from the several Places here under mentioned are as followeth.

	Single.		Double.		Single.		Double.	
	s.	d.	s.	d.	s.	d.	s.	d.
To or from <i>Edinburgh</i> to <i>London</i> ———	0	6	1	0	1	6	2	0
To or from <i>Edinburgh</i> , not exceeding fifty Miles	0	2	0	4	0	6	0	8
To or from <i>Edinburgh</i> , not exceeding eighty Miles ———	0	3	0	6	0	9	1	0
To or from any Place in <i>Scotland</i> , above eighty Miles from <i>Edinburgh</i> ———	0	4	0	8	1	0	1	4
From <i>Edinburgh</i> to any Place in <i>Italy</i> —	1	9	3	6	5	3	7	0
From <i>Edinburgh</i> to <i>Germany</i> , <i>Denmark</i> , <i>Swedland</i> , and <i>Poland</i> ———	1	6	3	0	4	6	6	0
From <i>Edinburgh</i> to <i>Spain</i> and <i>Portugal</i> —	2	0	4	0	6	0	8	0
From <i>Edinburgh</i> to <i>France</i> , <i>Flanders</i> , and <i>Holland</i> ———	0	6	1	0	1	6	2	0
From <i>Edinburgh</i> to <i>Hamburg</i> ———	1	4	2	8	4	0	5	4
From <i>Edinburgh</i> to any Place in the <i>British American Plantations</i> ———	0	7	1	2	1	9	2	4

But for the better and more particular Information of the Reader, I shall subjoin a Table lately published at the Post-house of *Edinburgh*.

An ALPHABETICAL TABLE,

Shewing the several Post Towns throughout *Scotland*, and *London* in *England*, with the Days whereon the Post goes from and returns to *Edinburgh* to and from any of the said Towns, with the Postage paid for each Letter, whether single, double, triple, or of an Ounce Weight: To which is subjoined, an Account of the several Posts going to and coming from foreign Parts in *Europe*, and to and from the *British Dominions* on the Continent and Islands of *America*.

Post Towns.	Sets out from EDINBURGH.	Arrive at EDINBURGH.	POSTAGE.			
			Sing.	Doab.	Tripl.	Oz.
<i>Aberbrothock</i>	Tuesf. Thursf. 8 at Night, and Sat. 11 at Night,	Tuesf. Thursf. and Sat. at 10 before Noon,	2	4	6	8
<i>Aberdeen</i>	Tu. Th. 8 at Night, Sat. 11 at Night,	Tu. Th. Sat. at 10 before Noon	3	6	9	12
<i>Auchinames</i>	Thursf. 10 at Night,	Tu. Afternoon accord. to Tide,	4	8	12	16
<i>Air</i>	Tu. Th. 8 at Night, Sat. 11 at Night,	Tu. Th. Sat. at 10 before Noon	2	4	6	8
<i>Anstruther</i>	Tu. Th. 8 at Night, Sat. 11 at Night,	Tu. Th. Sat. at 10 before Noon	2	4	6	8
<i>Avemore</i>	Thursf. 10 at Night,	Tu. Afternoon accord. to Tide	3	6	9	12
<i>Banff</i>	Tu. Th. 8 at Night, Sat. 11 at Night,	Tu. Th. Sat. at 10 before Noon	4	8	12	16
<i>Beith</i>	Tu. Th. 8 at Night, Sat. 11 at Night,	Tu. Th. Sat. at 10 before Noon	2	4	6	8
<i>Bervie</i>	Tu. Th. 8 at Night, Sat. 11 at Night,	Tu. Th. Sat. at 10 before Noon	3	6	9	12
<i>Berwick</i>	Tu. Th. and Sat. 12 at Night,	Arrival uncertain.	2	4	6	8
<i>Biggar</i>	Sat. 10 at Night,	Frid. in the Afternoon.	2	4	6	8
<i>Borrowstounness</i>	Tu. Th. 8 at Night, Sat. 11 at Night,	Tu. Th. Sat. at 10 before Noon	2	4	6	8
<i>Brechin</i>	Tu. Th. 8 at Night, Sat. 11 at Night,	Tu. Th. Sat. at 10 before Noon	2	4	6	8
<i>Burntisland</i>	Tu. Th. 8 at Night, Sat. 11 at Night,	Tu. Th. Sat. at 10 before Noon	2	4	6	8
<i>Campbelton</i>	Tuesf. and Th. 8 at Night,	Tu. Th. at 10 before Noon	4	8	12	16
<i>Chance-inn</i>	Tu. Th. 8 at Night, Sat. 11 at Night,	Tu. Th. Sat. at 10 before Noon	2	4	6	8
<i>Colinsburgh</i>	Tu. Th. 8 at Night, Sat. 11 at Night,	Tu. Th. Sat. at 10 before Noon	2	4	6	8
<i>Couper of Angus</i>	Tu. Th. 8 at Night, Sat. 11 at Night,	Tu. Th. Sat. at 10 before Noon	3	6	9	12
<i>Couper of Fife</i>	Tu. Th. 8 at Night, Sat. 11 at Night,	Tu. Th. Sat. at 10 before Noon	2	4	6	8
<i>Craill</i>	Tu. Th. 8 at Night, Sat. 11 at Night,	Tu. Th. Sat. at 10 before Noon	2	4	6	8
<i>Crief</i>	Tu. Th. 8 at Night, Sat. 11 at Night,	Tu. Th. Sat. at 10 before Noon	2	4	6	8
<i>Cromarty</i>	Thursf. 10 at Night,	Tu. Afternoon accord. to Tide	4	8	12	16

T t t t

Post Towns.	Sets out from EDINBURGH.	Arrive at EDINBURGH.	POSTAGE.			
			Sing.	Doub.	Trip.	Qz.
Cullen	Tu. Th. 8 at Night, Sat. 11 at Night,	Tu. Th. Sat. at 10 before Noon	4	8	12	16
Dingwall	Thursf. 10 at Night,	Tu. Afternoon accord. to Tide	4	8	12	16
Dornoch	Thursf. 10 at Night,	Tu. Afternoon accord. to Tide	4	8	12	16
Drumlanrig	Sat. 10 at Night,	Frid. Afternoon	2	4	6	8
Dunbar	Tu. Th. and Sat. 12 at Night,	Arrival uncertain	2	4	6	8
Dundee	Tu. Th. 8 at Night, Sat. 11 at Night,	Tu. Th. Sat. at 10 before Noon	2	4	6	8
Dunkeld	Tuesf. 10 at Night	Tu. Afternoon accord. to Tide	2	4	6	8
Dunfer	Tu. Th. and Sat. 12 at Night,	Arrival uncertain	2	4	8	12
Dunvegan	Thursf. 10 at Night,	Tu. Afternoon accord. to Tide	4	8	12	16
Dunbarton	Tu. Th. 8 at Night, Sat. 11 at Night,	Tu. Th. Sat. at 10 before Noon	3	6	9	12
Dunfermline	Tu. Th. 8 at Night, Sat. 11 at Night,	Tu. Th. Sat. at 10 before Noon	2	4	6	8
Drumfries	Thursf. and Sat. at 10 Night,	Wed. Frid. at 10 before Noon	2	4	6	8
Dysart	Tu. Th. 8 at Night, Sat. 11 at Night,	Tu. Th. Sat. at 10 before Noon	2	4	6	8
Elgin	Tuesf. and Thursf. 8 at Night,	Tu. Sat. at 10 before Noon	4	8	12	16
Ellon	Tu. 8 at Night, Sat. 11 at Night,	Tu. Th. at 10 before Noon	4	8	12	16
Falkirk	Tu. Th. 8 at Night, Sat. 11 at Night,	Tu. Th. Sat. at 10 before Noon	2	4	6	8
Falkland	Tu. Th. 8 at Night, Sat. 11 at Night,	Tu. Th. Sat. at 10 before Noon	2	4	6	8
Fochabers	Tuesf. and Thursf. 8 at Night,	Tuesf. Sat. at 10 before Noon	4	8	12	16
Forfar	Tu. Th. 8 at Night, Sat. 11 at Night,	Th. Th. Sat. at 10 before Noon	3	6	9	12
Forres	Tuesf. and Thursf. 8 at Night,	Tuesf. Sat. at 10 before Noon	4	8	12	16
Fortrose	Thursf. 10 at Night,	Tu. Afternoon accord. to Tide	4	8	12	16
Frazerburgh	Tuesf. 8 at Night, Sat. 11 at Night,	Tuesf. Th. at 10 before Noon	4	8	12	16
Fyvie	Tuesf. 8 at Night, Sat. 11 at Night,	Tuesf. Th. at 10 before Noon	4	8	12	16
Glasgow	Tu. Th. 8 at Night, Sat. 11 at Night,	Tu. Th. Sat. at 10 before Noon	2	4	6	8
Hamilton	Tu. Th. 8 at Night, Sat. 11 at Night,	Tu. Th. Sat. at 10 before Noon	2	4	6	8
Haddington	Tu. Thursf. and Sat. 12 at Night,	Arrival uncertain.	2	4	6	8
Huntly	Tuesf. and Thursf. 8 at Night,	Tuesf. Sat. at 10 before Noon	4	8	12	16
Inverary	Tu. Th. 8 at Night, Sat. 11 at Night,	Tu. Th. Sat. at 10 before Noon	4	8	12	16
Invergordon	Thursf. 10 at Night,	Tuesf. Afternoon.	4	8	12	16
Inverkeithing	Tu. Th. 8 at Night, Sat. 11 at Night,	Tu. Th. Sat. at 10 before Noon	2	4	6	8
Inverness	Thursf. 10 at Night,	Tuesf. Afternoon.	4	8	12	16
Ireland	Tu. Th. 8 at Night, Sat. 11 at Night,	Tu. Th. Sat. at 10 before Noon	2	4	6	8
Irvine	Tuesf. 8 at Night, Sat. 11 at Night,	Arrival uncertain.	2	4	6	8
Keith	Tuesf. and Thursf. 8 at Night,	Tuesf. Sat. at 10 before Noon	4	8	12	16
Kilmarnock	Tuesf. and Thursf. 8 at Night, Sat. 11 at Night,	Tu. Th. Sat. at 10 before Noon	2	4	6	8
Kinghorn	Tu. Th. 8 at Night, Sat. 11 at Night,	Tu. Th. Sat. at 10 before Noon	2	4	6	8
Kinross	Tu. Th. 8 at Night, Sat. 11 at Night,	Tu. Th. Sat. at 10 before Noon	2	4	6	8
Kircaldie	Tu. Th. 8 at Night, Sat. 11 at Night,	Tu. Th. Sat. at 10 before Noon	2	4	6	8
Kirkcudbright	Thursf. and Sat. 10 at Night,	Wed. Frid. at 10 before Noon	3	6	9	12
Kirkwall	Thursf. 10 at Night,	Tuesf. Afternoon.	4	8	12	16
Kirrimuir	Tu. Th. 8 at Night, Sat. 11 at Night,	Tu. Th. Sat. at 10 before Noon	3	6	9	12
Lanerk	Tu. Th. 8 at Night, Sat. 11 at Night,	Tu. Th. Sat. at 10 before Noon	2	4	6	8
Langholm	Thursf. 10 at Night,	Wed. Afternoon.	2	4	6	8
Leadhills	Sat. 10 at Night,	Frid. Afternoon.	2	4	6	8
Leven	Tu. Th. 8 at Night, Sat. 11 at Night,	Tu. Th. Sat. at 10 before Noon	2	4	6	8
Litbgo	Tu. Th. 8 at Night, Sat. 11 at Night,	Tu. Th. Sat. at 10 before Noon	2	4	6	8
Lochmaben	Thursf. 10 at Night,	Wed. Afternoon.	2	4	6	8
London	Tu. Thursf. and Sat. 12 at Night,	Arrival uncertain.	6	12	18	24
Maybole	Tu. Th. 8 at Night, Sat. 11 at Night,	Tu. Th. Sat. at 10 before Noon	3	6	9	12
Moffat	Thursf. 10 at Night,	Wed. Afternoon.	2	4	6	8
Moniaive	Sat. 10 at Night,	Frid. Afternoon.	2	4	6	8
Monifeith	Tu. Th. 8 at Night, Sat. 10 at Night,	Tu. Th. Sat. at 10 before Noon	2	4	6	8
Monieaff	Sat. 10 at Night,	Frid. Afternoon.	3	6	9	12
Montrose	Tu. Th. 8 at Night, Sat. 10 at Night,	Tu. Th. Sat. at 10 before Noon	2	4	6	8
Nairn	Tuesf. Thursf. 10 at Night,	Tu. Th. Sat. at 10 before Noon	4	8	12	16
New Galloway	Sat. 10 at Night,	Frid. Afternoon.	3	6	9	12
Old Cambus	Tu. Thursf. and Sat. 12 at Night,	Arrival uncertain.	2	4	6	8
Old Meldrum	Tu. Th. 8 at Night, Sat. 11 at Night,	Tu. Th. Sat. at 10 before Noon	4	8	12	16
Old Raine	Tuesf. and Thursf. 8 at Night,	Tu. Th. Sat. at 10 before Noon	4	8	12	16
Paisley	Tu. Th. 8 at Night, Sat. 11 at Night,	Tu. Th. Sat. at 10 before Noon	2	4	6	8
Parkhill	Thursf. 10 at Night,	Tuesf. accord. to the Tide	4	8	12	16
Pertb	Tu. Th. 8 at Night, Sat. 11 at Night,	Tu. Th. Sat. at 10 before Noon	2	4	6	8

Post Towns.	Sets out from EDINBURGH.	Arrive at EDINBURGH.	POSTAGE.			
			Sing.	Doob.	Trip.	Oz.
Peterhead	Tuef. 8 at Night, Sat. 11 at Night,	Tuef. Th. at 10 before Noon	4	8	12	16
Pittenweem	Tu. Th. 8 at Night, Sat. 11 at Night,	Tu. Th. Sat. at 10 before Noon	2	4	6	8
Port Glasgow	Tu. Th. 8 at Night, Sat. 11 at Night,	Tu. Th. Sat. at 10 before Noon	2	4	6	8
Port Patrick	Tuef. 8 at Night, Sat. 11 at Night,	Thurf. Satur. at 10 before Noon	4	8	12	16
Portsoy	Tu. Th. 8 at Night, Sat. 11 at Night,	Tu. Th. Sat. at 10 before Noon	3	6	9	12
Ruthven	Tuef. 10 at Night,	Tuef. accord. to the Tide	3	6	9	12
St. Andrew's	Tu. Th. 8 at Night, Sat. 11 at Night,	Tu. Th. Sat. at 10 before Noon	2	4	6	8
St. John's Clackman	Sat. 10 at Night,	Frid. Afternoon.	3	6	9	12
Stewarton	Tu. Th. 8 at Night, Sat. 11 at Night,	Tu. Th. Sat. at 10 before Noon	2	4	6	8
Stirling	Tu. Th. 8 at Night, Sat. 11 at Night,	Tu. Th. Sat. at 10 before Noon	2	4	6	8
Stonebrive	Tu. Th. 8 at Night, Sat. 11 at Night,	Tu. Th. Sat. at 10 before Noon	2	4	6	8
Tain	Thurf. 10 at Night,	Tu. Afternoon accord. to Tide	4	8	12	16
Thurso	Thurf. 10 at Night,	Tu. Afternoon accord. to Tide	4	8	12	16
Tong	Thurf. 10 at Night,	Tu. Afternoon accord. to Tide	4	8	12	16
Turroff	Tu. Th. 8 at Night, Sat. 11 at Night,	Tu. Th. Sat. at 10 before Noon	4	8	12	16
Wick	Thurf. 10 at Night,	Tu. Afternoon accord. to Tide	4	8	12	16
Wigton	Sat. 10 at Night,	Frid. Afternoon.	3	6	9	12

Letters to foreign Parts to be paid for on Delivery, viz.

	Single.	Double	Triple.	Oz.
	s. d.	s. d.	s. d.	s. d.
To Spain and Portugal	2 0	4 0	6 0	8 0
To Italy and Turkey	1 9	3 6	5 3	7 0
To Germany, Russia, Sweden, or any of the North- ern Nations	1 9	3 0	4 6	6 0
To Hamburg	1 4	2 8	4 0	5 4
To France and the Low Countries	0 6	1 0	1 6	2 0
To Jamaica, St. Christophers, Antego, or any of the Leward Islands	0 7	1 1	1 7	2 1
To any other Parts of the King's Dominions in North America, or the American Islands	0 7	1 1	1 7	2 1

RECORD-OFFICE.

In this Office, which is kept in the lower Parliament-house, adjoining to the Lawyers Library on the East, are deposited the national Records, and Transactions of the Court of Session. This Repository is in the Custody of a Keeper and his Deputy, whose Clerks occasionally transcribe Records for the Use of those who employ them.

ROYAL-BANK.

By virtue of a Charter for establishing a Royal Bank in *Edinburgh*, of the 31st May, anno 1727, equivalent Debentures were subscribed into the same, to the Amount of One hundred and eleven thousand Pounds Sterling Money. But this Stock being only nominal, could not carry on their Business with it; wherefore the Proprietors of the Bank applied for an additional Charter to enable them to transact their Affairs effectually; which being granted, it past the Seal on the 23d November, in the Year 1738,

whereby all former Rights and Privileges were not only confirmed, but they were empowered to enlarge their Capital to the Sum of One hundred and fifty one thousand Pounds Sterling, by taking in Subscriptions to the Amount of Forty Pounds of the same Money, either equivalent Stock, Cash on Land-security, or otherwise, as should be judged most safe and advantageous to the Corporation.

And in the said additional Grant it is farther declared, that, when the Parliament shall think fit to redeem the Equivalent Stock, or such Part thereof as shall be subscribed into the Company of the said Royal Bank, that the said Corporation shall and may continue after such Redemption is made; and to have perpetual Succession, and enjoy all the Privileges and Advantages mentioned in their said Charter, except the Share and Interest in the said annual Fund of Ten thousand Pounds Sterling, and to carry on the Trade or Business of the said Company, as if no such Redemption had been made.

And the Money to be paid on such Redemption, the Bank is empowered to lay

lay it out on such Securities, as a general Court shall judge most for the Interest of the Company, and the Profits arising therefrom, to be divided amongst the Proprietors of the Corporation.

And the King does promise, that he and his Successors will, in all Times thereafter, upon the humble Request of the said Royal Bank, give and grant unto them, such other Privileges and Advantages as shall be reasonably devised by the said Corporation, and approved by the Lord Advocate of Scotland. And as the Fund of this Company is a Debt due from the Government, no Money can arise therefrom for carrying on the Business of the Company; they are allowed to make Calls on the Subscribers for that Purpose; but the Bank having borrowed of the Commissioners and Trustees for improving the Fisheries and Manufactures of Scotland, the Sum of Forty thousand Pounds *Sterling*, which being deemed almost sufficient for carrying on their Business of banking, a Call of only Twenty Pounds on the hundred has been made on the Subscribers; five Pounds whereof have been since repaid.

TANNERS SOCIETY.

Divers of the Masters and Journeymen Tanners, Journeymen Curriers and Apprentices belonging to those Trades within the City and Liberty of *Edinburgh*, being desirous to be erected into a Society for their mutual Interest, they were accordingly formed into a Fellowship by the Town Council, who appointed the following Rules and Orders to be observed by them for their better Regulation.

Coun. Regist.
vol. LXII.
p. 000.

1. ' That each Journeyman Tanner, Currier, or Apprentice of the said Crafts, or others, at their Entry, sign the ordinary Book, bearing the Date of his Entry.

2. ' That a Box be made or purchased for containing the Money that shall be received for the foresaid Fund; and that the said Box be shut under four Locks, having four different Keys; that two of these Keys be put into the Custody of two of the Masters of the foresaid Trade, and the other two in keeping of two of the Subscribers, who are to be chosen by a Plurality of Voices, and to continue in Office for the Space of a Year after their Election; with Power to the said Key-masters or Stewards to receive, collect, and ingather the Entry-money and quarterly Payments from the several Subscribers, which is to be all closed up in the said Box, under the foresaid Locks and Keys; and that the Box be kept by any one of the Masters that shall have the Keys thereof for the Time.

3. ' That, by a Plurality of Voices, there be an other worthy Person of the Subscri-

bers chosen at the annual Meeting, to be Assistant to the Key-masters, who, upon necessary Occasions, shall meet and convene with the Key-masters, and treat and manage with them in all Matters relating to this Concert, who is likewise to continue a full Year.

4. ' That there be a Clerk chosen by a Plurality of Votes, who shall keep a Book containing the Actings and Proceedings of the Key-masters and their Assistant at their several Meetings, the Entries of the Subscribers, and an Account of the Money in the Box, and Disposal thereof.

5. ' That an Officer be named by the Key-masters and their Assistant, whose Office shall be to go alongst and assist them in getting up the quarterly Payments, and wairn to all Meetings as they shall direct, the said Officer being always one of the Subscribers, who may be in mean Circumstances.

6. ' That every Tanner or Currier who has served his Apprenticeship in the City of *Edinburgh*, Suburbs and Privileges thereof, shall pay at his Entry to the Box, Four Shillings *Sterling*; and such as have not served Apprenticeships in Manner foresaid, shall pay to the Box, at their Entry, Seven Shillings, Money foresaid.

7. ' That every Subscriber pay in to the Key-master for the Time, One Shilling *Sterling* quarterly.

8. ' That if any Subscriber fail in his quarterly Payments, and allow three Quarters Moieties to run into a fourth, unpaid, (he being in ordinary Health) his Name shall be dilate out of the Book of Subscriptions, and he shall amit and lose the Benefit thereof in Time coming.

9. ' That out of the Money uplifted and put into the Box, upon Application of any of the Subscribers to the Key-masters, and their Assistant for the Time, there be issued out so much Money, as they shall find necessary, and as the Fund will allow towards the Relief, Support, Maintenance, and Assistance of such of the Subscribers as shall become indigent, sick, infirm, or fall into any Disaster or bodily Accident, whereby they are rendered unable by their Employment to earn their Bread; and that in such Manner and Proportions, to continue for such a Course of Time as the said Key-masters and Assistant shall see Cause, and that the said Money be applied for no other Use; with Power to them to employ the Money in the Box upon sufficient Bonds bearing annual Rent for the Ends above-mentioned. As also, if the Fund may bear it, to order and give Supply furth thereof to any of the Subscribers, their Relicts and Children, if in extreme Want.

10. ' That upon the first *Monday* of *April* yearly, and each Year, there be a general Meeting of the Subscribers, or such of

of them as shall attend; in which Meeting the Key-masters and their Assistant are to accompt for and deliver up their Charge; and at the same Time to give in a List of six Masters and nine Subscribers, out of whom, by a Plurality of Voices, the Key-masters and their Assistant for the Year ensuing, are to be chosen conform to the Order prescribed in the foregoing Articles, and so forth, the Election to continue yearly thereafter; with Power to Subscribers, by a Plurality of Votes amongst themselves, to continue the Key-masters and their Assistant in Office for so many Years, as they shall think proper.

II. That the Place and Manner of Meeting yearly be appointed and directed by the Key-masters and their Assistant for the Time; and that at these Meetings there be nothing treated of but what directly concerns the above Matters; and that the Fund shall not be charged with the Expences of the said Meetings, over and above three Shillings at each annual Meeting, as the Regulations bear; and that this remain in Force only during the Pleasure of the Council, as the Report under the Hands of the Committee bears.

Which being considered by the Magistrates and Council, they, with the extraordinary Deacons, approved of the said Report: And erected and hereby erects the said Journeymen Tanners and Curriers in this City, Suburbs, and Privileges thereof, into a Society for the Relief of their poor, sick, and indigent, and for defraying the Charges of burying them when dead, during the Pleasure of the Council, allanarly, agreeable to the foresaid Rules and Regulations, which they are hereby strictly enjoined to observe.

TOWN-CLERK'S Office.

This Office, which is kept in the late Vestuary of *St. Giles's Church*, is served by two Officers, stiled *The Common Clerks*, who purchase their Places at a high Rate. Their Business is to attend the Common Council and Baillie-courts, to record their Orders and Proceedings; to sign all publick Orders to be observed by the Citizens, and to keep the Town's Records. Indeed, in a Room above the Tolbooth Church, which by some is reckoned the City Archives, are kept the Charters and other Writings belonging to the City; which, from their being kept in so secret and secure a Place, under three different Locks, and the Keys thereof kept by Three of the Magistrates, People imagine them to be all invaluable Jewels; but when inspected, are found to consist chiefly of Duplicates of Leases, Copies of Covenants for publick Works, Receipts for Money paid, and other Papers of no great

Consequence: For the only valuable Writings are the City Charters; the other Records are the Transactions of the Town-council, Safines, &c.

WEIGH-HOUSE SOCIETY.

The Workmen belonging to the Weigh-house of *Edinburgh*, being desirous to be erected into a Society, for their mutual Interest and good Government, petitioned the Common Council in the Year 1709 for that End; and their Petition being referred to *Robert Craig* one of the Town's Bailiffs, made his Report as follows.

1. That he, the said Baillie *Robert Craig*, Coun. Regist. vol. XXXIX. p. 00. having considered the Petition given in by the Workmen of the Weigh-house of *Edinburgh*, craving to be erected into a Society, under such Rules and Directions, as the Magistrates and Council should think fit, for serving of the Merchants, Neighbours, and others resorting to this City; that he, having met with these Workmen, fand, they were at present about seventeen in Number, viz. *John Hunter, &c.* and were of opinion these Persons should be erected into a Society, by the Name of *The Workmen of the Weigh-house of Edinburgh*, and that their Number should not exceed twenty Persons; and when employed by any Person in the Place, have Liberty to pack Goods, and carry Burdens to any Place within the good Town of *Edinburgh, Canongate, Leith*, haill Priviledges and Suburbs thereof.

2. And for their more faithfull discharging the Trust committed to them, that each Person at his Entry shall find Caution, at the Sight of the third Baillie for the Time, for his Honesty and good Behaviour, and to have Liberty to meet frequently among themselves, for proposing Rules, to keep good Order amongst them, and to examine Complaints, and to lay the same before the said third Baillie, to the effect he may punish Transgressors.

3. That they should have a common Box, and Boxmaster, with three Keys to the Box, whereof one to be kept by the third Baillie for the Time being; and the other two Keys by any two of their Number, and the Boxes to be lodged with the Boxmaster.

4. That each Workman at his Entry pay Twelve Pounds *Scots* Money to the said Box; and every Workman pay quarterly Six Shillings *Scots* to the said Box, to be opened yearly on *Michaelmas* Day, the same being a lawfull Day, at the Sight of the third Baillie for the Time being, and to be applied to the Support of the Poor of the said Company, their Widows and Children, as the said Baillie shall think fit, upon good Information from the Com-

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pany;

pany; and at the same time the Boxmaster to make his Accompts.

5. 'That the Acts made against Immorality be read to the Company yearly at the opening of the said Box, that they may not pretend Ignorance thereof; and may be punished and fined by the said Baillie for their Transgression, and the Fynes put in the Box.

6. 'That none of the said Company encroach upon others Work and Business, but shall work their Work according as they are desired by any Employers, and not presume to put away one another from the Work they are employed in, under the

'Penalty of Twelve Shillings Scots, to be paid into the said Box, as the Report under the Hand of the said Baillie Robert Craig bears.

'Which being considered by the Council, they, with the extraordinary Deacons, approved of the said Report, and erected the Persons above named, and their Successors, into an Company, by the Name of, *The Company of the Workmen of the Weigh-house of Edinburgh*, in the Terms, and under the Regulations mentioned in the Report, whereanent thir Presents shall be a Warrant.'

The End of the Fifth Book.



T H E

T H E

HISTORY of EDINBURGH.

B O O K VI.

Contains Accounts of the Courts of Parliament, Royal Boroughs, Justice, Colleges, and other Seminaries of Learning.

The Society for improving ARTS and SCIENCES.

MANY Advantages having accrued to the Publick from the Studies and Labours of learned and ingenious Men, who having, in divers Parts of *Europe*, erected themselves into Societies for the Improvement of Arts and Sciences, by experimental Philosophy and other Discoveries, both in Art and Nature, which has excited a generous Emulation among the *Literati*, who, on this Occasion, vie to excel in discovering the most occult Secrets of Nature, for the Benefit of Mankind:

That *Edinburgh*, at this Time, might not be wanting to contribute its Assistance in so laudable and commendable an Affair, divers learned Gentlemen, about the Beginning of the Year 1737, began to think of erecting themselves into a Society in this City; and for the better attaining their desirable and valuable Purposes, resolved to communicate their Design to certain of the Nobility, Gentry, and others best qualified to assist them in their intended Undertaking.

Pursuant to this Resolution, they applied to a small Society for their Advice and Assistance; that Fellowship, which some Time before had published divers Volumes of *Essays and Observations*, intitled *Medical Essays*, were not only ready and willing to promote the Design, but the other Gentlemen to whom it was likewise proposed, were very zealous to advance and encourage the honourable and praise-worthy Enterprize.

Thus encouraged, a general Meeting of the Undertakers was appointed to be held on the first Day of *June*, in the aforesaid Year; preparatory to which, a Plan was ordered to be made, and laid before the said Meeting, for the good Regulation of the intended Society.

This Fellowship, which assumed the Name of *The Society for improving Arts and Sciences*, and particularly *Natural Knowledge*, at first consisted of forty five Members; but that Number, since, has been augmented to fifty two, who are distinguished into ordinary and extraordinary; the former, by

turn, are to supply the Society with Experiments and Discoveries in Nature, Art, and other curious Remarkables, to be read at their Meetings, and published in their Transactions: And the latter, or extraordinary Members, endeavour to promote Inquiries, and occasionally assist in carrying on the Designs of the Society.

Besides the ordinary and extraordinary Members, the Society has admitted divers learned and ingenious Gentlemen, in several Parts of *Europe*, as Members and Correspondents in foreign Parts.

The ordinary Meetings of the Society are on the first *Thursday* of every Month, except those of *September* and *October*; and on the first *Thursday* of *December* yearly; the Society, by Ballot, elect thirteen of their Number for a Council, whereoutof, in the the same Manner, are chosen a President, two Vice-presidents, two Secretaries, and a Treasurer.

Whenever a Vacancy happens in the Society, or in a Meeting where two thirds of the Members agree to augment their Number; a List of Candidates is prepared and baloted for to fill up the Vacancy, and compleat the intended Augmentation.

At the annual Meeting for the Election of Officers, or new Members, a certain Sum of Money is agreed to be raised by the Members to purchase Instruments and defray the other necessary Expences of the Society.

By the late unhappy Rebellion the Meetings of the Society were interrupted for a considerable Time, but being renewed again, meet as formerly, and prosecuting the Ends of their Institution, we may in a short Time expect some of the Fruits of their Labours.

COLLEGE of EDINBURGH,
alias King JAMES's College.

The first Mention I find of erecting a College in *Edinburgh*, is in the Will of *Robert Reid*, Bishop of *Orkney* who dying in the Year 1558, (I suppose it was made about that Time) wherein he bequeathed the Sum of Eight thousand Marks, *Scotish Money*,

ney, towards founding a College in *Edinburgh* for the Education of Youth; but the Money being in the Hands of *Walter*, Abbot of *Kinlofs*, and others who were unwilling to part with the same, the Provost, two of the Bailiffs, and divers of the principal Citizens of *Edinburgh* gave an Obligation to the Privy Council to compel the said Abbot and others to pay the Money. Now, as this Transaction, to which the College of *Edinburgh* owes its Origin, is scarce known to any, I shall, for the Information of the Reader, subjoin the Act of common Council concerning the same; which please to take as follows.

1582.
Coun. Regist.
vol. VI. f. 188.

' The same Day, in Presence of the fore-
' said Provost, Bailies and Counsale, and
' the Deykins of Craftis underwritin, viz.
' *Adame Newtown Baxter*; *Gilbert Primrose*,
' Chirurgeone; *William Bickertoun*, Ma-
' son; *William Hoppringill*, Tailzeour; *Wil-*
' *liam Weir*, Cordiner; *Edward Hairt*, Gold-
' smith; *James Ur*, Fleischeour; *Edward*
' *Galbreath*, Skinner; and *Thomas Dickson*,
' Furrier: Comperit *Jhoun Jhonestoun*, Col-
' lectour, and product the Act underwrit-
' tin, desyrand the same to be registrat.
' And the said Provost, Bailies, Counsale,
' and Deykins, to bind and oblis theme and
' thair Successours for the Releif of the Per-
' sonis thairin contenit, in Respect thay haiff
' oblisit themselfs for the Effairs and Com-
' mon-weill of the Town allenarlie; of the
' which Act the Tenor follows.

Apud Castrum de Striveling 11 die mensis Aprilis, anno Domini 1582.

Ibid. f. 189.

' The quhilk Day, in Presence of the
' Lords of Secret Counsale, *Alexander Clerk*
' of *Balburnie*, Provost of *Edinburgh*, *Robert Kar*, younger, and *Henry Chairters*,
' twa of the Bailies of the samyn; Master
' *Jhoun Prestoun* of *Elphinstoun*, *James Adam-*
' *soun*, *Alexander Uddert*, *Jhoun Jhonestoun*,
' Brother-german to *Edward Jhonestoun* of
' *Elphinstoun*, *Jhoun Robertson*, and *Michael Gilbert*, Burgeses of the said Burgh,
' become actit and oblisit, conjunctlie and
' severallie, that the saids Provost, Bailies,
' Counsale, and Communitie, fall persew
' and do thair utter and exact Dilligence for
' the Recoverie of the Soume of Aucht
' thousand Merks, fra *Walter*, Abbot of
' *Kinlofs*, and utheris addetit in Payment
' thair of, quhilk umquhile *Robert*, Bishop
' of *Orkney*, in his Testament and latter
' Will, left for founding of ane Colledge
' within the Burgh of *Edinburgh*, for Exer-
' ceis of Learning thairinto; and the samyn
' being recoverit be thame, according to the
' Power to be given to thame be the King's
' Majestie, with the Advice of the Lords of
' Secret Counsale, that thay fall bestowe the
' samyn to the Use above mentionate, ac-
' cording to the Will of the Deid, within the
' Spaiice of ane Zeir nixt thairefter but long-

er Delay. Subscribed by *Alexander Clerk*,
' Provost, *Robert Kar* and *Henry Chairters*,
' Bailies; and the rest above named.

' Quhilk Act being read, the said Pro-
' vost, Bailies, Counsale and Deykins,
' thought the Desyre of the said *Jhoun* maist
' resonabill; and thairfor binds and oblis
' themselfs and thair Successours, Provost,
' Bailies, Counsale, and Deykins of Craftis,
' to wareand, releifs, and keip skaythlefs
' the said Cautioners of the said Act, haill
' Contents thair of, and all that may follow
' thair upon, at all Hands quhome it effeirs;
' and the said Provost, Bailies, Counsale,
' and Deykins wer content and consentit,
' that the said *Michael Gilbert* wer at the Im-
' ployment of the said Mony, and resaving
' thair of; and failzeing thair of, ane uther
' Persone to be nominat and chosen be the
' Craftis, and his Avyfs to be had thairintill.

Although the *Edinburghers* did not re-
ceive the Bishop of *Orkney's* Legacy till the
Year 1582, yet believing, it seems, to have
received it soon after his Demise, they pur-
chased in the Year 1563, of one *Pennycuik*,
the last Provost of the Collegiate Church of
the Kirk of *Field*, the Precinct of the said
Church, for the Sum of One thousand
Pounds *Scotish* Money, for a Site to their in-
tended College, and made divers Attempts
to begin the Work; the first whereof was
in the Year 1578, but meeting with a strong
Opposition from the Archbishop of *St. An-*
drew's, and the Bishop of *Aberdeen* (from an
imagined Injury their respective Colleges
might receive from such an Erection) were
forced to desist till a more favourable Op-
portunity, which soon after happened; and
in the mean time erected their Grammar
or High-school, to educate their Sons in.

But, in the Year 1581, the Church Hi-
erarchy in *Scotland* having lost its Power, a
Grant was passed for erecting the designed
College; but there being, it seems, an In-
cumbrance on the aforesaid Kirk of *Field*,
the Citizens bought of *John Gib*, and *John*
Fenton their Right to the same for the Sum
of Three hundred Marks of the said Money.

Before I proceed in the Account of the
College, I think it will not be amiss to pre-
mise a few Things concerning the Collegi-
ate Church of the Kirk of *Field*, on the Site
whereof the present College is situated.

This Collegiate Church was antiently de-
nominated *Templum et Praefectura sanctae*
Mariae in campis, that is, *The Church and*
District of the Holy Mary in the Field. But
at what Time, or by whom the said Church
was founded, I cannot learn; however, it Rec. in Arch.
must have been erected before the Year *Edin.*
1516; for by the Town's Records it ap-
pears, that *Matthew Ker* was then Provost
of it.

The Precinct of this Church consisted of
two Divisions, separated by *Raplaw's*
Wynd, which led from the *Cowgate* along
where

Coun. Regist.
vol. VI. f. 128.

where the College-hall is at present situated; thence winding Westward, ended near the *Potterrow* Port, at the Place where the Western Gate of the College stands. On the Southern and Eastern Sides of the said Wynd, were situated the Church, Houses and Gardens belonging to the Provost and Canons; and on the Northern Side stood the spacious Building, wherein at present are the Schools of the private Classes. This Edifice for some time appertained to the Earl of *Arran*, which, on the Forfeiture of that Family, was granted to certain Courtiers, who disposed of it to the *Edinburghers*, as hereafter will appear.

Append. Keith
Hist. p. 257.

This Collegiate Church, which was in the Gift of the Archbishop of *St. Andrew's*, consisted of a Provost and ten Prebendaries, whose Revenues (if *Keith* may be believed) amounted only to the Sum of Sixteen Pounds *Scotish Money per annum*! This doubtless must be a Mistake; for how could so numerous a Family have subsisted on so piteous an Income?

Where the Principal of the College's House is situated, stood that of the Provost of the *Kirk of Field*, which was blown up by Gun-powder in the Year 1567, to screen the Murder of that unhappy Prince, *Henry*, Husband to *Mary Queen of Scotland*, who was cruelly murdered by the execrable Earl of *Bothwell*, who was soon after married to the said *Mary*, to her eternal Reproach; which has given Reason to many to suspect her as a Confederate in the said shocking and detestable Murder. But not being in this Place to act the Biographer, shall leave the Disquisition of that Affair to those whose Province it is.

The Provostry of the *Kirk of Field*, together with the Monasteries of the *Black* and *Gray-friars*, standing without the Wall of *Edinburgh*, were greatly exposed to the Depredations of Enemies; wherefore it was judged necessary to extend the Town-wall round the same, for their better Security; which being accordingly performed, the City on that Side is considerably enlarged, and the Number of Buildings on new Foundations greatly augmented.

Though the *Edinburghers*, as already hinted, did not receive the Bishop of *Orkney's* Bequest till the Year 1582; yet they purchased a Site for their intended College, and began the Work *anno* 1581, and prosecuted the same with so much Industry and Application, as gave Pleasure to all. Now the Bishop aforesaid having laid the Foundation for this College; and *Queen Mary*, by her Charter in the Year 1566, having given many of the Church-lands for Incouragement of Learning, and Support of the Poor, King *James VI.* her Son not only confirmed her said Charter, but, by an additional Grant, empowered the *Edinburghers* to build a College, as will appear by his fol-

lowing Charter of Confirmation and new Grants; which is as follows.

King James VI.'s Charter of Erection and Confirmation.

‘*Jacobus, Dei gratia, Rex Scotorum,* Collect. Cart.
in Arch. Edin.
‘*omnibus probis hominibus totius terræ*
‘*suæ clericis et laicis, salutem:*

‘*Sciatis, nos cum avifamento domino-*
‘*rum nostri secreti consilii, quandam char-*
‘*tam et infeofamentum per nostram charif-*
‘*simam matrem, pro tempore regni nostri*
‘*reginam, post suam perfectam ætatem,*
‘*cum avifamento et consensu dominorum*
‘*ejus secreti consilii, factum, datum et con-*
‘*cessum dilectis nostris præposito, balli-*
‘*vis, consulis et communitati burgi no-*
‘*stri de Edinburgh, et eorum successori-*
‘*bus, super donatione, dispositione et con-*
‘*fimatione, omnium et singularum terra-*
‘*rum, tenementorum, domorum, ædifici-*
‘*orum, ecclesiarum, capellaniarum, horto-*
‘*rum, pomeriorum, crostarum, annuo-*
‘*rum reddituum, fructuum, donorum,*
‘*proficuum, emolumentorum, firmarum,*
‘*elemosinarum, le Daill-silver, obituum et*
‘*anniversariorum quorumcunque quoquo-*
‘*vismodo pertinuerunt, aut pertinere denof-*
‘*cuntur, ad quasunque capellanas, altar-*
‘*agia, prebendas, in quacunque ecclesia;*
‘*capella aut collegio infra libertatem dicti*
‘*burgi nostri de Edinburgh, fundata seu*
‘*fundanda per quemcunque patronum, in*
‘*quorum possessione capellani et prebenda-*
‘*rii earundem perprius fuerant; ubicunque*
‘*præfatæ domus, tenementa, ædificia,*
‘*pomoeria, horti, annui redditus, anniver-*
‘*saria, fructus, proventus et emolumenta*
‘*jacent, aut prius levata fuerunt respective;*
‘*cum manoribus, locis, hortis, pomariis,*
‘*terris, annuis redditibus, emolumentis et*
‘*devoriis quibuscunque, quæ fratribus Do-*
‘*minicalibus, seu prædicatoribus et mino-*
‘*ribus, seu Franciscanis dicti burgi nostri*
‘*de Edinburgh perprius pertinuerunt.*

‘*Una cum omnibus et singulis terris, do-*
‘*mibus, tenementis et hortis jacentibus in-*
‘*fra dictum nostrum burgum et libertatem*
‘*ejusdem: cum omnibus annuis redditibus*
‘*de quacunque domo, terris aut tenementis*
‘*infra dictum nostrum burgum, levandis*
‘*quibuscunque capellaniis, altaragiis, eccle-*
‘*siis, mortuariis aut anniversariis, ubicun-*
‘*que sunt infra regnum nostrum Scotiæ,*
‘*donatis, dotatis et fundatis. Ac etiam*
‘*cum omnibus et singulis annuis redditibus*
‘*et aliis devoriis solitis, aut quæ per*
‘*quancunque ecclesiam extra dictum no-*
‘*strum burgum, a præposito aut ballivis*
‘*ejusdem de communi redditu ejusdem pro*
‘*suffragiis celebrandis,*

‘*cum pertinentiis: ac de omnibus aliis pri-*
‘*vilegiis, libertatibus et facultatibus in char-*
‘*ta et infeofamento, donatione et disposi-*
‘*tione prædictis, desuper concessis ad lon-*
‘*gum specificatis et contentis; tenendis de*

X x x x

dicta

dicta charissima nostra matre et successoribus suis, de mandato nostro visam, lectam, inspectam et diligenter examinatam, sanam, integram, non rasm, non cancellatam, nec in aliqua sui parte suspectam, ad plenam intellexisse, sub hac forma.

Maria, Dei gratia, regina Scotorum, omnibus probis hominibus totius terrae suae, clericis et laicis, salutem.

Sciatis, quia nos impensum munus nostrum erga Divinum Spiritum perpendentes, et pro ardenti zelo, quem ob inter tenendam politiam et aequabilem ordinem inter subditos nostros, praecipue vero infra burgum nostrum de Edinburgh praeservandam habemus. Considerantes itaque, nos ex officio teneri, munus erga Deum complecti debere, cujus providentia reginam hujus regni promovimus, sic quae ex officio incumbere, omni honesto modo pro ministris verbi Dei providere; et ut hospitalia pauperibus mutilatis et miseris personis, orphanis et parentibus, destitutis infantibus, infra dictum nostrum burgum praeserventur. Post nostram perfectam aetatem, cum avisamento domorum secreti concilii nostri, dedimus, concessimus, disposuimus, ac pro nobis et successoribus nostris, pro perpetuo confirmamus, praedilectis nostris praeposito, ballivis, consulibus, et communitati dicti nostri burgi de Edinburgh, et ipsorum successoribus in perpetuum, omnes et singulas terras, tenementa, domos, aedificia, ecclesias, capellas, hortos, pomoria, croftas, annuos redditus, fructus, devoria, proficua, emolumenta, firmas, eleemosinas, le daill-silver, obitus et anniversaria quaecunque, quae quovis modo pertinerunt, aut pertinere denoscuntur, ad quaecunque capellanas, altaragia, prebendarias, in quacunque ecclesia, capella aut collegio infra libertatem dicti nostri burgi de Edinburgh, fundata seu fundanda per quemcunque patronum, in quarum possessione, capellani aut prebendarii earundem perprius fuerant, ubicunque praefatae domus, tenementa, aedificia, pomoria, horti, annui redditus, anniversaria, fructus, proventus et emolumenta jacent, aut prius levata fuerunt respective: cum maneriis, locis, pomoriis, terris, annuis redditibus, emolumentis et devoriis quibuscunque, quae fratribus Dominicalibus, seu praedicatoribus et minoribus, seu Franciscanis dicti nostri burgi de Edinburgh, perprius pertinerunt; una cum omnibus et singulis terris, domibus, tenementisque jacentibus infra dictum nostrum burgum et libertatem ejusdem; cum omnibus annuis redditibus, de quacunque domo, terris aut tenementis infra dictum nostrum burgum levandis, datis, fundatis et donatis quibuscunque capellanis, ecclesiis, mortuariis aut anniversariis, ubicunque sunt infra regnum nostrum. Ac etiam, cum

omnibus et singulis annuis redditibus, et aliis devoriis solitis, aut quae per quaecunque ecclesiam extra dictum nostrum burgum, a praeposito, aut ballivis ejusdem, de communi redditu ejusdem, pro suffragiis celebrandis demandari poterit cum pertinentiis.

Tenendas et habendas omnes et singulas praefatas terras, tenementa, domos, aedificia, pomoria, hortos, croftas, annuos redditus, fructus, devoria, proficua, emolumenta, firmas, eleemosinas, obitus, anniversaria, ecclesias, capellas, fratrum loca, hortos, cum pertinentiis praefatis praeposito, ballivis, consulibus et communitati, et eorum successoribus, de nobis et successoribus nostris, in perpetuum, prout eadem jacent in longitudine et latitudine in domibus, aedificiis, muris, murenis, lignis, lapide et calce, cum libero introitu et exitu, &c. ac cum omnibus aliis et singulis libertatibus, commoditatibus, proficuis et asiammentis, ac iustis suis pertinentiis quibuscunque; tam non nominatis quam nominatis; tam sub terra quam supra terram, ad praedictas terras, tenementa, domos, aedificia, pomoria, hortos, croftas, annuos redditus, fructus, devoria, et alia praescripta, cum pertinentiis spectantibus, seu iuste spectare valentibus, quomodo libet in futurum, libere, quiete, plenarie, integre, honorifice, bene et in pace, absque revocatione aut contradictione quacunque, cum potestate memoratis praeposito, ballivis, consulibus et communitati, et ipsorum successoribus, per seipsos et ipsorum collectores, quos constituent praefatos annuos redditus, fructus, devoria, proficua, emolumenta quaecunque levandi et recipiendi, ubicunque perprius levata fuerunt, praefati terras et tenementa locandi et removendi, loca diruta extruendi et reparandi, eademque in hospitalia, aut alios similes usus legitimos, prout ipsis, cum avisamento ministrorum et seniorum dicti nostri burgi videbitur, reducendi et applicandi, adeo liberi in omnibus, sicuti praefati prebendarii, capellani et fratres praescripti eisdem perprius gaudere, easdemque possidere potuissent: memorati autem praepositi, ballivi, consules et eorum successores tenentur ac restricti erunt, ministros, lectores, et alia ecclesiastica onera, praefatis annuis redditibus, proficuis et devoriis, secundum valorem et quantitatem eorundem sustinere, loca et aedificia reparanda in hospitalitatem et alios usus praescriptos applicare.

Considerantes itaque quanta fraude, ingens numerus dictorum prebendariorum, capellanorum et fratrum praescriptorum, qui post altercationem religionis, terras, annuos redditus et emolumenta ipsorum capellanis, prebendis et aliis locis respective perprius mortificata, disposuerunt, alienarunt,

narunt, et in manibus quorundam particularium virorum extradonarunt: ac etiamque legii nostri quarundam terrarum, tenementorum et annuorum reddituum, per ipsorum prædecessores mortificatorum, jus sibi acclamarunt, per brevia capellæ nostræ, aut alias sasinam, tanquam hæredes suorum prædecessorum (qui easdem ecclesiæ perprieus dotarunt) recuperarunt, quod evenit, partim negligentia officiariorum dicti burgi nostri, et partim collusione dictorum prebendariorum, capellanos fratrumque præscriptorum. Quocirca, cum avisamento præscripto, omnes et singulas hujusmodi alienationes, dispositiones et sasinas, quibus primum propositum et animi fundatorum infringitur, alteratur et variatur, deducendo easdem in particulares usus, ad effectum quo easdem in usus superscriptos converti poterint, per præfatos rescindimus et annullamus, quamquidam hanc nostram declarationem volumus tanti esse roboris et efficacitæ, ac si personæ quod easdem dispositiones obtinuerunt, particulariter citatæ essent, ipsorumque infeofamenta absque ulteriori processu rescinderentur.

Ac etiam, cum avisamento præscripto, unum et incorporamus, omnes et singulas terras, tenementa, domus, ædificia, ecclesias, cæmeteria, capellas, pomæria, hortos, croftas, annuos redditus, fructus, devoria, proficua, emolumenta, firmas, eleemosinas, obitus, anniversaria, fratrum et loca eorundem, cum suis pertinentiis, in unum corpus in posterum, appellandum, *Fundatio nostri ministerii et hospitalitatis de Edinburgb.*

Volumus etiam, quod unica sasina per præfatos præpositum, et ballivos aut ipsorum aliquem dicti ministerii, et hospitalitatis nomine, apud prætorium dicti nostri burgi, semel accepta, tam sufficiens erit sasina perpetuo in futurum, ac si eadem super particulares terras, ad dictos capellanos, prebendarios, fratres pertinentes, aut ipsos in præfatos annuos redditus, anniversaria, firmas, proficua et devoria præscripta debitas fumeretur, non obstante locorum distantia. Præterea, per præfatos, nolumus capellanos, prebendarios et fratres (qui ante dictam alterationem proviso erant) per hoc præfens nostrum infeofamentum præjudicare; sed reservamus illis usum dictorum fructuum et devoriarum durante eorum vita tantum. Præcipiendo itaque nostrorum, computorum rotulatores presentibus et futuris, ipsorum collectoribus, factoribus et aliis quorum interest, in genere nec non in specie, quod neque eorum recipere aut levare præsumat dictos fructus particulariter superscriptos, pro quovis tempore præterito seu futuro, nec impediatur aut impedimentum ullum faciant, memoratis præposito, ballivis, consulibus, communitati et eorum succes-

soribus in pacifica possessione earundem; requirendo et ordinando etiam dominos sessionis nostræ, quatenus literas in omnibus quatuor formis ad instantiam dictorum præpositi, ballivorum, consulum, communitatis, et ipsorum successorum ad effectum subscriptum dirigant. Nec non præcipiendo quibuscunque intromissoribus cum dictis fructibus quatenus ipsis de eisdem, promptè intendant, pareant et gratiam solutionem faciant.

In cujus rei testimonium huic præfenti cartæ nostri magnum sigillum nostrum apponi præcipimus, testibus reverendissimo in Christo patre, Joanne, archiepiscopo, Sancti Andree, et dilectis nostris consanguineis, Georgio, comite de Huntley, domino Gordoun et Badenoch, cancellario nostro; Jacobo, comite de Bothwell, domino Haillis, Creichtoun, et Liddisdale, regni nostri magno admirallo; dilectis nostris familiaribus conciliariis; Richardo Maitland de Lethingtoun, nostri secreti sigilli custos; Jacobo Ballour de Pittindrie, nostrorum rotulorum registri ac consilii clerico; et Johanne Balladine de Auchnoule, nostræ justiciariæ clerico, equitibus auratis. Apud Edinburgb, decimo tertio die mensis Martii, anno Domini, millesimo, quingentesimo, sexagesimo sexto, et regni nostri, vigesimo quinto.

Quamquidem cartam et infeofamentum in omnibus suis punctis et articulis, conditionibus et modis, ac circumstantiis suis quibuscunque, in omnibus et per omnia forma pariter et effectu ut præmissum est, approbamus, ratificamus, ac pro nobis et successoribus nostris pro perpetuo confirmamus.

Insuper, nos cum avisamento prædicto pro diversis rationalibus, causis bonis et considerationibus, nos moventibus; de novo, tenore præsentium damus, concedimus et disponimus præfato præposito, ballivis, consulibus, et communitati dicti burgi nostri de Edinburgb, et eorum successoribus, omnes et singulas prænominatas terras, tenementa, domus, ædificia, annuos redditus, capellas, loco, hortos, pomæria, croftas, census, firmas, proficua, et emolumenta, et alia respectivè; et particulariter superius specificata per ipsos in perpetuum applicanda in sustentationem ministerii, pauperum auxilium, reparationem scholarum, propagationem literarum et scientiarum pro eorum et successorum suorum arbitrio, uti eis magis utile videbitur. Quibus etiam pro nobis et successoribus nostris, plenariam ac liberam committimus potestatem quoscunque alios annuos redditus, annua proficua quæcunque, tam extra quam intra dictum nostrum burgum, quæ in posterum per quoscunque bono zelo, ac libertate sua motos, ad allia-

mentum ministrorum evangelii, auxilium pauperum,

pauperum, ac sustentationem gymnasio-
rum, pro instaurandis scientiis et doctrina do-
nari et dotari contingerent acceptandi; quas
etiam terras, annuos redditus et proficua su-
pra scripta, per prius donata et fundata,
et in posterum donanda et fundanda ut pro-
missum est. Nos pro nobis et successoribus
nostris nunc prout extant, et tunc
prout exinde confirmamus, ratificamus, et
admortizamus, et easdem adeo libere mortifi-
camus, sicuti aliquæ terræ, redditus,
tenementa et possessiones ecclesiæ ullo tem-
pore præcedenti mortificatæ fuerunt.

Præterea, nos pro nobis et successoribus
nostris, ratificamus, approbamus, et
confirmamus renunciationem et dimissionem
per familiarem servitorem nostrum,
Joannem Gib, factam de omnibus jure ac
titulo quæ ipse virtute nostræ donationis
prætereundum posuit, ad præposituram ec-
clesiæ beatæ Mariæ de campis (vulgo *the
Kirk of Field*) cum fructibus, terris, posses-
sionibus, redditibus et devoriis ejusdem,
præteritis, præsentibus et futuris in favo-
rem dicti præpositi, ballivorum, consulum,
et communitatis, pro seipsis et eorum suc-
cessoribus, ac nomine et ex parte mini-
sterii et pauperum, ac privilegia et liberta-
tem dicti nostri burgi nunc diversa extant,
vasta et spatiosa loca quæ præposito, pre-
bendariis, sacerdotibus et fratribus tempore
præterito pertinuerunt, maxime apta et
commoda pro constructione domorum et
ædificiorum ubi professores bonarum scien-
tiarum et literarum ac studentes earundem
remanere et suam diuturnam exercitatio-
nem habere poterint; ultra et præter alia
loca convenientia pro hospitalitate.

Ideo, nos enixe cupientes, ut in hono-
rem Dei et commune bonum nostri regni,
literatura indies augeatur; volumus et con-
cedimus, quod licebit præfatis præposito,
consulibus et eorum successoribus, ædifi-
care et reparare sufficientes domos et loca
pro receptione, habitatione et tractatione
professorum, scholarum grammaticalium,
humanitatis et linguarum, philosophiæ,
theologiæ, medicinæ, et juris, aut qua-
rumcunque aliarum scientiarum liberali-
um, quod declaramus nullam fore rapturam
prædictæ mortificationis; ac etiam
præfati præpositus, ballivi et consules ac
eorum successores, cum avifamento, tamen
eorum ministrorum pro perpetuo in poste-
rum plenam habeant libertatem, personas
ad dictas professiones edocendas, maxime
idoneas uti magis convenienter poterint e-
legendi cum potestate imponendi et re-
movendi ipsos sicuti expediverit. Ac in-
hibendo omnibus aliis, ne dictas scientias
intra dicti nostri burgi libertatem profite-
antur aut doceant, nisi per præfatos præ-
positum, ballivos et consules, eorumque
successores admissi fuerunt. Proviso, quod
præsentis nulla tenus præjudicabunt nec
actoribus nec reis, nec aliis interesse haben-

tibus in ejectione et causa profecuta penes
decimas garbales de Dunibernie, Potrie et
Moncrief, ad capellanos ecclesiæ beatæ
Ægidæ de Edinburgh pertinentes; neque
juri patronatus ejusdem; sed quod utrif-
que parti, et omnibus interesse habentibus
usque ad finalem exitum et decissionem in
hujusmodi, ut congruit proficui et de-
fendere liceat, præsentibus aut quibuscun-
que in eisdem contentis non obstantibus.
Proviso etiam, quod ministri deservien-
tes apud dictas ecclesias pro præsentibus et in
futurum sustinebuntur de promptioribus
fructibus earundem, secundum ordinem
desuper sumptum seu sumendum.

In cujus rei testimonium, huic præsentibus
chartæ nostræ confirmationis magnum
sigillum nostrum apponi præcipimus, tes-
tibus prædilectis nostris consanguineis et
consiliariis, Esino, Lenociæ duce, comite
de Dernelie, domino Fairboltoun, Dal-
keith et Aubigny, &c. magno regni no-
stri camerario; Colino Argatheliæ comi-
te, domino Campbel et Lorne, &c. can-
cellario ac justiciario nostro generali; re-
verendissimis et venerabilibus in Christo
patribus, Patricio, Sancti Andreæ archi-
episcopo; Roberto, commendatorio mo-
nasterii nostri de Dunfermling, nostro se-
cretario; dilectis nostris familiaribus et
consiliariis, Alexandro Hay, nostrorum
rotulorum registri ac consilii clerico; Lu-
dovico Ballenden de Auchnoulle, milite,
nostræ justiciariæ clerico; Roberto Scot,
nostræ cancellariæ directore; et magistro
Thoma Buquhanan de Ybert, nostri se-
creti sigilli custode. Apud castrum no-
strum de Striviling, decimo quarto die
mensis Aprilis, anno Domini, millesimo
quingentesimo octuagesimo secundo; reg-
ni nostri anno decimo quinto.

*The above Charter is rendered into English,
as follows.*

James, by the Grace of God, King of
Scots, to all our faithful Subjects, both
Clergy and Laity, greeting: Know ye,
that We, by the Advice of the Lords of
our Privy Council, taking into Considera-
tion, that our late dear Mother the Queen,
after her Majority or full Age, by the
Advice and Consent of the Lords of her
Privy Council, by her Charter, gave and
granted to our beloved, the Provost, Bai-
liffs, Council, and Community of our
Town of *Edinburgh*, and their Successors,
by Gift, Disposition and Confirmation,
all and singular the Lands, Tenements,
Houses, Buildings, Churches, Chapels,
Gardens, Orchards, Crofts, Annualrents,
Fruits, Gifts, Profits, Emoluments, Farms,
Alms, Deal-silver, Obits and Anniver-
saries, which belonged to whatever Cha-
pels, Altarages, and Prebendaries, in
whatsoever Churches, Chapels, or Colle-
ges within the Liberty of our said Town

of *Edinburgh*, founded by whatever Patron in whose Possession the said Chapelries or Prebendaries at first were; where-ever the aforesaid Houses, Tenements, Buildings, Orchards, Gardens, Annualrents, Anniversaries, Fruits, Profits, and Emoluments, lie, or were at first severally raised; together with all the Manors, Places, Gardens, Lands, Annualrents, Duties and Emoluments that belonged to the *Black* and *Gray Friars*, within our said Town of *Edinburgh*: Together with all and singular the Lands, Houses, Tenements, and Gardens lying within our said Town and Liberties thereof; with the yearly Rents of all the Houses, Lands, and Tenements, within our said Town, arising from the several Chapelries, Altarages, Churches, Mortuaries or Anniversaries, given, founded, and endowed, where-ever they are or lie within our Kingdom of *Scotland*. And also, all and singular, the accustomed Duties and yearly Rents of whatever Church without our said Town, to the Provost and Bailiffs of the same, for Solemnization of their Elections; with their Appurtenancies. And of all other Privileges, Liberties, and Faculties, given, granted, and disposed, as aforesaid, more fully contained, and at length specified in the said Charter of Infeoffment, to be held of our said late dear Mother and her Successors; which, by our Command, being seen, inspected, read, and carefully examined, is full, intire, not razed or cancelled, fully understood, in no manner of Way suspected, and in the following Form.

Mary, by the Grace of God, Queen of *Scots*, to all her faithful Subjects, both Clergy and Laity, greeting: Know ye, that by the Impulse of the Holy Spirit, and our great Zeal to promote Policy and good Order amongst our Subjects, especially within our Town of *Edinburgh*; and considering, that by Divine Providence, We are become Queen, and advanced to the Government of this Kingdom. We think it incumbent on us, by our Office, to provide for the Maintenance of the Ministers of God's Word, and Hospitals, for the Reception and Intertainment of poor, miserable, lame Persons, and Preservation of distressed Infants, deprived of their Parents.

We, now, after our Majority or full Age, by the Advice of the Lords of our Privy Council, give, grant, and dispone, and, for us and our Successors, perpetually confirm to our beloved, the Provost, Bailiffs, Council, and Community of our said Town of *Edinburgh*, and their Successors for ever, all and singular the Lands, Tenements, Houses, Buildings, Churches, Chapels, Gardens, Orchards, Crofts, Annualrents, Fruits, Duties, Profits, Emoluments, Farms, Alms, Deal-silver, Obits,

and Anniversaries, which belonged to whatever Chapelries, Altarages and Prebendaries, in whatsoever Churches, Chapels, or Colleges, within the Liberty of our said Town of *Edinburgh*, founded by whatever Patron, in whose Possession the said Chapelries or Prebendaries at first were; and where-ever the aforesaid Houses, Tenements, Buildings, Orchards, Gardens, Annualrents, Anniversaries, Fruits, Profits and Emoluments, lie or were at first severally raised: Together with all the Manors, Places, Orchards, Lands, Annualrents, Emoluments, and Duties whatsoever, that belonged to the *Black* and *Gray Friars* within our Town of *Edinburgh*; with all and sundry, the Lands, Houses, and Tenements lying in our said Town and Liberties thereof; with the yearly Rents of all the Houses, Lands, and Tenements within our said Town, arising from the several Gifts and Benefactions given to the respective Chapelries, Churches, Mortuaries or Anniversaries, where-ever the same lie within our Kingdom. And all and singular the customary Duties and Annualrents, with their Appurtenancies, of whatever Church without our said Town, to the Provost and Bailiffs of the same for the Solemnization of their Elections according to their Desire.

To have and to hold all and singular the aforesaid Lands, Tenements, Houses, Buildings, Orchards, Gardens, Crofts, yearly Rents, Fruits, Duties, Profits, Emoluments, Farms, Alms, Obits and Anniversaries, Churches, Chapels, Fraternities, Places and Gardens, with their Appurtenancies, by the aforesaid Provost, Bailiffs, Council, and Community, and their Successors, of us and our Successors for ever; as the same lie in Length and Breadth, in Houses, Buildings, Walls, Fences, Wood, Stones, and Lime, with free Egress and Regress, with all and singular the Liberties, Commodities, Profits, and Conveniencies, with their Appurtenancies, as well not named as named, as well under as above the Ground, relating to the aforesaid Lands, Tenements, Houses, Buildings, Orchards, Gardens Crofts, Annualrents, Fruits, Duties, and other Things above specified, with their Appurtenancies, to be enjoyed and held by them in Time coming, freely, quietly, wholly, honourably, well, and in Peace; without Revocation or Contradiction whatsoever; with Power to the above mentioned Provost, Bailiffs, Council, and Community, and their Successors, either by themselves or the Collectors appointed by them to collect and receive the aforesaid yearly Rents, Fruits, Duties, Profits and Emoluments whatever, in all Places where they were paid and received formerly. And the aforesaid Lands and Tenements, to take

Y y y

down,

down, remove, and convert the same into Hospitals, and the like lawful Uses, as they, with Advice of the Ministers and Elders of our said Town shall judge convenient; and freely to use and apply as much of the said Revenues as the Prebendaries, Chaplains, and Brethren aforesaid did enjoy and possess; the said Provost, Bailiffs, Council and their Successors being obliged to defray the Expence of the Ministers, Lecturers and other Ecclesiastical Burdens; and to erect Hospitals and other Buildings as aforesaid, according to the yearly Amount of the said Annualrents, Profits, and Duties.

And considering the great and numerous Frauds committed by the Prebendaries, Chaplains and Brethren aforesaid, who, since the Reformation of Religion, alienated and disposed of the Lands, Revenues, and Profits arising from their respective Prebends and Chapelries, now in Possession of particular Persons: Yet, considering that the said Lands, Revenues, and Profits were given for their Support, they by our Laws justly belonged to them: And being, as it were, Heirs to their Predecessors who indowed their respective Offices, by Breves and other Safines, indebted to recover the same, though they were disposed of by Collusion, and their own Wickedness; to which the Indolence and Negligence of the Officers of our said Town, contributed not a little.

Wherefore We, with the Advice aforesaid, by these Presents, annul and repeal the several Alienations, Dispositions and Safines above mentioned, which, contrary to the Minds and Meaning of the Founders, are calculated to mislead Men into particular Customs, to the End that the same may be converted to the Uses aforesaid; and by this our Declaration, We will, that, without further Process, so much of the same shall effectually be revoked, as if the Persons who obtained the said Dispositions, were with their Infeoffments particularly cited to appear.

And also, We, with the Advice aforesaid, unite and incorporate all and singular the Lands, Tenements, Houses, Buildings, Churches, Cemeteries, Chapels, Orchards, Gardens, Crofts, Annualrents, Fruits, Duties, Profits, Emoluments, Farms, Alms, Obits, Anniversaries, Fraternities and Places, with their Appurtenancies, into one Body, to be called the Foundation of our Ministers and Hospitality of *Edinburgh*.

And We will, that a Safine be taken at the Town Hall of our said Town, by the Provost and Bailiffs, or by some of the said Ministry and Hospitality, which being once accepted, shall serve as a sufficient Safine for ever, as if the same had been taken on the proper Lands of the said Chaplains, Prebendaries, and Brethren, or

in those of the aforesaid Annualrents, Anniversaries, Farms, Profits and Duties, notwithstanding of their Discontiguity. Moreover, by these Presents We will, that the said Chaplains, Prebendaries, and Brethren, who, before the Change of Religion aforesaid were provided for, that they shall not be prejudiced or hurt by this our present Infeoffment, but shall have reserved to them the Use of the said Fruits during their respective Lives. And, for the better preventing Mistakes, We will and command, that neither the Clerk of our Rolls, his Collectors, Agents, or others concerned in the Premises, do at any Time presume to receive any Part of the above mentioned Fruits or Revenues, nor impede or obstruct any Person in collecting the same for the Use of the said Provost, Bailiffs, Council, and Community, and their Successors, or molest them in the peaceable Possession thereof; hereby requiring and ordaining the Lords of our Court of Session, at the Instance of the said Provost, Bailiffs, Council and Community, to issue their Letters in all the four Forms to the End aforesaid; and that all Persons concerned in the said Fruits, readily appear and make thankful Payment.

In Testimony whereof, We have to this our present Charter put our Great Seal, in Presence of these Witnesses, the most Reverend Father in Christ, *John*, Archbishop of *St. Andrew's*, our well-beloved Cousin; *George*, Earl of *Huntley*, Lord *Gordoun* and *Badenoch*, our Chancellor; *James*, Earl of *Bothwell*, Lord *Haiills*, *Creichton*, and *Liddisdale*, High Admiral of our Kingdom; our familiar and well-beloved Counsellors, *Richard Maitland* of *Litbington*, Keeper of our Privy Seal, *James Balfour* of *Pittindriach*, Register of our Rolls, and Clerk of our Council; and *John Balladine* of *Auchinoule*, our Justice Clerk, Knights. Given at *Edinburgh*, the thirteenth Day of the Month of *March*, in the Year of our Lord, One thousand five hundred and sixty six, and of our Reign the twenty fifth; which Charter and Infeoffment We approve and ratify, and for us and our Successors perpetually confirm in all its Points, Articles, Conditions, Modes and Circumstances, and in all the Forms, Propositions, and Effects, according to the Premises.

Moreover, We, with the Advice aforesaid, and for divers good reasonable Causes and Considerations us thereunto moving, of new, by the Tenor of these Presents, give, grant, and dispose to the aforesaid Provost, Bailiffs, Council, and Community of our said Town of *Edinburgh*, and their Successors, all and singular the above named Lands, Tenements, Houses, Buildings, yearly Rents, Chapels, Places, Gardens, Orchards, Crofts, Taxes, Farms, Profits and Emoluments, and other

ther Things particularly above mentioned, to be for ever applied in Support of the Ministry, Help of the Poor, and towards building and repairing Houses for the Propagation of Letters and Sciences by the Arbitrage of them and their Successors, as shall be judged most useful.

We also, for us and our Successors, give free and full Power to all Persons who hereafter may, out of their great Zeal, be disposed to give yearly Profits and Rents, either within or without our said Town, towards the Maintenance of the Ministers of the Gospel, Help of the Poor, and Support of Schools and Colleges, for teaching and Propagation of Letters and Sciences as aforesaid; which Lands, Profits, and Rents, at first given, or hereafter may be given towards founding and endowing the Premises. We for us and our Successors, now and for ever, confirm and ratify, and the same as freely mortify, as ever any other Lands, Rents, Tenements and Possessions were at any Time heretofore mortified or given in Perpetuity to the Church.

Beside, We, for us and our Successors, approve, ratify and confirm the Demission and Renunciation made by our trusty Servant, *John Gib*, of all Right and Title, which he, by virtue of our Gift, may or can pretend to have to the Provostry and Church of *Beatae Mariae in campis* (vulgarly the *Kirk of Field*) and to the Lands, Fruits, Duties, Possessions and Revenues thereof, past, present, and to come, in favour of the said Provost, Bailiffs, Council and Community, and their Successors, and in Name and Behalf of the said Ministry and Poor: Together with all the Privileges and Liberties our said Town has to that void and spacious Place, which of late belonged to the Provost, Prebendaries, Priests and Brethren (of the said Provostry); which Place being very fit and commodious for the Construction of Houses and Buildings for the Reception and Accommodation of Professors of good Literature and Sciences, and Students thereof, to have their Exercises therein; besides other convenient Places whereon to erect Hospitals: Wherefore, We being earnestly desirous, for the Honour of God, and publick Welfare of our Kingdom, by the Increase and Advancement of Learning, We will and grant, that the aforesaid Provost, Bailiffs, and their Successors, erect and repair Houses and Apartments for the Reception, Habitation and Accommodation of the Professors of Languages, Humanity, Philosophy, Theology, Law and Physick, and other liberal Sciences: And for that End declare, that no Person presume to deprive them of the aforesaid Mortifications.

Also, That the aforesaid Provost, Bailiffs and Council, and their Successors,

shall, with the Advice of the Ministers, in all Times coming, have Liberty to elect fit and able Men to teach the said Professions, with Power to place and remove them, as they shall judge expedient; and to injoin and forbid all other Persons from teaching the said Sciences within our said Town, unless they be admitted by the aforesaid Provost, Bailiffs and Council, and their Successors. Provided always, That these Presents shall be nowise prejudicial or hurtful to the Actors or Persons concerned in the Prosecution of those in Possession of the Tithes of *Dunbernie*, *Pottie* and *Moncrief*, belonging to the Chaplains of *St. Giles's Church* in *Edinburgh*, nor to the Right of Patronage of the same; but all Persons concerned shall remain satisfied with what shall be agreed on by the Prosecutors and Defenders, till a final Decision of the Affair in Controversy, whatever may be contained in the Contents thereof notwithstanding. Provided also, That the Ministers officiating in the said Churches, now and hereafter, shall be sustained by the readiest Produce or Fruits of the same, according to the Order above taken.

In Testimony whereof, We have, to this our present Charter of Confirmation, put our Great Seal, in Presence of these Witnesses, our well-beloved Cousin and Counsellors, *Cosmo Duke of Lenox*, Earl of *Darnly*, Lord *Fairholm*, *Dalkeith* and *Aubigny*, &c. Great Chamberlain of our Kingdom; *Colin Earl of Argyll*, Lord *Campbell* and *Lorne*, &c. our Chancellor and Justiciary General; the most Reverend and Venerable Father in Christ, *Patrick Archbishop of St. Andrew's*; *Robert*, Commendator of our Monastery of *Dunfermline*, our Secretary; our beloved Familiars and Counsellors, *Alexander Hay*, Register of our Rolls and Clerk of Council; *Lewis Balladine of Auchnoulle*, Knight, our Justice-clerk; *Robert Scot*, Director of our Chancery; and Mr. *Thomas Buchanan of Ybert*, Keeper of our Privy Seal. Given at our Castle of *Stirling*, the fourteenth Day of the Month of *April*, in the Year of our Lord, One thousand five hundred and eighty two; and of our Reign the fifteenth.

The building of the College was carried on with great Diligence, till the Month of *June 1583*, when it seems all the Money²⁴

was disbursed; for, on the 28th of the said Month, an Act of Common Council was made for raising the Sum of Three thousand Marks *Scotish Money*, towards paying the Town's Debts, and carrying on the Work of the College; which at this time was so far advanced, that the Citizens engaged *Robert Rollock*, Professor of Humanity in the College of *St. Salvador*, in the University of *St. Andrew's*, to undertake the Charge of

Coun. Regist. vol. VII. f. 7.

of their College, and caused Proclamation to be made, that all who were inclined to become Scholars therein, might enter their Names in a certain Book preparatory to their Admission.

In the Month of *October*, *Rollock* began to teach in the lower Hall of *Hamilton-house* in the College, whither a Number of Students resorted; but many of them not being sufficiently instructed in the *Latin* Tongue, were in the Month of *November* following put under the Tuition of *Duncan Nairn*, who, by *Rollock's* Recommendation, was chosen second Master of the College; and having considerably advanced his Pupils in the said Tongue, initiated them in the *Greek* Language the Year after. This and *Rollock's* being the only Classes in the College, their Schools were kept in the Apartment where the Professor of Humanity now teacheth, which continued to be the *Bejan-class* School till about the Year 1602: And in the lower Hall was kept the *Semibejan* Class; and in the said Hall the fourth Class met on publick Occasions. The *Bailiells* met in the Room above the School of Humanity; and the *Magistrands*, as at present, assembled in the upper Hall, where all publick Acts, Examinations and Graduations are performed. And the present Auditories of the *Semees* and *Bachelars* were employed for lodging Rooms; there being then no other than the fourteen small Chambers on the Northern Side of the Close.

Cart. Ja. VI. The College of *Edinburgh* being thus far advanced, King *James VI.* by his Letters patent, of the 4th of *April*, anno 1584, granted to the same the Parsonage and Vicarage of *Curry*, together with the Teinds or Tithes, Fruits, Rents, Manse, Glebe and Church-lands, antiently called, *The Archdeaconry of Lothian*. And, as a further Incouragement to the said College, the said King, by his Charter of the 29th *May*, in the Year 1594, granted to it the Teindsheaves or Tithes of the Lands of *Westbarns*, *Ardiespises*, *Kingsmuir*, *Drumzack*, *Mamster*, *Kippo*, *Nakedfield*, *Garistoun* and *Ryndewalls*, with the Croft or Field of *Carrel*, all in the Parish of *Carrel* and County of *Fife*, for the Maintenance of Bursars studying Philosophy in the said College.

Although by the breaking out of the Plague, towards the Close of the Year 1584, the College was deprived of its Masters and Students, yet the *Edinburgers* vigorously prosecuted the Work, and inclosed the College on the Eastern, Western and Northern Sides with a high stonern Wall, the Southern Side being secured by the Town-wall.

Though *Robert Rollock* at this time only taught a private Class, he was nevertheless on the 29th of the Month of *February*, in the Year 1586, appointed Principal of the College. And it being judged necessary to

have a third Class erected, a Professor of Philosophy was chosen by the Town Council to teach the same; and at the same time a Recess being deemed necessary, both for the Masters and Students, a Vacation of a Month was granted to the College.

There being hitherto no Professor of Law in the College, the Common Council, Lord Chancellor, Lords of Session, Faculty of Advocates, and Writers to the Signet, each of those three Bodies agreed to give the Sum of One thousand Pounds *Scotish* Money to supply that Defect; in Consideration whereof the *Edinburgers* agreed to allow the said Professor a yearly Salary of Three hundred Pounds *Scotish* Money. Notwithstanding a Professor of Law was chosen pursuant to the above Contract, yet he was only employed to teach Humanity, on the Resignation of its late Professor; wherefore the contracting Parties covenanted a-new, that the Profits arising by Two thousand of the Three thousand Pounds, above mentioned, shall be employed to maintain six Bursars, which amounting to Fifty Marks *per annum* each, it was deemed sufficient for the Support of an ordinary Scholar; and the Profits arising by the other Thousand Pounds, being one hundred and fifty Marks yearly, was appointed a Salary for a Professor of Humanity. The other four Professors in the College had the same annual Allowance.

Hamilton-house, on the 30th of *August*, in the Year 1554, was granted by the Provost and Canons of the Collegiate Church of the *Kirk of Field*, to *James Duke of Chattle-rault*, at a Feu-rent of Forty Marks *Scotish per annum*; which being soon after burnt down, it was rebuilt by the said Duke, and is still standing at the Western End of the College Library. On the Forfeiture of the Marquis of *Hamilton*, this House was granted to the College; but the said Marquis, by an Act of Oblivion, being restored both to his Honours and Estate, sued to recover the said House, which by the Opinion of Council he had no Right to, by its being employed to a religious Use; but the Marquis having obtained a Decree in his Favour, without shewing the least Regard to the Seat of the Muses, obliged the Citizens to pay him the Sum of Three thousand Marks *Scotish* for the said House.

In the Years 1616 and 1617, the College-hall was erected, consisting of one upper and three lower Rooms; in the first ^{Coun. Regist. vol. XVII. f. 61.} whereof, which is a very spacious Room, in Length one hundred and one Feet and a half, Breadth of twenty seven, and Height of sixteen Feet six Inches, the Principal and Professors hold their Meetings, and Students receive their Degrees. And as the Library-room below is not sufficient to contain the Books belonging to the College, this Room is employed to receive the supernumerary

numerary Books brought in for the Use of the University, and is the Receptacle both of natural and artificial Curiosities appertaining to the College, some of which I have above mentioned.

The Northernmost of the lower Rooms is the Repository of the Theological Library, the Middlemost is the common Hall, where in publick Assemblies, Acts and Examinations are held, and French Protestants perform their Divine Service in, and the Southernmost Part or Room is appropriated for the Use of the Anatomy Class.

The *Edinburghers* having with great Assiduity and Zeal proceeded in the Erection and Indowment of their College, King *James VI.* to honour the same, sent the following Letter to the Common Council.

JAMES R.

Trustie and weill beloved, we greit zow weell.

• Being sufficientlie perswadit [of] the guid
• Beginning and Progresse which ze haiff
• maid in repairing and building of zowr
• College, and of your commendable Resolution
• constantlie to proceid and persist
• thairin, till the same fall be perfytlie finish-
• ed. For your better Incouragement in a
• Wark so universallie beneficial for our
• Subjectis, and of such Ornament and Re-
• putation for our Citie in perticular, We
• haiff thocht guid, not only to declair our
• speciall Approbatioun thairof, but lyke-
• wayes, as we gave the first Being and Be-
• ginning thairunto, so we have thocht it
• worthie to be honoured with oure Name
• of our awin Impositioun; and the rather,
• becaus of the late Cair, which to oure
• great Contentment wee reffaved of the guid
• Worth and Sufficiencie of the Maisters
• thairof, at thair being with us at *Sterling* :
• In which regard, these ar to desire zow,
• to order the said College to be callit in all
• Tyme hereafter by the Name of, *King
• James's College*, which we intend for ane
• speciall Mark and an Baidge of our Fa-
• vour toward the same.

• So wee doubting not, but ze will ac-
• cordinglie accept thairof, we bid zow
• heartilie fairweill.

From our Court at *Paisley*, the 25th *July*, 1617.

Sir *William Nisbet*, Provost of this City, having in the Year 1619 given the Sum of One thousand Pounds *Scotish* Money, towards the Maintenance of a Professor of Divinity, the Common Council on the twentieth of *March*, anno 1620, not only chose a Professor of that Faculty, but likewise two for those of Mathematicks and Physick, for the Service of their new Foundation.

The Apartments in the College hitherto were only the fourteen on the Northern Side of the old Clofe above mentioned, three in *Hamilton-house*, four in that at pre-

sent inhabited by the Principal of the College, and two in the Jamb of the Great Hall; a Number no way proportioned for the Reception of above Three hundred and twenty Students; wherefore *Thomas Hope*, the King's Advocate, and *William Riggsdale*, Bailiff of *Edinburgh*, to contribute towards supplying that Defect, generously erected, at their own Expence, four new Apartments on the Northern Side of the upper Court.

Anno 1639, and the five following Years, the College Fund was considerably augmented by many Benefactions, the chief whereof was that of *Bartolomew Sommerville*, who on the 17th of *December*, anno 1639, gave the Sum of Twenty six thousand Marks *Scotish* Money, the Profits of which to be applied towards the Maintenance of a Professor of Divinity; and the Sum of Six thousand Marks of the same Money, to erect a House for him to reside in. And the said *Sommerville* besides bequeathed to the Use of the Poor the Sum of Two thousand Merks; which, contrary to the Will of the pious Donor, was, by an Order of the Town Council, unjustifiably laid out in the Purchase of Ten silvern Cups, for the Service of the Communion Table!

In the Year 1640, the Town Council, for the better Management of their College, appointed a Treasurer, who was impowered to receive the Rents and Profits thereof, and to pay the several Salaries and Expences of the same: And, in order to know, whether the Receipts were sufficient to answer the Disbursements, a Committee was appointed to inquire into the State of this new Foundation; who reported, that the Revenues were sufficient to answer all Charges; wherefore the Council order the said Treasurer to pay the following yearly Sums.

Salaries payable to the Officers, Burfers and Servants of the College, &c.

	<i>l.</i>	<i>s.</i>	<i>d.</i>
To the Principal of the College — —	1333	6	8
To the Professor of Divinity — —	800	0	0
To the Professor of Divinity's House-rent —	133	6	8
To the Professor of Humanity — —	100	0	0
To the four Regents —	666	13	4
To the Burfers — —	200	0	0
To the Librarian — —	266	13	4
To the Janitor — —	20	0	0
To the Beadle — —	20	0	0
To the Minister of <i>Curry</i> —	496	6	8
To the Minister of <i>Kirkurd</i> —	513	16	8
To the Collector of the Rents of <i>Curry</i> — —	66	13	4
Sum total — —	4616	6	8
<i>Z z z z</i>			To

To shew how the Money arises, where-
by the above mentioned Salaries and Sti-
pends are paid, I think it will not be amiss

to subjoin an Account of the Donations gi-
ven for that Purpose.

*A List of the Names of the Benefactors, with the several Sums of Money given by them to
the College of Edinburgh from its Foundation, to the twenty third of January, in the
Year 1656, in Scottish Money.*

Years.	Months.	From the Common Council of <i>Edinburgh</i> , Lords of Session, Advocates, Writers to the Signet, and Clerks of Session, toward the Maintenance of a Professor of Humanity, the Sum of —	Marks.	s.	d.
1597	December		4500	0	0
1598	19th July	From <i>James Bannatyne</i> , the Sum of —	100	0	0
1607	23d Decem.	From <i>William Cowper</i> , the Sum of —	100	0	0
1608	30th Sept.	From the Church Sessions of <i>Edinburgh</i> , for the Use of the Masters, the Sum of —	8000	0	0
1609	—	From Lord <i>Lindsay</i> , for the Town's resigning the Be- nefice of <i>Haddington</i> , the Sum of —	2000	6	8
1617	4th March	From <i>David Alexander</i> , the Sum of —	200	0	0
1617	30th July	From <i>Charles Scheirer</i> , for the Use of the Regents, the Sum of —	500	0	0
1618	30th Dec.	From <i>Hew Wright</i> , for the Professor of Divinity, the Sum of —	1000	0	0
1619	15th March	From <i>Alexander Stobs</i> , for a Professor of Divinity, the Sum of —	300	0	0
1619	28th May	From <i>Archibald Johnston</i> , for the Use of Bursers, the Sum of —	1000	0	0
1619	2d June	From <i>William Nisbet</i> , for a Professor of Divinity, the Sum of —	1650	0	0
1619	21st July	From <i>James Young</i> , the Sum of —	100	0	0
1620	23d. Aug.	From <i>Samuel Rigg</i> , for a Professor of Divinity the Sum of —	650	0	0
1621	2d January	From <i>Thomas Speir</i> , for a Professor of Divinity, the Sum of —	1000	0	0
1622	10th July	From <i>John Lawtie</i> , for Books to the Library, the Sum of —	150	0	0
1622	9th Octob.	From <i>Walter Balcanquhall</i> , for a Professor of Divinity, the Sum of —	1100	0	0
1623	10th Dec.	From <i>Margaret Stewart</i> , the Sum of —	300	0	0
1624	16th Jan.	From <i>James Ainsley</i> , for a Professor of Divinity, the Sum of —	500	0	0
1624	23d June.	From <i>Margaret Zuill</i> , the Sum of —	500	0	0
1624	—	From <i>Michael Findlay</i> , the Sum of —	480	0	0
1625	9th Nov.	From <i>James Mastertoun</i> , the Sum of —	500	0	0
1626	5th Jan.	From <i>Hew Wright</i> , for the Use of Bursers, the Sum of —	500	0	6
1630	29th Dec.	From <i>Charles Scheirer</i> , for a Professor of Divinity, the Sum of —	1000	0	0
1632	8th Jan.	From <i>John Byres</i> , the Sum of —	300	0	0
1634	19th Feb.	From <i>Patrick Gilles</i> , for a Professor of Divinity, the Sum of —	1000	0	0
1636	6th Jan.	From <i>Thomas Muir</i> , for Bursers, the Sum of —	100	0	0
1639	18th Dec.	From <i>David Mackall</i> , for Bursers, the Sum of —	1200	0	0
1640	1st May	From <i>Bartholomew Sommerville</i> , for a Professor of Di- vinity, the Sum of —	26000	0	0
1640	1st May	From <i>Alexander Wright</i> , the Sum of —	11771	0	0
1640	30th Dec.	From <i>James Dalglisb</i> now, and in the Year 1644, for Bursers, the Sum of —	11000	0	0
1642	24th Aug.	From <i>Alexander Wright</i> , the Sum of —	5099	10	4
1645	3d January	From <i>William Carruthers</i> , the Sum of —	5000	0	0
1646	24th July.	From <i>John Buchanan</i> , for Bursers, the Sum of —	11340	0	0
1653	7th Jan.	From Sir <i>Thomas Hope</i> , for Bursers, the Sum of —	1500	0	0
1653	7th Jan.	From <i>Robert Johnston</i> for Bursers, the Sum of —	18000	0	0
1655	14th March	From <i>Robert Murray</i> , the Sum of —	3571	0	0
1655	14th Dec.	From <i>Isobel Richeson</i> , the Sum of —	12000	0	0
	—	From <i>John Lawder</i> , the Sum of —	303	6	8
Sum Total			134315	3	8

Coun. Regist.
vol. XIX. f.
87.

The

The above Sums, amounting to One hundred and thirty four thousand three hundred and fifteen Marks, three Shillings and eight Pence of the Money aforesaid, the City was indebted to the College for the said Sum, for which they paid Interest.

Coun. Regist.
vol. XV.f.
113.

Untill the Year 1640 the College was annually visited by the Common Council of *Edinburgh*, who inquired into the Deportment of the Masters and Students. But it being thought that it would redound more to the Honour and Interest of the said College to have a Rector preside over it, it was by the said Council ordained, that yearly, on the first Day of *December*, a Rector shall be chosen for the College, with six Assessors to assist him in all Things relating to the good Government thereof; two of which to be Members of the Town Council, two of the Town's Ministers, and two Members of the College; and the Day after, the Person so chosen to appear in a Meeting of the Common Council, Town's Ministers and Masters, and Students of the University to be held in the said College, and in their Presence to accept of the said Office of Rector, and take an Oath for faithful Administration.

And for the greater Dignity of the Rectorial Office, a Mace shall be carried before the said Rector at all publick Meetings, and other solemn Occasions. And for the better Regulation of the said Rector, the Town's Council made the following Orders to be observed by him and his Successors; together with such other Rules as the said Council should hereafter injoin him.

Id. Ibid.

1. 'That all the Rectors wyselie and cairfullie consider, what Things may serve for the guid Education of the Youth, and for the flourishing Estaitt of the Colledge, whether in the Rents or Buildings, or in ordering of the Masters, Professors, and Students, he shall be the Eye of the Council of the Town, for universal Inspection, and as the Mouth of the Colledge for giving Information, and delivering such Overtures to the Counfall as himself and his Assessors shall find convenient.

2. 'He shall be cairfull, that nather the Principall, Professors nor Regents, nor any uther Member of the said Colledge be deficient in thair Duty, prescryvit be the Lawis and Stattutis of the Colledge. He shall advyse them, and if Neid be he shall admonish them; bot with that Respect which is dew to their Plaices; and in caice they amend not what he judges amiss, he shall, after the second Admonitioun, make the Matter known to the Counfall of the Town.

3. The Rector and his Assessors shall cognosce and judge of all Complaints and Debaites not proper for the Civill nor Ecclesiastical Jurisdiction, which shall happen to arise amongst anie of the pryme Masters of the Colledge, or amongst the

Principal, Professors or Regents, or anie of them: As also, of such Complaints and Debaitts, as may arise betwixt anie of the Students of Philosophie, or anie of the Students of Divinity; or betwixt anie of these and the Students of anie other Profession; or betwixt anie of the Students of the Professiouns amongst themselves; he shall labour to compose them justlie and without Scandle; but so, that it shall be lawfull for any of the Pairtyes to appeal to the Town Counfall.

4. 'The Rector shall have in his Custodie the Matricular of the Colledge, containing the Names of all the Students, of whatsumevir Profession, who at their Entrance shall sweir and subscribe in his Presence, and in Presence of the Principall and Regents of the Class; if he shall be an Student of Philosophie, and if he be an Student of anie other Profession, in Presence of the Principall and Professor of the said Profession, in Obedience to the Lawis and Orders of the Colledge, with their Fidelitie and Forwardnes for advancing the Interest thair of, all the Days of thair Lyffes; and immediatlie before they receive the Degrie, shall appear in the common Hall, sweir and subscribe the Confessioun of Faith, as it is prescryved be the laitt General Assemblie held at *Edinburgh* in the Month of *August*, ane thousand six hundreth thretie nine Zeires.

5. 'The Rector shall have ane Register of the Names of the Benefactors, with the Expressioun of their perticular Beneficence; whether it be in Lands, Rents, Sommes of Money, Buikes, or any other Way of Liberalitie, that thair may be preserved that honourable Commemoration of them, that may be maid at such soleme Tymes as shall be thocht fitt, that others may be moved to follow their laudable Exampill.

6. 'The Rector shall receive from the Counfaill ane Transumpt of the whole Rentall and Sommes of Money belonging to the said Colledge, subscribe with the Hand of the common Clerk, that he may ryplie advise how far it may extend, and be employed for the Weill of the Colledge, at the Will of the Counfall.

7. 'The Rector shall not onlie be present at the soleme Meetings of the Colledge, bot also shall be invited by the Preses to begin and goe before the rest in all the publick Disputes of Philosophie and Divinity; anent all and sundrie of which Particulars, and everie ane of them, conteinet in the Articles above written; the saids Provost, Baillies, Counfall and Deacones of Crafts, Patrounes of the said Colledge, grants and gives be thir Presents, to the Rector presentlie and heirefter to be chosen, thair full Power and ample Commission, for doeing and exercising the haill Particulars conteynit in the Articles above written,

' in

* in Manner therein sett down, als fully and
* frielie, as they micht do themselfis in all
* Respects.*

Coun. Regist.
vol. XIX. p.
272.

Compend. Re-
gist. vol. I. p.
504.

Oliver Cromwell, in the Year 1658, some-
time before his Death, gave toward the Sup-
port of this College, an Annuity of Two
hundred Pounds *Sterling*.

And in the Year 1666, the Earl of *Teviot*
bequeathed the Sum of Eight thousand
Marks *Scotish* Money, for the erecting of
new Apartments in the College, for the
Accommodation of Students.

This College, as the Foundation of the
Citizens, is in the Patronage of the Magi-
strates and Town Council of *Edinburgh*,
who, as Curators, have the Management of
its Revenues. In this, as in all the other
Colleges of *Scotland*, till of late, were only
taught Divinity, School Philosophy, Ma-
thematically and Languages, under the Care
of a Principal, a Professor of Divinity,
Four of Philosophy (who likewise taught
their Pupils in the first Year of their Course
the *Greek* Language) one of Mathematics,
one of Humanity, and one of the *Hebrew*
Tongue. But, in the three last Reigns, the
Number of Professors was so augmented,
that nothing is wanting to form a compleat
academical Education: For all the liberal
Arts and Sciences are here taught, in the
same Manner as in the most celebrated U-
niversities abroad, each Professor confining
himself to the teaching of one Science; the
several Sorts of which taught at present are,
Divinity, Church History, Civil Law,
Law of Nature and Nations, *Scotish* Law,
Anatomy, Theory of Physick, Practice of
Physick, Chemistry, Botany, Mathema-
ticks, Universal History, Natural Philoso-
phy, Logick, Metaphysics, Ethics,
Greek, Latin, and Hebrew Languages.
There being two Professors to each of the
Sciences of Divinity, Mathematics and
Greek Tongue, make the Number of the
whole amount to Twenty one, and the Sci-
ences taught by them to eighteen.

*The Salaries of the several Professors, and o-
ther Officers belonging to the College, &c.*

	<i>l.</i>	<i>s.</i>	<i>d.</i>
To the Principal ———	111	2	2½
To the Professor of Divi- nity ———	161	2	2½
To the Professor of Church History ———	100	0	0
To the Professor of Law of Nature and Nations	150	0	0
To the Professor of Civil Law ———	100	0	0
To the Professor of Muni- cipal Law ———	100	0	0
To the Professor of History	100	0	0
To the Professor of Moral Philosophy ———	102	4	5½
To the Professor of Ma- thematically ———	113	6	8---

	<i>l.</i>	<i>s.</i>	<i>d.</i>
To the Professor of Botany	77	15	6½
To the Janitor and his Ser- vant ———	8	11	4---
To the Check to Mort- cloths ———	3	6	8---
To Bursers ———	461	18	0½
To the Professor of Hebrew	80	0	0
To the Professor of Logick	52	4	5½
To the Professor of Natu- ral Philosophy ———	52	4	5½
To the Professor of Greek	52	4	5½
To the Professor of Hu- manity or Latin ———	52	4	5½
To the Professor of Ana- tomy ———	50	0	0
To the Professor of the Theory of Physick ———	33	6	8---
To the Professor of the Practice of Physick ———	33	06	8---
To the Professor of Che- mistry ———	33	06	8---
To the Librarian ———	33	6	8---
To the Mortcloth Keeper	25	0	0
To Pensions and other Ex- pences ———	30	14	10½
Sum total ———	2117	6	6---

By the above Account, the annual Ex-
pence of this College appears to amount to
the Sum of two thousand one hundred and
seventeen Pounds six Shillings and Sixpence
Sterling.

The Bursers in this College at present are *Coun. Regist.*
fifty one in Number; five whereof are on *vol. XXXV.*
the Foundation of King *William III.* who, *f. 195.*

by a Deed of Gift of the 28th *February*,
anno 1693, gave a perpetual Annuity of
Three hundred Pounds *Sterling* to be paid
out of his Treasury and Bishops Rents in
Scotland; One hundred Pounds whereof was
for a Professor of Theology, besides the Pro-
fessor of Divinity already established; and
Two hundred Pounds for twenty Bursers in
Divinity, at Ten Pound each *per annum*.
But this Benefaction being curtailed by
Queen *Anne*, she granted One hundred and
fifty Pounds thereof as a Salary for a Pro-
fessor of the Law of Nature and Nations:
and an other hundred Pounds being appro-
priated to another Use; the said Professor,
and fifteen of the Bursers were dischar-
ged, and the five remaining have an Allow-
ance of Ten Pounds *Sterling* each yearly.

The other Forty six Burseries, being the
Gifts of private Men, I shall subjoin an Ac-
count thereof with the Years when given;
Benefactors Names, Sums bestowed, Num-
bers of Bursers, Years to continue, Sciences
to learn, and in whom the Patronages are
vested.

A TABLE of Benefactions for Bursers.

Years.	Benefactors Names.	Money given.		Yearly Interest.		Bursers.	Sciences.	Patrons Names.
		l.	s.	l.	s.	Num.		
1619	Archibald Johnson Merchant in Edinburgh	222	4	5	1	2	Philosophy	Bailey of Jerviswood.
1626	Hugh Wight and David Macall, Merchants in Edinburgh	94	8	10	3	1	Philosophy	Council of Edinburgh.
1642	Mausie Weir and David Jenkins	111	2	2	1	1	Philosophy	Council of Edinburgh.
1644	Ja. Dalgleish Mercht. in Edin.	222	4	5	1	2	Philosophy	Council of Edinburgh.
1656	Robert Johnson of Lond. M. D.	1000	0	0	0	8	Philosophy	Council of Edinburgh.
1646	John Buchanan of that Ilk	416	13	4	0	3	Divinity	Council of Edinburgh.
1654	William Struthers, Minister of Edinburgh	277	15	6	3	2	Divinity	Council of Edinburgh.
1662	John Trotter of Mortonball	90	2	2	1	1	Philosophy	Trotter of Mortonball.
1673	John Macmorran, Merchant	55	11	1	1	1	Philosophy	Council of Edinburgh.
1678	Hector Feord of Branston	666	13	4	0	6	Philosophy	Council of Edinburgh.
1685	Doctor Robert Leighton	150	0	0	0	1	Divinity	Council of Edinburgh.
1687	Sir Andrew Ramsay	222	4	5	1	2	Philosophy	Council of Edinburgh.
1687	Mr. Andrew Ramsay	333	6	8	0	2	Divinity	Council of Edinburgh.
1693	B. John Penman, Merch. in Ed.	100	0	0	0	1	Philosophy	Heirs of B. John Penman.
1694	James Nairn	333	6	8	0	2	Divinity	Professor of Divinity in the College.
1695	John Bayne of Pitcairly	500	0	0	0	3	Divinity	Kenneth Bayne of Tulloch.
1696	Patrick Hepburn and Lightbody	116	13	4	0	1	Philosophy	Coun. of Edinburgh & Campbell of Abercubill.
1697	King William III.	6000	0	0	0	5	Divinity	The Barons of Exchequer.
1703	James Pringle of Torwoodlie	127	15	6	3	1	Philosophy	Pringle of Torwoodlie.
1714	Robert Brown, in Poland	500	0	0	0	2	Ph. & Div.	Protestant Consistory at Zamojsk in Poland.
1715	Sir James Macburg, Dean of Guild, Edinburgh	166	13	4	0	1	Div. & Ph.	Dean of Guild Edin. & Adam of Wbesfleid.
1723	Alexander Mitchell	166	13	4	0	1	Div. & Ph.	Livingston of Parkball.
1725	Will. Wardrop, Litter in Edin.	111	2	2	3	1	Div. & Ph.	—
1726	David Christie, Perriwigmaker in Edinburgh	166	13	4	0	1	Div. & Ph.	Council of Edinburgh.

The fractional Parts of several of the Sums above specified in the Tables of the Professors Salaries and Donations to Bursers, are owing to the Benefactions being

made in *Scotish* Money, and converted into *Sterling*.

The Students in this University, a few Years since, are said to have amounted to a-

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bout eight hundred, but their Number at present not being above five hundred, the Decrease in this, as well as in the other Universities of *Scotland*, is said to be owing to the Cockade; for the Inclinations of Youth are so prejudiced in favour of the Army, that the soft Seats of the Muses must give way to the thundering Calls of *Mars*.

The Precinct of this College, which is very spacious, consists of three Courts, the uppermost whereof being of a Parallelogram Form, is bounded on the Northern and Southern Sides, by the Schools and Professors Houses, and on the Eastern and Western Ends by the College-hall, Principal's House, and those of some of the Masters. From the above Court we descend by Steps into the westernmost of the two lesser Courts, which is occupied by the Students Apartments, and the Easternmost by the Hall, Library, and other Buildings. This College is entered by two Gate-ways; that towards the North, is in a lofty Bell Tower, and the other at the Southwestern Corner of the Inclosure, near the *Potter-row* Port.

THE LIBRARY.

Coun. Regist. *Clement Little*, an Advocate of this City, vol. VI. f. 66. having in the Year 1580. bequeathed his Library for the Use of the Citizens; the

81. 82.

Town Council ordered a House to be built for it in *St. Giles's* Church-yard, where the Parliament-house is at present situated; which adjoining to *Parson Lawson's* House, he and the principal Minister of *Edinburgh* were appointed Librarians. Lest the Reader should be surpris'd at the Epithet of Principal Minister, it will be necessary to ac-

quaint him, that from the Reformation of Religion and long after this Time, there was always a Chief or Prime Minister in *Edinburgh* who was allowed a double Stipend.

The College of *Edinburgh* being founded anno 1581, in the Year after *Little's* Books were carried thither, which, together with the Benefactions of others, is now in a flourishing Condition. The present Library is a large and convenient Room of the Length of eighty three Feet, Breadth of twenty, and Height of sixteen Feet: It is of modern Erection, neatly kept, and furnished with above thirteen thousand Volumes of Books, cloistered in excellent Order, with wiro'd Doors before them, which are only opened by the Librarian or his Assistant. This I take to be a much safer and better Way than chaining; which, instead of securing, tends to destroy the Books, by tearing them both inwardly and outwardly, through the Carelessness of Students. Besides, by this Means they are secured from Thieves. The said Room is embellish'd with the Portraits of divers Princes, Reformers of Religion, and others; amongst which is an original Picture of the celebrated Lord *Napier* of *Marchiston*, Inventor of the Logarithms. Here is a beautiful Folio Copy of *Fordun's* *Scotichronicon*, on Vellum, given by Mr. *Calvil*, sometime Principal of this College. As here likewise is a Copy of a double faced Letter in *French*, written by Cardinal *Richelieu* to the Ambassador of *France* at *Rome*, concerning a certain Benedictine Monk. The first Column is to be read singly, or progressively with the second Column, whereof the following is a Copy.

Cardinal Richelieu's Letter.

Monsieur,

Le Sieur Campy Savoyard de Nation est celuy qui vous doit donner ceste lettre. C'est une des plus vicieuses personnes qui soit en ce monde; et m'a fort prie de luy donner pour vous, un lettre de Recommendation, ce que j'ay accorde a son Importunite; mais sçachez, monsieur, que je serois marry que vous fussiez trompu faete de la bein coigneistre; comme beaucoup d'honneste gents de mes meilleurs amis: C'est, pour quoy je desire vous advertir de prendre soigneusement garde de luy et ne rien dire en sa presence en aucune façon. Car je ne pense pas, qu'il y ait une plus meschant homme parmy le monde. Je sçay, que lors que vous l'aurez une peu pratique, vous me remercierez de ce s't advis. La civilite m'empeshe de vous en

religieux de l'order St. Benoist, de mes nouvelles par le moyin de discrettes, des plus sages et moins encore venue en ma cognoissance en vous escrire en sa faveur, et de creance, join te a quelque merite, sans qu' il m'ait donne aucune vous en ende, vez faire grande estat et pareilleux a l'obliger estant peut-estre ce qui m'affligeroit extremement, qui l'estiment fort, et qui sont monsieur, le principale raison que vous estes plus qu'acun autre oblige rendre tout l' honneur possible, qui luy puisse estre desagreceable l'ame pas moins, que mois mesme, et ne assure moyen d'estrepris pour un que de luy faire du deplaisir. cognoistrez sa vertue et que vous l'amerez autant que moy, et sans double cognoissance que sa de vostre escrire au long, ei d'en

dire

dire d'avantage. Demurant,
A Paris ce xxiii Nov. 1638.
Adressee, A Monsieur, Mon-
sieur, l'ambassadeur de France à Rome.

Monseigneur,
vostre affectionné
Jean Arnaud du Pleffis,
Cardinal de RICHELIEU.

In English thus.

Master Campy, a Savoyard
is to be Bearer to you of
this Letter. He is one of the most
vicious Persons that I ever yet knew;
and has earnestly desired me
to give him a Letter of
Recommendation; which I granted to his
Importunity; for, believe me, Sir,
I would be sorry you should be
mistaken in not knowing him,
as many others have been,
who are of my best Friends. Hence,
it is, that I desire to advertise you,
to take special Notice of him,
and say nothing in his Presence,
in any Sort: For I may and do
assure you, there cannot be a more
unworthy Person in the World,
I know, that as soon as you
shall be acquainted with him, you
will thank me for this Advice.
great Civility doth hinder me to
say more upon this Subject.

Paris 23d November, 1638.

To the French Ambassador
at Rome.

Frier of the Order of *St. Bennet*,
News from me, by Means of
discreet, wise, and least
among all I have conversed with;
to write to you in his Favour,
Credence, with some pressing
Merit; I assure you, rather than to his
he deserves infinitely your Esteem, and
wanting to oblige him, by your being
I should be afflicted if you were so,
on that Account, who now esteem him,
and from no other Motive
that you are obliged more than any
to afford him all imaginable Respect,
that may offend or displease him:
truly say, I love him as myself, and
convincing Argument of an
than to be capable of doing him Injury:
cease to be a Stranger to his Virtues, and
will love him as well as I, and
The Assurance I have of your
write further of him to you, or to
I am, Sir,

Your affectionate Friend,

John Arnaud de Pleffis.

Cardinal de Richelieu.

In the upper Hall of the College is a very great Rarity, namely, a crooked transparent human Horn, of the Length of eleven Inches, cut off the Head of *Elizabeth Law*, on the fourteenth of May anno 1672, by *Arthur Temple* of *Revelridge*; to which is appended a silvern Plate, with the Witnesses Names thereon, who saw the Operation performed.

Com. de bon.
unit. P. 13.

In this Hall is another very great Curiosity, which was brought to Scotland by a Gentleman, at his Return from his Travels in foreign Parts, probably about one hundred Years ago; for by *Comenius* it appears to have been in the College Library of *Aberdeen* above eighty seven Years since; but, that it did not belong to that Library, is manifest by *Dr. William Guild's* having bequeathed the same to the College of *Edinburgh* in the Year 1657; and it being received by the Town Council in the Month of January, anno 1658, they ordered a Receipt to be given to his Relict *Katbarine Rolland* for the same.

This great Rarity is the Letter (commonly called the *Bobemian Protest*) sent by the Convention of the States of *Bobemia* and *Moravia* to the Council of *Constance*, touching the unjust, cruel and barbarous Treatment of their Countrymen, *John Hus* and *Jerom of Prague*, by the said Council, wherein is set forth,

That, as it is our Duty, by the Laws of

God and Nature, to do as we would be done by, we ought to have a strict Regard to the divine Maxim, of loving our Neighbour. In Consideration whereof, we have thought fit to write to you, concerning the Reverend Mr. *John Hus*, Batchelor of Divinity, and Preacher of the Gospel, whom ye, in the Council of *Constance*, at the Instigation of his and our traitorous Enemies, have condemned to suffer a cruel, painful and shameful Death, as an obdurate and stubborn Heretick, without his having confessed, or being justly convicted of Heresy, to the perpetual Shame and Reproach of our most Christian Kingdom of *Bobemia*, and illustrious Marquissate of *Moravia*, which we have already shewn by Letter to the most Serene Prince and Lord, *Sigismund*, King of the *Romans* and *Hungary*, and Successor to the Crown of *Bobemia*; which Writing being laid before your Assembly, we hear you have caused the same to be burnt, to our great Dishonour.

Wherefore we, by these Presents, protest, both with Heart and Mouth, that the said Mr. *John Hus*, during his many Years Residence amongst us, was a very good and just Man, and a true Catholick, with a Holiness of Life irreproachable, diligently explaining to us the Old and New Testaments, according to the Expositions of Divines approved by the Church; and by his Writings, has shewn his Detestation and great Aversion

Aversion to Heresy and Error; and not only taught us to abhor the same, but exhorted us to continue in Peace and Charity, and encouraged us, both by his Discourses and Example, to persevere therein. Nor after the strictest Inquiry can we discover, that the said *John Hus* ever preached or taught Heresy or Error; nor gave Reason to any one to suspect him of such Practices, neither in his Words or Actions; but on the contrary, with great Piety, excited all Men to the Observation of the Gospel and Maxims of the Fathers, for Edification of the Church and our Neighbour.

However, you were not satisfied to dishonour us and our Countries by such Actions, but have unmercifully imprisoned, and perhaps already put to Death *Jerom of Prague*, that Fountain of Eloquence, Master of seven liberal Sciences, and a great Philosopher, whom you condemned on the false Accusations of perfidious Men, without being convinced of the Truth of the Charges brought against him. Besides, we have with extreme Grief learnt, and gathered from your Writings, that certain false Accusers, odious both to God and Man, and perfidious Enemies to our Countries of *Bohemia* and *Moravia*, have wickedly and falsely reported to you and your Council, that divers Errors are propagated within the Kingdom of *Bohemia* and Marquisate of *Moravia*, which has infected many of the people, inasmuch, that if a speedy Remedy be not provided, an irreparable Loss would happen to the Faithful. Although these grievous Accusations are intirely false, can we hear them, without endeavouring to repel them?

And since the Establishment of Christianity amongst us, we have, by the Grace of God, without Variation or Reproach, constantly adhered to the Church of *Rome*, whilst other Nations have wavered, raised Schisms, and favoured Anti-popes. And it is well known, the great Expence and Labour born both by Prince and People, towards our holy Mother the Church and its Pastors, which you, if you will speak Truth, can testify; and, according to the Precept of *St. Paul*, we take Care of our Conduct both to God and Man, and not to forget the Interest and Reputation of our Countries; we are not cruel to our Neighbours.

And by these Presents, with a firm Con-

fidence in Jesus Christ, a Conscience pure and sincere, with a true Faith, we acquaint your Paternity and all Christians, that whatever Person, of what Estate, Dignity, Condition, Degree or Religion, shall presume to say or affirm, or has said or affirmed, that *Bohemia* and *Moravia* are over-run with Errors and Heresies, which has infected us and the Faithful amongst us, is a wicked Liar, Traitor, Murderer, and Son of the Devil, and he only a most pernicious Heretick, excepting *Segismund*, King of the *Romans*, whom we believe to be innocent of the Calumnies raised against us; and in the mean time, refer our Cause to God the Avenger of Injuries, reserving to ourselves the Pursuit and Punishment of the Enemies of those whom God has placed in his Church as true Pastors; being resolved, by the Assistance of God, to honour and obey them in all Things that are just and reasonable: And in the *interim*, we require, that according to the Law of Jesus Christ, and Canons of the Fathers, that an effectual Remedy be brought to our Sufferings; for, in spite of what has passed, we are resolved to defend the Law of Christ and his faithful Ministers with Humility, Zeal and Perseverance, without regarding the human Inventions which oppose the same.

Remark. As this Transaction of the *Bohemians* and *Moravians* was a Step, perhaps the most amazing in History, for a People so small, and seemingly impotent, to declare, as it were, War against all the rest of the Christian World, and to carry on the same for so long a Time, with such surprising Success, must amaze every one in the least acquainted with the military Feats of that Time; wherefore I think it will not be amiss to transmit to Posterity the Names of those bold and daring Men, who put their Names and Seals to the aforesaid memorable Letter, wherein they spurn at and despise both this oecumenical Council and its Acts, though one of the greatest that ever was held by the Church of *Rome*; for it consisted of the Emperor of *Germany* King of the *Romans*, Electoral and other Sovereign Princes and Dukes, Patriarchs, Cardinals, Archbishops, Bishops, Ambassadors from the chief Potentates of *Europe*, Doctors, &c. who, with their numerous Attendants, formed a mighty Body of People.

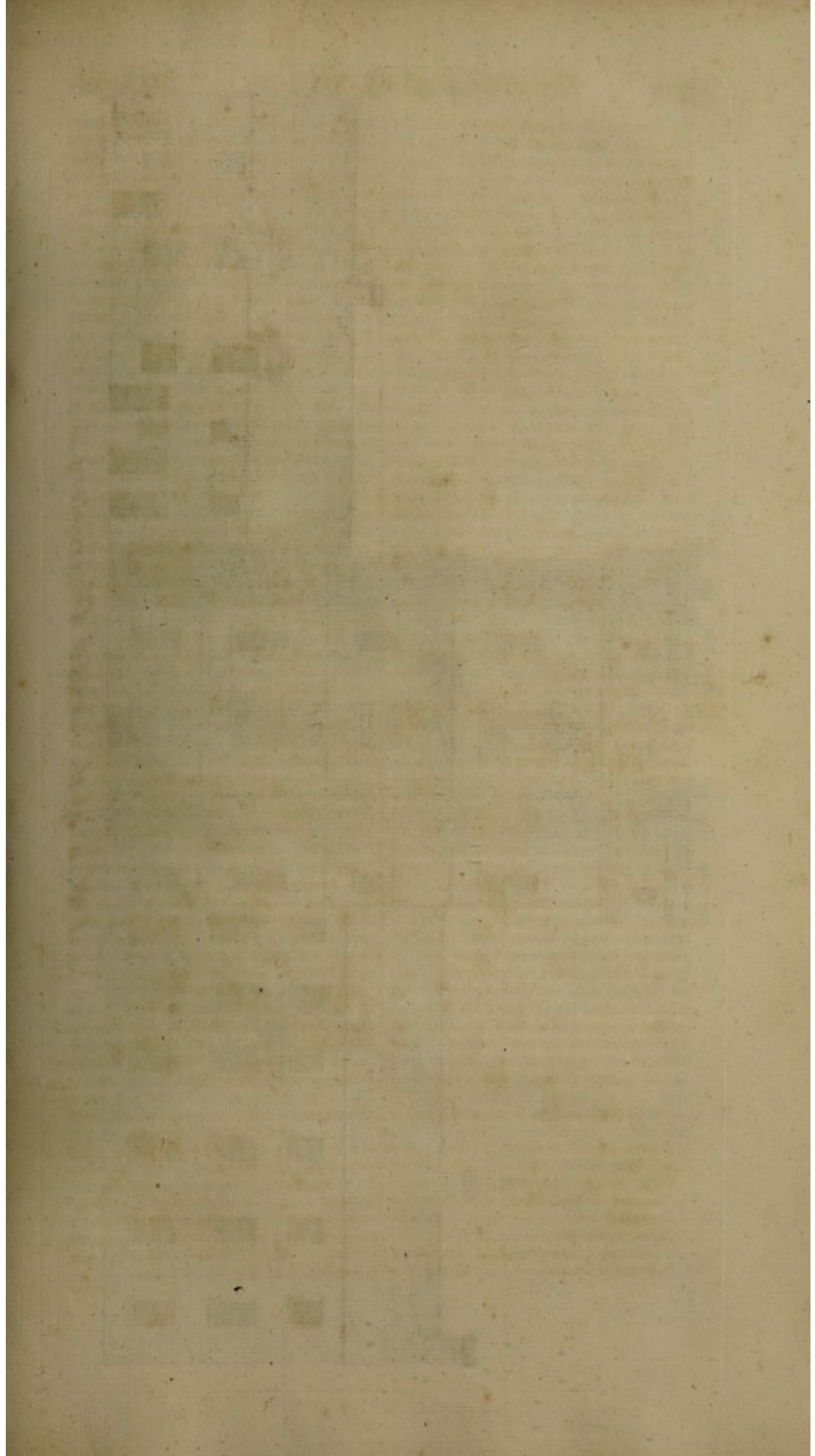
The Names of the Persons who signed and sealed the aforesaid publick Act are,

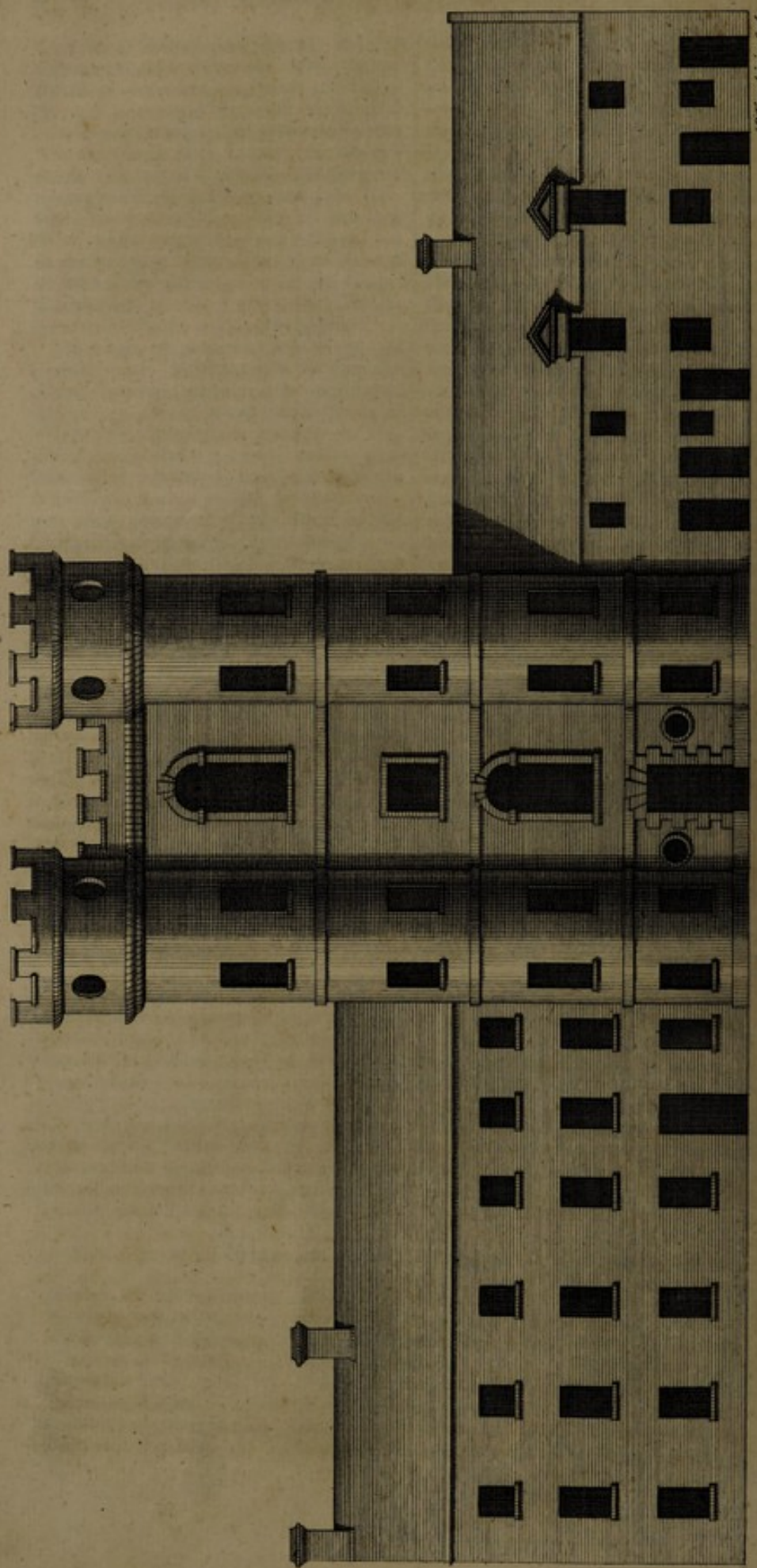
Nicolaus, Senior de Ledez,
Nicolaus, Junior de Ledez,
Zigismundus de Milezowitz,
Wincelaud de Westrow,
Bonslaus de Kozle,
Johannes de Onslow,
Theodoricus de Studeney,
Johannes de Studeney,

Alfisco de Martunez,
Inladota de Debrawoda,
Milota de Bobadawize,
Mickziko de Huorka,
Wickeizt de Tamsowitz,
Wencelaud de Subislav,
Erasmus de Otroiziz,
Leonardus Knienzocyriez,

Bahnuc de Berowitz,
Boleck de Dilcowitz,
Johannes de Dilcowitz,
Wickoro de Zborz,
Mylnek de Dedimypamyr,
Wilhelmus de Sutuz,
Matthias de Sutiez,
Odoleuns de Slupna,

Jarefius





A View of the intended Observatory

Jaroslav de Praesetz,
Dirisus de Pertolizietz,
Lamentius de Bobdonere,
Johannes de Proesetz,
Parkmairz de Ostrow,
Boztiech de Ostrow,
Johannes de Zorassawnit,
Smylo de Swakynaw,
Johannes de Tunowoyod,
Petrus de Kessil,
Albertus de Velechow,
Theodoricus de Lboliez,
Prziedbor de Sperziez,
Ouslo de Kamaniez,
Henricus de Lestyna,
Wenzislaus de Dobrowitoib,
Marsiko de Stala,
Roprecht de Okrubliez,
Wickow de Zebnsfiz,
Johannes de Zynyan,
Behnucio de Pressiez,
Lowade de Buky,
Prziebo de Zynyan,
Marquardus de Hoyerowuz,
Wenceslaus de Zwierriez,
Niclaus de Pobleyd,

Petrus de Pobleyd,
Wenicezlaus de Polna,
Johannes de Lestowuz,
Henricus de Tzachowuz,
Mikra de Petrenvz,
Marquardus de Lbotuz,
Wenceslaus de Lbdiez,
Marsiko de Alberowuz,
Pesiko de Alberowuz,
Cbyna Cossietuz,
Petrus de Miletyn,
Slawco de Comorowuz,
Nicolaus de Girzuz,
Johannes de Bystry,
Nicolaus de Trziebeluz,
Johannes de Polna,
Benessius de Wlacziez,
Nicolaus de Wlaczietz,
Petrus de Wyezar,
Stephanus de Wuzep,
Hamisko de Byestwyna,
Johannes de Ostrozna,
Hertwiko de Spatzier,
Martinus de Dassez,
Cbawolko de Hostowiez,
Bazio de Wedoir,

Lidborus de Heereck,
Wikl de Somyties,
Johannes de Suchotloft,
Proczco de Cborziow,
Alberto de Sebastianez,
Johannes de Zaznanez,
Vbasus de Browickow,
Zdika de Lobta,
Matbias de Chaystowiez,
Wilhelmus de Ostrow,
Johannes de Buzewsy,
Johannes de Wrbka,
Jost de Zborzie,
Bruno de Biela,
Bartholo de Dobrowoda,
Zedenco de Puziendylowuz,
Martinus de Zedestlawuz,
Zawisius de Zedestlawuz,
Petrus de Brlob,
Zdyslaw de Dobrowoda,
Cbyna de Pawlow,
Prziedbor de Lbotuz,
Kimefs de Pawlow,
Henricus de Dobroirice.

The aforesaid Letter, which is dated at Prague the second of September, in the Year 1415, is written on a Skin of Parchment, of the Length of thirty Inches and a half, and Breadth of twenty Inches; and being folded in, three Inches on each Side, and four Inches and a half at the Bottom, form the Margins; on the first whereof, or Left-hand Side, are the first twenty-four Names above written, at the Bottom, fifty one immediately following, and on the Margin at the Right-hand the twenty five remaining Names; against which, by-labels are appended their respective Seals, in beautiful Order.

The Writing of the aforesaid Letter being very much decayed, all the Letters thereof are renewed, by being drawn over again with a Pen and good Ink. Now, whether the aforesaid Names were at first written by the Persons whose Seals are thereunto affixed, I cannot ascertain, by their appearing at present all in the Hand of the Renewer; and at that time it was not customary in other Countries for contracting Parties to sign their Names, their Seals being judged sufficient.

Yet, as it is said in the said Letter, that it is attested by the Names and Seals of the Persons above written; and as the remaining Parts of many of the first Letters appearing by the renewed Letters, seem to have been of a different Form, it is probable they were at first written by the Persons whose Seals are placed against them. Be that as it will, that this is an Original, I think is evident by the Seals; but lest some should be of a contrary Opinion, it will be necessary to acquaint them, that Copies are

not sealed; and that the Letter sent to the Council of Constance might as well have been a Copy of this Letter, as this of that. Besides, we have many Instances of Duplicates of Writings of Moment, having divers Originals deposited in sundry Places for their Preservation.

Although the aforesaid Letter is in a great measure foreign to the Work in Hand; yet as it is a very great Curiosity, and more than probable, the only one of the kind extant, and known to but a few; and considering, that the Contents thereof irritated the Council of Constance to such a Degree, that they caused the Original, or one of them to be burnt; which, together with other Provocations therein mentioned, brought on that long and bloody War, which cost the Lives of an infinite Number of People; wherefore I have thought proper to enlarge thereon, for the Information of the Reader.

In this Room is said to be the Scull of *George Buchanan*, the Historian, intire, and so very thin, that the Light appears through it; that this was really his, is evident, by one *Adamson*, (since Principal of the College) who some Time after *Buchanan's* Inhumation, bribed the Grave-digger to bring him the said Scull; which being brought, he fastened the following Verses to it, and at his Death bequeathed both it and them to the said College.

De cespicio

Georgii Buchanani tumulo in

Cœmeterio Edinensi multorum

Aliorum marmoreis monumentis

Affabre extructis, septo et circumdato.

Marmoreæ cur stant ex omni parte columnæ,

Signaque ab artificum dædala facta manu?

B b b b

U

Ut spectent oculis monumenta insignia vivi,
 Per quæ defunctis concilietur honores.
 Gloriæ vivus, qui contemnebat honores,
 An cupiet divus, se decorent lapides?
 Illi fas pulchro nomen debere sepulchro,
 Qui nil quo melius nobilitentur habent.
 Per te olim tellus est nobilitata Britanna,
 Et decus tumulo, jam Buchananæ tuo.

In the same Room is a Stone brought from the Roman Wall, commonly called *Graham's Dike*, whereon is the following Inscription.

NINO AVG. P
 PP. COS. III.

COH. I. CVGERNOR
 VM o III. MP.

This defaced and imperfect Inscription is restored thus.

Imperatore Cæsare Tito Ælio Hadriano Antonino Pio, patre patriæ, consule tertium, cohors prima Cugernorum opus tribus milibus passuum perfecit.

Englisht thus.

In the third Consulate of the Emperor Titus Ælius Adrianus Antoninus Pius, Father of his Country, the first Cohort of the Cugernonians built this Work for the Space of three thousand Paces.

As I have the Occasion to observe that the French Protestants in *Edinburgh* are allowed the Use of the Common-hall of the College to perform their religious Duties or publick Service in; it will not be amiss to shew the Cause and Time of their first coming to this City.

A violent Persecution in the Year 1586, raging against the Protestants in *France*, certain of them applied to the Common Council of *Edinburgh* for Refuge; and for the better inabling them to perform the Divine Ordinances, intreated the Citizens to grant them the following Favours, viz. That the said Council would be pleased to provide them a decent Church, a House for their Minister, with such Furniture as should be judged necessary; that they might have Leave to exercise their several Trades in the same Manner as the Citizens, without Molestation; and, if any Thing else, not prejudicial to the Welfare of the Town should be thought needful, as a further Accommodation for them, that the Council would be generously pleased to grant the same.

These Requests, after due Deliberation, being judged reasonable, were readily granted by the Town Council, with this Proviso, that when it shall please God to put an End to the grievous Persecution, if any of the said Strangers shall think fit to remain in *Edinburgh* or Liberties thereof, they shall take up their Freedoms both of the Town and Incorporations as shall best suit their several Professions, that they in all Respects

may be on the same Footing with the other Inhabitants: And as a farther Encouragement to the said Refugees, the Citizens pay their Ministers Stipends, which at present is One thousand Marks *Scotish* to each Incumbent.

In the Year 1622, another grievous Persecution raging in *France* against the Protestants, the *Edinburghers*, on that Occasion, contributed in a very charitable and ample Manner toward their Assistance, by collecting amongst themselves for the Relief of their distressed Brethren, no less a Sum than Twenty three thousand two hundred and thirty seven Pounds sixteen Shillings and eight Pence, *Scotish* Money, which is near Two thousand Pounds *Sterling*, as will appear by the following Receipt given by their Agent.

I under subscribing, (be vertue of the Coun. Regist. Commission and Power given me by the vol. XIII. f. 183. 184.
 Generall Assemblée of the reformat Kirkis of *France* and Soverainte of *Bearne*) grants me to have ressavit from the Kirk of *Edinburgh*, the Soum of Twentie thrie thousand two hundreth thretie sevin Pundis sextein Shillings aucht Pennies, usual Money of *Scotland*, quhilk hes bein collectit in the said Kirk from the Inhabitants of the Burgh of *Edinburgh*, according to the guid Will and Permissioun of the King's Majestie of *Great Britain*.

Quhilk Soume foresaid, with Godis Help, sall be suirlye, and with all possibill Diligence transportitt to *Rockell*, or els sall be imployit according to the Ordour which sall be gevin by the said General Assemblée for the Weill and Utilitie of the distressed Kirk in *France*; for the quhilk Soume of *Scottis* Money foresaid (attending more ample Testimonie and Acknowledgment of the said General Assemblée) I, in thair Name, rendring most humble and hairty Thanks to the Brethrein of the Ministerie of that Kirk; as also, to all the faithfull Members of the same Kirk, for thair charitable and willing Help, quhilk is ane Pledge of our mutuall Communion of one Body on thair Pairt, and on our Pairt, ane holy and firm Band, binding us in all our Kirkis to pray to God for the long Peace and Prosperitie of the Kirkis within the Kingdom of *Scotland*, and utheris his Majestie's Dominions.

Requesting them also, most humbly to continew this their charitable Affection and Love to us, so lang as it sall please God to keip us under the Tryell of this present Persecutioun, quhilk sall be ane Witness before God and Man, that they have bein and ar furthering Instrumentis of the Delyverance of Godis Kirk in these Partis. At *Edinburgh*, the eighteenth of Junii, the Zeir of God 1622 Zeires, before thir Witnesses, *Johnne Macknacht*, *William Dick*, and *James Speir*.

Sic subscribitur, Benjamin Basnage.

Depute

' Depute from the Generall Assemblée of
' the Reformat Churches of *France*, to
' his Majestie of *Great Britain*.'

Ibid. f. 189.

Besides the above Sum, there was collected for the said distressed Protestants, in other Parts of *Scotland*, the Sum of Fifty seven thousand one hundred and eighty six Pounds nine Shillings and seven Pence of the afore-said Money.

Coun. Regist.
vol. LXII. p.
oo.

An Observatory for making Astronomical Observations, being much wanted in this College, the City Magistrates were frequently applied to for their Assistance, to accomplish so desirable a Work, especially in the Year 1736, when it was almost agreed to; but a Stop being put to the same, by the Troubles which beset *Edinburgh* on the unhappy Murder of *John Porteous*, a Lieutenant of the Town-guard, by the Populace; all Proceedings in this Affair were laid aside till the Year 1741, when *Colin Maclaurin*, Professor of Mathematicks in the said College, considering there was a Sum of Money amounting to One hundred and ten Pounds *Sterling*, already provided towards erecting an Observatory; and by the Promises of a certain Gentleman, considerable Benefactions were to be expected, provided the intended Observatory were built in his Time; wherefore *Maclaurin* revived the Design, by petitioning the Common Council for Assistance, either in their publick Capacity, or as private Gentlemen; and of all others who have a Regard to the Welfare of *Edinburgh*, and Advancement of Learning; and as an Encouragement for others to contribute towards so good a Work, generously proposed a Course of Lectures on experimental Philosophy, and the Money thereby to be applied to that Use.

The Council taking this Petition into Consideration, unanimously approved of the Design, which, if duly executed, would redound to the Advantage of the City, and earnestly recommended to the several Members and others, to promote a Subscription to the utmost of their Power, for building the said Observatory. The Money contributed on this Occasion, together with the Sum above mentioned, amounting to the Sum of Three hundred Pounds *Sterling*, the said Professor obtained a Draught of an Observatory to build that intended to be built in *Edinburgh* by; of which the annexed Print is a Copy.

Sometime after, the said Professor acquainted the Town Council, that as he intended forthwith to set about the Work, intreated they would be pleased to grant him so much of the Southern Row of Buildings in the upper Court of the College, as were sufficient to erect the intended Observatory on; and likewise for the Use of the said Work, to remit the Sum of Twenty two Pounds *Sterling*, due to the City for

Stones bought for the Use of the said Observatory; which being taken into Consideration, the said Council not only granted the Things desired, but the Materials of the Houses to be taken down on this Occasion, as an additional Incouragement for him to proceed: And the intended Edifice, for its greater Convenience, was to have been erected in the middlemost Part of the said Southern Row of Buildings; but the said Professor dying soon after, the Design is again laid aside, and no Appearance as yet of its being revived.

COLLEGE OF HERALDS.

The Office of Herald appears to be of great Antiquity, from their being used by the *Grecians* in the *Trojan War*; but of what Standing in this Kingdom is unknown.

Various are the Derivations of the Appellative Herald, and all from the *Teutonic*; but none, as I imagine, so significant as that of *Ebr* and *Halten*; that is, *The Conservator of Honour*; by which Appellation *Charles the Great* established a College of Armors.

The principal Officer in our Court of Honour, is Lyon King at Arms, whose Office, before the Union of the Kingdoms of *Scotland* and *England*, was to marshall Ceremonies at Coronations, and the Funerals of Princes and Nobility; to take Cognizance of the Arms of the Nobility and Gentry, and to grant Supporters to the Arms of new created Peers.

Subordinate to Lyon, are six Heralds, six Pursuivants, and a Number of Messengers. He is obliged to hold Courts on the sixth of *May* and sixth of *November*; to perform the Ceremonies at the Creation of Knights of the Thistle; to summon Officers of Arms and their Sureties before him on Complaint, and if culpable, either to deprive them of their Offices, or mulct them.

Lyon, and his Brethren the Heralds, have Power to visit the Arms of the Nobility and Gentry, to distinguish them by proper Differences, and register them in their Books: And to prevent Persons from bearing Arms who are not intitled thereto by the Law of Arms, under the Penalty of forfeiting to the King every Thing whereon such Arms shall be found; with the Sum of One hundred Pounds *Scotish* to Lyon and his Brethren, or be imprisoned during his Pleasure. All Magistrates, if required, are obliged to assist them in the Execution of their Office, under the Pain of Rebellion.

Lyon's Fee for matriculating the Arms of Noblemen is Twenty Marks *Scotish*; for those of Knights Ten Marks; and of all others who have a Right to bear Arms, the Sum of Five Marks.

The Messengers Business is to execute Summons, and Letters of Diligence for Civil Debts,

Debts, real or personal; the last Step of personal Diligence is a Caption, which is a Warrant to seize the Debtor's Person; which is performed by touching him with his Rod or Wand, which is a Badge of his Office: They are called *Messengers at Arms*, from their Blazon or Badge of Silver, or Brass on their Breasts, whereon is impressed the King's Arms, which shews their Authority in discharge of their Office; the resisting them in the Execution thereof, is in Law called Deforcement.

COLLEGE OF PHYSICIANS.

The Practice of Physick having been greatly abused in *Edinburgh* by foreign Importors, Quacks, Empiricks, and illiterate Persons, both Men and Women, who, without the least Knowledge of that learned Science, audaciously presumed to practise as Physicians, not only to the Scandal of that noble Art, but to the great Danger and Destruction of the Health and Lives of his Majesty's Subjects; the Consideration whereof induced the King, by his Letters patent of the 29th November, anno 1681, to erect certain Physicians in *Edinburgh*, and their Successors, into a Body politick and corporate, to have perpetual Succession, by the Name, Style, or Title of *The President*, and *Royal College of Physicians at Edinburgh*; with a Power to chuse annually from among themselves a Council to consist of seven, one whereof to be President, who are impowered to elect a Treasurer, Clerk, and other Officers; to have a common Seal; to sue and be sued; to make Statutes and Ordinances for promoting the Art of Physick, and regulating the Practice thereof within the City of *Edinburgh*, Town of *Leith*, and Districts of the *Canongate*, *Westport*, *Pleasants*, and *Potter-row*: And for the good Government of the said President and College; within whose Jurisdiction, which consists of the Places aforesaid, all Persons are precluded from practising the Art of Physick, without an immediate Warrant from the said President and College under their common Seal, under the Penalty of Sixty Pounds *Scotish*, or Five Pounds *Sterling* for every Month they practise Physick without such Warrant; and every Person continuing to practise after the first Mulct, without the Authority aforesaid, the Fine to be doubled monthly, as long as he, she, or they shall persevere in that Practice; one Moiety of the said pecuniary Mulcts to the Use of the Poor, the other to that of the College.

And the College is likewise impowered to chuse yearly two of their Members Censors, who, together with the President, may summon before them all unqualified Practitioners of Physick within the Jurisdiction aforesaid, whom they may severally punish by

pecuniary Mulcts, as above mentioned; and as often as the said President and College shall think fit to hold a Court for that Purpose, they shall previously acquaint the Lord Provost, or other Magistrates of *Edinburgh* therewith, in order for a Bailiff of the Town's being appointed to sit with them on the Trial of each Offender; for it shall not be lawful for the said President and College to fine any Surgeon or Apothecary, Citizens of *Edinburgh*, without the Consent of the Provost, or one of the Bailiffs of *Edinburgh*, who is to be present at all judicial Proceedings in such Affairs; and if at any Time the said Provost and Bailiffs should refuse to be present, it shall be represented to the Privy Council, that the College may be inabled to proceed against the said Offenders, as if the said Provost or Bailiffs were present.

And the said President and College are further impowered to punish all Licentiates in Physick within their Jurisdiction, for Offences committed by them against the Laws and Constitutions of the College, in respect to the Practice of Physick: And that the Money arising by such Fines be applied as aforesaid, provided always that the Mulct imposed exceed not the Sum of Forty Shillings *Scotish* Money.

And the said President and Censor, accompanied by one of the Magistrates of *Edinburgh*, an Apothecary and Surgeon Apothecary, are impowered to search and inspect all Drugs and Medicines within the Jurisdiction above named, and all such as shall be found bad and unwholesome shall be thrown into the Streets and destroyed.

And that the President and College may the better attend their Patients, they are exempt from watching and warding and serving on Juries.

And by the said Letters patent or Charter, the President and College are restrained from erecting Schools to teach the Art of Physick, or to confer Degrees on any Person qualified for the Office of a Physician. And that the Universities of *Scotland* may not suffer by this Grant, the said President and College are to license all Persons who have taken their Degrees in any of the said Universities, to practise Physick within the City of *Edinburgh*, and Parts aforesaid. And that all Persons, who have taken the Degree of Master of Arts in any of the said Universities, or at the Time of granting this Charter, was a Practitioner in Physick, or having taken his Degree of Doctor of Physick in any of the said Seminaries of Learning, or in any celebrated Universities abroad, shall, upon producing their respective Diplomas to the said President and College, be licensed by them to practise Physick within the Jurisdiction aforesaid, without passing a Trial on that Occasion. And it is also provided, that the several Professors of Physick in the Universities of *Scotland*, shall, upon their

their applying to the said President and College, be admitted honorary Fellows of the said College.

And in the said Charter it is expressly declared, that the several Immunities and Privileges granted to the said President and College, shall in no ways injure or infringe the Rights and Liberties of the Apothecary Surgeons of *Edinburgh*, in their Practice of curing Wounds, Contusions, Fractures, Dislocations, Tumours, Ulcers, and other external Operations.

COURT OF ADMIRALTY.

By whom, or at what Time this Court was erected, I cannot learn; but, as I have in my History of *London* made it appear, that the Appellation of Admiral is of a *Saxon* Origin, I am of opinion this Court is derived to us from the *English*: Be that as it will, it is under the Direction of the Lord High Admiral, who takes Cognizance of all Crimes both civil and criminal, committed at Sea and within the Course of the Tide. The Proceedings being in the Civil Law, both Plaintiff and Defendant give Security to make good all Damages, the former to pay the Costs of Suit in case of his being cast, and the latter to pay both Costs and Damage in case of a Decree against him. And as Strangers, as well as Natives of *Scotland* residing in foreign Parts may be prosecuted in this Court, so are their Lands and Chattels in this Country subject to make good all the Costs and Damages they may be cast in.

COURT OF CHANCERY.

This Court, according to divers learned Men, owes its Name to certain Cross-bars of Wood or Iron wherewith it was inclosed, to prevent the Officers who sat therein from being incommoded by the People. Such Grates or Cross-bars were by the *Romans* denominated *Cancelli*; which, according to the Opinion of some, gave likewise Name to that Part in a Church, called the *Chancel*, from its being separated from the Body of the Church by such Grates or Lattices by Order of Pope *Felix*, for the Use of the Priests.

Much Pains having been taken by the Enemies of our Nation to decry our Antiquities, they, amongst other Things have insinuated, that in the Laws of *Malcolm II.* the Titles of divers Magistrates and Officers are mentioned of a much later Date, and altogether unknown in *Scotland* in the Reign of the said *Malcolm*; one of which is the Office of Chancellor; therefore we could not have had a Court of Chancery so early: Wherefore they are of opinion, that the first Court of Chancery in *Scotland* was erected by King *James I.* at his Return from his long Captivity in *England*; where, being educated in the best Manner, became Ma-

ster of their Laws and Polity, and erected a Court of Chancery here about the Beginning of the fifteenth Century, after the same Method and Form of that in *England*, which is said to have continued till the Erection of the Court of Session, wherein the Lord Chancellor, as well as in all other Courts, presided by Virtue of his Office.

That this is a Mistake, is evident by the Foundation Charter of the Abbey of *Holyroodhouse*, by King *David I.* in the Year 1128, to which *Edward* the Chancellor is a signing Witness, which manifestly refutes the idle Tale of our having had no Chancellor till the Reign of *James I.*

Although the Court of Chancery be abolished in *Scotland*, yet the Office thereof is still remaining, wherein are dispatched all Grants from the Crown; and many other Writs continue under the Management of an Officer called the *Director of Chancery*, who, before the Union of the Kingdoms of *Scotland* and *England*, was an Officer of State, and in that Quality had a Seat in Parliament, and other Supreme Courts; the Nature and Constitution of whose Office I have already described.

COMMISSARY-COURT.

The Jurisdiction of the Bishops Officials Clerk's Acct. having ceased at the Reformation of Religion in *Scotland*, Queen *Mary*, in lieu thereof, instituted the Commissary Court of *Edinburgh*, which was established in the Month of *February*, in the Year 1563; it consists of four Commissaries or Judges, a principal Clerk, with a Deputy, a Procurator Fiscal, Extractors, &c.; and the Commissaries admit to Trial Proctors who plead before them. This Establishment has been confirmed by divers Acts of Parliament.

To this Court belongs a twofold Jurisdiction, the one private, the other dioce-
san; the former extending over all *Scotland*, the latter confined to the Counties of *East*, *West*, and *Mid Lothians*. To the private Jurisdiction belong all matrimonial Cases, namely, Actions declarator of Marriage, Legitimacy, Idiocy, Tonsure, Precontract, Nearness of Kin, or other Grounds relevant in Law; and all Actions of Adherence, Divorce on account of Adultery, or malicious ~~Profection~~, of Separation *a mensa et thoro*; and of Aliment to the Party injured: And Appeals from other Commissary Courts, whose Decrees are subject to be reviewed by this Court in *prima instantia*. And to the Diocesan Jurisdiction belong all Testamentary Cases; the making of Titles to personal Estates of Defuncts by Confirmations; Questions concerning Executory and Division thereof; Constitutions of the Debts of Persons deceased; Actions of Scandal and verbal Injuries; of Benefices, Tithes or Teynds; the giving Curators to Minors; the authenticating Tutorial and Curatorial

C c c c c

Inven-

Dugd. orig.
Jurid.
Cassiod. epist.
6. lib. 11.
Pet. Pyth. l. 2.
Mat. Par.
Hist. Angl.
p. 4.

atque

Defortion

Inventories; the registering of Deeds granted by Persons residing within their Jurisdiction, by Virtue of the common Clause of Registration. Likewise other civil Causes and Actions of small Debts are heard and determined; and Sums of any Extent when the Defender prorogates their Jurisdiction. To this Court also belongs the Privilege of confirming the Wills or Testaments of Natives that die abroad; likewise those of such Persons who die in *Scotland* without a settled Residence.

It is competent for all or any of the Judges of this Court to determine in all Causes that come before them. They sit during the Time of Sessions, five Times a Week, in the Forenoon, in the Parliament-house, to superintend the Affairs of the Court, and give interlocutory Orders and Sentences in common Causes; but in Matters of Importance, when the Case is brought in Writing before the Commissaries, they meet twice a Week, and sometimes oftner, to determine the said Causes; and Matters of the greatest Consequence being tried before this Court, the principal Counsellors or Advocates are employed therein.

This Court having no Vacation, is always open for hearing and determining consistorial Causes; and as to civil Cases, it is shut from the twentieth of *August* to the first of *November*; and from the twentieth of *March* to the first of *June*.

Abundance of Time is spent in the Examination of Witnesses, which are both frequent and tedious; and at all those relating to Matrimony, the four Commissaries are present.

The Commissaries, their principal Clerk and Fiscal who are appointed by the Crown, have Commissions during Life.

The Commissaries wear black silken Gowns, faced with black Velvet; and their Clerks and Proctors who plead before them, wear black Gowns of the same Stuff and Make with those of the Advocates in the Court of Session.

The Oath administered in this Court in matrimonial Concerns is very solemn, and not used in any other Court in *Scotland*; the Form whereof is thus: The Party or Witness kneels, and lays his or her Right-hand on the Bible, and pronounces the following Words: "I renounce all the Blessings contained in this holy Book, if I do not tell the Truth. And I pray that all the Curses contained therein may be my Portion, if I do not tell the Truth. And I swear by God himself, and as I shall answer to God at the Great Day, I will tell the Truth, and nothing but the Truth."

COURT OF EXCHEQUER.

This Court is held in a Room over that wherein the Court of Session sits, on the

Southern Side of the Parliament close; but when or by whom the same was erected, we are as much in the dark as in that of any of the other Courts of Justice. However, it is by all agreed to have been formed after the Manner of that in *England*, which is confirmed by the Constitution and Practice of both Courts being the same.

The Court of Exchequer was at first erected in *England* by *William the Conqueror*, for trying of Causes relating to the Royal Revenues: It is denominated from the *French* Word *Exchequier*, a party coloured or chequer'd Cloth, wherewith the Table whereat the Judges sat, was antiently covered.

Dugd. orig. Juridic.

The Judges of the Court of Exchequer in *England*, at first, consisted not only of secular and ecclesiastical Barons, but also of the Justiciary of the Kingdom. But the Trial of common Pleas being brought into the said Court instead of Ecclesiastical and Secular Peers, Canonists and others, versed in the Laws of the Country, were constituted Judges thereof; and they being the immediate Successors of the said Barons, had the Title of Baron continued to them by way of Compliment.

The Judges of this Court at present are *ibid.* chief and four other Barons, who, assisted by a Jury of Twelve Men, is the only Court in *Scotland* where Matters of civil Right is tried by a Jury. The yearly Salaries in *Sterling* Money belonging to the several Officers of this Court, &c. are as follows.

	<i>l.</i>	<i>s.</i>	<i>d.</i>
To the Lord Chief Baron	1000	00	0
To the inferior Barons, each	500	00	0
To the principal Auditor	1200	00	0
To the Deputy Auditor	200	00	0
To the King's Remembrancer	400	00	0
To the Deputy Remembrancer	200	00	0
To the Treasurer's Remembrancer	200	00	0
To the Clerk of the Pipe	200	00	0
To the Keeper of the Seal	100	00	0
To the Heritable Usher	11	10	0
To the Deputy Usher and Sergeant at Arms	300	00	0
To the Solicitor	140	00	0
To the Marshal	80	00	0
To the Messenger	16	13	4
To the Examiner	50	00	0
To the two Macers, each	50	00	0
To two Attorneys, each	50	00	0
To the Keeper of the Register	40	00	0
To the Clerk to the Port Bonds	40	00	0
To the Door-keepers, each	15	00	0
To Lyon, King at Arms	300	00	0
To the Heralds, each	25	00	0
To the Pursuivants, each	16	13	4
To the Deputy Keeper of the Signet	100	00	0
To an Agent at <i>London</i> for the Revenues	200	00	0
Sum total	7255	03	4

Court

Court of ROYAL BOROUGHES.

Being to give an Account of the Royal Burghs, or Boroughs of Scotland, it will not be amiss to premise a few Things concerning the Word *Burg* or *Burgh*.

Causab. Com.
Strab. Geog.

Cluver. Germ.
Antiq. f. 89. 90

Various are the Derivations of the Appellation *Burgh*; some take the Greek *Πύργος*, and the Latin *Burgus*, to be the same, and the latter to be derived from the former, and to signify a Castle or Tower of Defence; and that the Thracians and Macedonians pronounced the Word *Πύργος*, instead of *Πύργος*. Others say, that *Burg* is purely German, and implies a Place where a Number of Houses are situated, antiently denominated a *Vicus* or *Street*; but none of these Vicks or Streets were called *Burghs*, but such as were the Head or chief Vick of a Country or Nation; and observe, that the Word in the most antient Signification, denotes an Inclosure, otherwise called *Tuun* or *Tuyn*.

Now, as divers learned Men have declared in favour of each of the said Opinions, I shall likewise give my Sentiment in this Affair, by declaring in favour of *Causabon's*: And that *Burg* signifies a Castle or Fortrefs, I think is evident by the numerous Instances we have of Castles erected in Germany before the tenth Century, all of which were denominated *Burghs*, with an Addition of the Founder's Name, from their Situation or Contingency; and Houses being built in their respective Neighbourhoods, they were included in the Name of the *Burg*; and Buildings continuing to multiply, many of them are become very large Towns or Cities; yet though the several Precincts of those antient Castles are in many of the said Towns or Cities converted into Streets, they are nevertheless respectively denominated the *Burg*. And many Castles in the Neighbourhood of Towns and Cities (whose Names terminate in *Burg*) which by their lofty Situations could not be inclosed with Houses, are still by way of Pre-eminence severally called the *Burg*: And this antient Appellation *Burg*, being still in the German Dictionaries rendered a Castle or Tower of Defence, I think these Things effectually demonstrate, that the said *Burghs* were at first Castles, and not Towns, and the latter were afterwards erected in the Neighbourhood of the former, for their Protection in Times of Trouble and imminent Danger.

This *Cluverius* seems to admit of, by telling us, that the Word *Burg*, in the most antient Signification, implies an Inclosure, otherwise called *Tuun* or *Tuyn*. Now, as *Tuun* in its most antient Sense denotes an Inclosure, surely it could not be an open *Vicus* or *Street* of Houses; but as a *Tuun* or Inclosure appears to have been a *Burg*, it is manifest it was a Fortrefs or Place of

Strength: And as I have in the comparative Account of Languages, in my *Scotish Antiquities*, shewn the great Affinity betwixt the *Gallick* and *Teutonic* Tongues, I am of opinion, the antient German *Tuun* is a Corruption of the *Gallick* *Dun*, a Castle or Fortrefs, as doubtless are the *Englisch* *Ton*, *Tun*, *Tune* and *Town* Corruptions of *Tuun*.

Now, if the Appellation *Burg* owes its Origin to the *Teutonic*, which I see no Reason to doubt; more especially if we consider, that the Circle of *Lower Saxony* (whence the *Anglo-Saxons* came into *England*) which is the most Northern Province of Germany, and furthest distant either from *Greece* or *Rome*, abounds more with those *Burghs* than any other District in the Empire; a few of which I shall only name, viz. *Hamburg*, *Lunenburg*, *Mecklenburg*, *Flenzburg*, *Rensburg*, *Magdeburg*, *Ratzburg* and *Harburg*. I therefore imagine, that *Burg*, instead of being derived either from the *Greek* or *Latin*, it owes its Origin to the *Teutonic* *Berg*, a Hill, which by an easy Transition might be converted into *Burg*, a Castle, from their Situation on such Places. An Instance of this kind we have in the *Gallick* Appellation *Dun*, which antiently signified a Hill; but, from the numerous Castles erected on high Grounds and Hills, *Dun* was made to imply a Castle, as appears by all the antient Castles in *Scotland* being so denominated, before the Arrival of the *Englisch*.

The *Englisch*, as already observed, having settled in the Southern Parts of *Scotland* about the Year 452, erected divers *Burghs* or Castles therein, in the Neighbourhood whereof Houses being afterwards built, they were included in the Name of the adjacent *Burg*. Now, the *Scots*, by virtue of their Conquest over the *Picts* in the Year 839, having become Masters of that Part of the *Englisch* Dominions (which the *Picts* had sometime before reduced by Conquest) between the Friths of *Forth*, *Clyde* and *Solway*, and the River *Tine*, whether the *Burghs* or Towns therein became the King's Property, by virtue of this Conquest, I cannot ascertain; but that the said *Burghs* were all in the Lands subdued at this time, is evident from the Names thereof still remaining in these Parts; whereas in the Countries benorth the Friths of *Clyde* and *Forth*, the antient Habitations of the *Scots* and *Picts*, there's not one Place of the Name of *Burg* to be found that I can learn.

But by whom, or at what Time our chief Towns were at first honoured with the Title of *Royal Burghs*, I cannot ascertain; though probably they were thus dignified by *David I.* in the twelfth Century, perhaps to check the Power of his Nobility, in Imitation of the *French* Kings, who, according to *Du Fresn*, erected such Communities, to restrain the Insolencies of their great Vassals, and to protect

Du Fresn in
verbo.

protect them from the Cruelty and exorbitant Power of their Lords, from whose Dominion they were by those Establishments in a Manner exempt; and coming immediately under the Power of the King, were obliged to serve occasionally in the Royal Armies.

And the *Norman Kings of England*, to secure the Inhabitants of Burghs in their Interest, erected by their Charters Merchant or trading Gilds in Burghs, and granted them free Liberty to traffick, without Toll or Custom, in all Parts of the Kingdom, and appointed the Burghs, which they respectively inhabited, to pay annually an easy Fee-farm Rent in lieu thereof; whereby Commerce was greatly increased, as were the Royal Revenues in Proportion.

Be these Things as they will; that our Burghs are equal in Antiquity with those either of *England* or *France*, is evident by the Laws made at the Town of *Newcastle* upon the River *Tyne* in the County of *Northumberland*, for the good Government of our Burghs, by *David I.* who began his Reign in the Year 1124, and was contemporary with *Henry I.* and *Stephen*, Kings of *England*; and with *Lewis* the Gros, King of *France*, who seems to have been the first King of that Nation that granted a Charter of the above kind, in the Year 1126.

Those excellent Constitutions, intitled *The Borough Laws*, appear to have been admirably framed for the Interest and Advantage of the Burgeses, by the Encouragement of their Trade and extensive Privileges therein contained; a few of which I shall just hint at, to shew our Burgeses some of their ancient and valuable Privileges.

Leg. Burg. Scot. cap. 1. 2.

1. That the King's Burgeses, by the Name of Burgage, shall yearly pay five Pennies *Scotish* for every Rood of Land held by them of the King: And whoever shall be admitted the King's Burgeses, shall swear to be faithful and true to his Sovereign, his Bailiffs, and Community of the Burgh.

Ibid. cap. 6. 8.

2. No Burgeses shall plead without his own Burgh, but in default of a Court therein; nor shall he answer in his said Burgh, but at a Day prefixed, except to Pleas of the Crown, and then to be tried by his Com-burgeses; and that all Differences arising between Burgeses and Merchant-strangers, to be determined within the Space of twenty four Hours.

Ibid. cap. 14. 15.

3. If a Burgeses be appealed to Battle, instead of fighting, he might defend himself by the Laws of his Burgh, except in Cases of Treason or Liberty, when he was to justify himself by the Sword in a Duel. But if the King's Burgeses should appeal to Battle, the Burgeses of an Earl, Abbot, Prior, or Baron, they were severally obliged to decide the Quarrel by the Sword.

Leg. Burg. lib. 2. cap. 12. 17.

4. And so great were the Privileges of free Burghs, that if the Vassal of an Earl,

Baron, or other Person, purchased a Bur-gage (a House) and dwelt therein for the Space of a Year and Day, without being claimed by his Lord, he was deemed a Freeman and Burgeses, and for ever exempt from the Power of his Master, unless he happened to be a Vassal to the King.

5. That no Alien or Merchant Stranger Ibid. cap. 18 shall buy any Sort of Merchandize, either within or without Burgh, but from a Burgeses.

6. That none but the King's Burgeses Ibid. cap. 20 shall be suffered to have an Oven in his House, to bake Bread in.

7. That every Householder shall find a Ibid. cap. 86 Man to watch and knock at the Doors of Houses by Night, except Widows out of Trade; but all Widows who were Dealers, and bought and sold as their Neighbours do, were liable to watch and bear other Burdens. Those Watchmen were at the ringing the *Corfeu* Bell (so called from the arbitrary and slavish Command of *William* the Conqueror of *England*, who, to prevent Plots and Conspiracies from being formed and carried on against him by the injured and distressed *English*, strictly enjoined all Persons throughout the Kingdom of *England*, to put out their Fires and Lights at Eight of the Clock at Night; and as a Signal for their so doing, commanded a Bell to be rung in every Parish throughout *England*, called the *Corfeu*, or cover Fire Bell) to appear with two Weapons, one whereof was a Staff, the other probably a Sword, to watch with during the Night, on the Penalty of Four Pennies *Scotish* for every Omission; we having taken the Custom of ringing at Eight in the Evening from the *English*, their *Corfeu* is the Origin of our Eight o'Clock Bell.

8. And whatever Burgeses or Merchant Ibid. cap. 120 shall commit an Offence without the Liberties of his own Burgh, he shall be tried for such a Trespass by the Laws of the Gild.

9. It is ordained, That all the King's Ibid. cap. 139 Burgeses shall have Freedom of Traffick in all Parts of *Scotland*, for their own Advantage, without the Disturbance of any Person, under the Penalty of a full Forfeiture by such as molest them.

We are told by a certain Writer, that by *Black's R. Bor.* an antient Manuscript still in Being, it appears, that the above specified Constitutions, together with the Body of the Borough Laws, wherein they are contained, were made by the Court of the four Boroughs here under mentioned.

By what has been said, it plainly appears, that the principal Towns of *Scotland* were Royal Boroughs about the Middle of the twelfth Century; the chief whereof were these of *Edinburgh*, *Stirling*, *Berwick* and *Roxburgh*, which, by sending three, not exceeding four Commissioners each, formed a Court, called *The Chamberlain's*, or *The Court of the four Boroughs*, which used to meet

meet yearly at *Haddington*, the County-town of *East-Lothian*, before the Chamberlain of *Scotland*, who was Judge thereof; and to which Appeals lying from the several Courts of Burghs in *Scotland*, their Decrees were here either confirmed or reversed.

Before the fixing of this Court at *Haddington*, the King's Chamberlain, who had the Superintendency of all the Burghs in *Scotland*, went in Circuits from Burgh to Burgh, wherein he respectively held Courts of Justice, for the Punishment of Crimes committed therein, whether by the Magistrates or Burghers.

The Towns of *Berwick* and *Roxburgh* being taken by and in Possession of the *English*; that the Course of Justice might not be obstructed in this Court, the Burghs of *Linlithgow* and *Lanerk* were by a Parliament held at *Perth* on the 6th *March*, anno 1348, appointed to supply their Places in the said Court.

In a Court of the four Boroughs held at *Stirling* on the 12th of *October*, in the Year 1405, it was ordained, That two or three sufficient Burgesses from each of the Royal Burghs besouth the River *Spey*, should yearly repair to the Convention of the four Boroughs, to treat of, and determine all Matters and Things concerning the Welfare of the said Royal Burghs. Some time after, the Royal Burghs on the Northern Side of the River *Spey* appear to have been added; for, in the Parliament held at *Edinburgh* anno 1487, it is ordained, That certain Commissioners from the several Boroughs of the Kingdom shall convene yearly in the Burgh of *Innerkeithing*, in the County of *Fife*, to treat of Affairs concerning the said Boroughs, under the Penalty of Five Pounds *Scotish* for every Omission.

Though the Royal Boroughs were, by the above mentioned Act of Parliament, impowered to meet yearly in a General Convention, it does not appear they assembled till the fourth of *April*, anno 1552; in which Meeting, at *Edinburgh*, they regulated the Elections of Magistrates and the Town Council of the several Burghs; and ascertained Towns for keeping the Standards of Weights and Measures in.

The Privileges and Immunities of the Royal Boroughs, which are Sixty six in Number, are very great, as above observed; for they are the only Towns in *Scotland* that send Representatives to Parliament, and to the Convention of Burghs; to each of which they severally send one Commissioner, exclusive of *Edinburgh*, which sends two. And no Person can be chosen a Commissioner to either of the said Conventions, but a Merchant residing in the Burgh; and the Representatives sent to Parliament might at the same time be Commissioners to the Convention of Boroughs, who, as already mentioned, have the regulating of all Affairs within the Royal Boroughs, that of the National Commerce, Shipping and Staple in the *Netherlands*; and do occasionally send Commissioners to Kings and foreign States, concerning their Commerce; and their several Governments consist of a Provost, Bailiffs, Dean of Gild, Treasurer, and Common Council; whereas the Burghs of Regality and Barony have only Bailiffs.

Notwithstanding the Act of Parliament above mentioned, appointing Commissioners from the several Boroughs of the Kingdom, to meet yearly in the Town of *Innerkeithing*; yet we are in the dark in respect to their Number for many Years after, and must have been so for some Time longer, thro' the Defect of the Records of the Royal Boroughs: For the first Account thereof is in the first Volume of their Transactions, on the fourth Day of *March*, anno 1575, but that Want being supplied in the second Volume, in the Town Council Register of *Edinburgh*, I have from it extracted the four following Lists of the Royal Boroughs, for the Years 1556 and 1567, with Accounts of the several Stents or Taxes laid thereon. Now as these Lists, for aught appears, are the most antient extant, I shall subjoin Copies thereof, with one for the Year 1743, whereby the Reader, by comparing the several Towns and Rates therein, will perceive the great Vicissitudes that have occurred in Respect to the Increase and Decrease of the said Boroughs, in Relation to Opulency, as is manifest by their several Taxations.

Lists of the Royal Burghs, with the several Sums rated on them in the Stent or Tax Rolls on the 5th June, 2d September, and 28th November, anno 1556; and on the 14th April, in the Year 1557, and 5th July, anno 1743.

	5th June 1556.			2d Septemb. 1556.			28th Nov. 1556.			14th April 1557.			5th July 1743.		
	L.	s.	d.	L.	s.	d.	L.	s.	d.	L.	s.	d.	L.	s.	d.
<i>Edinburgh</i>	68	13	4	541	13	4	208	6	0	2650	0	0	34	10	0
<i>Strivelling</i>	16	16	10	54	14	8½	21	12	0½	252	12	6	3	8	0
<i>Linlithgow</i>	10	2	6	32	18	1½	12	13	4	151	17	6	4	18	0
<i>Perth</i>	4	10	0	14	12	6	5	12	6	67	10	0	5	18	0
<i>Dundee</i>													1	8	0
<i>Aberdeen</i>															
<i>Stirling</i>															
<i>Renfrew</i>															

Borou. Regist.
ad ann. 1743.

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Sken. Auld
Laws f. 140.

Rec. Burr.
vl. i. f. 1.

	5th June 1556.			2d Septem. 1556.			28th Nov. 1556.			14th April 1557.				5th July 1743.		
	L.	s.	d.	L.	s.	d.	L.	s.	d.	L.	s.	d.		L.	s.	d.
Renfrew	6	15	0	21	18	9	8	8	0	101	15	0	Linlithgow	1	2	0
Ruglin	4	10	0	14	12	6	5	12	6	67	10	0	St. Andrew's	0	7	0
Air	15	5	0	51	3	9	19	13	4	236	5	0	Glasgow	18	10	0
Irewyne	9	0	0	29	5	0	11	5	0	135	0	0	Air	0	15	0
Glasgow	13	10	0	43	17	6	16	17	6	202	10	0	Haddington	1	5	0
Kirkcudbryt	6	15	0	21	18	9	8	8	9	101	5	0	Dysert	0	2	0
Wigbtown	6	15	0	21	18	9	8	8	9	101	5	0	Kirkaldie	0	18	0
Whitburn	6	15	0	21	18	9	8	8	9	101	5	0	Montrose	2	12	0
Lanerk	5	12	1 $\frac{1}{2}$	18	4	5	7	1	0 $\frac{1}{2}$	84	10	8	Cowper	0	10	0
Jedburgh	6	15	0	21	18	9	8	8	9	101	5	0	Anstruther E.	0	5	0
Selkirk	4	10	0	14	12	6	5	12	6	67	10	0	Dumfries	2	0	0
Pebbles	4	10	0	14	12	6	5	12	5	67	10	0	Inverness	1	11	0
Haddington	20	5	0	65	16	3	25	6	3	147	19	0	Burntisland	0	4	0
Northberwick	2	5	0	7	6	3	2	17	6	34	10	0	Innerkeithing	0	5	0
Dunbar	4	10	0	14	12	6	5	12	6	67	10	0	Kinghorn	0	9	0
Lauder	4	10	0	14	12	6	5	12	6	67	10	0	Brechin	0	9	0
Dumfries	11	10	0	37	7	6	14	11	6	174	18	8	Irving	0	18	0
Abirdene	63	0	0	204	15	0	48	15	0	945	0	0	Jedburgh	0	16	0
Dundie	84	7	6	274	4	1	105	9	3	1265	11	0	Kirkcudbright	0	6	0
Pertb	49	10	0	161	17	6	31	17	6	742	10	0	Wigtown	0	5	0
Banff	4	10	0	14	12	6	5	12	6	67	10	0	Pittenweem	0	4	0
Dunfermling	6	15	0	21	18	9	8	8	9	101	5	0	Dunfermling	0	16	0
Craill	4	0	0	13	0	0	5	0	0	60	0	0	Anstruther W.	0	1	0
Forfar	3	7	6	10	19	4	4	4	4	50	12	6	Selkirk	0	9	0
Brechin	11	5	0	36	11	3	14	5	0	168	15	0	Dunbartoun	0	6	0
Montrose	18	0	0	58	10	0	22	10	0	270	0	0	Renfrew	0	5	0
Elgyne	6	15	0	21	18	9	8	8	9	101	5	0	Dunbar	0	10	0
Inverness	11	5	0	36	11	3	14	10	5	168	15	0	Lanerk	0	5	0
Aberbrothok	9	0	0	29	5	0	11	5	0	135	0	0	Aberbrothok	0	10	0
Sanct Androis	20	0	0	65	0	0	25	0	0	300	0	0	Elgyne	0	15	0
Cowper	18	0	0	58	0	0	22	10	0	270	0	0	Peebles	0	8	0
Culane	2	5	0	7	6	3	2	17	6	34	10	0	Craill	0	4	0
Forreys	5	12	0	18	4	0	7	0	1 $\frac{1}{2}$	84	10	8	Tain	0	3	0
Nairn	2	5	1 $\frac{1}{2}$	7	6	3	2	17	6	34	10	0	Cullochs	0	2	0
Thain	3	7	1	10	19	3 $\frac{1}{2}$	4	4	4	50	12	6	Banff	0	7	0
Dysart	7	17	6	25	11	10 $\frac{1}{2}$	9	16	10	118	2	6	Whitburn	0	1	0
Kirkcaldy	4	10	0	14	12	6	5	12	6	67	10	0	Forfar	0	4	0
Totals	42	666	4	2188	14	8 $\frac{1}{2}$	833	6	8	10000	0	0	Rothsay	0	2	0
													Nairn	0	3	0

The following two and twenty Royal Burghs, which make the whole amount to sixty six in Number, have been added since the Year 1557.

	L.	s.	d.		L.	s.	d.	
Forefs	0	6	0	Dornoch	0	3	0	
Rutberglen	0	4	0	Queensferry	0	4	0	
Northberwick	0	1	0	Fortrose	0	2	0	
Cullen	0	2	0	Kintore	0	1	0	
Lauder	0	5	6	Inverury	0	1	0	
Kilrenny	0	2	0	Inverary	0	1	0	
Annan	0	2	0	Weik	0	2	0	
Lochmaban	0	1	0	Kirkwall	0	12	0	
Sanquhar	0	1	0	Inverbervie	0	1	0	
New Galloway	0	1	0	Stranraer	0	3	0	
Dingwall	0	2	0	Campbeltoun	0	2	0	
Total Royal Boroughs	-	-	-	-	66	s.	d.	
Parts of 100 L.	-	-	-	-	L.	92	10	0

The Royal Burghs, which by the first four Lifts appear to have been only forty two in Number, are now increased to sixty six. Their Power formerly seems not to have been so extensive as at present, by their not being able to stent or rate themselves in the several Sums to be raised by them, that Power being vested in the Magistrates and Council of *Edinburgh*, as will appear by the following Letter sent by Queen *Mary* to the said Magistrates and Council.

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din. vol. II.
78.

Provest and Baillies of *Edinburgh*, this
our Wrying sein, ze fall incontinent efter
the Sicht heirof, convene with zour Coun-
fell, to stent and taxt the hail Burrowis of
this Realme to the Value of Six hundred
and sixty sex Pounds four Shellings and
four Pennies, grantit to us the ninth Day
of May last, as ze will anser to us thair-
upoun. Subscrivit with our Hand, at *E-
dinburgh*, the fyfth Day of June, the Yere
of God 1556 Zeres.'

Pursuant to the above Order the Magistrates and Council met and rated the said Burroughs according to their several Quotas set forth in the Taxation Roll of the 5th June 1556, above specified. On the 2d of September following, the said Magistrates and Council stented or rated the Royal Burghs in the Sum of Two thousand one hundred and eighty eight Pounds fourteen Shillings eight Pennies and one third, as appears by the Rates in the Roll of the aforesaid Date. This Money was appropriated to defray the Expence of getting divers Imposts in *France* lowered for the Ease of *Scotish* Merchants. On the 28th November, in the same Year, the said Magistrates and Council, by virtue of a Royal Mandate, stented the said Burroughs in the Sum of Eight hundred and thirty three Pounds six Shillings and eight Pence, as set forth in the Taxation of this Date, as above specified; but to what Use the said Money was to be applied is not mentioned. And in the Year 1557, a Match being concluded between *Mary*, Queen of *Scots*, and the Dauphin of *France*, the Parliament made an Act to raise the Sum of Sixty thousand Pounds to defray the Expence that must attend the same. The Burroughs Share of this Sum being Ten thousand Pounds, they were again stented by the Magistrates and Common Council of *Edinburgh* towards raising the same. The Quotas of the respective Burghs being ascertained in the Roll of the aforesaid Date, as above specified.

And to shew the Increase and Decrease of many of the said Burroughs since the Year 1557 as aforesaid, I have added in the fifth Column above written, an Account of the several Sums of Money raised by them in the Year 1743. at the Foot of which Column, the Sum of ninety two Pounds ten Shillings is the aggregate Proportions assessed on the sixty six Royal

Burghs, towards raising the Sum of One hundred Pounds *Scotish* Money, and, to make up the said Sum to One hundred Pounds, Three Pounds is laid on the said Burroughs in the above Proportion; to which is added, paid by the Agent for the Burghs of Barony, Two Pounds ten Shillings, and by particular Burroughs, Two Pounds, which together make up the Sum of One hundred Pounds; for every Shilling or twelve Pence *Scotish* of which, is raised Ten Shillings *Sterling*, which by the Land Tax of this Year amounting to Four Shillings in the Pound, the Quota of *Scotland* to that Aid is Forty eight thousand Pounds *Sterling*; the Share of the Burroughs being a sixth Part thereof, it amounts to the Sum of Eight thousand Pounds of the same Money.

The Contract between the Royal Burroughs of *Scotland*, and the City of *Campvere* in *Zeland* being prolonged for the Space of twenty one Years, it was ratified by the Prince of *Orange* on the 12th of December 1748; to which a certain Gentleman having wrote and prefixed an historical Account of the said Contract, he published the same by Order of the General Convention in the Year 1749; and the said Convention having, by their Act in the Year 1752, signified their Pleasure to have the said Contract and historical Account published in the History of *Edinburgh*, then ready for the Press, the Author of the said History being willing to do all in his Power to set forth the great Advantages accruing to *Scotland* by the said Contract, has, according to the Desire of the said General Convention, inserted a compleat Copy of the said Contract and historical Account in his said History of *Edinburgh*; intitled *The Staple Contract betwixt the Royal Burrows of Scotland, and the City of Campvere in Zeland*. With the several Amplifications, Prolongations, and Ratifications thereof; to which is prefixed an historical Account of the Staple.

An Historical Account of the STAPLE CONTRACT.

Amongst the many Privileges of the Royal Burrows of *Scotland*, the Power they have to treat and contract with foreign States in Matters of Trade, is none of the least; and this great Privilege they have endeavoured, in all Ages, to make a good Use of for the Honour and the Interest of the Nation,

In former Ages the *Scots* enjoyed very singular Privileges and Advantages of Trade in *France*; these are now entirely lost, not by any Fault or Neglect of the Convention of Burrows, as appears by the expensive Deputations they sent to *France* in the Years 1635, 1648 and 1684. The Deputies, upon all these Occasions, went well instructed to expostulate the first Encroachments upon the dear bought Privileges of the *Scots*, but to no Purpose. In Proportion as the People

People of *France* gave up their own Liberties, and permitted their Kings to break Faith with themselves, in the same Proportion their Kings thought themselves dispensed with the Duty of keeping national Faith with their Neighbours.

The Royal Burrows have been more successful in their Endeavours to preserve and improve the *Scots* Privileges in the *Netherlands*: These Privileges have always depended upon a Contract betwixt the Royal Burrows of *Scotland*, or, before there was a General Convention of the Burrows, betwixt the Representatives of the Trading Estate of *Scotland*, and the Government of some one or other City in the Seventeen Provinces of the *Netherlands*, such Contracts being always ratified and confirmed by the Sovereigns on both Sides; and the City so contracting, and granting peculiar Privileges to those of the *Scots* Nation, was called the *Scots* Staple Port, and in the ancient *Latin* Deeds *stabile emporium*.

It would be a needless Inquiry when, or where, or upon what Occasion, a *Scots* Staple was first erected in the *Netherlands*, Records would fail us upon the strictest Search: It is sufficient to know that it is very antient, and that *Campvere*, *Ter Veer*, or *Veer* (as it is sometimes called) in the Province of *Zealand*, has been the *Scots* Staple Port for more than three hundred Years. There have been in that Period some few Changes, but so short in Duration, and always returning to the same Place, that we must suppose, that the Changes were made upon mistaken Views, and so conclude, that our Forefathers found, by Experience, *Campvere* to be the most convenient Port for establishing their Staple in the *Netherlands*.

Bruges in *Flanders* had been the Staple Port long before *Campvere*, as appears by Letters Patent of *John* Duke of *Burgundy*, (in his Time Sovereign of a great Part of the *Netherlands*) dated at *Ghent* the 30th *April* 1407, mentioning the Contract then subsisting betwixt the Trading Estate of *Scotland* and his Town of *Bruges*, as then very antient, and granting new Privileges to those of the *Scots* Nation over all his Dominions.

From *Bruges* the Staple was removed to *Campvere* in *May* 1444, upon the Marriage of *Mary* Stuart, Daughter of *James* I. and Sister of *James* II. then reigning in *Scotland*, to *Wolfred* Van *Borselen*, Lord of *Campvere*; and as this Marriage gave the first Occasion to the Connexion which has ever since subsisted betwixt *Scotland* and that City, perhaps a short Account of the succeeding Lords and Marquisses to the present Marquis, the most illustrious Prince of *Orange*, will not be unacceptable.

The Family of *Van Borselen* was then very antient, and allied to the most noble in

Europe, and the Representatives of it enjoyed many large Domains, and were dignified with Offices of the highest Rank in the *Netherlands*. *Henrick* Van *Borselen*, the Father of *Wolfred*, was alive at the Time of this Marriage; he was Stadtholder and Admiral of several of the Provinces, Lord of *Campvere* and *Flushing*, and of many other Places.

Upon his Death *Wolfred* succeeded to his Estate, and to most of his high Offices. Being a great Warriour, he was made a Marshal of *France*, and Knight of the Golden Fleece. He had with his Wife *Mary* Stuart the Earldom of *Buchan* in *Scotland*; but she dying without Issue, that Estate and Title did not continue in the Family. *Wolfred* married a second Wife, *Charlot* of *Bourbon*, Daughter of *Lewis* Count of *Bourbon* *Montpensier*, third Son of *John* I. Duke of *Bourbon*. Of this Marriage there was an only Daughter and Heiress, *Anna* Van *Borselen*, who, under the Name of *Anne* Princess of *Campvere*, is greatly celebrated by *Erasmus* for her Beauty, Virtue, Generosity and other fine Accomplishments. She must likewise have been a learned Lady, for some of his *Latin* Epistles are addressed to her.

She married *Philip* of *Burgundy*, Lord of *Bevres* in *Flanders*, Admiral and Governor of *Artois*, Governor of *Flanders*, and Knight of the Golden Fleece. He was Son of *Anthony* called the great Bastard of *Burgundy*, Lord of *Bevres*, and Knight of *St. Michael*, and of the Golden Fleece, who was legitimated by *Charles* VIII. in 1485, for his many gallant Actions. His Father was *Philip* the Good, Duke of *Burgundy*.

Philip Lord of *Bevres* and *Anne* Lady of *Campvere* had an only Son and Heir, called *Adolph* of *Burgundy*; he took his chief Title from the Lordship of *Campvere*. He was Admiral of *Flanders*, and Knight of the Golden Fleece.

Philip left some Daughters, and an only Son, whose Name was *Maximilian* of *Burgundy*. This was likewise a very great Man, and a renowned General. He got the Collar of the Golden Fleece in 1546; and in his Favours the Emperor *Charles* V. raised the Lordship of *Campvere* to a Marquisate that same Year. He died in 1558, and left no Children by his Wife *Louisa* de *Croi*, Daughter of *Philip* de *Croi* Duke of *Arsebot*. He had been a very expensive Man, so that, upon his Death, his great Domains were found to be in a State of Bankruptcy, and the Marquisate of *Campvere* and *Flushing* were sold for Payment of his Debts. The Right which the Lords of these Towns had to represent the Nobles of *Zealand* in the Assembly of the States of the Province, made this a fit Purchase for *Philip* II. King of *Spain*, then Sovereign of the *Netherlands*; accordingly he was the Purchaser, but neglected

glected to pay all the Debts upon the Estate; and, the Revolt happening very soon after, the States of *Zealand*, as Sovereigns of the Province, made themselves Heirs to *Philip*, whose Sovereignty they had renounced, and took Possession of the Marquisate, but they likewise neglected to pay the Debts for which it was sold; so that by a Decree of the High Court of *Meeblin*, in the Year 1581, it was put up to Sale again for the Payment of the old Debts of *Maximilian*. *William I.* Prince of *Orange*, was the Purchaser, at a publick Sale, for a Sum of 24,000 *l. Flemish*; and so this Marquisate came to the House of *Orange*, and the illustrious Princes of that House continued lineally, and without Dispute, in the Possession of it a Space of One hundred and twenty Years.

But from the Death of King *William* to the Year 1747, there was no Marquis, at least none was admitted to the high Pre-eminences and Authority which all the Lords and Marquises had till then enjoyed. The Case was this: King *William*, by his Testament, appointed for his Heir, in *Germany* and the *Netherlands*, *John William Friso*, Prince of *Nassau*, and Hereditary Stadtholder of *Friesland*, and the States General were made Executors of his Will. But the Heritage became a disputed Point betwixt the House of *Brandenburgh* and that Prince, who was then a Minor, and the Executors did not then find the Time proper for entering into the Dispute: However, as soon as the Prince came to be of Age, which was in the 1708, he took the Title of Prince of *Orange* and *Nassau*. The War at that time employed him so much, in fitting himself for the military Glories which had been so long hereditary to the Names he bore, that he gave very little Attention to the great Domains to which he was left Heir. Young as he was, he commanded the *Dutch* Infantry at the Battle of *Malplaquet*, and, by his Conduct and personal Bravery, gained immortal Honour; but, unhappily for *Europe*, he was accidentally drowned in *July* 1711. Upon the 1st September, N. S. following, his Widow *Mary Louisa*, Daughter of *Charles* Landgrave of *Hesse-Cassel*, brought forth a posthumous Son, the present most illustrious Prince of *Orange* and *Nassau*, *William Charles Henry Friso*.

This long Minority again succeeding, the Affair of the Heritage and of the Marquisate lay pretty much dormant, until the Prince came to be of Age, which was in the Year 1732, when his first Care was to accommodate Matters, in an amicable Manner, with the late King of *Prussia*, and a Partition was made betwixt them; by which the Marquisate of *Campvere* was allotted to the Prince of *Orange*. All this while the Representatives of the six voting Towns of *Zealand*, *Middleburgh*, *Campvere*, *Flushing*, *Goes*, *Zirrikzee* and *Tboelen*, had accustomed

themselves to exercise the Sovereignty of the Province, and had no Inclination to introduce again into the Assembly of the States the Voice of the Nobles, which the Prince of *Orange* would undoubtedly claim as his Right, as soon as he should be invested in the Marquisate; and therefore, to preserve entire to themselves the Power which they enjoyed, they attempted a very extraordinary Exertion of Sovereignty, even to annihilate the Marquisate. Accordingly, by a very solemn Act, they appropriated the Domains to themselves, and divested the Prince of all the Prerogatives which he might pretend to upon that Score. At the same time, to indemnify him (as they called it) they proposed an Equivalent in Money, and deposited for him, in the Bank of *Middleburgh*, 100,000 *Rixdollars*. The Prince made many Remonstrances against these Proceedings, and rejected the Money with Scorn, though the States profered to double it, or even to increase it to any Sum, if he would submit it to an Arbitration. This his Highness would never consent to; and so the Matter remained until the Year 1747, when he was not only restored to the Marquisate, but made Stadtholder, Admiral and Captain General of all the Seven Provinces.

Campvere, the *Scots* Staple Town, had the Honour to set the Example to the whole Republick, in bringing about this great Event. A minute Detail of what passed, upon this Occasion, in *Zealand*, would make too long a Digression from our chief Purpose. Let it only be mentioned in general, that when the Success of the *French* Arms, in the *Netherlands*, had not only carried the *Dutch* Barrier, Town after Town, but also subjected all *Austrian Flanders*, and *Austrian Brabant*, and from the different Garrisons carried a great Part of the *Dutch* Army Prisoners of War, the *French* Ministry seemed to think it needless to cajole the *Dutch* any longer. They opened the Campaign 1747, by sending a numerous Army into *Dutch Flanders*, where none of the Fortresses were tolerably provided for Defence, and threatened an immediate Invasion of *Zealand*, which had neither Fortresses, Ships nor Troops to defend it. The Intention seemed to be, to frighten or force the *Zealanders* to consent to a Neutrality, to which some of the other Provinces had already consented. Proper Vessels had been secretly provided at *Ghent*, *Bruges*, *Blankenburg* and *Ostend*, for the Expedition to *Zealand*, as soon as the principal Fortresses should fall. The Alarm was sudden, and the Terror of the *Zealanders* very great; but Means were found to keep up their Spirits, by Assurances of immediate Succour of *English* Ships of War; and at that time, as every Day was productive of Tidings of the Progress and Preparations of the *French*, which were indu-

striously magnified by their proper Instruments, so every Day produced new Grounds of Dependence upon *British* Protection, and Winds and Weather were so favourable, that, in less than a Week after the first Alarm, no less than 27 *English* Ships and Vessels of War and Tenders, three Battalions of *British* Foot, and a Company of Artillery, were provisionally assembled from *England*, and from Sea, for their Defence. This made the Hearts of the *Zealanders* overflow with Gratitude to his Majesty, and consequently made their Minds susceptible of Influence from his Servants, and other Well-wishers to the common Cause. They opened their Eyes to see the Falseness of the Delusions of *France*, which had made the Rulers of the Republick too tamely bear so many Indignities during the Course of the War, until their proper Territories were exposed to this Insult, and themselves to this Fright, from which their faithful Allies were so opportunely relieving them. They resolved upon a total Change of the Administration of Government, by calling a Stadtholder to their Head, as their Forefathers used to do in Cases of Extremity. The Invasion of *Dutch Flanders* was upon the 17th of April, N. S. the Alarm in *Zealand* upon the 18th, and that same Day Assurances of *British* Succour were given to the States. Next Day the Ships and Vessels came from the *Ostend* Station into *Flushing* Road. Upon the 20th, 21st and 22d, other Cruizers came in from Sea. Upon the 23d, Commodore *Mitchel* arrived with the whole Squadron from the *Downs*. Upon the 24th, the Fleet of Transports, with the Troops, came in Sight. Upon the 25th, the Prince of *Orange* was declared at *Campvere*. Upon the 26th and 27th, the other Towns of *Zealand* did the same; so that, upon the 28th, he was unanimously declared, in the Assembly of the States, Stadtholder, High Admiral, and Captain General of *Zealand*. The other Provinces followed the Example with a Quickness that astonished the World, no less than the first Appearance of the true Patriot Spirit of the *Zealanders* had done. His Serene Highness appeared in his high Characters, first in *Zealand*, and honoured *Campvere*, before the other Towns, with his Presence. He took his Seat in the Assembly of the States, and appointed to represent him, as first Noble of the Province, the Baron *Van Borselen*, a collateral Branch of the antient Family, the Alliance of which, with the Royal Family of *Scotland*, gave Occasion to the first Settlement of the Staple at *Campvere*.

But to return. The *Scots* Staple having been settled at *Campvere* in 1444, as has been said, the Trade flourished so well, and the Port was found so convenient for it, that no Attempt was made to remove it, until

the Year 1539, when the City of *Edinburgh*, as representing the trading Estate of *Scotland*, sent Bailie *John Atkisson*, and *David Tod* Merchants, to treat with the Town of *Antwerp* in *Brabant*, about settling the Staple there; and accordingly a Contract was concluded upon very advantageous Terms. By the Narrative of this Contract it appears, that the Inducement to make the Change was, that *Antwerp* was the most frequented by Merchants from all Places; and it is certain, that it was then by far the greatest City of Trade in the World: But this Advantage was not found equal to the Advantages which the Cities nearer the Mouth of the *Scheld* have by their Situation. For only two Years thereafter, in 1541, another Contract was concluded with *Middelburgh* in *Zealand*, by *Andrew Moubray* and *James Henryson*, as Deputies from the Town of *Edinburgh*.

By the Narrative of this Contract it appears, that it had proceeded upon an Invitation from the Town of *Middelburgh*, and the Terms were very advantageous, but it never took Effect; at least there are no Vestiges, either in the Records of *Middelburgh*, or of the Conservator's Office at the Staple Port, that it ever did; and it is certain, that a very few Years thereafter, in 1548, the *Scots* Staple was flourishing at *Campvere*.

At that Time the Emperor *Charles V.* Sovereign of the *Netherlands*, was engaged in his Wars with *Francis I.* of *France*, upon whom the *English* likewise made War. The *Scots*, as usual, assisted the *French*; but, in the *Netherlands*, they were considered as Neutrals, and were allowed the full and free Injoyment of their Privileges in Trade, until they rashly made themselves Principals in the War. In the Year 1548, a rich *English* Ship bound from *Antwerp* to *Newcastle*, having stopt Tide in the Road of *Campvere*, the *Scots* Sailors, then at their Staple Port, surprized the Ship in a piratical Manner, and carried her to *Scotland*. This daring Insult, and Breach of the Peace within a Sovereign's Territory, produced an immediate Declaration of War, or, at least, an Order of the Emperor to all his Subjects in the *Netherlands*, to equip and make Reprisals upon the *Scots*. The *Scots* likewise equipped, and were so much superior at Sea, (which will now hardly gain Credit) that they not only confined the *Dutch* and *Flemish* Privateers in their Harbours, but interrupted the Trade of three of the Provinces, *Flanders*, *Zealand*, and *Holland*, and of the great City *Antwerp* itself. There was a total Interruption of their own Trade to the Staple Port; but, upon the general Peace, they were, in 1551, restored to their former Privileges, and the *Scots* Trade flourished again at *Campvere*, a strict Obser-

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vance of the Staple having been enjoined by sundry Proclamations of Queen Mary.

The next Interruption of the Staple was in the Year 1572, upon Occasion of the Revolt from the *Spanish* Tyranny. *Campvere* was then the second Town in the *Netherlands* that shook off the Yoke, and did it in a Manner which made it impossible to carry on any Trade there for some Years. The Circumstances were these: Don Juan *Pacico*, a Relation of Duke d' *Alva*, being a Governor of *Flushing* under him, he used the Inhabitants most barbarously, so that they were at last drove to Despair. He was daily hanging up, without Ceremony, many innocent Men, and, at last, to strike the greater Terror, he erected a Gallows of an extraordinary Height, in the Market-place of *Flushing*, on which he purposed to hang a considerable Man of the Town. The whole Inhabitants discovered so much Anxiety to save this Man, that the Governor, to secure the Execution, thought proper to order, from the opposite Shore in *Flanders*, some Companies of *Spanish* Troops to reinforce his Garrison. Upon Approach of the Vessels with these Troops, the *Burghers* run to Arms, drew their Chain before their Harbour, and shut their Ports, cutting to Pieces every thing that opposed them, and hung up *Pacico*, *Haman* like, upon the Gallows which he had erected.

The Inhabitants of *Campvere* were keen in the same Cause; but being over-awed, durst not, by themselves, attempt any Thing. Wherefore two Companies of *Flushing* *Burghers* came by Consent to their Assistance, the one by Water, and the other by Land; and, with this friendly Help, they drove out the *Spanish* Faction, and likewise shut their Ports to stop the Re-entrance of Tyranny.

Thus these two little Towns, without any near Prospect of Assistance, (the Prince of *Orange* being then only raising Troops in *Holland*) not only bid Defiance to the mighty Power of the *Spanish* Monarchy, but exposed themselves to the daily Hostilities of all the Towns around them, which were soon filled with strong *Spanish* Garrisons, and, in particular, to the large City *Middelburgh*, lying betwixt them, at three or four Miles Distance from each; and so *Campvere* became a very unsafe Place for the Continuance of the *Scots* Staple Trade.

The Conservator and Factors immediately removed with their Effects to *Bruges*, where they got their antient Privileges restored to them; and the Expedition made in securing the *Scots* Effects upon this Occasion, with little or no Interruption of the Trade, is a good Evidence of the Advantage in having a well regulated Factory abroad: For, as the Revolt of *Flushing* was upon the first Day of May, and the Revolt of *Campvere* upon the 3d, so the Act of the

Burghermasters and Council of *Bruges*, restoring the *Scots* to their antient Privileges, and promising Protection, is dated toward the End of that same Month.

As this memorable War soon spread itself over the whole Provinces, *Bruges* became likewise an unsafe Place for our Settlement; so that, in the Year 1574, there was a Resolution taken, in the Convention of *Burrows*, to fix the Staple at *Calais* provisionally, until Peace and Safety should be restored in the *Netherlands*. But the War being sooner removed from the Province of *Zealand*, and the Navigation of the *Scheld* sooner secured than the first weak Attempts for Liberty gave ground to hope, the Staple was re-established at *Campvere*; and, in the Year 1578, a Contract was made in very ample Form; Mr. *Henry Nisbet* of *Edinburgh*, and *George Hacket* Conservator, being Commissioners from the *Burrows*. This Contract was enforced by several Acts of Parliament, and Acts of *Burrows*, for the strict Observance of the Staple Port.

In the Year 1611, there was a Proposal in the Convention to remove the Staple to *Middelburgh*, and the King's Consent thereto was obtained, but it did not take Effect; for, in the next Year 1612, a new Contract was made with the Town of *Campvere*; *David Aikenhead*, of *Edinburgh*, and *William Goldman* of *Dundee*, assisted by the Conservator Sir *Robert Denniston*, being Commissioners from the *Burrows*.

The Narrative of this Contract proceeds upon the Consideration of the very antient Alliances, as well betwixt the Princes as betwixt the People on both Parts; and the succeeding Records of the *Burrows* for many Years show the great Attention given to this advantageous Settlement, in well regulating every Thing relating to it.

The Privileges obtained were so great, that, though the *Burrows* were courted by *Middelburgh*, *Rotterdam*, and other Places, it does not appear that they ever had any real Design or Inclination to change the Staple Port.

It is true, that, in the Year 1632, they ordered their Conservator Mr. *Patrick Drummond*, to treat with *Middelburgh* and other Places; but this Order seems to have been given only to enforce a very positive Letter about Redress of Grievances, which they wrote, at the same time, to the Magistrates of *Campvere*, who had been slack in answering former Letters upon the Subject.

The Staple continued to flourish, and the Factory became rich, and in so great Credit, that they were of great Consequence in the Troubles of *Britain*, which fell out about the Middle of the last Century. And here it may be mentioned for their Honour, that from first to last they continued zealously attached to the true Principles of Liberty, the great Cause then in Question.

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They were of Consequence in this Cause, by furnishing Arms, Artillery, Ammunition, and all the Implements of War, to an immense Value, to those, and those alone, who seemed to have the Rights of the People in View.

We find that so early as the Year 1638, the Convention of Burrows ordered them 15,000 *l.* in Payment of the Arms they had already furnished to the State. They furnished afterwards the Army which marched into *England*, to give Countenance to the just Demands of the *English* Parliament, for Redress of Grievances; and likewise furnished the *English* Army for some Years, as long as it could be properly called the Parliament's. But as soon as that Army lost Sight of the Cause of Liberty, for which they were enlisted, and set up themselves and their General in place of King and Parliament, they joined in every Indebour to restore the Royal Family. A great Man the Usurper certainly was; glorious he was making himself by doing real Good to the Nations over which he had usurped the Dominion, and he soon became a Dread to all the Nations around him; yet still the *Scots* Staple Factory dared to furnish Arms and warlike Stores for every Attempt to pull him down; and, in particular, the Arms and Artillery that were left in the fatal Fields of *Dunbar* and *Worcester*, were furnished by them.

The Zeal of the Factory for the Restoration of the Royal Family was so great, that after they had stretched their Credit as far as it would go, to furnish Arms for King *Charles II.* his fatal Expedition to *Scotland* in 1652, they mortgaged even their Dwelling Houses in *Campvere* to raise a ready Sum to release his Majesty's Equipage, when it was arrested at *Breda*, just as he was ready to set out. It is odd, that none of the numerous Historians of these Times ever thought it material to inquire into the Ways and Means by which the *English* Parliament Army, for a Time, and the *Scots* Presbyterian Army, first and last, got such Quantities of Arms and Ammunition to such immense Values as they must have been. But many curious Particulars relating to this are to be found in a Manuscript Journal of Sir *Thomas Cunningham* Conservator; where it likewise appears, that there never was Payment made for what was furnished to the Service of *Charles II.* not even after the Restoration. Mr. *Cunningham* indeed got the Honour of Knighthood conferred upon him, as a sufficient Recompence for his good Services in almost ruining his own Family, and influencing his Friends to ruin theirs, to the irreparable Loss of the Factory.

It is not found, that *Cromwell's* War with the *Dutch* gave any Interruption to the *Scots* Staple Trade; but King *Charles's* Wars with them put an entire Stop to it.

Upon Conclusion of the Peace at *Breda*, the Burrows immediately thought of renewing their Staple Contract. The Town of *Rotterdam* was very forward in making advantageous Proposals, which were communicated to them by Sir *William Davidson* Conservator.

The Town of *Campvere* likewise offered to renew the former Contract, and the Burrows would willingly have contracted with either of these Towns, but the Intrigues of the famous *De Wits*, at the Court of King *Charles*, carried it in favours of the Town of *Dort*, against the real Interest of *Scotland*. *Campvere* was to be demolished, as the Prince of *Orange* was Marquis of it; but *Dort* was their own Town.

The Commissioners of the Burrows, upon this Occasion, were *Walter Chiesly* and *Alexander Sandilands* of *Edinburgh*, and *Patrick Threpland* of *Perth*; and their Instructions were, that, in case the King should leave the Choice of the Place to their Election, they should chuse the most advantageous, taking into Consideration the Convenience of the Situation, as well as the Terms offered; and, if they should find these Considerations equal, to give the Preference to *Campvere*. But that, in case his Majesty should determine the Place, they should only treat with the Representatives of that Place, and break off the Treaty, if they would not give as good Terms as any other. Sir *William Davidson* was Commissioner, from the King, and his Orders, signed by *Lauderdale*, were positive for *Dort*. Accordingly a Contract with *Dort* was concluded in the 1668. How Sir *William Davidson* was rewarded, is not known; but the three Commissioners of the Burrows had 600 *l. Sterl.* paid them; a much greater Sum in these Days than it is now.

This unlucky Contract made the first Division of the *Scots* Factory in the *Netberlands*; till now it had remained an united well regulated Body, to promote the Trade of their Country; but, upon this Occasion, it became greatly disunited. All the World saw, that the real Interest of the *Scots* Trade was very little taken into Consideration, in making this Change of the Staple Port: Politicks of another Nature furnished the Motives; so that it is no Wonder that some of the Factors remained at *Campvere*, some removed to *Dort*, and some to *Rotterdam*; and so the *Scots* Staple Trade was first dispersed.

It was soon found by Experience, that *Dort* was an inconvenient Place for the Staple Port; and the Burrows were not long in taking Measures to re-establish it at *Campvere*. Mr. *Henry Wilkie*, Conservator, was appointed their Commissioner for that Purpose, in the 1675; and next Year, a new Contract with *Campvere* was made for the

Space of 21 Years, which was afterwards ratified by the King, in July 1676.

Several Acts of the Burrows were made for the strict Observance of the Staple; but the Factory continued divided betwixt *Rotterdam* and *Campvere*; and the Flight of many of our persecuted Countrymen from *Scotland* to *Rotterdam*, where they found Protection, greatly increased their Number there; while Sir *James Kennedy*, the succeeding Conservator, having been amongst the first of the Courtiers who complimented King *James* with his Religion, was an improper Minister to draw many *Scotsmen* to the Staple Port. He died about the Time of the Revolution, and was succeeded by Sir *Andrew Kennedy* of *Clowburn*, a Gentleman of quite a different Stamp in Religion and Politicks; and under his Administration the Staple recovered considerably for some Years.

As the Contract 1676, was to expire in 1697, Sir *Andrew* was commissioned by the Burrows to renew it, and a new Contract, for 21 Years, was concluded at the *Hague* in December, that Year in most ample Form. King *William*, as Marquis of *Campvere* by his Deputies, and the Magistrates of *Campvere* by their Deputies, were Contractors on one Part, and the Royal Burrows by their Deputy Sir *Andrew Kennedy* were Contractors on the other Part. This Contract was soon after ratified by King *William* as King of *Scotland*, and by the States of *Zealand* as Sovereigns of the Province, and as it has in it a Clause of Prolongation, the Parties have thought fit to renew it with Additions, at different Times, so that it continues in full Force to this Day.

Soon after the making of this Contract, Some unlucky Differences happened with the Magistrates of *Campvere*; so that in the Year 1702, the Burrows thought it necessary to send Commissioners to compose them. The Commissioners were Provost *Oliphant* of *Perth*, and Provost *Alarides* of *Aberdeen*, and a formal Contract of Agreement was concluded in August that Year. But some Differences of the Factors amongst themselves, and with the Conservator, continued and came to a great Height, to the great Detriment of the Trade; and when the Union of *Scotland* with *England* had put a Stop to the Exportation of Wool and Skins, which were then the chief Staple Commodities, no proper Measures could be unanimously concerted to make the Staple Port serviceable for the other Trade of *Scotland*. Another unlucky Circumstance, which increased the Divisions of the Factory, and hindered the due Attention that should have been given to the general Good, was, that Sir *Alexander Cummin* of *Coulter* got, by Surprise, a gift of the Office of Conservator from Queen *Anne*, which engaged Sir *Andrew Kennedy*, who had his Commission

for Life, into an expensive and very tedious Law Process with him. All these unlucky Things concurring, the Staple Trade was, in a few Years, reduced to almost nothing.

Mr. *Andrew Kennedy*, who succeeded his Father Sir *Andrew* in the Office, despaired of recovering the Trade, and so the Staple Port continued, during his Life, of little Avail for the Purposes for which it was intended. However, as the Contract 1697 was to expire in 1718, the Burrows thought proper to have it renewed; and accordingly it was renewed, with Amplifications, for another Space of 21 Years, Mr. *Andrew Kennedy*, Conservator, being their Commissioner for that Purpose.

In the Year 1725, the States General made a new Regulation as to the Importation and Exportation of Goods greatly reducing the Duties, which made the total Exemption of Duties at the Staple Port of less Consideration than formerly. And, upon this Occasion, the *Scots* Merchants at *Rotterdam*, (who had drawn almost all the Trade) did not fail to represent, that the Privileges at *Campvere* were now of little or no Service for the *Scots* Trade; but the contrary has since been made to appear.

Upon the Death of *Andrew Kennedy*, Esq; *Archibald MacAulay*, Esq; was appointed Lord Conservator in 1727. He found the Staple Port only frequented by a very few Ships from *Aberdeen* yearly, with their Manufactures, and little known to the rest of *Scotland*; but having given Attention to the Duties of his Office, and, above all, having cultivated a good Understanding, and even an intimate Friendship with the Magistrates of *Campvere*, and with the Factors, the Trade to the Staple Port has been yearly increasing ever since. The Advantages of such Privileges as we enjoy, are more and more known by Experience, and the Number of Factors increased, and is still increasing.

As the Contract 1718, was to expire in the Year 1739, the *Rotterdamers* were forming Schemes to prevent the Renewal of it; but the Royal Burrows being timeously advertised of this, they commissioned, in 1736, the Lord Conservator *MacAulay* to negotiate with the Magistrates of *Campvere* a Prolongation of the Contract. This was done with so much Expedition, that, before the adverse Schemes could be brought to bear, a new Contract of Prolongation, for the Space of 21 Years longer, was concluded in October that Year, with some Amplifications that have since been found of great Consequence.

During the late War, the Staple Trade suffered considerably for Want of regular Convoy. Our Ships indeed got frequently Convoy homewards, sometimes of *Dutch* Men of War going casually to the Northward, and sometimes of *English* Men of

F f f f f War,

War, that were ordered to *Campvere* for that Service. And it is true, that, in the Beginning of the Year 1745, a regular Convoy was ordered by the Lords Commissioners of the Admiralty, and a numerous Fleet was convoyed home in the Summer that Year: But, before the outward bound Ships were assembled, the detested Rebellion broke out, and the Men of War, were more necessarily employed in guarding our Coasts, and cutting off the Communication, betwixt the Enemy and their Tools in *Scotland*. All this, while the Admiralty of *Zealand* refused to fulfil an Article of the Contract, by which they are obliged, in Time of War, to give Convoy for the Staple Trade twice a-Year. Proper Instances were frequently made to them, but they alledged that they were still at Peace with *France*, and durst not give Offence: But as soon as the Administration of the Republick was changed, the stipulated Convoy would have been readily granted, but then it was out of their Power to give it, as all the Ships they could equip, together with a strong Squadron of *English* Men of War, were found necessary to cover the Province of *Zealand*. However, as soon as a Vessel could be spared from that necessary Service, a Frigate was appointed by the Prince of *Orange*, as High Admiral, to convoy home the *Scots* Ships then at *Campvere*, and to assemble in *Scotland*, and bring back the Trade; and, had the War continued longer, a regular Convoy would have been continued of such Force, and at such Times as the Conservator or his Depute should intimate to his Serene Highness.

The Royal Burrows, in their general Convention 1748, taking into Consideration the great Obligations which the Lovers of Liberty every where owe to the Princes of the illustrious House of *Orange*, who have, in all Ages, been Champions in that glorious Cause; that the Kingdoms of *Britain*, in particular, owe their Religion and Liberty to the Interposition of a Prince of *Orange*, and that to the present most illustrious Prince, to his vigorous Measures, and Unanimity of Councils with his Majesty, it is, in a great measure, owing, that we have the Blessings of Peace restored to us; they therefore resolved to send Deputies of their Number to compliment his Serene Highness upon his Promotion to the high Dignities of his Family; and, for that Purpose, they appointed the Right Hon. George Drummond, Esq; then Lord Provost of *Edinburgh*, and the Lord Conservator *MacAulay*, present Provost, their Commissioners. They were charged, at the same time, with another Commission, to negotiate a Prolongation of the Staple Contract, and to procure the Prince's Ratification of it, as Marquis of *Campvere*.

Their Lordships were received at *Camp-*

vere with great Respect, and every Mark of Friendship: And Deputies of the Magistracy were immediately appointed to attend them to the *Hague*, and there to treat and conclude with them a Prolongation of the Contract. They were most graciously received by his Serene Highness, and acquitted themselves of their Commission to him, with very warm and sincere Hearts, and at the same time, with becoming Dignity. In Return, his Serene Highness was pleased to give them the strongest Assurances of the great Regard he had for the Royal Burrows of *Scotland*, and of the constant Attention he would give to every Thing in his Power that might concern their Interest.

The Commissioners had distinguishing Honours conferred upon them by their Serene and Royal Highnesses, during their Stay at the *Hague*, where, in a few Days, a Prolongation of the Staple Contract, for the Space of Twenty one Years after the Expiration of the present was concluded. The Town of *Rotterdam* took the Alarm as usual, and plotted, in a very strong Manner, to influence the Prince not to ratify it: But his Serene Highness gave Proof of the Sincerity with which he had professed that he would give constant Attention to the Interest of the Burrows. He signed the Ratification in most ample Form.

When the Commissioners reported the Success of their Negotiation to the general Convention 1749, Orders were given to print the several Contracts at present subsisting; and for the Information of a great many of the Burrows, in their own Matters, this Narrative is prefixed. And, it is hoped, that the uniform Conduct of the Royal Burrows, for so many Ages, will meet with general Approbation; nay, it is hoped, that People of every Turn of Mind in *Scotland*, will here meet with something to please them in their own Way. Such as are fond of Antiquities will find, that the *Scots* Staple Factory is the most antient Settlement of the kind, now subsisting, any where in the World. Such as are pleased with distinguishing Honours to their Country will find, that the *Scots* Privileges in the *Netherlands* are the most honourable that ever were granted to any Nation in that, or perhaps any other Country. The diligent Merchant will find, how these Privileges may be used for his Advantage; and the anxious Heart, for future Generations, will rejoice, that these most antient, honourable and valuable Privileges are, by the great Care of the Burrows, put in a fair Way to be transmitted to distant Posterity.

STAPLE CONTRACT, &c.

Know all Men, of what Quality or Condition soever, That forasmuch as the Nation of *Scotland*, by many antient Contracts and Agreements,

Agreements, entered into and made with the Town of *Campvere*, have, for many Years, enjoyed the Privileges, Freedoms and Immunities in their Trade, and Establishments of their Staple Court, in the said Town of *Campvere*; and now the Royal Burrows of the said Kingdom of *Scotland*, for the good Amity and Correspondence that formerly has been betwixt them and the said Town of *Campvere*; having been pleased to continue the *Scots* Staple there, and having, with Approbation of the most Serene Prince the King of *Great Britain*, been pleased to commissionate and send hither the honourable Heer *Andrew Kennedy* of *Clowburn*, Resident for his said Majesty of *Great Britain*, for the Kingdom of *Scotland*, in the seventeen Provinces of the *Netherlands*, and Conservator of the Privileges of the *Scots* Nation there, with Power to him to treat with the Town of *Campvere*, upon Articles concerning the Continuation and Establishment of the *Scots* Staple Court within the foresaid Town, for the Good and Advantage of the Trade and Commerce of the Kingdom of *Scotland*, the said *Andrew Kennedy* of *Clowburn*, in Prosecution of his Honour's Commissions, both as his Majesty's Resident, and as Commissioner of the Royal Burrows of *Scotland*, has entered in Treaty with the Magistrates of the said Town of *Campvere*, to the end the *Scots* Staple Court might, by Continuation, be established there; of which respective Commissions the true Copies do here follow.

Here follows the Copy of his Majesty's Commission.

Gulielmus et Maria, Dei gratia, Magnæ Britanniae, Franciæ et Hiberniæ rex et regina, fideique defensores, omnibus probis hominibus, ad quos præsentis literæ nostræ pervenerint, salutem: Quandoquidem nobis abunde satisfactum sit, de magistri *Andree Kennedi* de *Clowburn* ejus erga nos fide, illiusque fidelitate et integritate, suæque etiam aptitudine, et facultatibus ad munera et officia conservatoris privilegiorum, subditis nostris, antiqui nostri *Scotiæ* regni, in Belgio concessorum, nec non residentis nostri, pro omnibus quibuscunque dicti regni nostri negotiis, intra omnes septemdecim Belgii provinciarum limites, quam exquisitè perfungenda necessariis: Noveritis igitur nos fecisse, constituiisse et nominasse, tenoreque præsentium facimus, nominamus, et constituimus præfatum magistrum *Andream Kennedum*, pro toto vitæ suæ tempore, conservatorem dictorum privilegiorum, subditis nostris, dicti antiqui regni nostri *Scotiæ*, in Belgio concessorum; ac etiam facimus, nominamus, et constituimus memoratum magistrum *Andream Kennedum*, (durante spatio antedicto) residentem nostrum, pro omnibus quibuscunque dicti

regni negotiis intra integros septemdecim Belgii provinciarum limites; ipsique damus et concedimus prædicta munera et officia, non minore potestatis privilegii, juris et libertatis amplitudine, quam quivis alius conservator seu residens, quovis tempore præterito, potitus est; et speciatim cum potestate illi, deputatos suos, unum seu plures, in dictis officiis, (pro quibus respondere tenebitur) cum clericis, ministris, assessoribus, omnibusque aliis curiæ officiariis, nominandi et constituendi, eosque pro arbitrio vocandi, et exauctorandi, admittendi, et eliminandi; cum potestate illi, dictis officiis, cum omnibus dignitatibus, privilegiis, libertatibus, immunitatibus, feodis et casualitatibus, eo legitime spectantibus, per se suosque deputatos, modo prædicto, utendi et exercendi, perque servos suos et collectores, omnia et singula emolumenta, census et casualitates, ad dicta officia conservatoris et residentis pertinentia, vel quæ ad eadem vel alterutrum eorum pertinere et spectare poterunt, rogandi, levandi, exigendi, et recipiendi, cumque potestate illi, delinquentium personas seu corpora capiendi et apprehendendi, eorumque bona distringendi et vendendi. Requirimus pariter et mandamus omnibus dicti regni nostri subditis, mercatoribus, præsertim factoribus, navarchis, omnibusque aliis quorum præsentis interfunt, seu interesse poterunt, ut dictum magistrum *Andream Kennedum*, ejusque deputatos, in fideli dictorum duorum officiorum functione, omni qua par est reverentia, honore, respectu et obedientia, afficiant, colant et prosequantur; utque ipsi, suisque deputatis, collectoribus, aliisque ejus nomine, omnia feoda, redditus et emolumenta, ad utrumlibet dictorum duorum officiorum pertinentia, vel quæ eidem (durante tempore prædicto) pertinere dignoscuntur, sub summa pœna, et prout nobis respondebunt, si in contrarium fecerint, prompte et grato animo persolvant. In cujus rei testimonium, præsentibus magnum sigillum nostrum appendi præcipimus, apud aulam nostram de *Hollandhouse*, primo die mensis *Novembris*, anno Domini millesimo sexcentesimo octogesimo nono, regni nostri primo.

Per signaturam manu S. D. N. regis supra script.

On the Back as follows:

Written to the Great Seal, and registered the twenty eighth Day of *January* 1690.

WILL. KERR.

Scaled at *Edinburgh*, the 8th of *Feb.* 1690.

A. INGLIS.

The foresaid Commission having appending thereto the Great Seal of the Kingdom of Scotland on red Wax.

Here follows the Act of the Committee of the Royal Burrows, standing before the original Contract,

Contract, subscribed by the President of their Honours Convention.

Edinburgh, the 15th Day of October, 1696.

Sederunt of the Committee of the Royal Burrows.

Edinburgh, John Robertson, and Alexander Monteith.

Dundee, Alexander Blair.

Aberdeen, John Allardes.

Glasgow, John Anderson.

Air, John Mure.

Montrose, (Absent.)

Irvine, Mr. Alexander Cunningham.

Dunbarton, Mr. James Smollet.

Culross, Mr. William Erskine.

The same Day the Committee elects Sir Archibald Mure of Thornton, Lord Provost of Edinburgh, to be their Preses.

The same Day the Committee, conform to the 22d Act of of the last General Convention, empowering them to sit after dissolving of the said Convention, for adjusting, determining and settling of the Staple Port, and to enter in Contract with such Places in the *Netherlands*, upon such Terms and Conditions, and for so many Years as should be judged most proper and convenient by the said Committee to condescend to, for the general Benefit of the State of Burrows, having met in order to the settling thereof; and after full reasoning, and debating of the most proper and convenient Place for settling of the said Staple Port, and hearing and considering the Conservator's Memorial given by him thereanent, together with his Report made in their Presence, the Committee, for the good Amity and Correspondence that formerly has been betwixt the State of Burrows and the Town of *Campvere*, and several other grave and weighty Considerations moving them, agrees and condescends, that the Staple Port be again settled in the Town of *Campvere*, and that a Contract be past and expedite betwixt the State of Burrows and the Town of *Campvere*: And the said Committee, by virtue of the said 22d Act, empowering them to adjust, determine and settle the said Staple Port, having several Times met, have at last resolved and agreed, in the Form and Manner contained in the following Articles:

Follows the Commission of the Committee to the said Andrew Kennedy.

Edinburgh, 15th October 1696.

The which Day, the Committee taking to their serious Consideration, of how great Import and Concern the settling of the Staple Port at *Campvere* will prove to the State of Burrows, and hail Trade of the Kingdom, and how necessary and expedient it is, that some discreet and well qualified Person be

employed to treat with the Magistrates of *Campvere* for that Effect; and being fully persuaded of the Integrity, Abilities, and other Qualifications of Mr. *Andrew Kennedy*, his Majesty's Resident in the *Netherlands*, and present Conservator of the *Scots* Privileges; therefore, by these Presents, grant full Power and Commission, express Bidding, Mandament and Charge to the said Mr. *Andrew Kennedy*, to transact and conclude with the Magistrates of *Campvere*, in the express Terms of the Thirty-nine Articles agreed upon by the Committee, and extended in a Contract, subscribed by the Lord Provost of *Edinburgh* in Name of the Committee, firm and stable, holding all that shall be transacted and agreed upon by the said Mr. *Andrew Kennedy*, in the Terms above mentioned, and no otherwise; and that the said Mr. *Andrew Kennedy* acquaint the Lord Provost of *Edinburgh*, from time to time, what Progress he has done therein. And ordain thir Presents to be signed by *Aeneas MacLeod* Town Clerk of *Edinburgh*, and general Clerk to the Royal Burrows; and the Common Seal of the said City of *Edinburgh* to be affixed thereto, whereanent thir Presents shall be his Warrant. Extracted

The Seal on red Wax, covered with a Piece of Paper.

ÆNEAS MACLEOD.

And in like Manner the Court of *Wet en Raad*, Law and Council of the Town of *Campvere*, for furthering of a Work of so great Profit and Advantage to this Town, after communicating with his Majesty the King of *Great Britain*, as Marquis of *Campvere*, and by the Intervention of the noble and high-born Lord *William of Nassau*, Lord of *Odyk*, &c. first, and representing the first Nobility, at the Meeting of the Noble and Mighty Lords the States of *Zealand*, &c. as Commissioner from his said Majesty the King of *Great Britain*, as Marquis of *Campvere*, by special Authorization, dated the 5th of *October* 1697, did commissionate from them the Honourable Heer *Joan de Mauregnault*, Deputy Counsellor of the Noble and Mighty States, and of the Admiralty of *Zealand*, &c. the Heer Mr. *Adrian Verelst*, first Ruling Burgomaster of the Town of *Campvere*, &c. and the Heer Mr. *Charles Zegers* Pensionary of the said Town, with full Power, specially on their Behalf, and in their Name, to confer, discourse, treat, and conclude concerning the *Scots* Staple, with the Honourable Heer *Andrew Kennedy* of *Clowburn*, Resident of his Majesty of *Great Britain* for the Kingdom of *Scotland*, in the seventeen Provinces of the *Netherlands*, Conservator of the Privileges of the *Scots* Nation there, and Commissioner of the Royal Burrows of *Scotland*, ament the continuing and establishing of the *Scots* Staple Court within the said Town of *Campvere*: And thereafter their Honours the

the Magistrates have in particular, for meeting, treating, and concluding of the foresaid Scots Staple Contract, commissioned and deputed the said Heer Mr. *Adriaan Verelst*, first Ruling Burgomaster of *Campvere*, (supplying the Place of the Honourable Heer *Joan de Mauregnault*, and the Pensionary *Charles Legers* above named); of which respective Commissions the Copies here follow.

Here follows the Copy of his Majesty's Commission to the Lord of Odyk.

His Majesty of Great Britain being informed, that the Term of the last Contract of the established Staple Court of the Scots Nation, in his Majesty's Town of *Campvere*, made and begun in the Year 1675, is now towards the expiring, and therefore a further Treaty for renewing of the same being necessary, has found good to commissionate and authorize, and hereby doth commissionate the Lord *William of Nassau*, Lord of *Odyk*, and representing his Majesty's Place, as first Noble in *Zealand*, in Name and Behalf of his Majesty, to proceed to the renewing and perfecting of the said Scots Staple Contract, with the Lord Conservator of the Scots Nation, &c. and those of the Town of *Campvere*, exactly observing all that therein shall be found requisite for preserving his Majesty's Right and Prerogative. Acted at *Loo*, the 5th October 1697.

WILLIAM R.

His Majesty's Cachet or Seal, or a red Wafer covered with a Piece of Paper.

By his Majesty's Order,
W. V. Schuylenburgb.

Here follows the Commission to the Counsellor Joan de Mauregnault Burgomaster, Adriaan Verelst, and the Pensionary Charles Legers, commissionate together from the Town of Campvere.

Be it known to all and every one whom it may concern, That we Baillies, Burgomasters, Schepens and Council of the Town of *Campvere*, have commissionate and deputed, and do commissionate and depute, by these Presents, the Honourable Heer *Joan de Mauregnault*, Deputy-Counsellor of the Noble and Mighty States, and of the Admiralty of *Zealand*, &c. the Heer Mr. *Adriaan Verelst*, first Ruling Burgomaster of this Town of *Campvere*, &c. and the Heer Mr. *Charles Legers*, Pensionary of the foresaid Town, specially on our Behalf, and in our Name, to treat and conclude, concerning the Scots Staple, with the Honourable Heer *Andrew Kennedy* of *Clowburn*, Resident of his Majesty of Great Britain for the Kingdom of *Scotland*, in the seventeen Provinces of the *Netherlands*, Conservator of the Privileges of the Scots Nation there, and Commissioner of the Royal Burrows of *Scotland*, for re-establishing the Staple within this

Town, come hither for that End; and in all their Conferences upon the Affairs concerning the foresaid Town, and Scots Court, to endeavour to the utmost of their Power the Service of those of the foresaid Nation, and the Indwellers of this Town, so as they in Reason and Equity shall judge and find convenient, and the present shall supply the Place of the absent Commissioners. In Testimony of the Truth, we have caused seal and confirm this with our Town's Seal, and the same to be subscribed by the Clerk, upon the 23d May 1697.

The Town's Seal stamped on green Wax, covered with a Piece of Paper.

(*absente secretario*)

HEKELBEKE.

1697.

Here follows the last and particular Commission of the Honourable Magistrates of Campvere, given to the foresaid Burgomaster Adriaan Verelst.

Be it known to all and every one whom it may concern, and to whom these shall be shown, That we Baillies, Burgomasters, Schepens and Council of the Town of *Campvere* in *Zealand*, have commissionate and deputed, and, by these Presents, do commissionate and depute the Heer *Adriaan Verelst*, first Ruling Burgomaster of this Town, on our Behalf, and in our Name, (supplying the Place of the Honourable Heer the Counsellor *Joan de Mauregnault*, Deputy-Counsellor of the Noble and Mighty Lords the States and Admiralty of *Zealand*, and the Heer Mr. *Charles Legers*, Pensionary of this Town, who were formerly commissionate together by us, for the Scots Affairs, conform to Commission given thereanent, dated the 23d May 1697) to transport himself to the *Hague*, or else where it shall be needful, and in our Name, besides the Noble and High-born Lord, the Lord *William of Nassau*, Lord of *Odyk*, &c. first, and representing the first Nobility, at the Meeting of the Noble and Mighty Lords the States of *Zealand*, &c. as Commissioner of his Majesty of Great Britain, as Marquis of *Campvere*, to treat, agree and conclude, concerning the Scots Staple, with the Honourable Heer *Andrew Kennedy* of *Clowburn*, his said Majesty's Resident for the Kingdom of *Scotland* in the seventeen Provinces of the *Netherlands*, and Conservator of the Privileges of the Scots Nation there, as Commissioner of the Royal Burrows of *Scotland*, ament the continuing of the Scots Staple in this Town; and in all his Honour's Treatings upon the Affairs concerning the foresaid Town and Scots Nation, to endeavour to the utmost of his Power, best Service of those of the foresaid Nation, Town of *Campvere*, and Indwellers thereof, so as he in Reason and Equity shall judge and find convenient, and generally to do all Things he shall think needful for effectuating the Staple

G g g g Contract,

Contract, even as if we ourselves being present could or might do, although there were need of another and more special Power and Charge than is contained in these present Letters; promising sincerely and faithfully to agree to, and hold as firm and obligatory, all that shall be done, promised and agreed to by the said Burgomaster Verelst, and to grant our Act of Ratification of the same, within the Time that thereto shall be prefixed. In Testimony of the Truth, we have confirmed these Presents with the Town's Seal, and the same is subscribed by the Clerk, the 20th Day of November 1697.

*The Town's Seal was green
Wax covered with a Piece
of Paper.*

FRANC DE MEY.

And both Parties, by virtue of their respective Commissions before insert, having had several Conferences together, both in the Town of *Campvere* and at the *Hague*, they have lastly agreed on the following Articles:

ART. I. *Imprimis*, That for keeping and preserving of the strict Alliance and Friendship, which (by God's Providence) is made between his most sacred Majesty of *Great Britain*, and the Lords the States General of the United *Netherlands*, and for the long Enjoyment of the Fruits of so happy a Peace, the Magistrates of this City, in all Things according to their Power, upon all Occasions, shall seriously give a just and real Demonstration of their true Affection to his Majesty's Royal Person, Authority and Government, and of their constant Inclinations to the Welfare and Tranquillity of his Majesty's Kingdoms and Dominions, and in particular of his Majesty's Kingdom of *Scotland*; and, to make the same manifest, the said Magistrates shall, as far as in their Power, obstruct and hinder the buying or selling of all manner of Ammunition of War, Weapons offensive and defensive, by, or to the behoof of any Fugitives, Rebels, Enemies, or others, disaffected to his Majesty's Royal Person and Government: As also, so far as in them lyes, to hinder the printing and publishing of all seditious Books and Pamphlets within their Jurisdiction; and also, the transporting of them to any of his Majesty's Dominions; and if, at any Time hereafter, the same shall be discovered by the Conservator, or his Depute, and Information given to the said Magistrates thereof, they shall cause punish speedily the Persons so offending, (being found within their Jurisdiction) according to their Demerits.

II. That there shall be a firm Correspondence and Agreement betwixt the Royal Burrows of the Kingdom of *Scotland*, and the Magistrates of the Town of *Campvere*, with Approbation of his Royal Majesty as Marquis of *Campvere*, or his Commissioners, for the Establishment of the *Scots* Staple Court within the said Town of *Campvere*,

for the Space of twenty one Years after the Date hereof fixt, and, after the Expiration of the same, for so much longer as shall thereafter be agreed upon by the Royal Burrows and Town of *Campvere*; but the Contract shall take its Effect, with the concluding and subscribing of the same by the Commissioners on both Sides, and there to enjoy the Privileges and Immunities mentioned in the following Articles, with all other Privileges formerly granted by this Town by antient Contracts, especially that of the Year 1612, (except in so far as it may be innovate by this Agreement, or by what may be agreed upon hereafter) for the further Encouragement of the said Inter-courfe of Trade, and that the Magistrates of the said Town of *Campvere* shall give publick Assurance, that, during the whole Time of this Agreement, the said Conservator, and all others having Dependence upon the said Staple Court, may have a free and safe Conduct and Protection within this Town, and that they, with their Families and Goods, may peaceably dwell and negotiate there, and in the Jurisdiction thereof.

III. In regard that all Staple Commodities that come from the Kingdom of *Scotland*, are the natural Product of that Country, most Part of them unmanufactured, by which Means the Town of *Campvere*, and other Towns of the Provinces, have the Conveniency and Advantage of reducing the said Commodities into several Manufactures fit for Use, whereby they reap a greater Benefit than the People of the *Scots* Nation: Therefore it is by this Article agreed, That all the said Staple Commodities may be freely imported to this Town, without paying any Toll or Custom, as is here called, Incoming, Convoy, Licent-money, Vylgelt-money, and Last-gelt-money upon any of the *Scots* Ships, or other Vessels whatsoever belonging to them, and from all other Impositions present and future; and that all Residenters belonging, or any Way depending upon the Staple Court, may be free to use and enjoy all the Privileges and Freedoms that the Burghers themselves do enjoy within the Town and Jurisdiction thereof. And by this Article it is agreed that the Goods following are and shall be reputed Staple Goods, and no other, *viz.* All Sorts of Wool, Woollen and Linnen Yarn, all Woollen and Linnen Manufactures, Hides and Skins of all Sorts, Plaiding-Kerseyes, *Scots* Cloths, Stockings, Salmon, Tallow, Oil, and all Sorts of Barrel-Flesh, Pork, Butter, and Leather, dressed and undressed: As also, in respect Salmon is such a tender and perishable Commodity, it is hereby declared, That such Quantities thereof as come from *Scotland* to *Campvere*, after the first of *October* yearly, the same shall not ly longer there, than

to

to the first of *November* next following; and in case *Salmon* come after the first of *November*, that the Owners, after unloading of the same *Salmon*, (being put in *Pack-houses* or *Cellars*) after making a due and publick Offer of Sale within *Campvere*, shall have Freedom to go with the said *Salmon* where they please, and to transport the same where they may have best Sale therefor, without paying any other thing but the Conservator's Dues. And siclike, it is hereby declared, that *Stockings* being a Commodity that is not frequently vended at the *Staple Port*, it shall be leifom to the Merchant, Owner thereof, (in case there be no Opportunity to sell the same, after that first an Offer of Sale is made duly and publicly, within two Months after importing the same to *Campvere*) to transport the same to any other Port where they may have best Sale therefor, and that without Payment of any Imposts, except the Conservator's Dues alienarly.

IV. That the Lord Conservator, without Let, Hinderance, or Molestation, may exercise Jurisdiction in all Cases, Civil and Criminal, over the Persons and Goods of all those who belong to the *Scots Staple*; as also, over all those of the *Scots Nation* already dwelling, or which shall hereafter dwell, remain, or lodge within the Town of *Campvere*, or Freedom thereof; so that no Magistrate or Judge of this Town shall have Power to determine in or upon any Question or Difference, Civil or Criminal, at any Time happening between two of the *Scots Nation*, but the Case shall be only pleaded, adjudged, and by definitive Sentence determined by the Court of the Conservator, and that without Contradiction or Appeal: And in case of Incivility, Contention, Opposition or Resistance, the said Magistrates of *Campvere* shall afford the Conservator or his Depute, all Help and Assistance to bring the Offender to usfal and deserved Punishment; and that all Acts, Ordinances, Sentences, and Decrees made and given in the Conservator's Court, as also all Certificates and Letters Testimonial, given, acknowledged and granted under the Hand of the Conservator, or his Depute and Secretary, with the Office-Seal thereto affixed or appended, shall be holden and esteemed, in all Cases, either Civil or Criminal, as obliging, legal and authentick, to all Intents and Purposes, as any other given and granted by the Magistrates or Judges of this Town, in Cases belonging to their Jurisdiction: And a List shall be given within six Weeks, after the Approbation of this Contract, of such Persons as live under the *Scots Court*, or thereafter shall come to live from time to time.

V. If any Question or Action Civil shall fall out between any of the *Scots Nation*, and any of the Inhabitants of this Town of *Campvere*, either Native or Stranger, in that

Case the Plaintiff, or first Complainer, he being a *Scotsman*, shall be obliged, first of all, to apply himself to the Conservator, or his Depute, and being a *Dutchman*, to the Magistrates, that there may be Arbitrators nominate over the Business in question; and the said Conservator, together with the Magistrates shall, upon either Side yearly, name three Arbitrators, the present to include the absent, that may freely cognosce, arbitrate and determine upon the said Differences; and the Sentence and Decrees to pass by them, upon the Agreement or willing Submission of the Parties, shall be holden as valid to all Intents and Purposes, as if the same were past in Judgment before the Magistrates of this Town, or Conservator's Court; and that all such Decrees and Sentences arbitral, so given, shall, with all Expedition be put in Execution, according to the Privileges of this Town, and Laws of the Country: But in case the said Arbiters be equal in their Voice one against another, the Case being referred to their Determination, then the said Arbitrators shall chuse an Umpire that may pronounce the arbitral Sentence; and if the said Parties will not agree, then the Case may be brought before the Judges of this Town, to be determined in Presence, and with the Advice of the Conservator, or his Depute, within fourteen Days after that full Probation is made of the Cause; and if it shall happen, that any of the *Scots Nation* shall have to do before the Lords, States, or Council of *Zealand*, the Lords of Admiralty, or Town Council of *Middleburgh*, whether it be for staying of their Ships, confiscating of their Merchandise, or any other Cause whatsoever, in that Case, the Magistrates of the Town of *Campvere* shall be obliged to cause assist them by their Pensionary, or some other of their Council, to the end that those of the *Scots Nation* may be well used, and as much favoured as any of their own Burgeses: And the Magistrates of *Campvere* are obliged, on all Occasions, to give all dutiful Assistance to those of the *Scots Nation*, even, and in the same Manner as their Honours are obliged to do to their own Burgeses and In-dwellers.

VI. To the end that the People of the *Scots Nation* be not frustrate of the Word of God, and the Exercise of the reformed Religion, in their own proper Language, the Magistrates of the Town of *Campvere* shall hereby be obliged, within a Year after subscribing hereof, to take care that the old burnt Church be rebuilt, or otherwise, within two Months, to accommodate the *Scots Nation* with a fit Place wherein to exercise their Religion, and to furnish the same with all Necessaries requisite to the due Order and right Administration of God's Service, and Exercise thereof, according to the Doctrine, Service and Discipline, acknowledged, practised,

ctified, and by Law established within the Kingdom of *Scotland*; as also, a fitting Church-yard, where the Dead of that Nation, and none other (without the Consent of the Conservator, or his Depute, first obtained) may be buried, together with such Place in the Church, as by the Conservator, or his Depute, shall be thought fit, the said Church or Place, and Church-yard, to be kept in due Reparation at the Charges of the Town, and to be exempted from any Ground-right which may be pretended to be paid, for burying within or without the Church, and to have the Liberty to bury their Dead at any Time of the Day or Night, at their Pleasure, without paying any Fine for the same: And whereas those of the *Scots* Nation have (since the Time their Church was burnt) employed, for exercising God's Service, the House belonging to the *Scots* Poor, standing in the *Winegaert* Street; and that it was the Duty of the Magistrates to have provided them of a Church, yet it is hereby agreed, that, for the Rent of the said House, and Reparation done thereto, nothing shall be pretended, the same being hereby discharged; but, in lieu thereof, the Magistrates of *Campvere* undertake and promise to pay the yearly Stent imposed upon the said House and Tenement, and that for the Space of the ensuing twenty one Years, which is the Time of this Contract; and, in like Manner, the Stents of all Years that are passed since the burning of the foresaid Church, till the Date of the Ratification of this Contract: And, moreover, that the Obligations belonging to the *Scots* Poor, and at present in the Custody of the Town of *Campvere*, shall forthwith be delivered over to the Lord Conservator, and to Mr. *Thomas Hogg*, present Minister of the *Scots* Nation, with Payment of all the Interest that has been received since the very first Time that those Obligations came into the Hands of the honourable Magistrates. Which Delivery of the said Obligations, and bygone Interest, the Magistrates of *Campvere* have performed to the foresaid Lord Conservator, and Minister of the *Scots* Nation, conform to the Accompt current of the same, and wherefore the said Conservator and Minister have given Acquittance. As also, to have a Minister, Precentor, and Clerk, for the Service of the said Staple Church, according to their respective Callings. And the said Minister being duly admitted, the Town shall provide, that the Minister shall receive his yearly Salary and Maintenance, in the same Manner as it is now paid; and that they shall use their utmost Endeavours to obtain for, and cause be paid a fit Salary to the Precentor and Clerk; and if it shall so happen that the foresaid Congregation shall so increase, that it should be found necessary to have a second Minister for Assistance,

his Maintenance shall be at the Charge of the *Scots* Nation.

VII. For the better preventing and eviting of all Perils and Dangers that may be in the Incoming to this Port, the Magistrates are hereby obliged to entertain continually the Marks, Beacons, Tuns and Buoys, at the Entry of, and within the Channel leading to this Town, in all Places where it shall be found needful; and also, that knowing and experienced Pilots and Pinkmen be appointed to bring in and out the Ships belonging to the *Scots* Staple (at the Charge of the Employers) in stormy, misty, and dark Weather; and as oft as the said Pilots shall be employed and made use of, but not otherwise in any Sort, their Salaries shall be paid, conform to the Regulation, in ordinary Occasions, made by the Magistrates, together with the Conservator, or his Depute; and if, through Tempest or stormy Weather, any Ship of the *Scots* Nation be in Danger, and for their Safety the Skipper be compelled or necessitate to promise to the Pilots any exorbitant Pilotage by them required, for in-bringing of the said Ships, in that Case, the Skipper, when arrived, shall not be obliged to pay all that was promised, but the Magistrates of this Town shall moderate the same conform to Equity and Reason, whereby all Extortion, in such Cases, may be prevented.

VIII. To the Intent the Ships of the *Scots* Nation, coming to the said Town of *Campvere*, may be well accommodate with a large and spacious Haven and Key, for the keeping, lying and livering of the said Ships and Goods, the Magistrates are hereby obliged to appoint for them the whole Key wherewith the *Scots* Ships have been served in Time bygone, from the great Bridge till opposite to the House of the Heer *Bailies de Konink*, formerly the House called the *Oliphant*, and that the same be kept free only for the Use of those of the *Scots* Nation, provided with Pales or Posts, Crans, good Help and Assistance of Boats, Duc-Boats and Lighters, especially in Time of Frost, and, when Ships cannot come to the Haven, that there be appointed a good Number of Sledges, Waggon, and Labourers for the timely loading and unloading of their Ships and Goods, which Labourers Hire shall be regulate by the Conservator and Magistrates of this Town: And if it shall so happen, that the Haven, so provided by the Magistrates, be not sufficient to contain all the Number of the *Scots* Ships, that shall happen to come, in that case the Magistrates shall cause accommodate them with so much more Place as shall be needful, by causing their Haven-master remove all other Ships from the Shore, to the End there may no Controversy fall out betwixt the Mariners of the *Scots* Nation,

Nation, and those of other Nations. And the Magistrates shall take such Order, in this Point, that those of the *Scots* Nation may have no Cause to complain; and the Haven-master shall be ordained by the Magistrates, to keep the said Havens and Keys void and clear, that the Ships of the *Scots* Nation may commodiously load and unload, without Hinderance or Molestation: The Haven-master shall likewise take care, that, on all Occasions, when the *Scots* Ships are coming in or going out, the Haven shall be patent and open to them without any Impediment. And if the Shore-masters, or any in their Name, at any time, shall maliciously cast, loose, or cut any Cable or Rope, upon the Shore, of any of the *Scots* Ships, he shall be punished therefor by the Magistrates, at the Sight of the Conservator or his Depute: And if the Magistrates or Shore-master fail in any of this Article, the Magistrates to be liable for all Cost and Skaith incurred thereby.

IX. That the Merchants of the *Scots* Nation, coming to this Town, may, in their Negotiations, be well served with Pioneers, Labourers and Workmen, and with Cellars, Warehouses and Lofts, at reasonable Prices, to be paid by the said Persons; and, in case any Burgher or other Inhabitant shall demand of the said Merchants unreasonable Hire, the Magistrates of the City shall moderate the same, and the Hire of the Labourers and Workmen shall be paid according to the Rates that shall be agreed on by the Magistrates and Conservator, whereof a List for that End shall be made and published, *viz.* for the Sledges, Waggon, and Workmen, also of the Skippers of Ships, and Scouts that shall go with any Goods from the Town to *Middleburgh*, or any other Place within the seventeen Provinces, which the Skippers, Labourers, and Workmen shall be holden inviolably to observe and keep, conform to the Tenor of the same; and the Skippers of the Ships and Scouts to be liable for any Damage sustained betwixt *Middleburgh* and any other Place, and *Campvere*, occasioned by their Default: And all Merchandize and Goods, livered out of the said Ships, shall be carried and transported off the Shore in Winter, before three Hours Afternoon, and in Summer before six Hours Afternoon. And if any of the said Labourers or Workmen shall commit any Incivility, by Word or Deed, to any Merchants, Factors, Skippers, Mariners, or other Persons belonging to the *Scots* Staple, the Magistrates shall forthwith cause such to be punished, according to the Demerit of the Fact. And in case any of the Goods or Wares belonging to the said Merchants comes to sustain any Damage or Loss, by the Inadvertency, Wilfulness and Delay of the Cran-master, his Substitutes, or his Servants by him employed

for loading and unloading of Ships, the Cran-master shall be obliged to make good the said Damage and Loss so occasioned, and, in case of Refusal, shall be thereunto compelled by the Magistrates; as also the Workmen and Sledgmen shall be obliged and constrained to make good the Damages occasioned by them.

X. For the better Accommodation of those of the *Scots* Nation within this City, there shall be provided for, and given to them, for their Use, a good, large and wholesome House, fit for a Conciery, which House shall be free of all Excise and Imposts upon all Sorts of Wine or Beer, and the House-rent, and Reparation of the same House, shall be at the Charge and Expence of the Town of *Campvere*, and the Magistrates shall sufficiently repair and dress the House, that formerly, to the Date hereof, has been employed and made use of for those of the *Scots* Nation, and which now is in a bad Condition: And in case that House, after the Reparation that shall be made, will not be found fit for a Conciery, the Magistrates shall be obliged to provide, and give another and more fit House for a Conciery, and to enlarge and accommodate those Houses, till they be sufficient and great enough; and if it shall be found necessary to set up another Conciery, the same shall enjoy the like Privileges with the first Conciery, only that the Rent of that House shall be at the Charge of the Nation; and what is through Wilfulness or Negligence broken within the House, shall be to the Charge of the Conciery.

XI. If it should happen, (which God forbid) that any of the *Scots* Nation, belonging to the *Scots* Staple Court, or having Dependence thereon, should, in this Town, or Jurisdiction thereof, commit such a Crime or Fault, for which he ought to be punished capitally, by the Loss of Life or Limb, in that Case, it is by this Article agreed unto (notwithstanding of the foresaid Crime) that his Goods shall not in any Sort be liable to Forfeiture or Confiscation, but the same shall remain free to his Heirs or Executors, only paying Ten Pounds *Flemish*, according to the Privileges granted to the Inhabitants of this Town on such like Occasion, by the Earls of *Zealand*; and in like Manner, all the Goods that shall be found in his Custody, belonging to any Merchant, Principal, or Friend, shall not be liable to any Confiscation, for any Offence by him committed, although it were in *crimine læsæ majestatis*; of whatsoever Kind the same may be, but the same Goods shall be holden free, and shall be delivered to the right Heirs and Proprietors thereof. And also no Person, who may be guiltless and innocent, shall for the Offence, Guilt or Fault of any other, be in anywise arrested or molested in his Person or Goods, except

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cept he shall be found bound and obliged, either in Person or Goods, for another.

XII. That no Arrest on any of the *Scots* Staple, in Person or Goods, shall be granted, within this Town or Jurisdiction thereof, except after a Sentence given, or that there be good Ground *de fuga*, or that he is to absent himself; and no Sentence being declared, the Magistrates shall not give Order for Arrestment, but after that first Knowledge thereof is given to the Lord Conservator, or his Depute, being in the Town; and in case the Debt be denied, Caution shall be given before his Departure, till that, upon Knowledge of the Matter, the Process may be determined.

XIII. That no Native or Stranger, Burgher of the foresaid City, or Indweller therein, or Jurisdiction thereof, shall have Power or be permitted to trade, deal or traffick, in *Scotland*, in any Goods or Merchandize, which are already declared Staple Commodities, or shall hereafter be declared such, by bringing them over themselves, or causing others bring them, upon the Penalty of having the said Goods confiscated, *toties quoties*, by the Magistrates of the Town; and if any Person of the *Scots* Nation shall be found, in their Name, to cover, conceal or negotiate for the above said Persons, they shall be punished by the Conservator or his Depute, according to the Laws and Customs of the Staple Court: And it is, by this Article, further agreed, that no Person of the *Scots* Nation may be made free Burgher of this Town, without Knowledge and Consent of the Conservator, or his Depute; and these who are already Burghers, shall, in no Manner of Way, be favoured to trade in Staple Goods, until such Time as they have quitted their Right of Burghership, and thereafter be legally admitted and declared by the Conservator, or his Depute, as Members of the *Scots* Staple Court, upon the Penalty above expressed; neither shall any Indweller in this Town be admitted under the Staple Court, without the Knowledge and Consent of the Magistrates.

XIV. And for the better Incouragement of the Navigation and Trade of the *Scots* Nation, it is by this Article agreed, that, in case any Ship, or Ships, belonging to them, be robbed, spoiled, or taken at Sea, by any Inhabitant or others, holding themselves under the Jurisdiction of the Province of *Zealand*, the Magistrates of the foresaid City shall hereby be obliged to endeavour, according to their Power, that all such Ships or Goods be again restored, with their intire Loading, or what shall be so robbed or taken; or else cause full Satisfaction be given to the Person or Persons so wronged, proportionally to the right Value thereof, and shall cause the Delinquents to be punished, according to the Nature of the

Offence; but if so be, that the Offender dwell under another Jurisdiction, then the Magistrates shall be obliged, by their Pensionary or others, to require the Restitution and Satisfaction for the said Damage, and that at the Cost and Charge of the Town; and further, that all Goods of Ships cast away, belonging to the Merchants and Factors of the *Scots* Staple, that shall be saved by any Inhabitant, or other Person holding themselves under the Jurisdiction of this Town, or any Way concealed, or made away by them in any Sort, then the Magistrates are hereby obliged to use their Power and Authority, to the end the said Goods, or the Value thereof, may be furthcoming to the right Owner, and the Persons so offending to be severely punished for such their Concealment and unjust Detention: And also, in case the said Goods shall happen to be taken up, concealed or imbezelled by any Person or Persons, living without the Jurisdiction of this Town, the Magistrates shall use their best Indeavour to get the said Goods, or their Value again restored to the right Owners; and in case any Ship or Ships shall be in Danger to be cast away in the Passage leading to the Town, that then all possible and speedy Help shall be employed, at the Cost of the Owner of the same, for their Preservation.

XV. In case any of the Inhabitants here, being addebted to any of the Staple, shall come to obtain Letters of Respite of Time or *Surety du Corps*, or *Cessio bonorum*, these of the *Scots* Nation shall be favoured, and used in the same Manner as any other Creditors, Indwellers in this Town; and if it shall happen that any of the Staple, addebted to any Indweller in this Country, or an Indweller addebted to any of the Staple, come to fail, or otherwise, that there be need to appoint a Curator over his Goods, then shall the Magistrates, together with the Conservator, chuse a Curator, *ad opus habentium*.

XVI. For the better securing of the Means of any of the *Scots* Nation that shall happen to die in this Town, the Magistrates are, by this Article, holden to grant and agree unto these of the *Scots* Staple Court, that if any of their Members, happening to die or depart this Life intestat, or without making his last Will and Testament, that then and in that Case, their Goods and Estate shall, and must fall under the Administration of the Court of the Conservator, insomuch that neither the Magistrates, nor the Orphans Court in this Place, shall have any Thing to do with the said Goods, or Estates of the Persons so dying, or exercise any Authority thereupon.

XVII. The Magistrates do by this Article promise and consent, that the Conservator and his Depute, may and can use the Prison of this Town at their Pleasure, furnished

nished with all Necessaries thereto belonging, in which the Conservator, or his Depute, may cause to be imprisoned, all such Debtors, Offenders, and Evil-doers of the *Scots* Nation, which he the said Conservator, or his Depute, shall imprison, and again set at liberty out of the same, at his or their Pleasure, without Contradiction, or being obliged to give any Information thereof to the Town Magistrates, and that the Master, or Keeper of the Prison-house, or his Officers, be obliged to give all dutiful Assistance to the foresaid Conservator, or his Depute, as often as he or they shall be thereunto required.

XVIII. And for the better securing of the Trade of the *Scots* Nation, it is hereby agreed, that the Magistrates, upon all convenient and fitting Occasions, in Time of War and Danger, shall procure from the Court of Admiralty in *Zealand*, two well furnished Ships of War, not mounted under thirty Guns a-piece, that may freely attend in Convoy upon the Ships belonging to the *Scots* Nation, to any Place or Places within the River of *Forth*, or any other Place in the Kingdom of *Scotland*, the 1st of *April* yearly, and the 1st of *October* thereafter, O. S. to be the fixt Time for the said Convoys to attend, unless upon some Emergencies falling out, that the Conservator or his Depute acquaint the Magistrates of *Campvere* to send the said Convoys sooner or later, which they shall be hereby obliged to agree to, and the said Convoy Ships shall wait and stay there fourteen, or, at farthest, twenty Days, for to bring and convoy back the saids, or any other Ships to this Town and Place: And, the *Scots* Ships being here, the Magistrates shall use all Endeavours, (as they have heretofore done) that they shall again return with good Convoys.

XIX. It is by this Article agreed, siclike the Magistrates of this Town promise and condescend to cause good and sufficient Watch to be kept on the Streets in the Night-time, especially in those Places where the greatest Part of the Warehouses of the said Staple Court are, and shall also take care, that the Inhabitants and Burghers of this Town shall carry and demean themselves peaceably, and in a friendly Manner, to all the Members of the said Staple Court: And farther, the said Magistrates consent, by these Presents, that these of the *Scots* Staple may take into their Service such a Doctor of Physick, Chirurgion, Barber and Apothecary, as they shall think fit, without any Contradiction, who shall enjoy all such Immunities and Privileges, as by Right and Custom belongs to the Doctors, Chirurgions, and Apothecaries of this Town, and all other Doctors, Chirurgions, and Apothecaries, dwelling in this Town, shall also be freely permitted to practise a-

mong all such of the *Scots* Nation as reside here. As also the Magistrates do promise to the Chirurgions of the *Scots* Nation a fit and free Dwelling. The Magistrates are, by this Article, obliged to provide, and appropriate to the Use of those of the *Scots* Staple, a convenient Place for their Merchants and Factors, wherein to air and dry their Sheeps Skins, Hides, or other Goods, which may be in Danger to be damnified by Water or otherwise; as also to afford those of the *Scots* Nation a convenient Place, within or near this Town, whereunto they may resort, for their bodily Recreation; and likewise Liberty and Freedom to the Conservator, his Depute, Court Officers, Merchants and Factors, to fish, shoot, hunt, and hawk, in all Places under the Jurisdiction of this Town, without Let, Hindrance or Molestation, with the same Freedom the Magistrates themselves enjoy.

XX. And in case, (as God forbid) that, by reason of any intestine War or Plague, the People of the *Scots* Nation may not, with Security and Safety to themselves, frequent this Town, then it shall be lawful to them to transport themselves, with their Goods and Merchandize, freely to any other Town or Place, they shall think fit; provided always, they pay before their Departure what they shall be justly addebted to any Inhabitant within this Town: And the Magistrates shall, by this Article, be obliged to help and assist the said Nation with Ships, Scouts, and all other Things necessary for their Transportation, upon their reasonable Charges. And in like Manner, the Magistrates are by this Article holden and obliged, that if in case (which God prevent) any Difference should arise betwixt the King of *Great Britain*, and these United Provinces, whereupon Hostility and War may ensue, in that Case, they are to give safe and sure Protection to all Persons of the *Scots* Nation for six Months Time, after the Publication of the said War, according to the 32d Article of the general Treaty betwixt the King of *Great Britain* and the States General, to the end, that those of the *Scots* Nation may recover and get in the Debts due to them, and also pay what they may be owing to any of the Inhabitants here, and thereafter withdraw themselves to any other Place they shall think fit, the Magistrates affording them the same Assistance mentioned in the foregoing Part of this Article; and, when the Pestilence or War is over, shall be obliged to bring the Staple again to this Place.

XXI. If any of the *Scots* Nation shall happen to marry with any Woman in the *Netherlands*, or within the Town of *Campvere*, and, after the said Marriage, reside here under the Staple Court, the said Woman shall be holden to be under the Government of the Laws of *Scotland*, and that she

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neither shall, nor may, by Contract of Marriage, or otherwise, detain, keep, or dispose of her Husband's Goods, to the Prejudice of his lawful Creditors; but, concerning that, she must be regulate conform to the foresaid Laws of the Kingdom of *Scotland*. And likewise, that no Person, whether Man or Woman, depending upon the foresaid Staple, be permitted to dispose of their Goods by Testament, or otherwise, contrary to the said Laws of *Scotland*, and Staple Court; and all Tutors and Curators of Children in Minority shall also be regulate conform to the said Laws.

XXII. And whereas the Trade and Commerce of the *Scots* Nation doth consist not only in the Importation, but also in the Exportation of Goods and Merchandize from the Provinces, in which also the Town of *Middleburgh* may be concerned, it is agreed, on that account, that the Magistrates of this Town shall make the samen known to the Magistrates of *Middleburgh*, to the end the Conservator, and others belonging to the Staple Court, may be treated and used in that Town with all Kindness and friendly Respect, and with the same Freedom and Immunities, that any free Burgher here may enjoy there.

XXIII. And, for the better Observance of the Staple Port, it is by the Royal Burrows agreed to, and in all Sincerity promised, likeas they hereby promise, that no Staple Goods contained in the List made thereof, specified above in the third Article, shall be brought to, or sold in any Harbour or Place of the United Provinces, but to the Staple Port, under the Pain of Confiscation of all their Goods, and that the Conservator shall be holden and obliged rigorously to prosecute and punish, and cause prosecute and punish the Transgressors, or (if Need be) their Cautioners, without any Connivance, Dissimulation or Delay, according to the Laws of the Staple Court. And it is by this Article condescended on, that the Magistrates of this Town shall, in the most efficacious Manner, make a suitable Address to his Majesty the King of *Great Britain*, as Stadtholder of *Holland*, for interposing his Authority, that in case any of the *Scots* Nation shall import any Staple Goods to any other Town, or Place of the Provinces, besides the Staple Port, that the respective Magistrates of these Towns or Places may, by his said Majesty, be obliged to assist the Conservator, his Deputy, and other Officers, for bringing these of the *Scots* Nation to condign Punishment, according to the Nature of the Offence; and in case Justice cannot be obtained in these Towns or Places, in these Provinces of the *Netherlands*, then the Conservator shall prosecute and cause punish the said Persons, so transgressing in *Scotland*, according to the Ordinances of the Royal Burrows, and Acts

of Parliament of that Kingdom, statute and ordained for that Effect.

XXIV. Besides the Species of Wine and Beer which heretofore have been free of Excise and other Imposts, so also, all the Salt, bought here by any of the *Scots* Nation, shall be free of the said Duty, in regard it much concerns Merchandize; and for the avoiding of Fraud and Deceit that may happen thereanent, a Billet must be taken from the Pachters, under the Pain enjoined to the Inhabitants, by the publick Placarts of this Land, and the said Wine and Beer to be carried by the ordinary Wine and Beer Workmen.

XXV. Likewise it is agreed, that the Magistrates do appoint an Anchor, with a Buoy thereon, to be laid out in the Road before the Haven, whereby Ships belonging to the *Scots* Nation may the more safely come into the Road, in case of easterly and northerly Winds.

XXVI. As also, when any of the *Scots* Ships can help or accommodate one another with the Ballast from their Ships, the Scoutmen shall not be permitted to object against the same; and they shall only demand Payment for such Quantity of Ballast as they shall be ordered to bring aboard, and not more, providing that it be no less than six Laft at one Time.

XXVII. And that all Skippers and Masters of Ships, as well as the Residenters of the *Scots* Nation, are hereby holden to be free of the Excise of the Wine, Beer and Salt, and to have constantly Billets given them, without paying any thing for the same.

XXVIII. That the Magistrates shall, every Year in *January*, cause assemble the Cran-masters, Weighers, Measurers, Workmen, and other Persons, with whom those of the *Scots* Staple shall have to do, and shall cause to read and publish before them, all and every the Tables that shall be agreed upon for the Hire and Salaries that may be demanded by the said Persons; and also to cause read any Part of these Articles wherein the above mentioned Persons may be concerned, to the end they may the better know how to regulate themselves therein, and give all ready Obedience thereto; and, in case any Person shall contravene the same, they are to be punished by the Magistrates according to the Demerit of the Offence.

XXIX. And whereas it will be necessary, that the said *Scots* Staple Court should be provided and furnished with faithful and fitting Messengers, Officers and Servants, and also with Brokers, Weighers and Measurers, that therefore, the Magistrates of this Town, with the Knowledge of, and friendly Deliberation with the Lord Conservator, shall chuse and place so many good, honest and knowing Persons as may be requisite for these Offices; and they shall be chosen

chosen as well out of the *Scots* Nation, as Inhabitants of this City; all which Persons, so admitted, are to give the Oath of Fidelity before the Magistrates of this Town, and also before the Conservator, for doing Right both to Buyer and Seller: The Magistrates are likewise obliged to have in their Weigh-house or Balance, Iron Weights that may be conform to the Weights of *Amsterdam*.

XXX. The Conservator and his Depute may fully and freely enjoy all such Exemptions, Immunities, Privileges and Prerogatives, as by Law and Custom belong to the Conservatorship, in as ample Manner and Form, as ever any former Conservator had and enjoyed on all Occasions; and also the *Scots* Nation shall enjoy Freedom and Exemption from Excise and Imposit upon Wine, Beer, and all other Sorts of Drink, so as the foresaid Nation has enjoyed, conform to old Contracts; and particularly it is agreed on, that every Master of a Family of the *Scots* Nation living under the Staple Court, viz. the Minister, the Factors, the Members of the Court, such as the Clerk, Fiscal and Officer, the Doctor, Chirurgion and Apothecary, the Broker, Metster, Precentor and Clerk, &c. shall have the Freedom and Exemption from Payment of Excise, and other Impositions upon Wheat, Turf, Wood, Coals and Soap, so as they formerly have had; and the Conciergery-house shall be free of Excise and Imposit on all Vivers and Firing, and all that is above written: Likewise the said Nation shall not be obliged to pay any thing for going out and coming in at the Town Ports by Evening, nor either to go to watch, nor training, nor to pay any Money for the Freedom thereof, whether by Composition or otherwise: Likewise the said Nation shall be free from quartering or lodging of Soldiers in their Houses. And it is expressly agreed on, that the foresaid Freedoms, Rights and Privileges shall be enjoyed by the Widows of the above said Persons, so long as they continue Widows and unmarried; and if any of the above Persons have Occasion, as their Conveniency requires, to kill one or more Beasts for their Use, they may freely do the same, making it known to some of the Magistrates, or their Pachter of the Slaughter Money, without paying any Thing for the same.

XXXI. Further, it is mutually agreed and condescended on, that if, at any Time hereafter, it shall be found convenient, by the Magistrates of the Town, or the Conservator, with Consent of the Royal Burrows, to amplify and explain any of the foresaid Articles, or to add to the same any other Points, or Articles, which shall be found necessary for the further Benefit and Advantage of the *Scots* Staple and this Town, besides these Articles which stand

specified in this Agreement; in that Case, the Magistrates and the Royal Burrows, with the Will and Consent of both Sides, shall amplify, explain, or add to these Articles, as shall be found equitable; and the same to be holden as if they were insert in this Contract.

XXXII. It is also mutually agreed, That, for the better Encouragement of the Commerce of the *Scots* Nation within the Town of *Campvere*, the Magistrates are hereby bound and obliged to cause erect a Bank of Money within this Town, within half a Year after the Settlement of the Staple Port, whereby the Merchants, Factors, and others of the *Scots* Nation may be furnished, from time to time, with such Sums of Money as they may have Occasion for, upon Security to them, by delivering the Merchants Goods to the Factors, giving Security to the Bank, at the reasonable Rate of an Half *per cent.* in the Month, and *pro rata* for the Days, Weeks, Months and Years, until the same be again paid. It is hereby also provided, that during the Time of War, Money being scarce, and at high Rates in the Interest, the said Merchants, Factors and others, shall be obliged to pay for such Money as they shall make use of, at such Rates as the Necessity of the Times obligeth others to pay; but so soon as the War is over, then the foresaid Agreement, at the Rate of Six *per cent. per annum*, to be and continue in full Force, according to the true Meaning and Intention of this Article.

XXXIII. And if any Person, Inhabitant or Burgher of this Town, or any depending upon the Staple Court, of whatsoever Quality or Condition, shall be found to have acted or done any thing contrary to this Agreement, or any Point or Clause therein contained, yet, notwithstanding, the Agreement mentioned in these Articles shall not be understood to be broken or violated thereby, but the Persons contravening (being *Scotsmen*) shall be punished by the Conservator, and, (if a Burgher or Inhabitant in this Town) to be liable to the Punishment of the Magistrates, according to the Quality of the Offence.

XXXIV. And it is hereby agreed, that if any Dispute shall happen to arise, betwixt these of the *Scots* Nation, and the Balance-master, concerning the Right of these Goods that are to be subject to the Balance, the Balance-master shall pretend no Dues for any Goods, but for such Goods as shall be brought to the Balance, and be by him weighed; and the Merchant shall be free to sell these Goods and Merchandize by the Piece, Number or Bulk, without being obliged to bring the same to the Weigh-house: And in like Manner, the Cran-master shall not demand, from the *Scots* Merchants and Factors, Dues for any Goods, but allenar-

ly for such Goods as he shall actually unload and liver with the said Cran; declaring hereby, and it is condescended to, that there be no more, nor new Offices set up, without the Knowledge, friendly Deliberation and Consent of the Conservator, or his Depute; and that there be no Comptroller of the Balance in Time coming; nor no new Dues exacted on that Account, except the samen be desired by the Conservator and his Court, as above.

XXXV. If any of the *Scots* Nation shall, through Misunderstanding, Mistake, Negligence, or any other Cause whatsoever, omit to make a right and true Entry of their Goods, to be by them imported or exported, whether in Quantity or Quality, the said Goods shall not be liable to any Fine or Confiscation; only the Persons so offending, shall be obliged to pay the quadruple Duty for the Goods wrong entered or concluded, and so the Goods to be free. And the Magistrates have undertaken further to desire, at the Meeting of the States of *Zealand*, that the foresaid quadruple Duty may be diminished.

XXXVI. In case any Question or Difference illegally, against Right and Reason, happen to fall out betwixt any of the *Scots* Nation and the Licent-master, Customer, or other Receiver of Toll or other Dues, the said Licent-master, Customer or Receiver are hereby obliged to be heard before the Balii, Burger-master, Scheepens and Council of this Town, to the end the Conservator, or his Deputy, may have Knowledge thereof, and that such good Order may be settled therein, that those of the *Scots* Nation may not be extorted in the Payment of the said Customs and other Duties, upon Goods by them imported or exported.

XXXVII. It is by this Article mutually agreed, That whensoever any *Scots* Ships or Vessels shall, by Storm or otherwise, be necessitate to come to *Campvere*, having aboard Staple Goods, but not of Intention to liver within the seven United Provinces, in that Case they shall not be troubled nor molested, but shall have Liberty to go to their intended Port, without paying any Dues: As also, if any Vessel come to the Staple Port laden with Staple Goods, or other Goods that are not Staple Goods, being only intended to unload a Part at the Staple, and is to go to another Place without the seven United Provinces, with the Remainder of the Goods, then they are not to be troubled or molested, nor to pay any Dues for that which they do not liver; and the Consent of the Admiralty of *Zealand* thereto must be first desired by the Skipper or Merchant.

XXXVIII. It is by this Article mutually agreed and declared, That the Continuance of the *Scots* Staple at *Campvere* shall be for the Space of Twenty one Years, after the

Date hereof, fixt; and thereafter so much longer as the Royal Burrows and the Town of *Campvere* shall agree together; but this Contract shall take its Effect with the concluding and subscribing of the same by the Commissioners on both Sides. And it is hereby also declared, That the Magistrates of *Campvere* shall be obliged to procure from the States of *Zealand*, their Ratification, Approbation and Confirmation of this present Staple Contract, with all the Privileges, Jurisdictions and Immunities therein granted to the *Scots* Nation, in such Manner and with the same Freedom, in all Respects, as the samen is to be ratified, approved and confirmed by the King of *Great Britain*.

XXXIX. Lastly, In consideration of all the foresaid Articles, the Magistrates of the Town of *Campvere*, with Approbation above mentioned, promise to observe, without any the least Violation, and cause to be observed, all the above mentioned Articles, so far as concerns them. Likewise, the State of Burrows do promise to observe, and cause to be observed, without any the least Violation, all the above mentioned Articles, so far as concerns them; and also promise, that, with all Diligence and Faithfulness, Order shall be taken to inhibit and discharge any Ships, of what Bulk soever, without Exception, which carry Staple Goods, to come to or frequent any other Port or Haven within the seven United Provinces of the *Netherlands*, than the foresaid Town of *Campvere*; and that all Persons, that shall do in the contrary hereof, shall be rigorously punished as Contraveeners.

All which being thus done and agreed, the Heer *Andrew Kennedy* of *Clowburn*, Resident of his Majesty of *Great Britain*, for the Kingdom of *Scotland*, in the seventeen Provinces of the *Netherlands*, and Conservator of the Privileges of the *Scots* Nation there, as Commissioner of the Royal Burrows of *Scotland* anent the Continuance of the *Scots* Staple in the Town of *Campvere*, by Virtue of his Honour's Commission above insert, the Lord *William* of *Nassau*, Lord of *Odyk*, &c. &c. &c. as Commissioner of his Royal Majesty of *Great Britain*, as Marquis of *Campvere*, &c. and the Heer Burgomaster *Adriaan Verelst*, as Commissioner of the Honourable Magistrates of the aforesaid Town of *Campvere*, also by Virtue of their respective Commissions before insert, in Testimony of the Truth, have subscribed these Presents with their usual Subscriptions, and confirmed the same with their Honours Seals, at the *Hague*, the 25th December, 1697.

ANDREW KENNEDY. W. DE NASSAU.
A. VERELST.

And the Heer Counsellor *Joan de Maurgnault*, and the Penfionary *Charles Zegers*, both also Commissioners of the Honourable

able Magistrates of the Town of *Campvere* foresaid, likewise by virtue of their Commission before insert, have subscribed these Presents with their usual Subscriptions, and confirmed the same with their Seals, at *Campvere*, Do. 29th of *March* 1698.

J. MAUREGNAULT. C. ZEGERS.
1698.

Ampliation of the foregoing Staple Contract, consisting in these following separate Articles.

I. Whereas the Noble and Mighty Lords of the Council, and of the Accompts of his Royal Majesty of *Great Britain's* Domains, at the *Hague*, by a certain marginal Decision or Disposition, dated the 13th *December* 1697, upon a presented Petition, have been pleased to find good, and understand, that, during the new-made *Scots* Staple Contract, a *Scotsman* shall be appointed Pachter and sworn Metster of the foresaid Staple Goods, he being obliged yearly to pay and perform all that the former Metster did pay and perform; it is for the foresaid Reasons, by this Article, agreed to, that, during the above mentioned Staple Contract, a *Scotsman*, in Manner foresaid, shall be Pachter and Metster; and that the Magistrates (for so much as concerns them) shall willingly permit, that the chusing of him be left to the Disposition of the Lord Conservator.

II. It is also agreed, that the Magistrates of the Town of *Campvere*, by a Missive, in the most powerful Manner, shall desire of his Majesty of *Great Britain*, that, by his high and very great Might, he may be pleased to bring to pass, that the High and Mighty Lords the States General, ratify also this Staple Contract, so as the same, conform to the 38th Article of the foregoing Contract, must be ratified by the Noble and Mighty Lords, the States of *Zealand*.

III. Seeing the Lord Conservator does suppose, that after a little Time he may obtain, that Lead Ore coming from *Scotland* shall be sent to the Staple Port, providing that the same do enjoy the Freedoms and Privileges as all Staple Goods; therefore it is by these Presents agreed, that the foresaid Lead Ore, (which, in the third Article of the foresaid Staple Contract, does not stand specified among the Staple Goods therein mentioned) so soon as the same shall be brought to the Staple Port, shall enjoy, in all Respects, the Freedoms and Privileges as above.

IV. The Magistrates of *Campvere* have hereby undertaken to write a Missive to the Royal Burrows, and thereby to say, that their Honours, for so much as concerns them, shall maintain and preserve the Jurisdiction of the *Scots* Nation, within their Honours Town, during the Time of the foresaid Staple Contract; in Trust and Ex-

pectation, that the foresaid Royal Burrows, on their Side, will also maintain and preserve the said *Scots* Staple Contract.

V. It is agreed, That, amongst the Officers enumerated in the Nineteenth and Thirtieth Articles of the foregoing Staple Contract, there shall also be holden as ranked a Notar, and that he shall enjoy all such Privileges and Freedoms, so as by the above mentioned two Articles (in relation to the Offices therein specified) is express; and therefore the foresaid Nineteenth and Thirtieth Articles are hereby for so far amplified therewith.

VI. And it is further found good and agreed to, That the Lord Conservator shall enjoy his Lordship's yearly Gratuity or *Honorarium*, so as the same has been enjoyed by former Conservators his Predecessors.

VII. And lastly, The Parties Contractors, on both Sides, have hereby bound and obliged themselves, to cause ratify and approve, so soon as possible, the foresaid Staple Contract, with all these foregoing separate Articles, each, for their own Parts, where the said Contract, with the foresaid separate Articles, ought to be ratified and approved.

All which being thus done and agreed, the Heer *Andrew Kennedy* of *Clowburn*, Resident of his Majesty of *Great Britain* for the Kingdom of *Scotland*, in the seventeen Provinces of the *Netherlands*, and Conservator, of the Privileges of the *Scots* Nation there, as Commissioner of the Royal Burrows of *Scotland*, anent the Continuation of the *Scots* Staple in the Town of *Campvere*, by virtue of his Honour's Commission above insert, the Lord *William* of *Nassau*, Lord of *Odyk*, &c. &c. as Commissioner of his Royal Majesty of *Great Britain*, as Marquis of *Campvere*, &c. and the Heer Burgomaster *Adriaan Verelst*, as Commissioner of the Honourable Magistrates of the foresaid Town of *Campvere*, also by virtue of their respective Commissions before insert, in Testimony of the Truth, have subscribed these Presents with their usual Subscriptions, and confirmed the same with their Seals, at the *Hague*, the 25th *December* 1697.

ANDREW KENNEDY. W. DE NASSAU.
A. VERELST.

And the Heer Counsellor *Joan de Mauregnault*, and the Pensionary *Charles Zegers*, both also as Commissioners of the Honourable Magistrates of the Town of *Campvere* foresaid, likewise by virtue of their Commission before insert, have subscribed these Presents with their usual Subscriptions, and confirmed the same with their Seals, at *Campvere*, the 29th of *March*, N. S. 1698.

J. MAUREGNAULT. C. ZEGERS.

This

This is a true Copy and just Translation of the principal *Dutch* Copy, signed at *Campvere*, 29th of *March* N. S. 1698. approved by the Royal Burrows, and subscribed by the Lord Provost of *Edinburgh*, and the Clerk, on the Tail of every Page thereof, as the famen is attested by *Aeneas MacLeod*, Clerk to the City of *Edinburgh*, and general Clerk to the Royal Burrows, at *Edinburgh*, the 21st of *February*, 1699.

Æ. MACLEOD Cler.

LETTER by King William to the Royal Burrows.

WILLIAM R.

Right trusty and well-beloved, we greet you well: We were well satisfied with your Letter to us, of the 15th of *October* 1696, whereby you signify your Resolution to renew the Staple Contract with the Town of *Campvere*; and, for this End, you had granted a Commission to Sir *Andrew Kennedy*, our Resident in the *Netherlands*: Since which Time we understand, that, in Prosecution of this Commission, the foresaid Contract is ended, and the Staple Court established in the foresaid Town, and that thereby there are very advantageous Privileges granted for the Trade and Commerce of that our antient Kingdom of *Scotland*, which we will be careful to have punctually observed, and will likewise take care to remove whatever may occasion any Misunderstanding between the Royal Burrows and the said Town of *Campvere*. And, by this Contract, it being agreed, that the same shall be ratified both by the States of *Zealand*, and by a Convention of our Royal Burrows; and which being already done by the said States, we have therefore appointed your Meeting at this Time, that you may also ratify the same, and that thereafter we may interpose our Authority, and give our Ratification thereof. We have frequent Accounts of your Loyalty and Fidelity to us on all Occasions; and therefore we give you full Assurance of our Royal Protection in all your Concerns; and so we bid you heartily farewell. Given at our Court at *Kensington*, the 31st of *January* 1698-9, and of our Reign the tenth Year.

By his Majesty's Command.

SEAFIELD.

Follows the Ratification of the Staple Contract, 10th February 1699.

The same Day the Convention having, in obedience to his Majesty's Letter, met, to take under their Consideration the Commission granted by the Committee appointed for settling the Staple Port, by the general Convention holden at *Edinburgh* in *July* 1696, to Sir *Andrew Kennedy* of *Clowburn*, Lord Conservator, with the Articles

of Agreement, extended by Way of Contract, past betwixt the Royal Burrows and the Magistrates of *Campvere*, consisting of thirty nine Articles, signed by Sir *Archibald Muir* of *Thorntoun*, then Lord Provost of *Edinburgh*; which being fully considered by the Convention, together with the principal *Dutch* Contract, signed by the Lord Conservator, in Name and Behalf of the Royal Burrows, and by *William Van Nassau*, Lord *Odyk*, his Majesty's Commissioner, and by the Commissioners of the Town of *Campvere*, together with the States of *Zealand*, their Ratification and Approbation of the famen, the Convention accepts thereof as satisfactory, and have ratified, approved and confirmed, and be thir Presents ratifies, approves, and confirms the foresaid Contract, with the seven separate Articles thereto annexed, and signed as aforesaid, in the haill Heads, Articles, Clauses, and Conditions therein contained; and declares the Staple Port to be fully settled at the said Town of *Campvere* for the Space of Twenty one Years, commencing from the Date of the said Contract, being the 25th Day of *December* 1697 Years, N. S. discharging and hereby discharges all Ships and other Vessels whatsoever, passing from this Kingdom with Staple Commodities, to go to any Part within the seven United Provinces, but to the said Town of *Campvere*, under such Pains and Penalties as are contained in the Acts of Parliament and Burrows, which the Convention, by thir Presents, renews and revives all and whatsoever, and Statutes made by any former Conventions in favours of the Staple, and that against the Breakers and Contraveeners of the same; declaring the Generality hereof to be as sufficient, as if every particular Act, Statute, Penalty and Certification were specially herein expressed, whereanent this present Convention dispenses for ever.

WILLIAM R.

Whereas Sir *Andrew Kennedy* of *Clowburn*, our Resident for the Affairs of our antient Kingdom of *Scotland*, in the seventeen Provinces of the *Netherlands*, and Conservator of the Privileges of that our Kingdom in the Low Countries, hath, by our Commission, (and also by Commission from our Royal Burrows, by our Allowance and Royal Approbation) agreed upon Articles with the Commissioner, authorised by us as Marquis of *Campvere*, and with the Deputies of our Town of *Campvere*, for renewing and settling the *Scots* Staple Court, and Trade of that our antient Kingdom within the said Town, which Articles are now approved by our Royal Burrows in *Scotland*; and we being willing to countenance the Trade and Commerce of our said Kingdom, by giving our Royal Assent to what seemeth most advantageous for the same; we therefore,

fore, by these Presents, ratify and approve of the said Articles, of which the foregoing Copy is signed by the Lord Provost of *Edinburgh*, and transmitted to us by Direction of our Royal Burrows; by which Articles the *Scots* Staple is renewed, and resettled in our said Town of *Campvere*, by our special Allowance. And we appoint, that the saids Articles be strictly observed, and that the Staple Court be fully resettled at *Campvere*: and that the antient standing Acts of Parliament or Acts of Conventions of our Burrows, in favours of the Staple Court and Conservator, be all declared to be in full Force. And we further ordain the Royal Burrows to make strict Orders, that the Staple be duly observed. Given at our Court at *Kensington*, the 28th Day of *March* 1698-9, and of our Reign the 10th Year.

By his Majesty's Command.
SEAFIELD.

The Ratification of the Noble and Mighty Lords, the States of Zealand, as Sovereigns of the Province, was in like Form granted and exchanged in 1699.— And in 1718, the following Articles of Ampliation and Prolongation of the Staple Contract were entered into.

Forasmuch as the present Staple Contract betwixt the Royal Burrows of *Scotland* on the one Side, and the Magistrates of the Town of *Campvere* on the other Side, made and concluded the 25th of *December*, 1697, N. S. for the Term of twenty one Years, does expire the 25th of *December* N. S. this present Year; and the saids Royal Burrows and Magistrates of the said Town of *Campvere*, finding, that, by a salutary Clause, the 28th Article of the said present Staple Contract, it was agreed and stipulate by them, that after the Termination of the said twenty one Years, the said Royal Burrows, and Magistrates of the said Town, should have Power to continue and prolong the said Staple Contract, for what Term of Years they should agree together. Therefore, to confirm, preserve and maintain the good Intelligence that has so long continued betwixt the said Royal Burrows and Magistrates of the said Town, whereby the Subjects of *Scotland*, and the Inhabitants of this Town, have, by their Commerce and Navigation, mutually so much profited, and for continuing the same, and bringing it to a happy Conclusion, the Royal Burrows of *Scotland* have thought fit to commissionate and depute *Andrew Kennedy* Esq; Agent and Consul of his Majesty of *Great Britain*, and Conservator of the *Scots* Privileges in the *Netherlands*, their Commissioner and Deputy, for that End, within the Town of *Campvere*. And in like Manner, the Magistrates of the said Town, have, for

the same End, commissionated and deputed Mr. *Peter Haak Kerkman*, Counsellor and first Burgomaster, Mr. *Gerrard de Mauregnault*, Counsellor and second Burgomaster, Mr. *Adriaan Verelst* Counsellor and old Burgomaster, and Mr. *John Mauregnault* Counsellor and Pensionary of the said Town; which Deputies are respectively furnished with full Powers, the Copies of which are as follow.

Here follows the Commission of the Royal Burrows to Andrew Kennedy Esq; &c.

In the general Convention of the Royal Burrows, holden at the Burgh of *Edinburgh*, upon the 11th Day of *July* 1718 Years, by the Commissioners therein convened.

The which Day, the Convention taking into their serious Consideration, that whereas by the 38th Article of the standing Staple Contract, entered into betwixt them and the Magistrates of the said Town of *Campvere*, for the Term of twenty one Years, dated at the *Hague*, the 25th of *December* 1697 Years, N. S. that by the said Article it is stipulate and agreed, that the Royal Burrows and Town of *Campvere* may prolong and continue the said Contract, after the Expiration of the said twenty one years, for what Term of Years longer they shall agree together; and the Convention considering of how great Import and Concern the Continuation of the said Staple Contract for twenty one Years longer, at the Port of *Campvere*, will prove to the State of Burrows and Trade of this Kingdom, and how necessary and expedient it is, that some discreet and well qualified Person be employed to treat with the Magistrates of *Campvere* for that Effect, and being fully persuaded of the Integrity, Ability, and other Qualifications of *Andrew Kennedy*, Esq; his Majesty's Agent and Consul in the *Netherlands*, and present Conservator of the *Scots* Privileges; therefore, by these Presents, granted full Power and Commission, express Bidding, Mandament and Charge, to the said *Andrew Kennedy*, to execute and conclude a Prolongation and Continuance, with the Magistrates of *Campvere*, of the said Staple Contract, for the Term of twenty one Years longer, after the Expiration of the present Staple Contract, firm and stable, holding all that shall be concluded upon by the said *Andrew Kennedy*, in the Terms above mentioned; and that the said *Andrew Kennedy* acquaint the Lord Provost of *Edinburgh*, from time to time, what he has done therein; and ordained thir Presents to be signed by Mr. *George Home*, Town Clerk of *Edinburgh*, and general Clerk to the Royal Burrows, and the common Seal of the said City of *Edinburgh* to be affixed hereto, whereanent thir Presents shall be his War-

K k k k k rant,

rant. Extracted forth of the Records of the Royal Burrows by me

GEORGE HOME.

Here follows the Commission of the Magistrates of Campvere, to the Burgomasters Peter Haak Kerkman, Gerrard de Mauregnault, Adriaan Verelst, and the Pensionary John Mauregnault.

Be it known to all Men, be these Presents, That we, the Bailliw, Burgomasters, Scheepens, and Counsellors of the Town of Vere, having maturely considered, that the Staple Contract, that we made and concluded with the Royal Burrows of Scotland, on the 25th of December, 1697, Years, N. S. for the Term of 21 Years, does expire the 25th December this present Year, and of how great Necessity and Concern a Continuation and Prolongation of the same will be to this Town, and the Inhabitants thereof, and how that, by the 38th Article of the said Staple Contract, it is stipulate and agreed by the Royal Burrows and Magistrates of this Town, that they shall be at Liberty, after the Termination of the said 21 Years, to continue and prolong the said Staple Contract for what Term of Years longer they shall agree together; therefore we have commissioned and deputed, likewise we, by these Presents, commissionate and depute Mr. Peter Haak Kerkman, Counsellor and first Burgomaster, Mr. Gerrard de Mauregnault, Counsellor, and second Burgomaster, Mr. Adriaan Verelst Counsellor and old Burgomaster, and Mr. John Mauregnault Counsellor and Pensionary of this Town, specially for us, and in our Name, with Andrew Kennedy, Esq; Agent and Consul of his Majesty of Great Britain, and Conservator of the Scots Privileges in the Netherlands, Commissioner and Deputy for the Royal Burrows of Scotland, come here to handle, conclude and execute a Continuation or Prolongation of the Staple Contract again, for the Term of 21 Years; we hereby firmly promising to agree, to approve and ratify all that shall be done for us, and in our Name, by our Commissioners, by virtue of this our full Power, and hereby declaring, that it is our Meaning, that the present Deputies shall include the absent; in Witness whereof we order our Town's Seal to be appended to this our full Power, and Commission and Instructions, and the same to be signed by our Secretary, on the 8th October 1718.

P. HAAK KERKMAN.

And accordingly, both Parties, by virtue of their respective Commissions before insert, having had several Conferences together within this Town of Campvere, in Name of the Royal Burrows and Magistrates of this Town, have lastly agreed on the following Articles.

1mo, That the present Staple Contract, and Articles of Ampliation thereof, of Date 25th December 1697, N. S. made betwixt the Royal Burrows of Scotland, and the Magistrates of the Town of Campvere on the one and other Sides, shall continue for 21 Years, in all Points, in its full Force, without the least Alteration, according as it stands settled, except only in so far as, by these Articles of Prolongation and Continuation, it shall be explained or altered.

2do, That all Scots Ships belonging alienarily to those of the Scots Nation, and coming from Scotland here to the Staple Port, to liver, shall enjoy Freedom and Exemption of the Paught of all Vivers here, and at their Departure; and with respect to the Town's Last Money, the paying the same shall be regulated in such an easy Manner as those of the Scots Nation shall have Reason to be contented with.

3tio, When it shall happen, that any Merchandize, belonging to those of the Scots Nation, transported from this to Holland, and there seized by a Custom-house, in that Case the Magistrates of the Town of Vere oblige themselves to use their utmost Endeavours, and good Offices to reclaim the said Goods, and get them restored to the Owners, in the same Manner as they would, or can do, for the Inhabitants of their own Town.

4to, Concerning the allowing Salt made in Scotland to be a Staple Commodity, and enjoying the Freedom of Custom, &c. in the same Manner as those mentioned in the third Article of the Staple Contract do, the Magistrates undertake to inform themselves, if it is possible for them to allow it, and in case it can be, then, for the further Encouragement of those of the Scots Nation, it shall come to enjoy the same Privileges, as other Staple Commodities do, which shall be so settled, in a separate Article of Ampliation after by itself.

5to, For the further Encouragement of the Commerce of those of the Scots Nation, the Magistrates of this Town agree, that Herring cured in Scotland, conform to Law there, as also all other salted and dried Fish, coming here to the Staple Port, shall be reputed and be Staple Commodities, with the same Exemptions and Privileges as the Goods specified in the third Article of the said present Staple Contract of the 1697, providing it be in their Power to do it; and they oblige themselves to do their utmost Endeavours they are capable of to obtain these Goods to be Staple Goods, and enjoy the Privileges as such.

6to, It is agreed and concluded, That, for the further explaining of the 5th Article of the Staple Contract, that when Arbiters, with Consent of the Parties contending, and an Umpire are chosen, and thereby not only renouncing any Reduction of the arbitral Sentence, but likewise it shall be declared,

red, That they shall be willing to submit thereto, in the same manner as it were a Sentence of the *Hoff van Holland*; and that the Sentence of the Arbitrators and Umpire shall be final and decisive, without being subject to be reversed by any superior Judiciary, upon what Pretence soever.

7^{mo}, The Magistrates of the said Town of *Campvere* oblige themselves, That they shall make their utmost Application to the States of the Province of *Zealand*, in the first Meeting, that a fit Salary be allowed and paid to the Precentor and Sexton of the *Scots* Church here, at the Staple Port of *Campvere*.

8^{vo}, For the further Satisfaction to those of the *Scots* Nation, it is, by this Article, concluded and agreed, That, for the better explaining of the 23^d Article of the present Staple Contract, the Penalty against Transgressors of the Staple, expressed in the said Article, shall be so far limited and altered, that, in Time to come, those carrying Staple Goods by the Staple Port, contrary to the express Agreement of the Staple Contract, shall be liable to the Confiscation only of all their Staple Goods, or the Value of them, instead of all their Goods.

9^{mo}, It is agreed and concluded, That, whenever any of the *Scots* Nation, through Ignorance, should transgress the Laws concerning the Paught of any Goods, and in case such Goods be challenged, being of a small Value, the Magistrates oblige themselves to protect those of the *Scots* Nation from any vexatious Suits of the Collectors of such Paughts, and, in Conformity to the Meaning of the 27th Article of the Staple Contract, there shall be no further demanded from those of the *Scots* Nation for Bilets or Paughts Briefs, as only two Stivers for Expedition. As also, the Magistrates of the said Town oblige themselves to give the *Scots* Factors here Toll Briefs, in order to sending their Merchandize safer to *Holland*, without the said Factors being obliged to take any Oaths customary on these Occasions.

10^{mo}, Further, it is found good and agreed, That the present Conservator shall enjoy his yearly Traitament or *Honorarium*, in the same Manner as the Conservators his Predecessors have done, and as the same stands extended in the Ampliations of the Staple Contract in 1697.

11^{mo}, That the Conservator shall not employ, in any Offices depending on his Court, any of the Burghers or Inhabitants of this Town, without the previous Knowledge and Consent of the Magistrates of this Town had thereto; but he shall be at Freedom to employ any other Persons that do not live in this Town, and such are to enjoy all the Privileges, &c. that stand specified in the Staple Contract to those of the *Scots* Nation.

12^{mo}, It is likewise agreed, That the

Scots Factors here shall have Liberty to hire and freight such small Ships and Scouts, belonging to this Town, they please, without being bound to observe the ordinary Forms of Beurts or Smack Reyfen, and that there shall be a Regulation made of their Hires; and, for that End, the Magistrates of this Town, together with the Conservator, shall make an Ordinance regulating the Hires to be paid such Skippers.

13th, The Magistrates of this Town promise to do their Endeavours, in this Article, to the End, that the Letters from *England*, coming for Merchants within this Town, may come directly here in a Packet apart by themselves.

14th, It is by this Article mutually agreed, concluded, and declared, That the Continuation and Prolongation of the *Scots* Staple Contract, within this Town of *Vere*, shall be for Twenty one Years firmly settled, after the Expiration of the present Contract, and to continue so long after, as the Royal Burrows and Magistrates of this Town shall mutually agree together, and this Contract of Prolongation and Amplification to take its Effect from the executing and signing thereof by the Deputies on both Sides.

And Lastly, We the Commissioners and Deputies of the saids Royal Burrows and Magistrates of the said Town, by virtue of our respective Powers before insert, in their Names, have caused make two original Instruments, and signed the same with our ordinary Sub/criptions, and thereto affixed our Seals, within the said Town of *Vere*, upon the 24th Day of *December* 1718 Years.

ANDREW KENNEDY. P. HAAK KERKMAN. G. DE MAUREGNAULT. A. VERELST. J. DE MAUREGNAULT. 1718.

Forasmuch as a Contract betwixt the Royal Burrows of *Scotland* on the one Side, and the Burgomasters and Counsellors of *Campvere* on the other Side, was, by their respective Commissioners, made and concluded on the Twenty fifth Day of *December*, Sixteen hundred and ninety seven, N. S. for the Space of Twenty one Years, concerning the Prerogatives, Freedoms and Immunities, which those of the *Scots* Nation enjoy within the said City, and ratified and confirmed by his Majesty King *William III.* of glorious Memory, as King of *Scotland*, and by their Noble Mightinesses the States of *Zealand*, which Staple Contract expiring the twenty fifth Day of *December*, Seventeen hundred and eighteen, the same was, upon the twenty fourth of that Month of *December*, Seventeen hundred and eighteen Years, amplified, continued and prolonged for a like Space of Twenty one Years: Which last Prolongation is again to expire on the twenty fifth of *December*, Seventeen hundred

hundred and thirty nine Years; and whereas the above mentioned Royal Burrows, and the Noble and Honourable Magistrates of the foresaid City are again disposed, by virtue of the salutary Clause contained in the Thirty eighth Article of the said Staple Contract, and the Fourteenth Article of the said Contract of Amplification, Prolongation and Confirmation following thereupon, of twenty fourth *December*, Seventeen hundred and eighteen, by which it is expressly stipulated and agreed, that the said Royal Burrows and Burgomasters, and Counsellors of *Campvere*, should have Power, after the Expiration of the above written first and second Terms of Twenty one Years, to renew, continue and prolong the said Staple Contract, with the Contract of Prolongation and Amplification, for such a Term of Years, as they the said Royal Burrows and Magistrates of the said City should find good, and agree together, the more and more to preserve, renew and increase the antient good Understanding and Friendship, which began in the Year 1444, and has continued, to this Day, betwixt the said Royal Burrows on the one Side, and the Magistrates of said City on the other Side, by which the Subjects of the said Kingdom of *Scotland*, and the Inhabitants of the said City have, by their Trade and Commerce, mutually reaped so great Advantages; therefore it is, that, to obtain a Purpose and Design so much wished for, they have thought fit to appoint Commissioners and Deputies, that is to say, the said Royal Burrows have appointed the Honourable *Archibald MacAulay* Esq; Resident of his Majesty of *Great Britain*, and Conservator of the Privileges of the *Scots* Nation in the seventeen Provinces of the *Netherlands*, and Commissioner of the Royal Burrows of *Scotland*; and the said Burgomasters and Counsellors of the said City, have appointed the Honourable Heer *Joan Hieronymus Huyfen*, and *Joan Louist Verelst*, Counsellors and Ruling Burgomasters, together with *Pieter Haak Kerkman* and *Nicolaas Steengracht*, Counsellors and Old Burgomasters. and Mr. *Joan Bernard Laurens de Vossi*, Counsellor, Scheepen and Pensionary of said City; which Deputies being furnished with proper Powers, the true Copies of them follow:

Here follows the Commission of the Royal Burrows of Scotland.

In the general Convention of the Royal Burrows, holden at the Burgh of *Edinburgh*, upon the 8th Day of *July* 1736 Years, by the Commissioners therein convened.

The which Day the Convention taking into their serious Consideration, That whereas, by the 38th Article of the standing

Staple Contract, entered into betwixt them and the Magistrates of the Town of *Campvere*, for the Term of 21 Years, dated at the *Hague*, the 25th *December* 1697 Years, *N. S.* it is by the said Article stipulated and agreed, that the Royal Burrows and the Town of *Campvere* may prolong and continue the said Contract, after the Expiration of the said 21 Years, for what Term of Years longer they should agree together. Accordingly, upon the 24th *December* 1718, the said Staple Contract was prolonged for a Term of 21 Years thereafter, and several additional Articles were then concluded and agreed upon by the Commissioners and Deputies for both Parties; and particularly, by the 14th Article, it is stipulate, that the said Contract should continue not only for the said Number of 21 Years, but also so long thereafter as the Royal Burrows and the Magistrates of the said Town of *Campvere* should mutually agree together: And the Convention considering, that the Staple Contract and Prolongation thereof above mentioned, expires upon the 25th *December* 1739, and of how great Import and Concern the Continuation thereof, for a further Term of 21 Years, will prove to the State of Burrows, and how necessary and expedient it is, that some discreet and well qualified Persons, be employed to treat with the Magistrates of *Campvere* to that Effect, and being fully persuaded of the Integrity, Abilities, and other Qualifications of *Archibald MacAulay*, Esq; his Majesty's Agent and Consul in the *Netherlands*, and present Conservator of the *Scots* Privileges; therefore they have given and granted, and, by these Presents, grant full Power and Commission, express Bidding, Mandament, and Charge to the said *Archibald MacAulay* to execute and conclude a further Prolongation and Continuance, with the Magistrates of *Campvere*, of the said Staple Contract, for a Term of 21 Years longer, after the Expiration of the present Staple Contract, and first Prolongation thereof above mentioned, firm and stable holding all that shall be concluded upon by the said *Archibald MacAulay* in Terms above mentioned; and that the said *Archibald MacAulay* acquaint the annual Committee of the Royal Burrows, from time to time, what he has done therein; and ordain thir Presents to be signed by Mr. *George Home* Town Clerk of *Edinburgh*, and General Clerk to the Royal Burrows, and the common Seal of the said City of *Edinburgh* to be affixed hereto; whereanent thir Presents shall be a Warrant. Extracted forth of the Records of the Burrows by me

GEORGE HOME.

Here follows the Commission of the Honourable Burgomasters and Council of Campvere, wrote in the Dutch Language, and translated into English.

Be it known unto all whom it may concern, That we the Burgomasters and Counsellors of *Campvere*, having maturely considered, that the Staple Contract which we concluded with the Royal Burrows of *Scotland*, upon the 25th of *December* 1697, N. S. for the Space of 21 Years, and again upon the 24th *December* 1718, renewed and continued for the like Space of 21 Years, does expire upon the 25th *December* 1739, and of how great Necessity and Importance it is to this Town and the Inhabitants thereof, that this Staple Contract should be renewed and prolonged; and further, that it is expressly stipulated and agreed in the 31st and 38th Articles of the same, that, upon the Expiration of the said Space of 21 Years, it should be in the Power of the Royal Burrows, and of the Magistrates of the said Town of *Campvere*, to continue and prolong the said Contract, for such a Term of Years, as the said Royal Burrows and the Magistrates of *Campvere* shall think good; therefore we have commissioned and appointed, and hereby do commission and appoint the Hon. Heer *Joan Huyfen* and *Joan Verelst*, Counsellors and ruling Burgomasters, together with *Pieter Haak Kerkman* and *Nicolaas Steengracht*, Counsellors and old Burgomasters, and Mr. *Joan Bernard Laurens de Vass*, Counsellor and old Schepen of this City, on our Part; and in our Names, to treat with the Hon. *Archibald MacAulay*, Esq; Resident of his Majesty of *Great Britain*, and Conservator of the Privileges of the *Scots* Nation in the seventeen Provinces of the *Netherlands*, and Commissioner from the Royal Burrows of *Scotland*, being arrived here, and to conclude and sign, for the Space of 21 Years, a Continuance, or Prolongation and Amplification, and Explication of the said Staple Contract, firmly promising, on our Part, to agree to approve, ratify and guarantee, all and every Thing that shall be done in this Matter, in our Name, and on our Part, by our said Commissioners; and hereby further declaring, that, in case of Absence of one or more of the Deputies, those present shall have Power notwithstanding to proceed. In Testimony whereof we have caused this our full Power, Commission and Instruction to be sealed, and the Town's Seal thereto appended, and to be signed, by our Secretary, on the 6th *October* 1736.

P. HAAK KERKMAN.

And accordingly the saids Deputies, by Virtue of their full Powers and Commissions, having, at several Times, within the foresaid Town of *Campvere*, had sundry Conferences together, for and in the Name of the Royal Burrows of *Scotland*, and the Hon. the Burgomasters and Counsellors of *Campvere*, they have at last concluded and agreed to the following Articles and Conditions.

ART. I. That the present Staple Con-

tract, with the separate Articles thereof, both concluded on the 25th *December* 1697, N. S. betwixt the Burgomasters and Counsellors of *Campvere*, on the one Side, and the Royal Burrows of *Scotland* on the other Side, shall continue in full Force, and be observed in all its Parts without Alteration, except so far and in such Respects as, by this present new Contract of Prolongation, Confirmation, Amplification and Explication, any Change or Alteration, suitable to the present Times, may, by virtue of the 31st and 38th Articles of the said Contract, be made; the Contract of Amplification, concluded the 2d *August* 1702, and also the foresaid Contract of Amplification and Prolongation of 24th *December* 1718, (excepting the 14th Article thereof, which continues in full Force) being hereby called and annulled, in so far as they are not in this renewed and continued.

II. That, for Explication of the 5th Article of said Staple Contract anent the Arbitrators, it is agreed, that, in their Meeting, one of the *Dutch* Commissioners shall proceed, whether the Plaintiff be a *Scotsman* or a *Dutchman*; that the Place of their Meeting shall always be in the Stadthouse; that the Records of their Proceedings shall always be in the *Dutch* Language, and registered in a Book to be kept in the Secretary's office of the City, that all whom it may concern may have Access to see, and have Extracts of the same; that the Officer of the Conservator's Court shall summon the Defendant, if he be a *Scotsman*, (unless he should be contumacious) and a Town's Messenger, if he be a *Dutchman*; that the said Court shall not proceed, unless there be present at east one Arbitrator, of each Nation, unless it should happen, that all the Arbitrators of the one or the other Nation continue to absent themselves more than once after being cited a second Time, in which Case those of the other Nation may proceed; and, finally, that the Office of Arbitrators, in any Cause, shall not be understood to be set aside; but after the second Neglect, in case both the contending Parties should be inclined and resolved absolutely to adhere to the arbitral Sentence of the foresaid Arbitrators, in the Matter in Question, and, agreeable thereto, having renounced Right to Reduction and Appeal, and other Remedies usual in the Law, instead of following and prosecuting their Cause or Causes, in Manner as is more fully express in the foresaid first Article of the said Staple Contract, in that Case, the said Arbitrators shall be bound and obliged, if Need be, to chuse, by Majority of Voices, and join to themselves an Overfman, and together carefully to examine the Cause or Causes in question, and pronounce such Sentence and Decree arbitral as they shall find agreeable to Justice and Equity; which Sentence and De-

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creet-arbitral shall be final and decisive, so that the Parties contending shall not have Power to carry their Cause before any other Court or Judge whatsoever.

III. Concerning the 6th Article, it is understood thereby, the *Scots* Kirk shall be left entirely for the Use of those of the *Scots* Nation; so that the Magistrates, during the Contract, may not dispose of it, without Consent of the *Scots* Consistory; That, for the future, those of that Nation may be exempted from the stamped Warrant for burying their Dead. And, lastly, the Magistrates agree, that the Obligations belonging to the *Scots* Poor shall always continue appropriated to them, as long as there are here a *Scots* Church and Poor, even tho' the Staple should be removed to another Place.

IV. The Royal Burrows shall strictly discharge and forbid all Staple Factors to have Partnership or Companyship in Factory with any House in *Rotterdam*, or any other Place in the Provinces, except the Staple Port; and that they shall not, at any other Place, by themselves or by their Correspondents, receive or sell any Staple Goods from *Scotland*, upon Pain of Forfeiture of Five hundred Guilders each Time they shall be found to contravene, for which Effect they shall give a Bond suitable to the Agent of the Burrows.

V. Farther, the Lord Conservator shall be discharged to receive Dues on Staple Goods brought to any other Place but *Campvere*, but shall be obliged, as soon as he can get Knowledge thereof, to prosecute the Transgressors before his Court at the Staple Port.

VI. For the stricter Observation, Elucidation and Execution of the 23d Article of the Staple Contract, it is hereby agreed and concluded in the first Place, that the Agent of the Royal Burrows shall, as far as possible, endeavour to procure Lists of all Ship-masters and Merchants, that may presume to carry Staple Goods from *Scotland* to any other Place in the United Provinces than to the Staple Port; of which List or Lists an authentick Copy (if required) shall be sent to the Magistrates of *Campvere*. 2dly, If any such Ship-masters or Merchants should come to the Staple Port within an half Year after sending of the above mentioned List, the Conservator, or his Depute, shall be obliged to prosecute them before his Court, to the end that they may be condignly punished for the Contravention. 3dly, After Expiration of the foresaid six Months, the Conservator, or his Depute, shall be obliged to send to the President of the Royal Burrows, a List or Lists of all such Contraveeners and Transgressors as have not received their just Punishment at the Staple Port, by reason of their not coming there, or otherwise, to the end that they may be

prosecuted by the Agent of the Royal Burrows before the proper Courts in *Scotland*, and receive condign Punishment conform to the Laws thereanent; of all which Prosecutions, and the Sentences and Executions following thereupon, either before the Conservator's Court, or the Courts of *Scotland*, Accounts shall be regularly given every half Year to the Burgomasters and Counsellors of *Campvere*. And farther, the foresaid Shipmasters, who have been guilty of Breach of the Staple Contract, shall be obliged to declare upon Oath for whose Account the Staple Goods were loaded which he carried to any other Port in the *Netherlands*, what Bills of Loading, or private Orders relating to them, he had under Hand from the Freighters, to the end that these who may be found, may be proceeded against in Manner above expressed. And to facilitate and forward the Accomplishment of this Article, the Conservator, or his Depute shall keep an exact Register of all *Scots* Ships which come to the Staple Port, whether with Staple Goods or any other, with the Names of the Ship-masters and Merchants from whence they come.

VII. For the farther Explication and clearing of the 3d Article of the Amplifications or separate Articles of the Year 1697, upon the earnest Desire and repeated Instances of the present Lord Conservator, it is hereby declared to be understood, that, under Lead Ore, Bar Lead shall be likewise comprehended, as being of the same Substance and Nature, and only by Mistake omitted to be therein expressed, and therefore shall be reckoned amongst the Staple Goods mentioned in the 3d Article of the Staple Contract, and shall enjoy the same Freedoms and Exemptions as Lead Ore, when it shall be brought to the Staple Port.

VIII. Concerning Salt made in *Scotland*, that it may be reckoned amongst the Staple Goods mentioned in the foresaid 3d Article of the Staple Contract, with the same Exemption of Duty, &c. as other Staple Goods: It is agreed and resolved, upon the pressing Instances of the present Lord Conservator, that the Burgomasters and Council of the foresaid City of *Campvere* shall, with all Earnestness, renew their Deliberations, whether it can in Prudence be granted; and, in case it may be, then for the farther Encouragement of those of the *Scots* Nation, it shall be brought into the Class of Staple Goods by a second and farther Amplification, or by a separate Article to be hereto subjoined.

IX. In like Manner the foresaid Burgomasters and Council of *Campvere*, upon the repeated Instances and pressing Representations of the foresaid Lord Conservator, shall renew and continue their Deliberations, whether it can likewise be agreed, for the farther

ther Incouragement of the Trade of the *Scots* Nation at the Staple Port, that Herrings, cured according to Law in *Scotland*, and all other Sorts of salted and dried Fish, may be looked upon as Staple Goods, amongst those mentioned and specified in the 3d Article of the said present Staple Contract of the Year 1697; and, in case it can by any Means be allowed with requisite Circumspection, the foresaid Burgomasters and Council shall willingly acknowledge the said Goods as such, that they may enjoy the Privileges and Immunities of other Staple Goods.

X. The Burgomasters and Council of *Campvere*, in consequence of, and for fulfilling the Seventh Article of the above mentioned Contract of Amplification and Prolongation of 24th *December* 1718, having obtained from their noble Mightinesses the States of *Zealand* a proper Salary for the present Precentor and Sexton of the *Scots* Church here at the Staple Port, they hereby farther oblige themselves, in case these Offices should fall vacant, to continue their utmost Endeavours, that the foresaid Salary should not only be continued to the succeeding Precentor and Sexton, but, if possible, that it should be augmented and increased.

XI. For the farther Incouragement of the *Scots* Nation, it is by this Article concluded and agreed, that, for the better explaining of the Twenty third Article of the present Staple Contract, the Penalty against Transgressors of the Staple, expressed in the said Article, shall be so far limited and altered, that, in Time coming, those who carry their Staple Goods to any other Port, contrary to the express Tenor of the said Contract, instead of forfeiting all their Goods, shall forfeit only their Staple Goods, or the Value of them.

XII. If any of the *Scots* Nation, thro' Ignorance, should transgress against the Pachters (or Farmers) of the City's or the publick Revenues, if, in such a Case, any Goods, being of small Value, should be challenged, it is agreed, that the Burgomasters and Council of *Campvere* shall protect those of the *Scots* Nation from vexatious Suits of such Pachters, or their Collectors; and farther take care, that, in Conformity and agreeable to the Twenty seventh Article of the foresaid Staple Contract, no more than two Stivers, for Expedition shall be demanded from those of the *Scots* Nation for Billets or Pacht-notes. As also it is agreed by the Burgomasters and Council of *Campvere*, that *Scots* Factors shall be allowed Toll-briefes for sending their Goods to *Holland*, without being obliged to take the usual Oaths.

XIII. Farther it is found good and agreed, that the Lord Conservator shall enjoy his yearly Traitament, or *Honorarium*, in the same Manner as the Conservator his Predecessors have enjoyed it, and as it is expres-

sed in the Amplifications of the Staple Contract 1697.

XIV. The Conservator shall not employ, in any Offices or Places depending on his Court, any of the Burghers and Inhabitants of this Town, without the previous Knowledge and Consent of the Honourable Burgomasters and Council of the same; but his Lordship may freely imploy, in such Offices, any other Persons not living in this Town, and such shall enjoy all the Privileges and Immunities stipulated by the Staple Contract for those of the *Scots* Nation.

XV. It is likewise agreed, That *Scots* Factors may hire and freight, as they think fit, any of the Vessels, called small Scheepen and Schuyten, belonging to this Town, without being obliged to observe the ordinary Forms of Voyages by Turns, or by Lot; but always paying the Hires to be appointed, for which Purpose a new Regulation of the said Hires shall be made by the Honourable Burgomasters and Council, with Approbation of the Lord Conservator or his Depute.

XVI. Lastly, It is by this Article mutually agreed and concluded, That the Continuation and Prolongation of the Staple of the *Scots* Nation, within this Town of *Campvere*, shall again be renewed and prolonged for the like Space of twenty one Years, after the Expiration of the present Contract of Prolongation and Amplification of the Year 1718, that is, after the 25th of *December* 1739, and thereafter for such a Number of Years, as the foresaid Royal Burrows and Burgomasters, and Council of *Campvere*, shall agree and think proper, before the Expiration of the foresaid ensuing Twenty one Years, the foresaid Commissioners promising, in Name and Behalf of their Constituents on both Sides, strictly to observe, and hold firm and stable all the Articles and Points contained, as well in the foresaid Staple Contract of the Year 1697, as in this new Contract of Prolongation, Amplification and Continuation, that thereby the foresaid Staple Contract, and this Amplification, may, as far as possible, be made of lasting Continuance; and this Contract of Prolongation and Amplification shall take full Effect, upon concluding and signing thereof by the Commissioners on both Sides.

XVII. The Ratification on both Sides shall be mutually exchanged within twelve Months after concluding and signing this present Contract of Prolongation and Amplification.

All which being thus done, agreed and concluded, we the Commissioners of foresaid Royal Burrows, and the Burgomasters and Council of *Campvere*, by virtue of our respective Powers before insert, have, in their Names, caused make two original Instruments of the same Tenor, and signed the same with our usual Subscriptions, and thereto

thereto affixed our Seals, within the said Town of *Campvere*, on the 24th of *October* 1736.

ARCH. MACAULAY. JOAN H. HUYSEN.
P. HAAK KERKMAN. J. L. VERELST.
J. B. L. DE VASSY.

Here follows the Ratification of his most Serene Highness the Prince of Orange and Nassau, with his Highness's Authority, as Marquis of Campvere, to proceed to a farther Prolongation.

We *William Charles Henry Friso*, by the Grace of God, Prince of Orange and Nassau, Earl of *Catsenelbogen*, *Vianen* Diet, *Spiegelberg*, *Buuren*, *Leerdam* and *Guylenburg*, Marquis of *Veer* and *Vlissing*, Lord and Baron of *Breda*, *Beelstein* of the City *Grave* and *Land of Cuijk*, *Liesveldt*, *Diesl*, *Grembergen*, *Herstall*, *Cranendonk*, *Warneton*, *Ansay*, *Neseroy*, *St. Vitb*, *Doeburg*, *Polanen*, *Williamstadt*, *Neerwaard*, *Ysselstein*, *Breedwoord*, *Steenbergen*, *St. Martensdyk*, *Geen*, *Ardenburg*, *Turnhout*, *Zevenbergen*, the High and Low *Swaalwes*, and *Naaldyk*, Lord of *Ameland*, Hereditary Burg-Graaf of *Antwerp* and *Besancon*, Hereditary Marischall of *Holland*, Hereditary Stadtholder, Captain and Admiral General of the seven United Provinces, Captain General and Admiral of the Union, Knight of the most Noble Order of the Garter, &c. &c. &c. to all who may see or hear this read, greeting: Whereas the Honourable *Archibald MacAulay*, Esq; Agent of his Britannick Majesty, and Lord Conservator of the Scots Privileges in the *Netherlands*, did, as Deputy from the Royal Burrows of *Scotland*, together with Messrs. *Joan Hieronimus Huysen*, and *Joan Louis Verelst*, Counsellors and Ruling Burghermasters, *Pieter Haak Kerkman*, and *Nicolaas Steengracht*, Counsellors and old Burghermasters, and *Joan Bernard*, *Laurence de Vassy*, Counsellor and old Schiepen of our City of *Campvere*, as Deputies of our said City, upon the 24th Day of *October* 1746, did prolong, for the Space of Twenty one Years, the then subsisting Staple Contract, and so beginning the 25th *December* 1739, to which is still wanting our Approbation, Consent and Accession. And as we are desired by the Right Honourable *George Drummond* Lord Provost of the City of *Edinburgh*, and *Archibald MacAulay* Lord Conservator of the Scots Privileges in the *Netherlands*, as Deputies of the Royal Burrows of *Scotland*, and Mr. *Dirk Huybert Verelst* Counsellor of our City of *Campvere*, and Deputy from the Province of *Zealand*, in the Council of State, Mr. *Joan Boreel de Mauregnault*, Schiepen and Counsellor, and *Jacobus de Cliever* Secretary of our said City, agreeable to their respective Commissions above insert, not only to strengthen, with our Consent and Accession to the afore-

said Contract, as being founded upon a Contract made, and concluded the 25th *December* 1697, in the Time of a former Marquis of *Campvere*, King *William III.* of glorious Memory, but also to consent, that the Staple Contract, still subsisting, may be prolonged for the Space of Twenty one Years after the Expiration, which will be upon the 25th *December* 1760, and thereafter as much longer as the Royal Burrows and the City of *Campvere* may agree; therefore it is, that we, as Marquis of our said City, in Consideration of the very antient Friendship which has subsisted betwixt the foresaid Royal Burrows and our said City of *Campvere*, and to the Incouragement, and to increase the Trade betwixt them, hereby approve and agree to the foresaid Staple Contract of the Year 1736; as also that of the 25th *December* 1697, in so far as it is not changed or altered by that of the 1736; and, so far as it relates to us, we agree and consent, that the foresaid Contract of the Year 1736, in all its Points and Articles, should be prolonged for the Space of Twenty one Years after the Expiration thereof, and this to begin the 25th *December* 1760, and as much longer as the Royal Burrows and our City of *Campvere* may agree, approving and ratifying the Contract of Prolongation concluded betwixt the Deputies of the Royal Burrows of *Scotland*, and the Deputies of our City of *Campvere*, with our Consent and Accession, here at the *Hague*, upon the 7th *December* this Year; and in Consideration of the foresaid Deputies of the Royal Burrows have come to this Place for that Purpose, we corroborate this with our own Subscription. Done at our Court in the *Hague*, the 12th *December* 1748.

W. H. C. Prince of ORANGE and NASSAU.

By his Serene Highness,

J. BACK.

Here follows the last Prolongation in December 1748.

Whereas, upon the 25th of *December*, in the Year 1697, N. S. a Contract betwixt the Royal Burrows of *Scotland* on the one Part, and the Burgomasters and Rulers of the City of *Campvere* on the other Part, was by their respective Deputies concluded and entered into, concerning the Prerogatives, Freedoms and Privileges, which those of the Scots Nation enjoy within the City of *Campvere*, which was approved and ratified by his Majesty *William III.* of glorious Memory, as King of *Scotland*, and by their Noble Mightinesses the States of *Zealand*; which Contract was, upon the 24th of *October* 1736, renewed with some Ampliations and Alterations for the Space of Twenty one Years, commencing from the 25th of *December* 1739; and whereas the aforesaid Royal Burrows, and the Noble Wor-

shipful

shipful Government of the aforesaid City, being again inclined to renew the same, with the Approbation, Consent and Accession of his most Serene Highness the Prince of *Orange* and *Nassau*, Hereditary Stadtholder, Captain and Admiral General of the United Provinces, as Marquis of the said City of *Campvere*, by virtue of the saving Clause contained in the Thirty eighth Article of the aforesaid Contract of the Year 1697, and of the sixteenth Article of the Year 1736, whereby it is expressly stipulated and agreed, That the foresaid Burgomasters and Rulers of *Campvere* should be permitted, after the Expiration of the foresaid Staple Contract, to prolong and amplify the same for such a Term of Years, as the foresaid Royal Burrows and Burgomasters and Rulers of *Campvere* should together agree and think proper, the more and more to preserve, renew and increase the very antient and good Understanding and Friendship, which began in the Year 1444, and has subsisted, to this Day, betwixt the foresaid Royal Burrows on the one Part, and the Government of the foresaid City on the other Part, whereby the Subjects of the said Kingdom, and the Inhabitants of the said City have mutually gained so much by their Trade and Navigation; therefore it is, that, to attain so desirable an End, they have thought good and proper to appoint and depute, that is to say, the foresaid Royal Burrows depute and appoint the Right Honourable *George Drummond* Esq; Lord Provost of *Edinburgh*, and the Honourable *Archibald MacAulay* Esq; Lord Conservator of the *Scots* Privileges in the *Netherlands*, and Deputies of the Royal Burrows of *Scotland*, and the aforesaid Baillieuw, Burgomasters, Scheepens and Counsellors of the foresaid City of *Campvere*, depute and appoint Mr. *Dirk Huybert Verelst*, Counsellor of the said City, and Deputy from the Province of *Zealand*, in the Council of State of the United Provinces, Mr. *Joan Boreel de Mourenault*, Scheepen and Counsellor, and *Jacobus de Cliever*, Secretary of the said City; which Deputies being furnished respectively with proper Powers, true Copies of them here follow.

Here follows the Commission of the Royal Burrows of Scotland.

In the general Convention of the Royal Burrows, in that Part of *Great Britain* called *Scotland*, holden at the Burgh of *Edinburgh*, upon the 5th Day of *July* 1748 Years, by their Commissioners therein convened.

The which Day, the general Convention of the Royal Burrows, having taken into their Consideration their Staple Contract with the Hon. Magistrates of *Campvere*, observed that this Contract was extremely an-

tient, preserved with great Amity and Benevolence between the Right Honourable and Respectful Magistrates of *Campvere*, and the State of *Burrows*, in which antient Contract the illustrious Princes of *Orange* and *Nassau*, Marquisses of *Campvere*, were Parties, and these confirmed by the most Noble Regency of the States of *Zealand*.

That as the subsisting Contract wants to be ratified and approved by his Serene Highness the Prince of *Orange* as Marquis of *Campvere*, they judge it necessary to have this Contract confirmed, in all its Particulars, by his said Serene Highness and the States of *Zealand*, and prolonged for such a Space of Time, as shall be required by the Magistrates of *Campvere*, or thought fit and convenient by his Serene Highness the Prince of *Orange*, as Marquis of *Campvere*, and Stadtholder of the United Provinces, and most Noble Lords of the States of *Zealand*;

Therefore they, for promoting so good Purposes, and confirming the Privileges of the Royal Burrows, being well satisfied of the Abilities of the Right Hon. *George Drummond*, Esq; Lord Provost of the City of *Edinburgh*, and of the Hon. *Archibald MacAulay*, Esq; Lord Conservator of the *Scots* Privileges in the *Netherlands*, do hereby commission, authorise and appoint the Lord Provost of *Edinburgh*, and Lord Conservator, with Concurrence of the very Hon. the Magistrates of *Campvere*, to wait on his Serene Highness the Prince of *Orange*, Marquis of *Campvere*, and after representing the great Joy and Satisfaction the Royal Burrows have of his having attained the Rank and Dignity of Stadtholder of the Republick of *Holland*, so gloriously maintained by his illustrious Predecessors, for the Honour of the State in which he presides, and the Liberties of neighbouring Nations, to use their Endeavours, in Conjunction with the Magistrates of *Campvere*, to obtain from his Serene Highness the Marquis of *Campvere*, a Ratification of the present subsisting Contract, and a farther Prolongation of the same, in such Terms, and for such a Space of Years as shall be agreed upon between the Honourable Magistrates of *Campvere*, and the Commissioners above-mentioned; and they hereby appoint their Clerk to certify this Deed by adhibiting his Subscription, and, as usually, by affixing thereto the Seal of the City of *Edinburgh*, the Metropolis of *Scotland*. Extracted furth of the Records of the Convention of Royal Burrows, by me Mr. *Joseph Williamson*, General Clerk to the Royal Burrows; likewise the Seal of the City of *Edinburgh* is hereto affixed.

Jos. WILLIAMSON.

The Commission of the Noble and Worshipful the Baillieuw, Burgomasters, Scheepens and Counsellors of said City of Campvere, wrote in the Low Dutch Language, being translated, is as follows, viz.

We Baillieuw, Burgomasters, and Scheepens and Counsellors of the City of *Campvere*, to all those who may see or hear this read, greeting: As the very Honourable and Worshipful the Royal Burrows of *Scotland* have thought fit to depute the very Honourable and Worshipful Gentlemen, *George Drummond*, Lord Provost of *Edinburgh*, and *Archibald MacAulay*, Lord Conservator of the *Scots* Privileges in the United *Netherlands*, to enter into Negotiation with us, concerning the strict Observation and maintaining the Staple Contract concluded in the Year 1736, in consequence of the Authorization mutually given by the 38th Article of the Staple Contract, concluded the 25th December 1697, and particularly to intreat the Approbation and Agreement of his Serene Highness the Prince of *Orange and Nassau*, as Marquis of this City, to the Staple Contract of the Year 1736, which, in all its Parts, is quite agreeable to the Contract made in the Year 1697, with the Approbation and Consent of his Majesty the King of *Great Britain*, *William III.* of glorious Memory, then Marquis of this City, being a Prolongation thereof, his Serene Highness not having given his Approbation and Consent thereto, as he was not then put in Possession of the foresaid Marquisate: Therefore it is that we, to forward so beneficial a Work for this City, have thought meet to depute, likeas we hereby depute *Mr. Dirk Huybert Verelst*, Counsellor of this City and Deputy of the Province of *Zealand*, in the Council of State in the United *Netherlands*, *Mr. Joan Boreel de Mauregnault*, Scheepen and Counsellor, and the Secretary *Jacobus de Cliever*, that, together with the foresaid Deputies of the Royal Burrows, they may address themselves to his Serene Highness the Prince of *Orange and Nassau*, hereditary Stadtholder, and to intreat his Serene Highness to accede to the foresaid Staple Contract, and to support it with his Power; and that it may please his Serene Highness, by his Influence in the Assembly of the States of this Province, to effectuate that the foresaid Staple Contract may be ratified by the States of the Province, as was done concerning the Contract of the Year 1697. Further intreating, that it may please his Highness to consent to the Prolongation of the foresaid Staple Contract for the Space of Twenty one Years after the Expiration of the current Contract, or for as many Years as his Serene Highness may judge for the Good of his City, and the Burghers thereof.

And if his Serene Highness should think fit to consent to the foresaid Prolongation,

the foresaid Deputies are authorized to conclude, and sign in our Name, the necessary Deeds of Prolongation; and every Thing that shall be done by the said Deputies, in our Name, shall be approved, warranted and ratified by us.

In Testimony whereof, we have ordered this to be sealed with the Counter Seal of the City, and to be signed by the Secretary, upon the 29th November 1748.

JACOBUS DE CLIEVER.

And the aforesaid Deputies, by virtue of the full Powers and Commissions above insert, having been several Times in Conference together in the *Hague*, for and in Name of the said Royal Burrows, and of the Noble and Worshipful the Baillieuw, Burgomasters, Scheepens and Counsellors of the said City, have again, with the Approbation, Accession, and Consent of his most Serene Highness the Prince of *Orange and Nassau*, hereditary Stadtholder, &c. &c. as Marquis of *Campvere*, agreed and concluded, likeas they hereby declare, that they have agreed and concluded,

I. That the Staple Contract, with the separate Articles thereof, both concluded upon the 25th Decem. 1697, N. S. betwixt the Baillieuw, Burgomasters, Scheepens and Counsellors of the City of *Campvere* on the one Part, and the Royal Burrows of *Scotland* on the other Part, in so far as it is not altered by the Contract of Prolongation and Ampliation concluded upon the 24th of October 1736, as also the said Contract of the 24th October 1736, shall remain in their full Power and Force, without any Alteration, and that therefore, in all their Parts and Articles, they are to be performed and observed.

II. It is mutually agreed and declared, That the Continuance of the *Scots* Staple at *Campvere* shall remain in full Force, for the Space of Twenty one Years, after the Expiration of the present subsisting Contract of Prolongation and Ampliation of the Year 1736, which will be upon the 25th December 1760, and thereafter for as many Years as the said Royal Burrows and the Lords Baillieuw, Burgomasters, Scheepens and Counsellors of the said City may agree and think proper. And it is further undertaken by the Magistrates of *Campvere*, that they will effectuate, that the foresaid Staple Contract of the Year 1736, together with this of Prolongation, shall be approved and ratified by the States of *Zealand*; likeas, it shall be approved and ratified by his *Britannick* Majesty.

Lastly, The foresaid Deputies, in Name and Behalf of the Constituents on both Sides, promise regularly to observe and perform all the Articles contained in the foresaid Staple Contract of the Year 1697, and of

of the Contract of Ampliation and Prolongation of the Year 1736, and of this Contract of Prolongation, in all their Points and Parts, that so the Staple Contract, the Ampliations and Prolongations, may, as much as possible, be made everlasting.

This being done, agreed and concluded, we the Deputies of the Royal Burrows, and we the Deputies of the Noble and Worshipful Baillicuw, Burgomasters, Scheepens and Counsellors of *Campvere*, by virtue of our respective full Powers above inserted, and in their Names, have hereof made two Instruments of the same Tenor, and signed them with our usual Subscriptions, and thereto put our Seals, in the *Hague*, upon the 7th of *December* 1748.

D. H. VERELST.

GEO. DRUMMOND.

J. BOREËL DE MAUREGNAULT.

ARCH. MACAULAY.

JACOBUS DE CLIEVER.

Follows the Ratification of the last Staple Contract by the Magistracy of Campvere.

We Baillicuw, Burgomasters, Scheepens and Counsellors of the City of *Campvere*, to all who may see or hear these Presents, greeting, make known, That whereas *George Drummond*, Esq; Lord Provost of *Edinburgh*, and *Archibald MacAulay*, Esq; Lord Conservator of the *Scots* Privileges in the *United Netherlands*, Deputies from the Royal Burrows of *Scotland*, and Messrs. *Dirk Huybert Verelst*, Counsellor of this City, and Deputy from this Province in the Council of State, of the *United Netherlands*, *John Boreël de Mauregnault*, Scheepen and Counsellor, and *Jacobus de Cliever*, Secretary, as our Deputies, did, upon the 7th of this Month, in the *Hague*, make and conclude a Contract of Prolongation, of the present subsisting Staple Contract, and that for the Term of 21 Years, after the Expiration of the said Staple Contract, and so commencing the 25th *December* 1760; to which Contract his Serene Highness the Prince of *Orange* and *Nassau*, hereditary Stadtholder, as Marquis of this City, and Principal Contractor, has graciously acceded: And, to give Proof of our Sincerity, therefore it is that we agree, approve and ratify; likewise we hereby agree, approve and ratify the Contract made by the foresaid Deputies of the Royal Burrows and our foresaid Deputies, upon the 7th of this Month, in the *Hague*; promising, in all Truth and Sincerity, that we shall inviolably observe the same, in all its Points and Articles, without doing any thing contrary thereto, directly or indirectly, in any Manner whatsoever.

In Testimony whereof, we have caused these Presents to be signed by our Secretary, and the Great Seal impressed thereon. Done in *Campvere* 31st *December* 1748.

JACOBUS DE CLIEVER.

Follows the Ratification of the same by the Royal Burrows.

In the general Convention of the Royal Burrows of *Scotland*, holden at the Burgh of *Edinburgh*, upon the 4th Day of *July* 1749, by their Commissioners therein convened.

The which Day there was presented to the Convention, by *George Drummond*, Esq; late Lord Provost of *Edinburgh*, the last Renewal of the Staple Contract, dated the 7th Day of *December* 1748, signed and sealed by the Hon. the Commissioners of the City of *Campvere*, and by the said *George Drummond*, as Preses of the last, and by *Archibald MacAulay*, Lord Conservator of the *Scots* Privileges in the *Netherlands*, Commissioners for that End appointed by the last Convention, together with the Ratification of the Contract 1736, commencing from the 25th of *December* 1739, and a further Prolongation from the Expiration thereof, for the Space of Twenty one Years, from the 25th Day of *December* 1760, by his Royal Highness *William Charles Henry Friso*, Prince of *Orange* and *Nassau*, and hereditary Stadtholder of the *United Provinces*, which being read, the Convention unanimously ratified, approved and confirmed, and hereby ratify, approve and confirm the said last Renewal and Prolongation of the Staple Contract, signed and sealed by the Commissioners for the City of *Campvere*, and their Commissioners above named, and approved, and hereby approve of the Conduct and Proceedings of their said Commissioners in the said Matter, and agreed to return them the Thanks of this Convention, for the faithful Execution of the Trust reposed in them; which was done accordingly. Extracted furth of the Records of the Convention of the Royal Burrows, by me Mr. *Joseph Williamson*, conjunct general Clerk to the saids Royal Burrows: Likeas the Seal of the City of *Edinburgh* is hereto affixed.

JOS. WILLIAMSON.

Upon Delivery of this Ratification in Form, Application will be made for the Ratification of their Noble Mightinesses the States of Zealand.

FACULTY OF ADVOCATES.

This Society of Lawyers, called *The Faculty*

culty of Advocates, is a Body of learned Civilians in great Repute, into which none are admitted as ordinary Members, but such as have been regularly educated in the Study of the Law; though many Persons of Distinction are admitted honorary Members of the same, the Origin whereof was occasioned as followeth.

Prof. Forb.
Journ. Decif.
p. 7.

The Court of Session was no sooner instituted, than a certain Number of learned Men, of Probity, Knowledge and Experience, called Advocates, were authorised to plead in the said Court; but the small Number of Persons qualified for that Office, not exceeding Ten in Number, were not sufficient to answer the Demands of the People; wherefore divers of the Lords or Judges officiated as Advocates, to serve the Publick. And such was the Care at that Time, to have Processess faithfully and carefully conducted, that it appears by the Books of *Sederunt*, of the Years 1580 and 1585, that divers Persons, at their Admission as Advocates, were obliged to ingage, not to plead in a weighty or difficult Cause, without the Assistance of an experienced Lawyer.

Ibid. p. 8.

The Manner of admitting Members into this Society, is, First, by a private Trial in the Civil Law, which is managed by nine Examiners, yearly chosen for that Purpose, whereof Seven are a Quorum; who, after Examination by Ballot, report the Candidate's Qualifications, which, if not approved of, is remanded back to his Studies; but, if qualified, he is recommended to the Dean of Faculty, who assigns him a Task out of the Civil Law for his Theses, which, on a Day appointed for his publick Trial, he defends in Presence of the Faculty, against three at least of the Examiners, his Opponents; pursuant to which, the Faculty by a Ballot report his Performance: And if found qualified, the Dean assigns him a Text out of the Civil Law, for the Subject of his Oration, to be made before the Lords of Session; and to which End, on a Day prefixed, he is allowed to stand in the Place of one of the said Lords or Judges, who on that Occasion administer to him the Oaths to the Government, and that of faithful Administration. Advocates are sometimes admitted by a Trial in the *Scotish* Law; but that not being held so honourable as the former, the Candidate makes no Speech before the Lords.

Id. ibid.

The Advocates are subject to the Authority of the Lords of Session, who give Rules for their Conduct in Business, and may censure, fine, or debar them from practising, for Disobedience, or Malversation in their Office.

Id. ibid.

The Faculty meet yearly on the first *Tuesday* of *January*, when they chuse their Officers for the succeeding Year, viz. the Dean of Faculty, who presides in all their Meetings, and with a Council of the best

qualified Members, conducts the Affairs of the Society; the Treasurer, who manages the publick Stock; the Clerks; the Curators of the Library; and the publick and private Examiners. The Dean, Treasurer, and Clerks, are frequently continued, but the Examiners, and one of the five Curators of the Library, are yearly changed.

LIBRARY.

A Motion being made in a Meeting of the Faculty of Advocates, on the 11th of *December*, in the Year 1680, for founding a Library for the Use of the Society; which being approved of, a Committee was appointed to put their Design in Execution; who having, on the 18th Day of *November*, anno 1682, taken a House on Lease for the intended Library, at the yearly Rent of Twenty Pounds *Sterling*; on the second Day of *January* following, *David Forbes* and *John Mackenzie* were appointed Curators thereof; and in the Year 1692 was printed a Catalogue of the Library, with a *Latin* Preface by *Sir George Mackenzie*. Anno 1695, the Books in the Library were considerably increased in Number, by the generous Benefaction of *William Duke of Queensberry*, of a valuable Collection of rare and curious Books in Law and Antiquities, which belonged to his late Son *Lord George Douglas*. And on the second of *January*, in the Year 1700, the Faculty added a third Curator to the aforesaid two, and ordered that the *senior* thereof should be annually removed, and another chosen in his Stead.

A great Conflagration having happened in the Parliament Close in the Year 1700, amongst other great Ravages committed thereby, this Library was destroyed; which occasioned the Faculty to apply to the Common Council of *Edinburgh*, for the Use of a certain large Room of theirs under the Southern End of the Parliament House: But this spacious Apartment being subject to the Search and Inspection of the Lord High Constable every Session of Parliament, both Parties judged it necessary to apply to the Privy Council for their Opinion in this Affair; which being taken into Consideration, they readily advised, that the desired Place should be granted for so laudable a Purpose, subject nevertheless to the occasional Search and Inspection of the said Lord High Constable during the Sittings of Parliament. Pursuant to this Advice, the Town Council appointed a Committee of their Number to view the said Room, and to treat with the Faculty concerning the same; which being performed, made their Report as follows.

'The Committee appointed to inspect the
'*Laigh* Parliament House, in order to ac-
'commodate the Faculty of Advocates
'with a Bibliothek, having several Times
'visited

Regist.
XXXVI.
8.

‘visited the samen, and communed with
‘the Faculty thereanent, are of opinion
‘(considering the Loss of their own Biblio-
‘theck by the late Conflagration in the Par-
‘liament Close, and that no convenient
‘Place can be found for the same) the Com-
‘mon Council may be pleased to concede
‘and allow them the Use of the South-end
‘of the said House, to the fourth Stone-pil-
‘lar thereof, including the Stone Chimney
‘therein; with this exprefs Provision and
‘Condition, That before they be put in
‘Possession, they make an Loft from the said
‘South Pillar alongst the East Side of the
‘said House, from the East-side Wall to
‘the Pillar in the Midst thereof; and to the
‘North-gavil of the said House, with an con-
‘venient Stair to the Entry of the said Loft,
‘upon their own Charges and Expences.

‘And that the said Faculty shall make
‘no other Use of the said Room, save for
‘the Bibliothek; and that in case the Par-
‘liament find it inconvenient to have the
‘said Library under them, and therefore
‘oblige them to remove; or if they shall
‘think fit of themselves to remove their Bi-
‘bliothek from the said Room, they, in
‘either of these Cases, at their Removal,
‘shall leave their whole fixed Reparations
‘within the said House and Bibliothek, to
‘be used and disposed upon at the Pleasure
‘of the Council of *Edinburgh*, without plead-
‘ing, or pretending to the Restitution of a-
‘ny Part of the Charges or Expences (they
‘shall be at) from the good Town, now,
‘or at any Time hereafter.

‘And likewise, during the Possession a-
‘bove mentioned, the said Faculty shall
‘pay Five Marks of Rent to the good
‘Town yearly, as the Report under the
‘Hands of the Committee bears; which
‘Report the said Lord Provost, Baillies,
‘Council and Deacons of Crafts aforesaid
‘approved, and hereby approves; and
‘therefore, in Testimony of their Respect
‘to the said Faculty, and of their Desire to
‘continue a good and friendly Understand-
‘ing with them, do hereby concede and
‘allow them the Use of the South-end of
‘the said House, as above limited and
‘bounded, and that with and under the
‘Conditions and Provisions mentioned in
‘the said Act of Privy Council and Report
‘aforesaid; and particularly the paying
‘yearly to the good Town the said Sum of
‘Five Marks *Scots* of Rent, as long as they
‘shall think fit to possess the same, for the
‘aforesaid Use and End alienarly.

‘And lastly, Leaving the Pavement-
‘stones wherewith the samen is laid at pre-
‘sent for the good Town’s Use, so soon as
‘the said Faculty shall cause raise the same.
‘To the Performance of all which Provi-
‘sions, the said Faculty, by their Accepta-
‘tion hereof, are understood to oblige them-
‘selves and their Successors in Office;

‘whereanent these Presents shall be a War-
‘rant, the 31st Day of *October* 1701.

In the Year 1705, the Faculty purchased
of *James Sutherland*, Professor of Botany
and Intendant of the Physick Garden at *Edin-
burgh*, a large and valuable Collection of
Greek, Roman, Scotish, Saxon and English
Coins and Medals, to enrich their *Museum*
withal.

On the 6th of *January*, anno 1719, to
the three Curators of the Library, two
more were added, who, with the former,
were respectively to officiate during the Term
of five Years, and the *senior* whereof, his
Office expiring yearly, another is chosen in
his Stead.

This Library, for some Time after its
founding, had no settled Fund for purcha-
sing Books, that being left to the Discre-
tion of the Curators, who, according to the
Circumstances of the Faculty, occasionally
added to the Collection: But, Inconveni-
encies arising from this Method of Mana-
ging, the Faculty, in the Year 1712, or-
dained, That out of the Money payable by
each Member at his Admission into the So-
ciety, Two hundred Marks thereof should
be appropriated for buying Books, which
Sum, on raising the Admission Money to
Forty Pounds *Sterling*, was advanced to the
Sum of Eighteen Pounds *Sterling*, which is
a Fund, whereby the Books in the Library
are greatly increased in Number.

As this Library was founded by and for Coun. Regist;
the Use of a Society of Lawyers, it is but
reasonable, that it should chiefly consist of
Books relating to their Profession, which it
accordingly does, by having in it a nume-
rous, choice and valuable Collection of Law
Books of all Kinds, Civil, Canonical, and
of the Municipal Laws of most *European*
Nations, particularly *Scotish* and *English*:
And as Books in other Sciences are requisite
to the Study of the Law, this Library a-
bounds with a Number in Divinity, Phy-
sick and Mathematicks, but especially in
History, Antiquities, Medals, &c. of the
best Editions: Among which are the *Biblio-
theca Patrum*, in 28 Volumes. *Labbe’s*
Councils in 17 Vol. *The Byzantine Histo-
rians*, 38 Vol. *Oceanus Juris*, or *Traſſatus*
Traſſatum, 28 Vol. *Grævius* and *Grono-
vius*, and *Sallengre’s Greek and Roman An-
tiquities*, 23 Vol. *Grævius’s Thesaurus An-
tiquitatum & Historiarum Italie*, 44 Vol.
Atlas Blavianus, 11 Vol. *Critici sacri cum*
*Mentheri Thesauro Dissertationum Theologica-
rum*, 11 Vol. *Bibliotheca Fratrum Polono-
rum*, 9 Vol. *Rymeri Fædera Angliæ*, 20
Vol. *Corpus Diplomatique, par du Mont*,
12 Vol. *L’Antiquité expliquée, par Mont-
faucon*, 15 Vol. Together with a compleat
Collection of the best Editions of the Fa-
thers, without mentioning a vast Number of
other rare and curious Books.

In this useful Library is likewise a valu-
able

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able Collection of Manuscripts of considerable Antiquity, consisting of classick Authors, viz. *Martial, Juvenal, Persius, Virgil, Ovid, Claudian, Statius*, some Parts of *Cicero*, &c. together with a Number of old Chartularies or Register Books of *Scotish* Monasteries, namely, of *Dunfermline, Scoon, Kelfo, Melrose, Aberbrothock, Cambuskenneth, Dryburgh, Balmerino*, &c. some of our Monastical and other Histories, as *Liber Cyprensis, Liber Cartusianorum de Perth, Liber Dunblanensis sive extracta de Chronicis Scotie, Gibsoni compendium, Libri Pasletenses*, &c. with divers others relating to the History and Antiquities of *Scotland*, several Collections of Decisions of the Court of Session, and other Law Treatises; with a Number of devotional Books, curiously written and embellished, in the Times of Popery.

This Library, which consists of upwards of Twenty thousand Volumes, is of very great Service to the Publick, as appears by the Number of Persons who daily use it; and it is probably more frequented, both by common Readers and Transcribers, than most other publick Libraries.

COURT OF GENERAL ASSEMBLY.

This is the supreme Ecclesiastical Court in *Scotland*, to which Appeals from the provincial Synods ly, and from which, as the dernier Refort, no Appeal lies. It consists of three hundred and fifty six Members, viz. two hundred and three of the Clergy, and one hundred and fifty three of the Laity, who are Commissioners from the several Presbyteries, Royal Burrows, and Universities in *Scotland*, viz. from a Presbytery consisting of twelve Ministers or under, two Ministers and one Ruling Elder; from one above twelve, and not exceeding eighteen, three Ministers and one Elder; from one above eighteen, and not exceeding twenty four, four Ministers and two Elders; from one above twenty four, and not exceeding thirty, five Ministers and two Elders; and all Presbyteries exceeding thirty Ministerial Charges, to send six Ministers and three Ruling Elders. *Edinburgh* sends two Representatives, and every other Royal Borough one, and each of the Universities send one. The Commissioners, both Clergy and Laity, are chosen six Weeks before the Meeting of the Assembly; and the Ruling Elders or Lay Members are of the first Quality of the Countries they reside in.

The Assembly meet once a-Year, commonly at *Edinburgh*, wherein presides his Majesty's Commissioner, but without a Vote, to shew the Church's Independency of the King. And as a farther Instance thereof is the Assembly's Act, appointing the Time and Place for the Meeting of the next As-

sembly, which seems to intimate, that the Royal Commissioner's Power, both of dissolving and appointing an Assembly is only assumed, without a Right thereto.

On a Day prefixed, the Moderator of the preceeding Assembly preaches before the Assembly; which being ended, the Members repair to the Place of Meeting, where, in Presence of the Commissioner, they proceed to the Choice of a Moderator, which is managed thus: The late Moderator nominates two or three Ministers, to whom the Assembly add whom they please; and the Nominees having given their respective Suffrages, withdraw; and the Assembly proceeding to vote, he that has the Majority is chosen and takes the Chair at the Foot of the Throne.

The Moderator being chosen, the Commissioner, who is always one of the Principal Nobility, produces his Majesty's Commission to himself, with a Royal Missive to the Assembly, both of which being read by the Clerk, all the Members standing, the Commissioner makes a Speech, which is answered by the Moderator; and proceeding to appoint the several Committees, finish the Business of the first Day. The Day following is employed in Prayer, and the third Day they proceed to Business; the first of which is to answer the King's Letter, which is done by a Committee, whose Draught is read and examined, and if necessary, altered; and being approved by the Assembly, is signed by the Moderator, and delivered to the Commissioner, who forwards it to his Majesty.

The Moderator, who has no Negative, only sums up the Debates, and puts the Question. Though Business be usually done by Committees, yet any Member may move what he pleases in the Assembly; and when a Motion is made, or Business brought in by a Committee, the Moderator names certain of the most eminent Members to speak to it; after whom, any Member who pleases may speak to it; when the Debate is over, 'tis put to the Vote and carried, agree or disagree by the Majority.

Matters of great Weight, that binds the whole Church, are brought in by Way of Overtures, and being debated in the House, if approved, are transmitted to the several Presbyteries throughout *Scotland*, who return Answers by their respective Commissioners to the approaching Assembly, who, as they find them either approved or disapproved by the said Presbyteries, pass them into Laws, or reject them.

By every Assembly, a Diet is appointed to inspect the Acts of the provincial Synods, as they before had inspected the Proceedings of the several Presbyteries; and, before they rise, nominate a standing Commission of Ministers and Ruling Elders, chosen out of the several Synods to attend the Affairs of the

the Church, till the Meeting of the next Assembly, thirty one to be a *Quorum*, of whom twenty one to be Ministers. The Moderator of the Assembly moderates in the Commission, if present. The Commissioners were obliged to sit the first Week of every Quarter, all Parliament Time, and as often as shall be found necessary. They have the Power of an Assembly, in all Matters referred to them from it; they can act in nothing regularly, but what is recommended from the Assembly; but that Recommendation often includes a general Clause, empowering them to act in every thing for the Good of the Church; and being accountable to the General Assembly, keep a Register of their several Transactions.

When the Assembly is to rise, the Moderator acquaints them, that it is Time to dissolve, and appoint an other Assembly in the Name of their Master the Lord Jesus Christ: And having addressed himself to the Commissioner in the Name of the Assembly; to which an Answer being returned, dissolves them in the King's Name, and appoints a Time and Place for the Meeting of a new Assembly, which must be within a Year and Day. Then a Prayer being said by the Moderator, and a Psalm sung by the Assembly, and the Benediction given, they break up.

HIGH COURT OF PARLIAMENT.

Mackenz. Inft.
tit. 3. p. 57.

We are told by a certain Writer, that the *Scotish* Parliament was antiently the King's Baron Court, at which all Freeholders were obliged to attend, in the same Manner as others do at Head Courts at present. I cannot be of this Opinion for divers Reasons: 1. It appears in the Acts of James I. (called *The Black Acts*, from their being printed on a Black Letter) that the said James, by Request, obtained of his Parliament, that the Prelates and Barons should not remove Husbandmen from their Farms (nor let the same to others for the Year to come) unless they intended to take them into their own Hands. 2. In the Acts of James II. it is said, 'That it is thocht speidful, that the King make Request to certain of the Burrowis of the Land, that are of Mycht, to make Cartis of Weir; and in ilk Cart twa Gunnis, &c.' Surely Barons are not to petition their Vassals in this Manner, or Vassals Power to order their Lords to petition them, or to dispossess them of their Estates, if they did not fulfil their Grants to them, or whether their Lords Estates were their own Property, or only the Gifts of their Vassals: This, I think effectually demonstrates, that this Convention was not the King's Baron Court, but his Parliament, of whom he requested those Favours.

Be this as it will, the first national Con-

vention we had by the Name of Parliament, was in the 13th of Robert I. (this Appellation was introduced by the *English* during the Competition between Bruce and Baliol for the Crown of Scotland) at which Time it consisted of the Bishops, mitred Abbots and Priors, Earls, lesser Barons and Community or Commons. It is by some questioned, whether at this Time the Commons were Part of the Legislature: I see no Room to doubt this, since 'tis expressly said in the Preamble to the several Acts passed in this Parliament, that they were made by the Advice and Consent of the several States aforesaid.

The first Mention I find of the three Estates of Parliament is in the Reign of David II. when they were called *The Clergy*, *Nobility*, and *Commons*, at which Time, all the Barons or Freeholders repaired to Parliament; but the lesser Barons being very numerous, and Conventions annual, their Estates were not sufficient to defray the Expence of Attendance: Wherefore it was by Parliament enacted, that the petty Barons, instead of attending the Convention, should ^{Ja. I. Parl. 7.} chuse out of each Shire, according to its ^{Di. Act. 101.} Discretions, two or more Persons to represent them, except the small Counties of *Kinross* and *Clackmannan*, which were to send one each, and to pay them severally for their Attendance. The Qualifications required both for the Electors and Elected was a Fee Farm Rent of Forty Shillings *Scotish per annum* held of the Crown, which is equal to Ten Pounds *Sterling*, of yearly Revenue at present; and the Representatives of Boroughs being elected by the Common Council of the several Burghs; their Expences were defrayed by their Constituents; and thus it continued till James the VI.'s Time, when the Officers of State, though Commoners, were admitted to sit in Parliament.

A Candidate for the Peerage was antiently named in Parliament, and the Reasons ^{MSS. Account} for his Promotion to that Dignity laid before the House; which being set forth in the Patent creating him a Peer, were ratified by the States of the Kingdom.

And when an inferior Burgh was converted into a Royal Borough, with a Power to have a Representative in Parliament; the same was likewise confirmed by the States, and the Privileges of Parliament were so great, that it could neither be prorogued and adjourned but by their own Consent, and the Time and Place of Meeting appointed by an Act of their own: And if our Author may be believed, whatever was antiently passed in Parliament the King did ratify, as having had no Negative, though the States had one upon him.

And the Parliament, during their several ^{Hist. Account} ^{Parl. Scot. p.} ^{226.} ^{with} ^{Recesses}, appointed a Committee to superintend the Administration, and to assist them

Hist. Account.
Parl. Scot. p.
18. 19.

with their Advice; and appointed another Committee, called *Lords of the Articles*, consisting of thirty two of their Members, who, together with the Officers of State, prepared Matters for their Dispatch; which continued till the Year 1617, when James VI. changed the Method of Election, by commanding the Bishops to chuse eight Noblemen, and they the like Number of Bishops, who being united, chose the same Number of the Representatives of Shires and Boroughs, to whom the King or his Commissioner added the several Officers of State. But this Committee being regarded as a very great Grievance to the Subjects, it was abolished by Parliament in the Year 1690.

Id. *ibid.*

Though the Prerogative of our King was antiently as much restricted as that of any other Prince, yet at the Union of the Kingdoms of Scotland and England in the Year 1707, it was as extensive as that of the King of England, both in Parliamentary and other Affairs; at which Time our Parliament consisted of Ten Dukes, three Marquisses, seventy five Earls, seventeen Viscounts, Fifty two Lords, ninety Knights of Shires, and sixty seven Burgeesses; together, three hundred and fourteen, who, by the Treaty of Union, are reduced to sixteen Peers, and forty five Commoners, who are both elected to sit in the British Parliament.

On the first Day of the Meeting of every new Parliament, a very stately and pompous Cavalcade was made in Edinburgh, called *The riding of the Parliament*; which was performed in the following Manner. In the Morning, the Regalia, consisting of the Crown, Sword and Scepter, were carried from the Castle of Edinburgh to the Palace of *Holy-rood-house*, in the spacious Outer Court of which, the several Members of Parliament having mounted their Horses, richly accoutred with Velvet Foot-cloths, and sumptuous Trappings, the magnificent Cavalcade was marshalled as follows.

The CAVALCADE.

Two Trumpeters.

Two Purfevants, in their Coats, uncovered.

The Burgeesses, in their Cloaks, two and two, each attended by his Footman.

Four Door-keepers of the Court of Session, two and two.

Knights, or Commissioners of Shires, in their Cloaks, two and two, attended by two Footmen each.

Commoners, Officers of State, two and two.

Two Door-keepers of the Privy Council Chamber.

The Peers in their Robes, viz. the Lords or Barons, two and two, attended by their

Train-bearers, Pages, and three Footmen each.

Viscounts, two and two, waited on by their Train-bearers, Pages, and three Footmen each.

Earls, two and two, attended by their Train-bearers, Pages, and four Footmen each.

Marquisses, two and two, waited on by their Train-bearers, Pages, and six Footmen each.

Dukes, two and two, attended by their Train-bearers, Pages, and eight Footmen each.

The Lord High Chancellor, bearing a Purse, with the Great Seal therein.

Four Trumpeters, two and two uncovered.

Four Purfevants, in their Coats, two and two, uncovered.

Six Heralds in their Coats, two and two uncovered.

The Gentleman Usher uncovered.

Lyon, King at Arms, with his Coat, Robes, Footmantle and Batoon, uncovered.

The Sword of State, borne by one of the most antient Nobility uncovered, with a Mace-bearer on each Hand.

The Scepter, borne by a Nobleman of the same Distinction, uncovered, with a Mace-bearer on each Side.

The Crown, borne by another of the said antient Nobility, uncovered, with a Mace-bearer on each Hand.

The King, attended by the Master of the Horse, a little behind on his Left-hand.

And the Cavalcade closed with the Troop of Life-guards.

In the Absence of the King, the High Commissioner supplied his Place, which occasioned this Difference in the Procession, that his Grace was attended by the Dukes on his Right-hand, and Marquisses on his Left, and preceded by a Nobleman, uncovered, bearing a Purse, wherein was the Commission.

The two Archbishops being in Degree with the Dukes, had the same Sort of Equipage, and their Suffragans, in Equality with Barons, had their Equipages answerable to those of the Lords. The Train-bearers and Pages were richly dressed; and the Footmen had each a short Velvet Surtoot over his Livery, with his Lord's Arms embroidered thereon. The Cavalcade returned in the same Manner as it came; and the Streets through which it passed were lined with the Train'd Bands on both Sides: And the same order of riding was performed on the last Day of the Parliament's sitting.

HIGH-SCHOOL.

The first Mention I find of a School in Edinburgh, is in an Act of the Town Council at this Time, whereby it is ordained, ^{1519.} ^{Coun. Reg. vol. I. f. 11.} ^{10th Jan.} 'That

' That na Maner of Nychtbor nor Indweller within yis Burgh, put yair Bairnis till ony particular Scule within yis Toun, bot to the principall Grammer Scule of the samyn, to be techeit in ony Science, bot allanerlie Grace-buke, Prymar and Plane Donatt, under the Payne of Ten Shillings *Scotish* Money, to be tane of the Nychtbors yat breke or dois in ye contrair heirof; and als off bot Favor, to be applit to the Master of the said principall Scule for the Tyme.'

The Head Grammar School of this City being in its Infancy, the Town Council, for the Incouragement of its Master, by their Act aforesaid, ordered, That no Inhabitant presume to put their Children to any other School to learn a Science, than those contained in the Grace-book, &c. under the Penalty therein mentioned.

And the said Council having made divers Attempts to found a College for the Education of Youth, the first whereof was in the Year 1578; but being vigorously opposed therein by the Archbishops of *St. Andrew's* and *Glasgow*, and the Bishop of *Aberdeen*, were forced to defer proceeding till a more favourable Opportunity; but, that in the mean time they might have a Place wherein to instruct their Children, agreed in the same Year with *William Bickerton* a Mason, to build them a School, for the Sum of Two hundred and sixty Pounds *Scotish*; which being erected in the Cemetary of the conventual Church of the *Blackfriars*, where it is at present situated, it was denominated the *Higb School*: But, sufficient Salaries not being provided for the Master and Usher of the same, in the Year following acquainted the Council, that they would be obliged to leave the School, were not a reasonable Allowance granted for their Maintenance; which being taken into Consideration, the Council, for their better Support, ordered, besides their respective Salaries, that every Scholar, the Son of a Freeman, should pay to the Master quarterly the Sum of Three Shillings *Scotish*, and to the Usher Two Shillings, exclusive of the Quarterages received by them of Scholars, Sons of Unfreemen. And as a further Incouragement for the said Master and Usher, discharged all Persons from keeping a Grammar School or Schools within the City or Liberties of *Edinburgh*, without Licence from the Magistrates.

But this Regulation not answering, a new one was made by the Town Council in the Year 1598, whereby four Regents or Masters were appointed to preside over the same Number of Classes, to be kept in different Apartments of the School, in the first whereof were to be taught the first and second Rudiments of *Dunbar*, with *Corderius's* Colloquies; and, on *Sunday*, *Catechesis Palatinatus*. In the second Class to be taught

the Rules in the first Part of *Pelisso*, with *Cicero's* familiar Epistles, to make three Versions weekly; and, on *Sunday*, the aforesaid Catechism, with *Ovid de tristibus*. In the third Class to be taught the second Part of *Pelisso*, with the Supplement of *Erasmus's* Syntax, *Terence* and *Ovid's Metamorphosis*; and, on *Sunday*, *Buchanan's* Psalms. And in the fourth Class, to be taught the third Part of *Pelisso*, with *Buchanan's Prosodia*, *Talen's* Figures and Rhetorick Figure, *Linacre's* Constructions, *Virgil*, *Salust*, *Cæsar*, *Florus* and *Ovid's* Epistles; and, on *Sunday*, *Buchanan's* Psalms.

And as a sufficient Maintenance for the said Masters, the several Salaries and Allowances were settled upon them as follows. The first or lowermost and second Masters to have an annual Salary of Twenty Pounds *Scotish* each, and from their several Scholars, Thirteen Shillings and four Pence *Scotish* per Quarter. The third Master to have a quarterly Salary of Forty Marks *Scotish*, and from each Scholar the Sum of Fifteen Shillings Quarterage. And the fourth, or principal Master, to have Two hundred Marks of yearly Salary, and from each Scholar Twenty Shillings *Scotish* per Quarter. This being in full for the Service of the several Masters, they were discharged from receiving any Bleise-silver from their Scholars, and no Bent-silver, other than Four Pennies at one Time: And that the said School might not be injured for want of a Master or Masters, the several Regents, at the Times of their Election, are to give Five hundred Marks Security, that they will not leave their Offices, without giving half a Year's Warning.

And for the more effectual Support of this School, and Incouragement for Men of Learning and Merit to become Masters thereof, the Common Council, on the 9th December, anno 1709, ordained, That in all Times coming, the Rector or Headmaster shall have a Salary of Three hundred Marks *Scotish* yearly, and Four Shillings *Sterling* per Quarter from each Scholar in his own Class, and One Shilling *Sterling* quarterly from every Scholar in the Classes of the Under-masters; and each of the four Under-masters to receive a Salary of Two hundred and fifty Marks *per annum*, and from the several Scholars in the respective Classes, Four Shillings *Sterling* Quarterage, and the Master of the third Class to receive One Shilling *Sterling* quarterly from each Scholar in the Rector's Class. This Emolument to accrue to each of the other three Masters, as their Classes advance.

The Scholars of the said School having in the Year 1595 withstood their Master, by holding out the School against him, *Macmoran*, one of the Bailiffs, was sent to bring them to a Submission; but, instead of prevailing on them to submit, *Sinclair*, one of

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oun. Regist.
d. V. f. 96.

Coun. Regist.
vol V. f. 193.
194.

Coun. Regist.
vol. X. f. 42.

the Scholars, with a Pistol, shot him through the Head: And though the utmost Endeavours were used by the Citizens to bring him to Justice; yet the Murderer, through a superior Interest, was pardoned by the King, in Opposition to Honour, Virtue and Justice, in remitting the Punishment of such an atrocious Wickedness. This School at present is in a very flourishing Condition, under the Tuition of a Head-master and four others.

JUSTICE OF PEACE COURT.

This Court was erected by Act of Parliament in the Reign of King *James VI.* in the Year 1617, and the Reasons for its Erection set forth in the Preamble, are, *viz.* That for many Years bypast, many great and deadly Feuds having arisen amongst the Nobility and Gentry of *Scotland*, on the most trivial Occasions, such as for Peats, Divots, Fold-dykes, March-stones, injurious Words and drunken Discords, which being adopted by their Kindred and Friends as their own, many and bloody Engagements ensued, and their Revenge, Malice and Cruelty carried to such a Height, that it often terminated in the Destruction of some of the chief Families, Distraction of the Kingdom, Rebellion and civil Wars; the direful Effects whereof had often been felt, both by the Prince and People: Which being chiefly owing to the Defect and Remissness of Magistrates, in not timely repressing those fatal and destructive Animosities. It was therefore at this time judged necessary to put a Stop to those wicked Practices, and to prevent the Effusion of Blood, Desolation and Ruin to the Country in Time coming.

Ja. VI. Parl.
20. chap. 7.

To which end it was ordained, That there shall be yearly appointed by the King in every County throughout the Kingdom, certain worthy and judicious Men, to be Justices of the Peace, who were empowered to maintain Peace within their respective Districts, by compelling all disorderly Persons to give Security for their keeping the Peace, and to appear before certain Judges, when called for; and in case of Disobedience, to call Persons to their Assistance; to seize and commit to Prison all that prove refractory, and to inflict such Punishments on them, as were adequate to their several Crimes and Circumstances.

Ja. VI. Parl.
22. chap. 8.

And by a subsequent Act of Parliament, the said Justices are empowered to hold four Courts or Sessions in the Year, wherein they were to call Rioters and other Persons (under the Degrees of Noblemen, Prelates, Privy Counsellors, and Senators of the College of Justice) guilty of a Breach of the Peace; and upon a Complaint to a Justice on Oath, of a Person's being threatened by another, he shall oblige the Offender to give

Security for his good Behaviour: And if the same cannot be readily had, to commit him to Durefs, till the same be obtained. And if any of the said Justices of Peace shall at any time receive Information of a Difference subsisting between Men, he shall bind them both to the Peace, as aforesaid, unless both Parties solemnly declare, that they bear not the least Grudge against one another.

And the said Justices are likewise authorised to punish all Vagabonds, sturdy Beggars and Vagrants, called *Egyptians*, and to inflict Penalties on all Persons who shall either harbour or let Houses to them. And the said Justices are further empowered to see to the Reparation of the Highways, to prevent their being incroached upon, and to punish Transgressors in a discretionary Manner. The said Commissioners are also authorised to put the Laws in Execution against the Destroyers of young Trees, green Wood, Orchards, Gardens, and the Fry of Salmon, Robbers of Dove-houses, Conyngers, and Stealers of Beehives, Poachers, and Moor and Moss Burners, and to fine the Transgressors in pecuniary Mulcts, suitable to the Offence and Circumstances of the Delinquents.

And the said Justices shall give Information to the Lords Treasurer or Advocate, of all Regraters or Foretallers of Markets, and Contraveeners of Acts made against Maltsters, and shall make Rules or Orders for the better Government of the People in Time of Pestilence, shall appoint the Wages of Workmen, Labourers and Domesticks, and compel Masters and Mistresses to pay the Wages so appointed. They are likewise to take care, that the common Prisons be kept in Repair, and by their Information Goals be erected at the Appointment of the Privy Council, at all Places where they are wanted; and to provide Sustenance for Persons in Distress in the said Prisons.

And the said Commissioners are likewise empowered to ascertain the Prices of Work made by Craftsmen; Rates to be paid at Penny Weddings; the Wages of Labourers in Time of Harvest; to punish Drunkards according to their several Stations or Qualities; and to inspect the publick Weights and Measures, to prevent the People's being defrauded by wicked Men.

And the said Justices, in Consideration of their Attendance at their several Quartersessions, or elsewhere, they are to receive the Sum of Two Pounds *Scotish* per Day each; and whoever of them, who shall not attend at the several Sessions aforesaid, they shall for each Day's Absence (without a sufficient Reason assigned) forfeit the Sum of Forty Pounds *Scotish* Money.

JUSTICIARY

JUSTICIARY COURT.

This, which is the supream Court of Scotland in Matters criminal, was antiently composed of the Justice General, Justice Clerk, two Deputy Justices, Deputy Clerk, and inferior Officers; but at present it consists of the Justice General, Justice Clerk, five Judges of the Court of Session, the Clerk Depute, his Substitute, three Macers and a Dempster. The Justice General is President, in his Absence the Justice Clerk presides; and in the Absence of both, the Judges present chuse one of their own Number; four whereof, during the Term of Sittings of the Court of Session, are a Quorum; three in the Time of Vacation and in Circuit Courts; and one, in case of Sickness, during the Course of the Circuit. In this Court (which during the Term or Sittings of the Court of Session, meets every Monday Morning at nine of the Clock, and occasionally at other Times) are tried all criminal Offences, both capital and arbitrary, unless in difficult Cases, which are remitted to the Cognizance of the Court of Session; but as that Court cannot decide in capital Matters, they return the Case, with their Opinion thereon, when this Court, on sufficient Grounds, proceed to try the Criminal on an Information by the King's Advocate, and either acquit or condemn the Offender.

The Respect due to this Court is so very great, that whoever strikes or wounds a Person therein, in Presence of the Judges, incurs the Penalty of Death. And the said Judges, who have a Power to regulate the inferior Officers and other Affairs belonging to the Court, sit in Scarlet Robes; that of the Justice General is faced with Ermine, and those of the rest with white Sattin. And the Yearly Salaries belonging to the several Officers, in Sterling Money, are as follows.

	<i>l.</i>	<i>s.</i>	<i>d.</i>
To the Lord Justice General	2000	00	00
To the Lord Justice Clerk	400	00	00
To the five Lords of Justiciary, each 100 <i>l.</i>	500	00	00
To the Clerk of Justiciary	100	00	00
To the Advocates three Deputies, each Circuit 50 <i>l.</i>	300	00	00
To the Deputy Clerk	40	00	00
To three Deputy Clerks of Justiciary, each Circuit 30 <i>l.</i>	90	00	00
To the Macers, each	10	00	00
To the Dempster	5	00	00
To the six Trumpeters, each 10 <i>l.</i>	60	00	00
To the House-keeper	8	06	08

COURT OF SESSION.

The King and his Council being at first supream Judges in Civil Affairs, the People were obliged to follow the Court in all its Journeys for Justice; which proving very inconvenient as well as expensive, the Lord Chancellor, and divers others well versed in the Law, were chosen by the King from among the three Estates of Parliament to administer Justice; who, not being to follow the Court, were to sit thrice in the Year, at such Times and Places as the King should appoint. This Court being converted into a daily Council, was denominated *The Session*, to distinguish it from the Privy Council: It was ordered to sit at *Edinburgh*, and the Times of sitting notified to the People by Proclamation.

This Committee of Parliament, for the Administration of Justice, was to have no other Allowance for their Service, than the Fines arising to the King; the Parliament being of opinion they ought to bear their own Expences, since they were not to sit above forty Days, and that it might not come to their Turn again in the Space of seven Years; so that there would be a Rotation of the Judicial Power amongst the Nobility and Gentry, without the least Expence to the Publick.

But this Court not answering the End for which it was erected; for, by the frequent changing of Judges, Causes, which required some Time for their Discussion, could not be determined by the Judges before whom they commenced; and being brought before new Judges, altogether unacquainted with the Process, occasioned Proceedings to be not only tedious and expensive, but proved an Inlet to Bribery and Corruption. For the redressing of which, *James V.* in the Year 1537, judged it necessary to erect a College of Justice upon the Plan of the Parliament of *Paris*; which was soon after confirmed both by a Parliamentary and Papal Authority.

The Pope's (whose Usurpation on the Regal, our Kings were justly jealous) Confirmation of this new Foundation, was owing to a Contest between the King and Clergy, concerning a pecuniary Imposition on the Revenues of Bishops, towards the Maintenance of the newly appointed Lords of Session; which, by an Appeal being drawn to *Rome*, Matters were there compromised, by granting so great an Interest in this new Establishment to the Clergy.

Divers of the Members or Judges of the aforesaid Court of Session, being Lords of Parliament, both Civil and Ecclesiastical, the whole were called *Lords of Session*; and this Title being continued to the Members or Judges of the College of Justice or new Court of Session; their Successors still enjoy the same.

Spotf. Hist.
Edit. 1677. p.
68.

The

Ja. V. Parl. 5.
cap. 36. 44.

The Senators of the present Court of Session, at its Establishment, consisted of fourteen Ordinary Lords, or Puisse Judges Spiritual and Temporal, of an equal Number, with the Abbot of *Cambuskenneth* for their President: And they being appointed to go Circuits quarterly, for trying Causes in the several Parts of the Kingdom, the Lord Chancellor, when present at any of the Places of their Meeting, was to preside therein. And the King having reserved to himself a Right to add certain other Lords of his Great Council to the above mentioned four Extraordinary Lords were appointed to sit with them; but they being rather to learn than decide, are admitted without Trial or Examination; but not being of the *Quorum*, have no Salary, nor are obliged to constant Attendance, therefore sit and vote when they please; the Duke of *Argyll* and Marquis of *Tweeddale* being the only two remaining at present, on their Demise the Office will be extinct.

Ibid. cap. 68.

Bayn Abridg.
Act Seder. p.
201.

The Salaries of the Lords or Judges of this Court at first being very small ('tis said not above One hundred Pounds *Scotish per annum*) they were exempt from all Manner of Taxes, Contributions, and publick Charges, as they were also from bearing Offices in any City, Town, or Country, against their Inclinations. But it seems the Act of Parliament whereby this College of Justice was established, not having sufficiently explained by whom are meant the Lords of Session; it was by a Decree of Declarator, of the 23d of *February, anno 1687*, against the City of *Edinburgh*, set forth, that the Members of the said College are the Lords of Session, Advocates, Clerks of Session, and Bills, Writers to the Signet, Under clerks, and one Substitute for registering in the several Clerks Offices; the three Deputies of the Clerks to the Bills, Clerks of Exchequer, Directors of the Chancery, their Deputy, and two Clerks; the Writer or Clerk to the Privy Seal, and his Deputy; Clerks to the general Registers of Sasines and Hornings, Macers of the Session, Keepers of the Minute-book, and Keeper of the Rolls of the Inner and Outer Houses. And the said Privileges are also extended to one Servant of each of the Lords and Advocates; four Extractors in each of the three Clerks Chambers, two Clerks belonging to the Clerk Register, and the Keepers of the Session-house, and of the Advocates Library; all of whom are exempted from paying to the Ministers Stipends in *Edinburgh*; Watching, Warding, Customs, Causey-mails, Shore-dues, Impositions on Meat and Drink, and on Goods carried to and from *Edinburgh*.

Notwithstanding of the great Pains taken to establish the Court of Session on an honourable, just and equitable Foundation for Relief of the oppressed, yet, as there is no

Perfection in human Affairs, it soon appeared by the wicked Practices of Courtiers, and Corruption of others, that the Course of Justice was greatly obstructed, to the great and irreparable Loss of injured Clients, as will appear by the following Clause of an Act of Parliament.

'Whereas divers private Writings and Ja. VI. Parl. 6.
'Charges have been directed to the Lords of cap. 92.

'Session by the King and his Privy Council,
'sometimes to forbear proceeding in Civil
'Causes, at other Times to stop Proceed-
'ings and remit the Cause to Parliament,
'and sometimes to prevent the Execution of
'Decrees; wherefore the said Lords were
'injoined to proceed in all Causes depending
'before them, notwithstanding any private
'Writing, Charge or Command by any
'Person or Persons to the contrary.'

But the wicked Practices did not stop here; for, by the following Clause, in another Act of the same Parliament, it appears, that the Judges were as corrupt as the Courtiers.

'Whereas Complaint having been made, Ibid. cap. 93.

'that the King has presented divers young
'Men to be Senators of the College of Ju-
'stice, void of Gravity, Knowledge, and
'Experience; and who being necessitous,
'they, their Wives, or Servants, have ta-
'ken Bribes to prevent Justice.' For the re-
medying whereof it was enacted, 'That none
'of the said Lords, their Wives, or Servants,
'presume to take any Bribe or Reward from
'any Person concerned in a Process before
'them, under the Penalty of Confiscation of
'all their moveable Goods, to be deprived
'of their respective Offices, declared infam-
'ous, and to be punished at the King's
'Discretion.' And it is farther declared,
'That when a Vacancy shall happen in the
'said College of Justice, the King will sup-
'ply the same with a Person of Repute,
'Piety, Judgment, Learning, well versed
'in the Law, and of Means sufficient to
'support himself and Family, without being
'necessitated to have Recourse to wicked and
'detestable Practices for that Purpose.'

The President of this Court, before the Pref. Forbes.
Reformation of Religion, was an Ecclesiastick, but since that Period, might be either Temporal or Spiritual: And as Bishops have frequently been Extraordinary Lords, of Session, there is only one Instance that I can learn, of an Ecclesiastick's being one of the Ordinary Lords since the Reformation, who was *Robert Pont*, Minister of *St. Cuthbert's Church*, near *Edinburgh*, whom the General Assembly, at that critical Juncture of their Affairs, allowed to accept of the Office, with a proviso, that it should not be a Precedent for Ministers to intermeddle in Secular Affairs, by sitting in Civil Judicatories. For which Reason, the Parliament, in the Year 1584, ordained, that no Minister should bear any Office in the Col-
Ja. VI Parl. 8.
cap. 133.
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lege of Justice, or other Judicatory, which obliged *Pont* to resign his Office of Senator.

The Judges of this Court who are called *Senators of the College of Justice*, or *Lords of Council and Session*, are, in Precedence; next to the Sons of Earls, and are deemed the first Gentlemen in *Scotland*: And their Offices being during Life, or good Behaviour, for the Preservation of their Honour and Dignity, are to accept of no pedaneous Office, on the Pain of Deprivation. They are appointed by the King as aforesaid, and, after Examination, if duly qualified, are admitted by the Lords. The Qualifications required in a Person to be admitted, are, that he must, at least, be twenty five Years of Age, a Man fearing God, learned in the Law, has served in the College of Justice as an Advocate, or principal Clerk for the Space of five Years, or having been ten Years a Writer to the Signet, is found qualified for the Station of an Advocate, on Examination before the Faculty of Advocates, in a publick Trial on the Civil Law, which must have been two Years before his being appointed a Senator, and must be possessed of an Estate of Twenty Chaldren of Victual or Grain, amounting to the yearly Sum of One thousand Marks *Scotish*.

This Court, as already hinted, consists of Fifteen Senators, who are both Judges and Jury; eight whereof, with the President, make a *Quorum*: They hold two Terms in the Year, the first, which commences on the first Day of *June*, and ends on the last of *July*, is denominated *The Summer Session*, and the last, which begins on the first of *November*, and ends on the last Day of *February*, is called *The Winter Session*. Here are tried not only Actions of Debt and Trespas, and all Causes in Civil Affairs, but Matters of Equity, having no Court of Chancery, supplies the Place of a Committee of Parliament, called *The Commissioners for Plantation of Kirks*, and Valuation of Teinds, and in this Capacity, judge concerning Ministers Stipends, Tithes and Patronages, or Right of Advowson. And to this, from all inferior Courts lie Appeals, called advocating; and from it Appeals only lie to the House of Lords, the supreme Judicatory of *Britain*.

The Court of Session is attended by six Clerks, who are admitted by the Clerk Register, during Life or good Behaviour, with a Power to appoint Clerks to the Outer-house, and Extractors in their several Offices: No Person is eligible to be a Clerk in the Inner-house, who has not served as an Advocate, or Clerk to the Signet for the Term of three Years. There are also two principal Clerks of the Bills, who are likewise admitted by the Clerk Register, with a Power to appoint three Deputy Clerks, all of whom serve in the Bill Chamber Office, where they attend every Day, during the

Time of Session; and on every *Tuesday* and *Thursday* during the Vacation, attend from the Hour of Nine in the Morning, till ten; and in the Afternoon, from two of the Clock till six, to receive the Bills that are brought in, which they carry to the Ordinary Lord in waiting, to be by him either passed or rejected. And the Clerk or Keeper of the Minute-book, who is likewise admitted by the Clerk Register, enters all judicial Acts that may be extracted.

The Mace-bearers attending the Court *Id. ibid.* are four in Number, three whereof are appointed by the King, and the fourth by *Moncreif* of *Reidie*, hereditary Macer, who officiates by his Deputy; one of the Macers attend the Lord Ordinary in waiting in the Outer-house; another, the Ordinary at the Side-bar; and the other two, the Court of Session in the Inner-house. These Officers, with their Silvern Maces, usher the Lords of Session into Court, proclaim Causes, and execute the Orders of the Court, by citing and apprehending Persons summarily complained of, imprison Advocates Clerks, for unduly detaining Processes, and see good Order observed in Court by the meaner Sort of People; are Judges of the Service of Breves issued from the Chancery Office, and to whom the Lords, advocate Services from inferior Courts, in Cases of Incompetency and Iniquity, frequently appointing some of their Assessors to direct them, and sometimes the whole Bench are Assessors to them.

Salaries belonging to the several Officers of this Court, in Sterling Money.

	<i>l.</i>	<i>s.</i>	<i>d.</i>
To the President of the Court of Session - - -	1000	00	00
To the fourteen Ordinary Lords, each - - -	500	00	00
To the Lord Register - - -	1200	00	00
To the Lord Advocate, - - -	1000	00	00
To the two Solicitors General - - -	400	00	00
To the Clerk Register - - -	100	00	00
To the six principal Clerks, each about - - -	350	00	00
To the six Under Clerks, each about - - -	150	00	00
To the heritable Usher of Session, &c. - - -	250	00	00
To the Writer of Hornings - - -	50	00	00
To the Register of Hornings - - -	20	00	00
To the Clerk of the King's Processes - - -	40	00	00
To the Extractor of the Kings Processes - - -	10	00	00
To the Deputy Clerk of the King's Processes - - -	10	00	00
To the Clerk of the Minute-Book - - -	40	00	00
To four Macers, 10 <i>l.</i> each - - -	40	00	00
To the Clerk of the Planta-			

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MSS Account
Coll. Just.Pref. Forb.
Jour. Sess. p. 5.

Id. ibid.

Ibid. p. 9.

	<i>l.</i>	<i>s.</i>	<i>d.</i>
tion of Kirks, casual -			
To the Deputy Clerk of <i>ditto</i>			
casual -			
To the two Keepers of the			
Session House, casual			
To the two Clerks of the			
Bills, casual -			
To three Deputy Clerks of			
the Bills, casual -			
Sum total - - -	12990	00	00

For the better understanding the Form of Process in the Court of Session, I think it will not be amiss, for the Information of the Curious, and Satisfaction of those concerned, to subjoin a compendious Account thereof, as published in the Preface to *William Forbes's Journal of Decisions of the Court of Session.*

The Lords (Judges) are vested with *duplex officium, viz. ordinarium et extraordinarium*, called *officium nobile*: They proceed in their ordinary Capacity, according to the most rational Rules of strict Form and Law.

That they may have Time to consider weighty Cases maturely, they get them reduced into Writ by the Lawyers; and every Lord hath a Box standing upon a Table in the waiting Room of the Inner-house, from Two till Four in the Afternoon, wherein all who have Papers to offer may put them, by a Slit in the Cover. This, though a mighty Advantage to the Lieges, is of late, since Informations and Bills are allowed to be printed, become an incredible Fatigue, who, after toiling all Day in hearing Causes, are obliged to shut themselves up, to peruse and consider a Multiplicity of Papers at Night; and thereby often to want the necessary Relaxation due to Nature, which visibly shortens their Days.

The ordinary Lords are all employed at the same time in different Capacities, according to the Nature and Import of Business assigned to them. Every Lord, except the President, takes his Turn of sitting in the Outer-house upon the Bills; at the Side-bar upon Oaths of Parties and Witnesses, and upon concluded Cases. Other particular Lords are detached out of the main Body, *pro re nata*, to rank Creditors, and discuss Compt and Reckoning at particular Diets. Each Lord is called the Ordinary with respect to Affairs that come before him in the Forenoon; there is always an Ordinary upon the Bills, another in the Outer-house, a third at the Side-bar, for reconsidering Matters formerly debated before him, when upon the Bills, or in the Outer-house; and the rest

of the Lords sit with the President at the same time.

The Ordinary in the Outer-house discusseth common Causes and dilatory Defences, or preliminary Steps in those of a higher Nature; determines the Controversy, if clear, without further Trouble or Expence; and in case of Difficulty, makes *Avifandum* to himself, or to the whole Lords: That is, takes some Time to advise it himself, or consults the Lords upon it. When he agrees to make *Avifandum* with the Matter to the Lords, he acquaints the Parties what Day he will report it, that they may the Night before put Informations about it into the Boxes. If the Ordinary be clear to pronounce an Interlocutor, to the Dissatisfaction of either Party, he who thinks himself lesed, may get Redress, by putting a written Representation in the Lord's Box, and procure a new Calling of the Cause before him at the foresaid Bar, when he hath a Diet of Audience. If the Ordinary do, notwithstanding all that's represented, adhere to his former Opinion, the Party grieved may require the Answer of the whole Lords upon the Point; and, if refused, may get their Answer by Bill; and if that displease, has the Benefit to reclaim against it once and again.

There is a weekly Ordinary upon the Bills, both in the Time of Session and Vacation. For understanding what is incumbent upon him, it may be noticed, that the Inhabitants of *Scotland* are, all the Year over, under the benign Influence of Justice at Home, by the proper Courts of Commissaries, Admiralty, Sheriffs, Stewards, Bailies of Royalty, Regality and Barony, and Justices of Peace: Most of which subordinate Judges having a cumulative Jurisdiction in their respective Capacities, are a Check upon one another; and in Matters to which they are competent, Parties may sue before either, where they expect to be best served; so that in case of Intricacy, presumptive Suspicion of Partiality in these Judges, or Incompetency, where they go beyond their Line, or when they commit Iniquity, the Cause may be called up to the Session by Advococation (which answers to both the *English* Law Terms of *Certiorari* and Prohibition) before, or Suspension and Reduction after Sentence, in order to get it reviewed, or a Stop put to the Execution of it: which pretorial Remedies of Advococation and Suspension are procured or refused, by Deliverance or Interlocutor of the Ordinary upon Bills or Petitions offered to him for that End.

This Ordinary passeth also common Bills of Horning and Caption, &c. in order to reduce a Person to a State of civil Rebellion or Outlawry, &c. for Not-payment of Debt,

or

or Performance of Deeds: And in all Cases there lies Access to get his Mistakes altered, or rectified by the rest of the Lords. The Ordinary upon the Bills may even suspend Decrees of the Session pronounced in Absence of the Defender; but Suspensions of greater Consequence can only be passed by a Quorum of the Lords in Term Time, or by the Lords in the Vacation.

The Lords in the Inner-house hear and determine Causes of greatest Importance, upon the pleading of Advocates; advise Reports made by the respective Ordinaries, or Reports by the President of Points, that, after an Inner-house Debate, merited to be further cleared by Informations; advise reclaiming Bills against their own Interlocutors, or those of particular Ordinaries; and what they do, is advised to be done *in presentia*.

Not only are the Lords employed in the Forenoon, but they do also meet often in a Body Afternoon, to advise complex and perplexed Causes, that cannot be conveniently extricated in a Forenoon, or to advise Bills and Answers, when so multiplied in the latter Days of Session, that they cannot be overtaken at the ordinary Time. Some Lords doth also then prepare concluded Causes (where the Import of Evidence produced is to be determined in the Inner-house) by drawing up a State of what is therein material, in order to shorten the Pains of the Lords, at advising Compt and Reckonings, and the ranking of Creditors upon bankrupt Estates, are discussed by other particular Ordinaries. Two Lords are at Work in taking the Oaths of Parties and Witnesses: All which Ordinaries report to the Lords any dubious Points occurring at Examination, or preparing Causes, and are under their Direction, if they do amiss.

Though we be not so happy as certain Indian People, whom *Pliny* observes to have *neque lites neque forum* amongst them; or as those of *Ethiopia*, who, according to my Author, have almost no Pleas; yet very prudent Measures are taken here to stop the Growth of them.

1. For keeping down their Number, and hinder over-acting, or nimious Diligence about them. The Members of the College of Justice can neither buy Pleas, nor bargain *de quota litis*. And any Pursuer or Defender found to have been calumnious, or unaccountably litigious, is sure to be condemned in large Expences to the other Party, which sometimes exceed the Value of the Subject of the Plea.

2. All Occasion of unnecessary Delay is obviated thus. 1. All Causes are heard according to the Order of Rolls, without Respect of Persons. 2. When either Party tergiverseth, by keeping up the Process, it can be recovered summarily by a Caption

or Warrant to arrest him by a Macer; when the Pursuer wilfully declines to insist in his Suit *de novo*, at least, the Plea will be scored out of the Roll, and must run the Course of a new Inrollment before it be heard again; if no Application for a Hearing be made within a Year, the Cause falls asleep (as we say) and must be roused by a Summons of wakening executed against the Defender, before any farther Step can be made therein; if the Defender withdraw and appear not, the Lords proceed to give Judgment against him. 3. That is never done *per plura quod æque commode fieri potest per pauciora*. Especial Care is taken, that the whole Lords be never troubled with what a single Ordinary may more conveniently determine; and that an extraordinary Mean be not used, where lies an ordinary Remedy.

Most Part of Causes are decided upon Report of the Ordinary, or upon summary Bills and Answers: And because even the whole Lords *in presentia* may, upon the first View of a Cause, mistake it, and decide amiss, it being *humanum errare*, the Party grieved may find Redress by a Petition, complaining to them of themselves; but as it were hard to tie down the Lords to such Dimensions, that they cannot upon new Light and fuller Information alter a wrong Judgment; so to hinder the Abuse of petitioning, Bills reclaiming against Interlocutors must be offered while they are recent in the Lords Memory. Clerks are not to take in more than two Bills from the same Party against any Interlocutor in Presence; nor to receive the second, but upon the Ingiver's consigning Twenty Shillings *Sterling*, to be delivered to the other Party in case of a Refusal, and to be given back to the Petitioner, if the Bill be not refused. Every Bill must be subscribed by an Advocate, who is liable to a Reprimand, if the Bill be palpably groundless.

3. No Person, who is but tolerably vigilant (and *vigilantibus* only *jura subveniunt*) needs to be taken napping, having not only the Rolls to advertise him of the Time of calling his Cause, but also Intimation of any Judgment given against him, by the excellent Monitory the Minute-book, wherein all Sentences must be entered immediately, and read so many Days after pronouncing, and cannot be extracted till twenty four Hours after reading; during which Intervals, any Thing amiss may be got rectified, by applying to the Ordinary, or to the whole Lords: And when the Defender cannot quarrel any Thing done by the Lords, he has the Privilege to demand a Copy of any Sentence or Decree, before it be signed by the Clerk (which we call Extracting) to compare the same with the Minutes and

* Warrants,

Warrants, that Things may be fairly done; yea, the Lords will even recall Decrees unwarrantably extracted, if questioned by a Bill *de recenti*.

4. Business is carried on before the Session in the best Order can be thought of; that of greatest Moment is calculated to be determined in Presence; and what is less material, is committed to particular Ordinaries. Most Dispatch is given to hasty Affairs, distinct Marches are kept betwixt the different Provinces of particular Lords, that they interfere not in the least, but may be mutually subservient in the Distribution of Justice; for they dispatch the several Kinds of Business by turns, and Monday's Roll intimates what every one has to do that Week, and at what Hours. Yea (which is the peculiar Excellency of the Constitution of our Session) as much Business is done there (and I hope none will deny, with more Safety and Exactness, and less Expence to the Nation in general) as so many Judges and in different Courts, could rationally be supposed capable to dispatch: For in the Session particular Ordinaries determine all common Business, and mostly do so ripen and prepare weighty Matters, that the Senate in the Inner-house have nothing to do, but to give them the finishing Stroke; whereas single Judges in separate Courts, though of ordinary Knowledge and Experience, cannot (unless resolved to decide at random) expedite Justice with that Celerity may be expected from particular Lords in the Session, in their respective single Capacities, who are supported and forwarded in their Procedure by the communicated Advice of the collegiate Body. *Facilius enim invenitur quod à pluribus queritur.*

5. As Persons who have to do before the Session, must be wanting to themselves, if either they be surprised or unnecessarily delayed; so they have as little Ground to fear Harm by unequal Proceedings, either in Parties, the Managers of Process, or in the Judges, who are all sufficiently restrained from debording and unfair Dealing.

1. If the Plaintiff or Defendant invade or be at the other Party, the Person guilty loseth his Plea, and Judgment is given in favour of the other, without farther dipping into the Cause, or the Ground of his Pretension. 2. An Advocate, Agent, or other Officer in the Session, tripping in Matters committed to his Trust, may expect not only to be turned out of his Office, but also to be fined and otherwise punished, according to the Decree of his Office, without Mercy. Yea, Advocates using undecent or disrespectful Expressions in Papers drawn by them, are to be debarred from the Exercise for a Time, or farther

Punishment, as the Lords see Cause.

3. As the several judicial Concoctions and Shiftings to which any material Case, is liable before it is finally determined in the Session, will not suffer any indifferent Person to think easily, that Matters will go wrong there, through Ignorance of the Lords, so, that there is as little Reason to apprehend that these can shew themselves partial in Causes before them. For as by Act of Parliament, any Lord giving partial Counsell, or taking Bribes, is punishable by Infamy, Deprivation and Confiscation of Moveables: And all the Lords promise upon Honour to observe the Acts of *federunt* against Solicitation: So the great Number of the Lords having Right to their Places during Life, with sufficient Salaries to defend them from the least Suspicion of being liable to Partiality through any sinister Influence.

6. Matters being so maturely digested in the Session, when a Decree thereof in *foro*, (that is, where both Parties compared) is once fairly extracted and signed by the Clerk, and given to the prevailing Party, *omnia præsumuntur solemniter acta*, it becomes *res judicata* so firmly by our Law, that it cannot be overturned upon the Head of Iniquity, or upon Grounds proposed and repelled, or competent to have been proposed and omitted in the Plea; nor yet can it be laid open upon nullities, farther to the Effect of hearing Parties about redressing their Prejudice by the nullities; which is Security against the licentious questioning solemn Decrees, and ascertaining of Property is a mighty Ease to Peoples Minds, which no where else that I know, is enjoyed but in North Britain.

The *officium nobile* of the Lords is exercised in new and singular Cases, for qualifying strict Law and Form with Equity; which abundantly supplies the Want of Chancery, without any additional Expence to the Country; and in Truth, our ordinary Rules of Court are so well digested, calculated, and fitted to all Occurrences, that the Lords have very seldom Occasion to act in *officium nobile*. However this great Authority could be no where more safely established, than in those whom our Law considers as Persons of that publick Spirit, Honour and Inclination to Equity, that it allows them not to reduce their own Sentences upon Grounds of Equity, as if they could not be guilty of wresting or perverting Justice.

SHERIFFS COURT.

The Judge of this Court called *Sheriff*, is an Officer of great Antiquity, and of a Saxon Origin; for *Alfred the Great*, King of England, having, for the Detection of Rogues, and Security of his People, di-

vided

vided his Kingdom into Shires, Hundreds, and Tythings, made them answerable for the several Villanies committed therein; the first whereof was so denominated from the *Saxon*, *scire*, signifying a Division; and *grave*, implying a Governor, Judge, Overseer or Collector, which, by Corruption, is converted into Sheriff, who was antiently the King's Bailiff, who received his Rents, and kept the Peace within his own Shire or Division.

He has both a Civil and Criminal Jurisdiction, is Judge in all Crimes except Treason, and the four Pleas of the Crown; namely, Murder, Fire-raising, Robbery, and Ravishment: But Murder he can try, if the

Homicide be taken with red Hand, that is, in the Act of Murder; in which Case, he must proceed against him within three Suns. And in Theft he may judge, if the Thief be taken with the Fang, or Thing stolen in his Custody, provided it be only a petty Theft or Robbery, which is not Capital. The Sheriff is also a Judge of Bloodwits, for which he can only fine in a pecuniary Mulct of Fifty Pounds *Scotish*, unless the Crime be greatly aggravated by the Character of the Person on whom it was committed, or Circumstances of Time or Place; and, in case of Contumacy, may fine to the Amount of Ten Pounds *Scotish*.

The End of the Sixth Book.



Qqqqq

T H E

THE HISTORY of EDINBURGH.

B O O K VII.

Containing Accounts of the several Hospitals, Societies, and other charitable Foundations within the City and Suburbs of Edinburgh.

C H A R I T Y W O R K - H O U S E.

EDINBURGH being greatly pestered with Beggars, both of their own and others from all Parts of the Kingdom; to remedy this Nufance, and prevent the like in Time to come, it was judged necessary to erect an Edifice for the Reception and Intertainment of the City Poor. The readiest Way to put this laudable Design in Execution, was thought to be by charitable Collections; pursuant to which Contributions were made by the Common Council, Companies of Trades, Colleges, Faculties, Societies, and well disposed Persons of all Denominations, by which the spacious Fabrick was built, and finished in the Year 1743, at the Expence of about Pounds; and being furnished, and Apparel provided for the Poor, they were taken into the House on the 24th of June in the said Year, wherein they are plentifully supplied with all the Necessaries of Life, in a frugal, decent, and cleanly Manner, infomuch that many of the said Poor, who at first despised the House, have since gladly accepted of the Benefit.

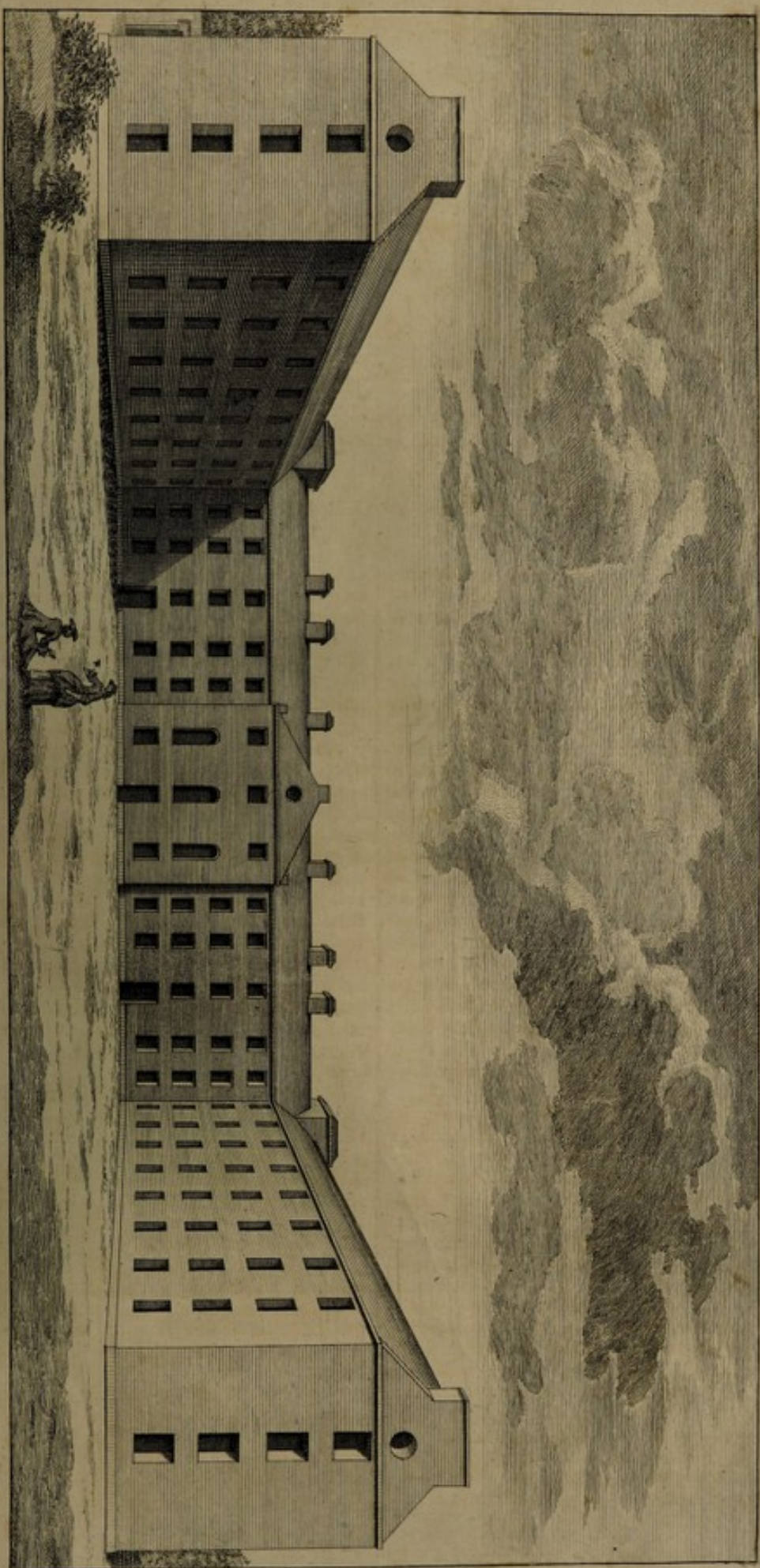
The Poor, that are capable to work, are employed in their several Trades, viz. Taylors in making and mending Cloaths, Shoemakers in mending Shoes, Masons and Labourers in erecting Walls, and other Business in their Way; Wrights or Carpenters in making Stools, and other Necessaries; and Gardiners, in dressing the Gardens, and raising Garden Stuff for the Use of the House.

Some teach the Children to read, and others assist the Brewer; the Women are employed in carding, spinning, weaving, washing and dressing the Linnen; making of Thread or Bonlace, cleansing the House and nursing the sick. The Children are occupied in carding, spinning, weaving, knitting, plaiting Whips, and the strongest Girls in scouring and cleansing the House to fit them for Service in private Families; and

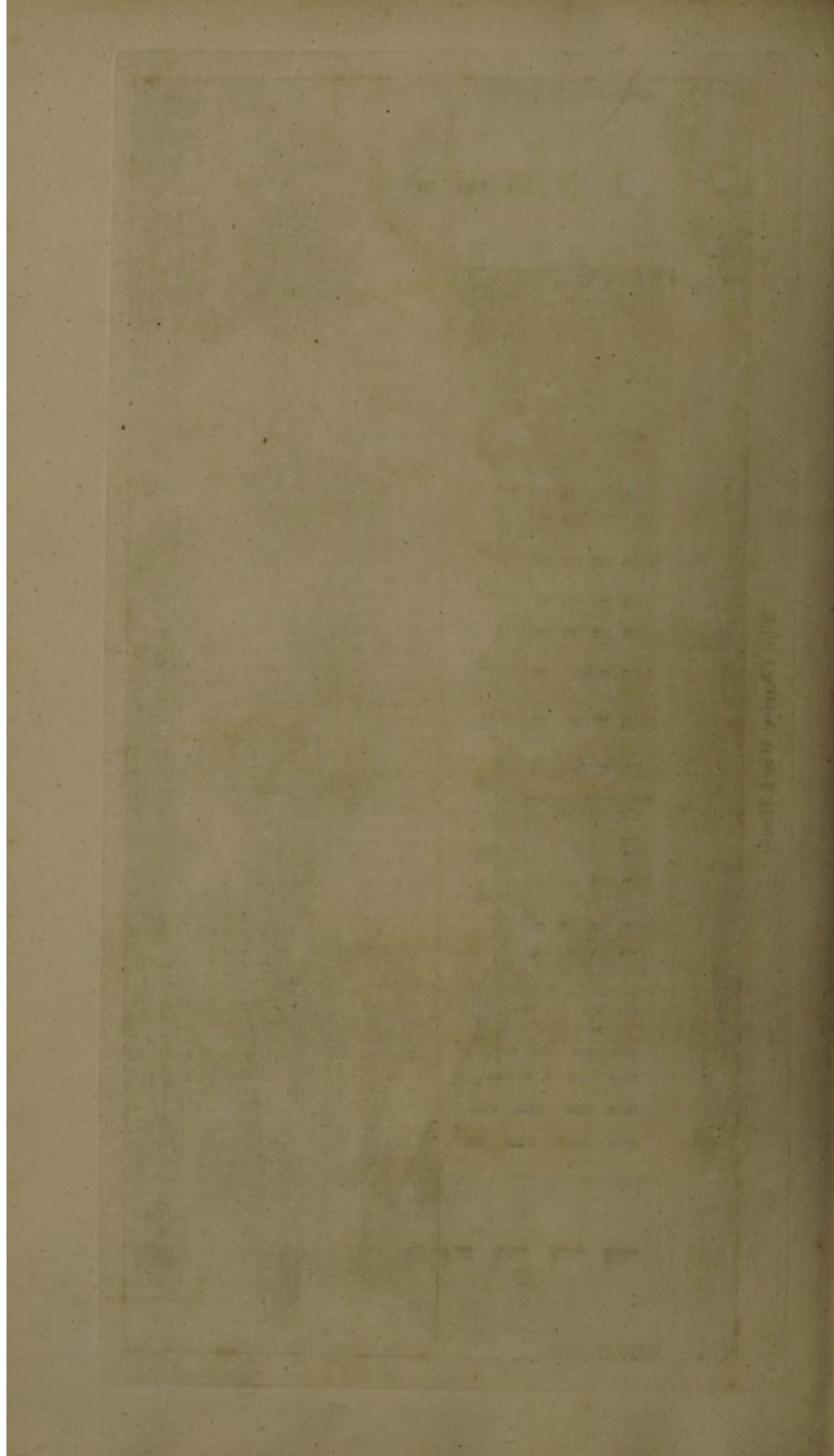
as an Incouragement for People to labour, they are allowed Two Pence out of every Shilling they earn.

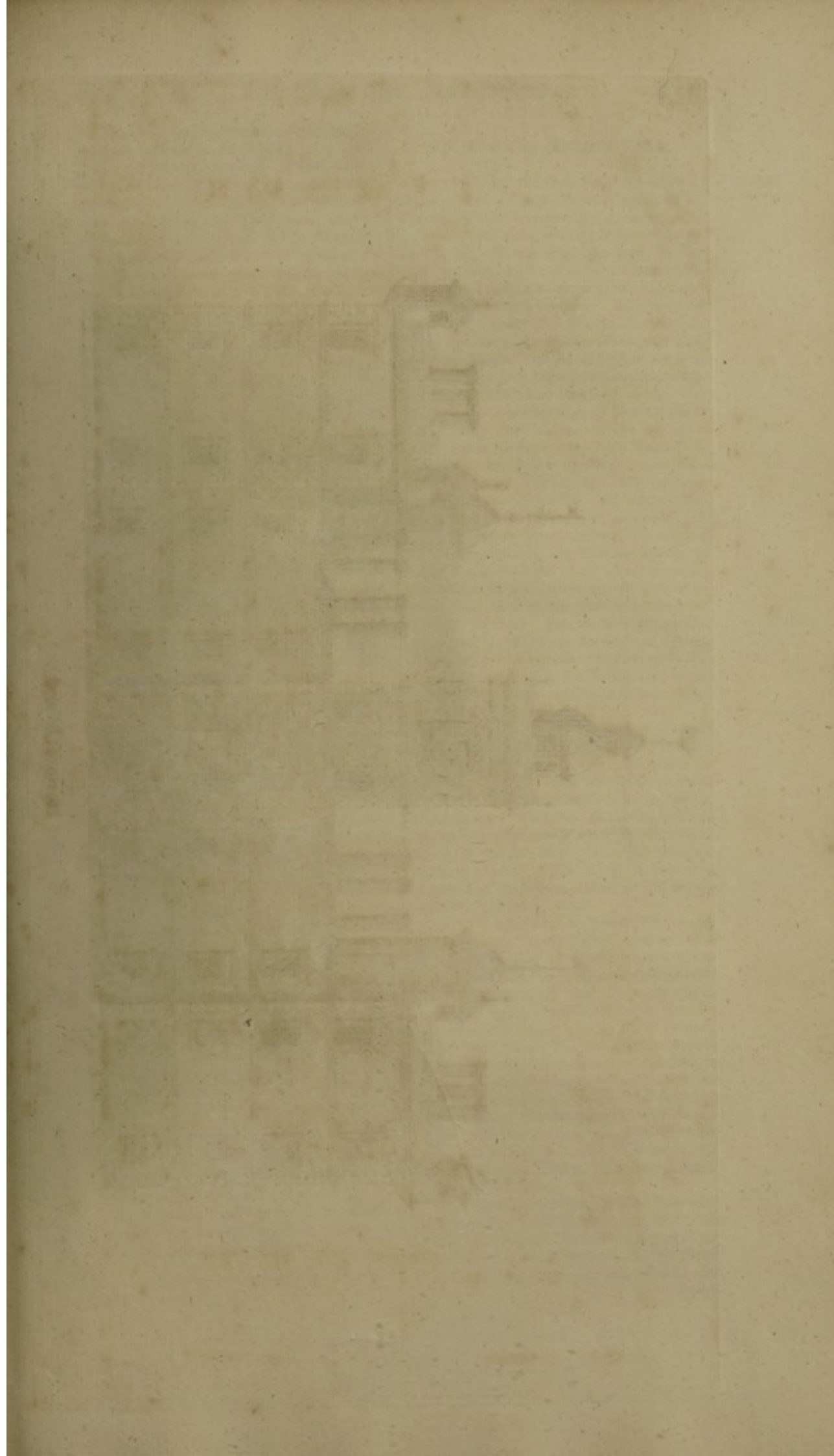
The Provisions for the Family, which consists of about five hundred and ninety six Persons, is Bread, made of Wheat-meal, as it comes from the Mill, other than the Sand being separated from it. Their Breakfasts and Suppers are Pottage or Hasty-pudding made of the best Oat-meal; Flesh they only have when it is low in Price, and then but once a Week, to the Amount of One Pound one Shilling *Sterling* Money; so it serves to mend their Broth, rather than to make a Meal of it. Their Dinner is Bread and Broth, five Days in the Week, and Bread and Ale twice; the Ale is good, and the Broth is made of the best Oaten Groats, with Barley, Greens and Roots, according to the Seasons. The Officers and Servants belonging to this Foundation, besides their Maintenance and Apartments in the House, are allowed Salaries for their better Support.

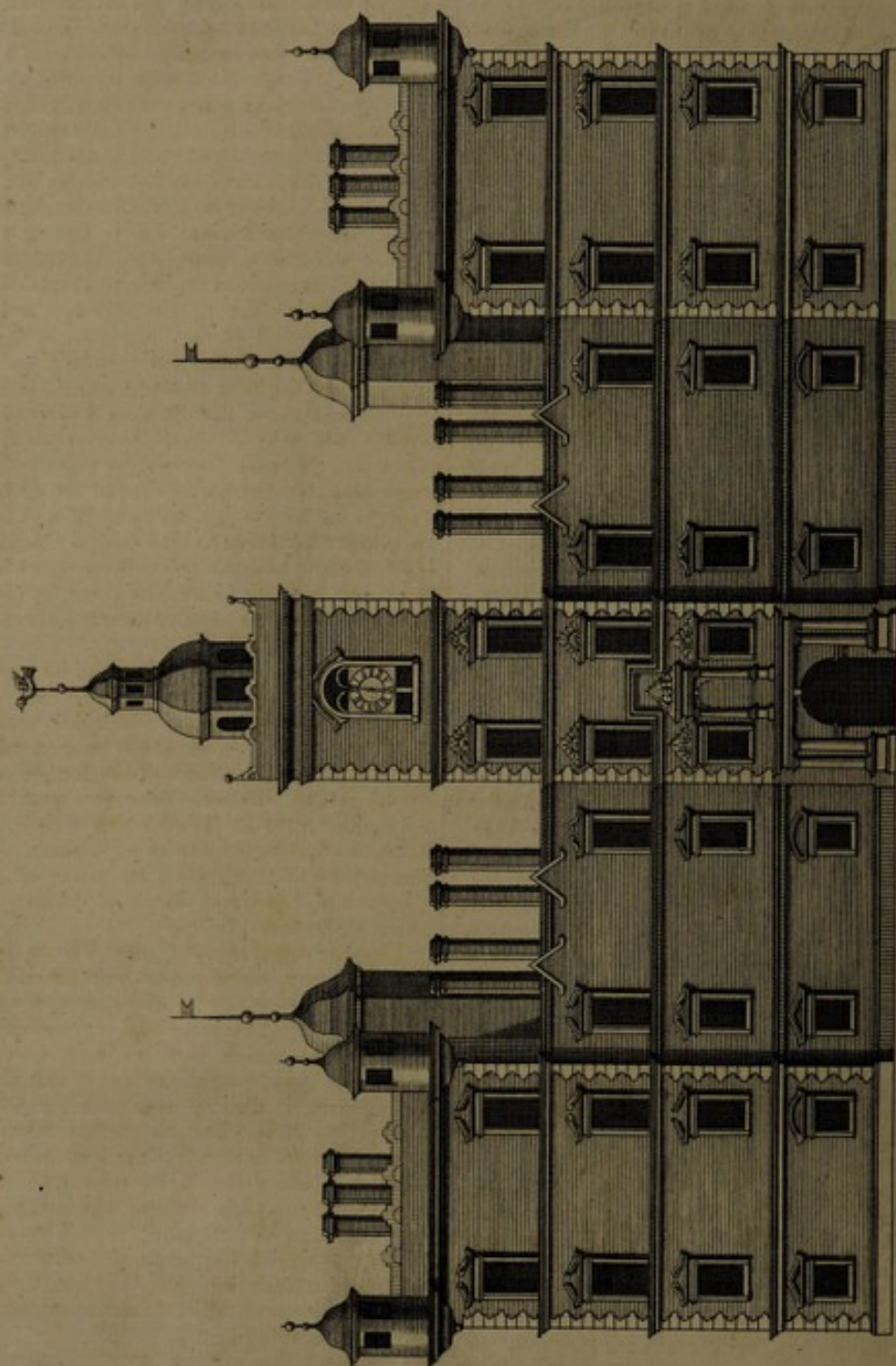
The Amount of the said Salaries, together with the several Articles concerning Provisions, Apparel, and other necessary Expences in Support of the House (exclusive of Buildings, Repairs, Ground-rents, &c.) at a Medium of the first four Years, was Two thousand and three hundred Pounds three Shillings and eleven Pence; but by a Calculation lately made by the Town Council, the Expence of the said House in Time *MemorMagist; to come, will not amount to above Two & Council.* thousand two hundred Pounds *per annum*: though the Persons in the House at present are near six hundred in Number, and are likely to continue so. The above Expence is defrayed by the Collections made at the Places of publick Worship; Two *per cent.* by a Duty on Houses, Profits of the Assembly-house, charitable Contributions and Benefactions of well disposed Persons;



The Charity Work House.







Heriot's Hospital.

Persons; and the Profits arising from the Labour of the Poor in the House.

In the Neighbourhood of the Charity House, are three handsome Buildings, Appendages thereof; the first of which is a beautiful Edifice of Ashler-work, erected above half a Century ago, for the Reception of Lunatics; and from an Hospital of the same kind in *London*, was denominated *Bedlam*, a Corruption of *Bethlehem*, the ancient Name of a Priory in that City, before it was converted into an Hospital for Lunatics. This Fabrick is turned into an Infirmary for accommodating the Sick belonging to the said Charity House. On the Southern Side of the said Infirmary, in the Year 1746, was erected an Edifice, containing twenty one Cells, for the Reception of Lunatics, with a convenient Apartment, for a House of Correction. And on the Western Side of the said new Building, anno 1748, was built a handsome and convenient Textoratory, wherein to instruct the poor Children in weaving. And between the aforesaid Buildings and the Charity House is a handsome Garden, divided by a Way leading through a postern Gate, made in the City Wall anno 1744, for the Convenience of the Citizens to pass to *Hope's Park*, which is beautified with pleasant Walks, for the People to divert themselves in walking.

The Government of the House is vested in ninety six Governors, who are chosen out of several Corporations and Societies in the City, namely, by the Town Council 18, the Church Sessions 18, Lords of Session 5, Barons of Exchequer 1, Faculty of Advocates 6, Writers to the Signet 6, Episcopal Clergy 3, College of Physicians 2, College of *Edinburgh* 1, Merchants 18, and Trades of *Edinburgh* 18, who being annually elected in the Month of *July*, appoint the several Committees, one whereof called *The Annual Committee*, consisting of thirty two Members, nine whereof being a Quorum, they have the Management and Direction of the House, of whom the Lord Provost or eldest Magistrate of *Edinburgh* for the Time is President. Beside the annual Committee, there is another consisting of fifteen Members, which is divided into three Classes, one whereof attend weekly, and one of its Members visit the House daily, excepting on *Sundays* and *Tuesdays*: And the attending Class, with two Members of that of the preceding Week, three whereof to be a Quorum, shall every *Tuesday* in the Afternoon inspect the whole Management of the House, whose Proceedings shall be recorded, and laid before the annual Committee for their Approbation. And for their better Government, they have a Treasurer, Clerk and Matron, besides inferior Servants.

HERIOT'S HOSPITAL.

George Heriot, the Founder of this Hospital, was Son of *George Heriot* Goldsmith in *Edinburgh*, who brought him up in his own Business; and being willing to settle him in the World, a Contract of Marriage, of the 14th *January*, anno 1586, was entered into by him and *Christian Marjoribanks*, Daughter of *Simon Marjoribanks* Merchant in *Edinburgh*. *George* the Father on this Occasion agreed to give his Son the Sum of One thousand Marks *Scotish*, and Five hundred Marks of the same Money to fit up his Shop, and to buy Tools and Cloaths; to which he got with his Wife the Sum of One thousand and seventy five Marks, which lay on a Mortgage at Ten per cent. (legal Interest at that Time) brought in the Sum of One hundred and seven Marks, six Shillings and eight Pence *Scotish* yearly. By which it appears, that both Sums put together, our Founder had the Sum of One hundred and forty three Pounds one Shilling *Sterling* to begin Trade withal: And sometime after, *Heriot* had the good Fortune, by a Writ of Privy Seal, dated at *Dunfermline* on the 17th *July*, in the Year 1597, to be by *James VI.* appointed Goldsmith to his Consort Queen *Anne*; as he was soon after constituted Goldsmith and Jeweller to the King, and to receive all the Profits and Emoluments thereof.

Heriot, now a Widower, and the Favourite of Fortune, married *Alison Primrose*, eldest Daughter of *James Primrose* Clerk to the Privy Council, with whom he received the Sum of Five thousand Marks *Scotish*; in Consideration whereof, he covenanted to lay out the Sum of Twenty five thousand Marks of the like Money in a Purchase, to jointure the said *Alison* in, by virtue of a Contract of Marriage, dated at *Edinburgh* the 26th *September*, 1608.

On the Accession of *James VI.* to the *English* Crown, our Founder went to reside at *London*, where, by an assiduous Application to Business, he became both very eminent and rich, insomuch that he made divers Purchases in the Neighbourhood of that City, wherein he died on the 12th *February* in the Year 1624: But, to give the Reader a full Account, in regard to the Transactions and Intentions of *Heriot*, in respect to his Family, settling his Affairs, and founding and endowing this Hospital, it will be necessary, for the Information of the Curious, to subjoin a Copy of his last Will and Testament, with the Codicil thereunto annexed, which is as follows.

' In the Name of God, *Amen*. The tenth
' of *December*, anno Domini 1623, and in the
' One and twentieth Year of the Reign of our
' Sovereign Lord King *James*, by the Grace
' of God, King of *England*, *France* and
' *Ireland*,

'Ireland, Defender of the Faith, and of
'Scotland the seven and fiftieth.

'I George Heriot, of the Parish of St.
'Martin in the Fields, in the County of
'Middlesex, Jeweller to the King's most ex-
'cellent Majesty, being weak of Body, but
'of good and perfect Remembrance; Praise
'therefore I render to the Almighty God:
'Do make and ordain this my last Will and
'Testament, in Manner and Form following.
'That is to say, First and principally I do
'commend my Soul into the Hands of the
'Almighty God my Maker, and JESUS
'CHRIST his Son, my only Saviour and
'Redeemer; in whom, and by the Merits
'of whose most glorious Death and precious
'Blood-shedding, my full Trust is to have
'Remission of all my Sins, and to be saved;
'and my Body to be interred in Christian
'Burial, at the Discretion of my Executors
'hereafter named.

'And touching that Talent of worldly
'Goods and Estate which God hath lent
'unto me, I give, devise and bequeath the
'same as followeth:

Imprimis, 'I give and bequeath unto the
'Poor of the Parish of St. Martin aforesaid,
'the Sum of Ten Pounds of lawful Money
'of England.

Item, 'I give and bequeath unto the Poor
'of the French Church in London, the Sum
'of Twenty Pounds of like Money.

Item, 'I give and bequeath unto my
'Niece, *Francischetta Heriot*, born in *Genoa*
'in *Italy*, Daughter of my deceased Bro-
'ther *Patrick Heriot*, if she be alive at the
'Time of my Decease, the Sum of Five
'hundred Marks of like Money, in lieu,
'and for full Satisfaction of all Right, Claim
'and Demand whatsoever, which she hath,
'may, shall or can make unto my Lands,
'Tenements, Hereditaments, Goods and
'Estates in any wise, or unto every, or any
'Part or Parcel of the same: And in case
'she be dead, then I give and bequeath the
'said Five hundred Marks unto such law-
'ful Child or Children, as she hath, or shall
'leave behind her, to be equally divided a-
'mongst them, and to be disposed of and
'secured for their best Benefit, upon this
'Condition, that she shall upon the Receipt
'thereof, and her Husband, if she have any,
'make such lawful and sufficient Release
'and Discharge for and concerning the Pre-
'misses, as in that Behalf shall, by Council
'learned, be devised and required; and that
'in case my said Niece happen to die, be-
'fore her Receipt of the said Portion, and
'that she leave no Issue behind her, that I
'give and bequeath the said Five hundred
'Marks unto the Children of my Sister
'*Margaret Heriot*, now Wife unto *Robert*
'*Kincaid*, or to the Survivor or Survivors
'of them, to be equally divided amongst
'them.

'And as concerning my said Sister *Mar-*

garet Heriot, my Nephews *William Scot*
'and *George Scot*, her two Sons, and my
'Nieces, *Janet Scot*, *Margaret Scot*, and
'*Mary Kincaid* her Daughters, and their
'Husbands and Children, I have already,
'by a Deed or Writing under my Hand
'and Seal, dated the 3d Day of September
'last past, made and executed here, ac-
'cording to the Manner of Scotland, made
'Provision for them, by assuring, assigning,
'or conveying unto them, severally and re-
'spectively, certain Annuities, Gifts and
'Sums of Money, as thereby plainly and at
'large appeareth.

'*Item*, I give and bequeath unto my Half-
'brother, *James Heriot*, the Sum of Two
'thousand Pounds of like Money; which I
'will and direct shall be paid and satisfied
'to him in Form following, *viz* Five hun-
'dred Pounds thereof in Money, within an
'Month next after my Decease; and the o-
'ther One thousand and Five hundred Pounds
'in Jewels, such as I trade in, to be deliver-
'ed within three Months next after my De-
'cease, at such reasonable Value and Esti-
'mation, as they shall be indifferently ap-
'prized at.

Item, 'I give and bequeath to my Half-
'brother, *Thomas Heriot*, One thousand
'Pounds of like Money, to be paid unto
'the said *Thomas*, at his full Age of twenty
'and five Years, and not before; and if
'he, the said *Thomas*, happen to die before
'the Accomplishment of the said Age, then
'I give the same to such lawful Child or
'Children as he shall have; and if he have
'none, then I give the same unto the said
'*James Heriot*, or to such Child or Child-
'ren as he shall have: For my Will is, that
'the Survivor of them the said *James* and
'*Thomas*, or the Child or Children of either
'of them, shall have the Part or Portion
'of him or them so happening to die be-
'fore the same Legacy shall accrue due, by
'virtue of this my last Will; and in case that
'they both happen to die before the said
'several Legacies shall be due, or grow
'payable unto them without any lawful Issue
'of theirs, or either of their Bodies, I give
'and bequeath the same, or such Part there-
'of as shall be unpaid, unto the Provost,
'Bailiffs, Ministers, and Council of the
'Town of *Edinburgh*, within the Kingdom
'of *Scotland*, for, and towards the founding
'and Provision of, and for the Hospital
'hereafter mentioned in this my Will.

Item, 'I give and bequeath also unto the
'said *James Heriot*, all my Stock and Adven-
'tures in the *East India* Company of the se-
'cond Joint Stock, wherein I did under-
'write One thousand Pounds, whereof I
'have already paid and delivered in Eight
'hundred and odd Pounds, as appeareth by
'several Acquittances; and I give also to
'him the whole Benefit thereof, and all my
'Right and Interest therein.

Item,

Item, I give and devise unto my Mother-in-law, *Christian Blaw*, late Wife of my Father, *George Heriot*, deceased, for and during her natural Life, the yearly Rent, Benefits, Profits, and Increase of Five hundred Marks of lawful Money of England, to be paid to her at *Whitsunday* and *Martmas* yearly by even Portions. And I will and bequeath unto her my said Mother-in-law, an hundred Marks, Parcel of the said Five hundred Marks, to be disposed of and given by her in and by her last Will and Testament, unto what Child or Children, or other Person or Persons, or other Use that she shall name or think meet, which I will that my Executors shall pay as she shall limit or appoint, within six Months next after my Decease. And I give and bequeath Four hundred Marks the Residue of the said Five hundred Marks unto my Half-sister, *Christian Heriot*, Wife of *Archibald Lindsay*, Doctor of Physick, and *Sibilla Heriot*, to be divided equally betwixt them, and paid by my Executors respectively unto them, within six Months also next after the Decease of my said Mother-in-law; and in case they die before it grow due, then I give the same to such Child or Children that they or either of them shall leave behind them. And I will, that the Survivor of them, the said last named two Sisters, or their Children, shall have the Portion of him, her or them, or their Children happening to die before that the same shall accrue due.

Item, I give and bequeath also unto the Children of the said *Christian Heriot*, Wife of the said *Archibald Lindsay*, Five hundred Marks of lawful Money of England, to be equally divided amongst them, to be paid unto them, or the Survivor of them respectively, within six Months next after the Decease of the said *Christian* and *Archibald*, or the Survivor of them. And in the mean time, from my Decease, I give and bequeath, the Rent, Interest, and Profits of the said Five hundred Marks unto the aforesaid *Christian* and *Archibald*, and the Survivor of them. And I will, that the Survivors or Survivor of the said Children shall have the Part and Portion of him, her or them, happening to die before the Age of one and twenty Years or Days of Marriage.

Item, I give and bequeath unto the said *Sibilla Heriot*, the Sum of Five hundred Marks of like Money, to be immediately employed for the best Benefit and Profit of her, and to be paid unto her at the Age of one and twenty Years; and if she happen to die before that Age, that I will and bequeath the same unto such lawful Child or Children, as she, the said *Sibilla*, shall happen to have; and for Want of such Issue, then I give and devise the same un-

to the Provost, Bailiffs, Ministers and Council of the said Town of *Edinburgh*, for the Foundation and Provision of and for the said Hospital: But I do hereby declare and express, that my Will is, That whereas I have made a Writing or Assignment under my Hand and Seal, unto, or to the Use of the said *Sibilla*, of and for the Benefit of an Obligation or an Writing obligatory, of Five hundred Marks *Sterling*, that it is not my Meaning, that the said *Sibilla* should have the Benefit of both, but only of one, and I have bequeathed her the same by this my Will, in Manner aforesaid, in case that Assignment or Writing should not prove effectual and free.

Item, I give and bequeath unto the Children of my half Sister, *Janet Heriot*, Wife of *William Hayning*, the Sum of Five hundred Marks *Sterling*, to be equally divided betwixt them, to be paid within six Months after the Decease of the said *Janet* and *William*, and the Survivor of them; and in the mean time, from my Decease, I will and bequeath the Rent and Profits thereof unto the aforesaid *Janet* and *William*, and the Survivor of them; and I will, that the Survivors or Survivor of the said Children shall have the Part or Portion of him, her or them happening to die, before the Age of one and twenty Years, or Days of Marriage.

Item, I give and bequeath unto the Children of my half Sister *Marion Heriot*, Wife unto *John Houston*, the Sum of Five hundred Marks *Sterling*, to be equally divided betwixt them, to be paid within six Months next after the Decease of the said Survivor of them of the said *Marion* and *John*; and in the mean time, from my Decease, I will and bequeath the Rent and Profits thereof unto the said *Marion* and *John*, and the Survivor of them; and I will, that the Survivor or Survivors of the said Children shall have the Part or Portion of him, her or them happening to die, before the Age of one and twenty Years, or Days of Marriage.

Item, I give and bequeath unto Mr. *Gilbert Primrose*, one of the Preachers of the French Church in *London*, the Sum of Thirty Pounds *Sterling*.

Item, I give unto my Kinswoman *Margaret Robinson*, the Sum of Forty Pounds *Sterling*; and if she die before my Decease, then I give unto *Thomas Cunningham* her Husband Twenty Pounds *Sterling*.

Item, I give and bequeath unto the two Daughters of my Kinswoman *Janet Robinson*, Twenty Pounds *Sterling* a-piece; and I will to the Survivor of them the Part of her happening to die.

Item, I give and bequeath unto the two younger Sons of my Cousin *William Cooley*, Thirty Pounds *Sterling* a-piece; and

' I will unto the Survivor of them the Portion of him happening to die.

' *Item*, Whereas I did heretofore lend to *George Heriot* Shoemaker, Fifty Pounds to buy the Lease, which was assigned for my Security, whereof I am satisfied about Thirteen Pounds; my Will is, that he paying within one Year next after my Decease, Thirty Pounds unto my Executors, shall have all the Rest and Profits thereof remitted, for the Good of his Children.

' *Item*, I give and bequeath unto Mrs. *Elizabeth Livingston*, to buy her a Gown, Threescore and two Pounds, which the Lady her Mother doth owe unto me.

' *Item*, I give and bequeath unto *John Heriot* in *Edinburgh*, if he be alive at the Time of my Death, Twenty Pounds Sterling.

' *Item*, I give and bequeath to *Anne Welch*, sometime my Maid-servant Twenty Pounds; but if I give her Twenty Pounds in my Life, then this Legacy to cease.

' *Item*, I give and bequeath the Sum of an Hundred Marks Sterling, for the Good and Benefit of *Robert Mitchel*, my late Servant, and *Katharine Marjoribanks* his Wife, and to their Daughter, which I will shall be paid unto *Joseph Marjoribanks* Merchant of *Edinburgh*; and that he shall give Security for Payment unto the said *Robert*, and his said Wife, of the Rent, Use and Profits thereof, equally betwixt them during their Lives, and after to the Survivor of them; and after their Decease, the said Hundred Marks to be paid to their said Daughter.

' *Item*, I give and devise unto *Elizabeth Band* (the Founder's natural Daughter) now an Infant, of the Age of ten Years or thereabout, and remaining with Mr. *Starkey* at his House in *Windfor*, all those my Copyhold Messuages, Lands, Tenements and Hereditaments whatsoever, with their Appurtenances, lying in *Robampton*, within the Parish of *Putney* in the County of *Surrey*, being Parcel of the Manour of *Wumledon*, which I lately purchased of one *David Papillon*, and which are particularly mentioned and expressed in an Copy of Court Roll, dated the 2d Day of *May* 1622, whereby I did surrender the same then in Court, into the Hands of the Lord of the said Manour, by the Hands of his Steward, to the Use and Behoof of such Person and Persons, and of their Heirs and Assigns, and for ever, and to such Intent and Purpose, as I, by my last Will and Testament, should limit and declare; to have and to hold all and singular the said Copyhold, Messuages, Lands, Tenements and Hereditaments, with their Appurtenances, unto the said *Elizabeth Band*, for and during the Time of her natural Life, and after her Decease, the Remainder thereof unto the first begotten Son of the

Body of the said *Elizabeth*, and the Heirs of the Body of the said first begotten Son, lawfully issuing; and for Default of such Issue, the Remainder thereof to the said *James Heriot*, my half Brother, for and during the Term of his natural Life; and after his Decease, the Remainder thereof unto the first begotten Son of the Body of the said *James*, and to the Heir of the Body of the said first begotten Son, lawfully issuing; and for Default of such Issue, the Remainder thereof to the Heirs of the Body of the said *James*, lawfully issuing; and for Default of such Issue, the Remainder thereof unto the said *Thomas Heriot*, my other half Brother, for and during the Time of his natural Life; and after his Decease, the Remainder thereof unto the first begotten Son of the Body of the said *Thomas*, and to the Heirs of the Body of the said first begotten Son, lawfully issuing; and for Default of such Issue, the Remainder thereof unto the Heirs of the Body of the said *Thomas*, lawfully issuing; and for Default of such Issue, the Remainder thereof unto *Margaret Scot* (said likewise to have been a natural Daughter of our Founder's) being an Infant about the Age of four Years, now remaining with one *Rigden*, a Waterman, at his House in the Parish of *Fulham* in the County of *Middlesex*, for and during the Time of her natural Life, and after her Decease, the Remainder thereof unto the first begotten Son of the Body of the said *Margaret*, and to the Heirs of the Body of the said first begotten Son, lawfully issuing; and for Default of such Issue, the Remainder thereof unto the right Heirs of me the said *George Heriot* for ever.

' *Item*, I give and devise unto the aforesaid *Margaret Scot*, those my two Messuages or Tenements, with the Appurtenances, situate, lying and being in the Parish of *St. Martin in the Fields*, in the County of *Middlesex* aforesaid, which I lately purchased in Fee simple of Sir *Nicholas Fortescue*, Knight, and *William Fortescue* his Son; to have and to hold the said two last mentioned Messuages and Tenements, with their Appurtenances, unto the said *Margaret Scot*, for and during the Term of her natural Life; and after her Decease, the Remainder thereof unto the first begotten Son of the Body of the said *Margaret Scot*, and to the Heirs of the Body of the said first begotten Son, lawfully issuing; and for Default of such Issue, the Remainder thereof unto the Heirs of the Body of the said *Margaret* lawfully issuing; and for Default of such Issue, the Remainder thereof unto the aforesaid *Thomas Heriot*, for and during the Time of his natural Life; and after his Decease, the Remainder thereof unto the first begotten Son

of

of the Body of the said *Thomas*; and to the Heirs of the Body of the said first begotten Son, lawfully issuing; and for Default of such Issue, the Remainder thereof unto the Heirs of the Body of the said *Thomas*, lawfully issuing; and for Default of such Issue, the Remainder thereof unto the aforesaid *James Heriot*, for and during the Time of his natural Life; and after his Decease, the Remainder thereof unto the first begotten Son of the Body of the said *James*, and to the Heirs of the Body of the said first begotten Son, lawfully issuing; and for Default of such Issue, the Remainder thereof unto the Heirs of the Body of the said *James*, lawfully issuing; and for Default of such Issue, the Remainder thereof unto the aforesaid *Elizabeth Band*, for and during the Time of her natural Life; and after her Decease, the Remainder thereof unto the first begotten Son of the Body of the said *Elizabeth*, and to the Heirs of the Body of the said first begotten Son, lawfully issuing; and for Default of such Issue, the Remainder thereof unto the Heirs of the Body of the said *Elizabeth*, lawfully issuing; and in Default thereof, unto the Heirs of me the said *George Heriot* for ever.

Item, I give and bequeath unto the aforesaid *Margaret Scot*, the Residue of the Term of Years and Interest which I have of and in certain Garden Plots, with the Appurtenances, situate, and being in the Parish of *St. Martin in the Fields* aforesaid, by Force and Virtue of Indentures of Leases of the Demise and Grant of the Right Honourable the Earl of *Bedford*, and other mean Conveyances, together with the said Indentures and Conveyances. And if the said *Margaret* happen to die before the Expiration of the said Leases, or Marriage, or Accomplishment of twenty one Years of Age; then I give the Residue of the said Term and Interest in the same Garden Plots unto the aforesaid *Thomas Heriot*.

Item, I give and bequeath unto the aforesaid *Elizabeth Band* and *Margaret Scot*, Two hundred Pounds of lawful Money of *England* a-piece, to be immediately put forth for their best Benefit and Advantage, and paid unto them severally and respectively, together with the whole Profits thereof, at the Age of one and twenty Years, or Days of Marriage, which shall first happen: And if either of them die in the mean time, then my Will and Mind is, that the Survivor of them shall have the Part or Portion of her so dying; and if they both happen to die in that interim, then I give and bequeath their said Legacy of Two hundred Pounds a-piece, unto the aforesaid Provost, Bailiffs, Ministers and Council of the said Town of *Edinburgh*,

towards the founding, and Provision of and for the aforesaid Hospital.

Item, My Will and Mind is, that my Executors herein after named, shall have the Tuition and bringing up of the aforesaid *Elizabeth Band* and *Margaret Scot*, and Government of their Estates, until they shall respectively accomplish the Age of one and twenty Years, or be married, which shall first happen, upon special Trust, that they, or the Survivors of them, shall be true and faithful Accomptants to the said *Elizabeth* and *Margaret*, or the Survivor of them, severally and respectively, of and for the Rents, Issues and Profits of the said Premises; and that they shall dispose, let and set the same, at the true, uttermost and best Value, for the Benefit of them the said *Elizabeth* and *Margaret*, and of them to whom the same shall belong unto, by Virtue or Means of the Limitation aforesaid: And I do hereby charge and require the said *Elizabeth* and *Margaret*, and either of them, to be solely directed and advised by Executors, or the Survivor of them, in their Marriages.

Item, I do nominate, ordain and appoint my very loving and kind Friends, *Robert Johnston* of *London*, Gentleman, *William Terry* of *London*, Goldsmith, and *Gideon Delaune* of *London*, Apothecary, to be Executors of this my last Will and Testament. And I give and bequeath unto each one of them, for their Pains and Care taken, for and in Execution of this my Will in all Things, according to my true Meaning, One hundred Marks Sterling. And I do nominate and ordain my worthy good Friends, Mr. *James Maxwell* of his Majesty's Bedchamber, Mr. *Walter Balcanquel* Doctor in Divinity, and Master of the *Savoy*, and Mr. *Walter Alexander*, Gentleman Usher to the Prince his Highness, to be Overseers and Supervisors of this my last Will; praying and intreating them, and every of them, to do their true and best Endeavours, to see it performed in all Points, according to my Intent and true Meaning therein expressed: And in respect of their loving Care and Industry to be taken therein, I will unto the said Mr. *Maxwell* so much Plate, as shall be of the true Value of One hundred Pounds Sterling; and to the said Mr. *Balcanquel* and Mr. *Alexander*, so much Plate, as shall be of Fifty Marks Value a-piece, to be of such Manner and Fashion, as they shall severally appoint or direct, according to their own Wills and Pleasure.

And I do desire my Executors and Supervisors aforesaid, to do their true and best Endeavours, for the getting in, and recovering of all and singular such Debts and Rights, as shall be due to me at the Time of my Decease: And immediately

after

after my Debts and Legacies are paid and deduced, and Funeral discharged; I do absolutely give and bequeath all the Surplusage, Rest and Residue of my Estate, Goods and Chattels, real and personal, Moneys, Household-stuff, Jewels, Plate, and all other Thing and Things, and Sums of Money whatsoever, as well that decreed unto me by the High Court of Chancery, as otherwise: As also the Surplusage of certain Debts or Moneys, contained in the Writing or Deed made according to the Manner of Scotland, before recited, remaining over and above the satisfying of the Annuities, Sums of Money, or Bequests given or assigned by me to the said Margaret my Sister, and others therein; which Surplusage of these Debts or Moneys in Scotland, I esteem will be about

Sterling, unto the Provost, Bailiffs, Ministers, and ordinary Council for the Time being of the said Town of Edinburgh, for and towards the founding and erecting of an Hospital within the said Town of Edinburgh, in Perpetuity; and for and towards purchasing of certain Lands in Perpetuity, to belong unto the said Hospital, to be employed for the Maintenance, Relief, bringing up, and Education of so many poor fatherless Boys, Freemens Sons of the Town of Edinburgh, as the Means which I give, and the yearly Value of the Lands so purchased by the said Provost, Bailiffs, Ministers and Council of the said Town, shall amount or come unto.

And I give and devise unto the said Provost, Bailiffs, Ministers and Council, and their Successors for ever for the Time being, all these my Messuages, Lands, Tenements, and Hereditaments, with their Appurtenances whatsoever, situate, lying, and being within the aforesaid Town of Edinburgh and the Liberties thereof, or either of them, to the only End, Intent and Purpose, that the said Hospital be immediately gone in Hand withal, founded and erected upon Part thereof, and all the rest to belong thereunto for the better Maintenance of the same; provided that my Mother-in-law shall hold and possess during her Life, the Benefit and Rent of that House wherein she dwelleth, and of the two Shops adjoining near thereto, or that she have Satisfaction or Content otherwise in that Behalf.

And my Will and Mind is, that the said Hospital shall be there erected and governed, and the said fatherless Children, ordered, taught and guided by such Institutions, Ordinances and Directions, and in such Manner and Form as shall be digested, limited, appointed or set down in a certain Book or Writing framed and ordained for that Purpose, either by myself in my Lifetime, and signed with my Hand,

or by the said Doctor *Baleanquel* after my Death, and signed with his Hand, and given or delivered unto the said Provost, Bailiffs, Ministers and Council of the aforesaid Town of Edinburgh for the Time being, who are named and appointed as Feoffees of Trust in this Behalf. And I do ordain and appoint, by this my last Will, the said Provost, Bailiffs, Ministers and Council, and their Successors, as Feoffees, to be Governors of the Lands, Possessions, Revenues and Goods of the said Hospital.

Item, My Will is, that my said Executors shall, within six Months next after my Decease, give and deliver a true Inventory and just Account unto the said Provost, Bailiffs, Ministers and Council of all and singular the Means and Estate that I shall die possessed of, to the End that it may the better appear what Means and Surplusage shall or ought to come for the founding of the said Hospital, purchasing of Lands, and performing the other Things before mentioned. And that my said Executors shall and will pay and deliver unto them also all the said Surplusage, Sum and Sums of Money whatsoever, so soon as the same possibly can be done and performed; and that faithfully and truly, in and by all Things; which Surplusage or Residue of my Estate, together with the former Surplusage of the Debts or Moneys that are in Scotland, contained in the forementioned Deed, Writing or Assignment, I esteem in the whole will be about the Sum of

as partly appeareth by an Inventory thereof, by me, made and subscribed with my Name.

And my Will and Meaning further is, that whatsoever Legacy or Gift herein mentioned, shall fall due unto my Executors or otherwise, by reason of the Death of the Parties or any of them to whom I have given the same, and not mentioned or directed to whom, in such Case the same should go or be payable; that all such shall go and redound wholly and absolutely unto, and for the founding of the said Hospital, and purchasing of Land to belong unto the same, according to my true Meaning before expressed.

And my Will and earnest Desire is, that the Lord Chancellor of Scotland, the two Lords Archbishops, the Lord President of the College of Justice, and the Lord Advocate there for the Time being, or any three of them, upon any Complaint made unto them, or any of them, upon probable Report of Corruption in the Provost, Bailiffs, Ministers and Council aforesaid, or any of them touching or concerning the Premises, shall carefully and punctually examine the same, and thereupon redress and reform it in such Sort and Man-

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ner as to their Wisdom and Discretion shall seem meet.

And my farther Will, Mind, and special Provision is, to the end that Things may, from Time to Time, be carried and disposed of in a clear, legal and honest Manner, in all Points concerning the Premises, according to my true Intent and Meaning; that in case the said Provost, Bailiffs, Ministers and Council shall fail in Performance of any fundamental Point of this Foundation; then all the said Means and Lands so appointed and limited for the said Hospital or this Foundation, shall be absolutely and wholly appropriated, and for the Maintenance of so many poor Scholars in the University of *St. Andrew's* in *Scotland*, as shall be nominated and appointed by the Rector and Professors of that University: To the which Rector and Professors I do hereby give and devise as whole and absolute Power, Right and Authority, in and by all Things concerning the Premises, as is before in this Will given or limited unto the said Provost, Bailiffs, Ministers and Council of the said Town, any Thing to the contrary notwithstanding.

Lastly, My Will and Mind is, and I do so order and provide, that if any Person or Persons whatsoever, to whom I have given or bequeathed any Legacy or Legacies, Gifts or Bequests, shall, by any Means whatsoever, either directly or indirectly endeavour, attempt to go about or impeach, hinder, alter or overthrow this my Will or Testament, or any Part or Particular thereof, contrary to my aforesaid true Intent and Meaning: That then, every such Person and Persons whatsoever so attempting, and endeavouring or offending, shall for ever lose all and every such Legacy and Legacies, Gifts, Benefits and Bequests whatsoever in this my Will to him, her or them, given or bequeathed, any Thing to the contrary notwithstanding. And the said Provost, Bailiffs, Ministers and Council, to the End and Purposes aforesaid, to have and enjoy the said Part, Portion, Legacy and Bequest of him, her or them, and of every of them that shall so offend in the Premises, contrary to my true Intent and Meaning aforesaid.

And also my Will and Mind is, that for the said Legacies or Sums so given or bequeathed by me unto my said Mother-in-law, and my four Half-sisters before named, and their Children, amounting to the Sum of One thousand six hundred threescore and six Pounds thirteen Shillings and four Pence *Sterling*, shall be paid and satisfied by my Executors aforesaid, within six Months next after my Decease, into the Hands of *James Primrose*, Clerk of the Council in *Scotland*, *Gilbert Kirkwood* Goldsmith in *Edinburgh*, and *Alexan-*

der Ramsay Merchant there; whom I most heartily desire to take care for the best Imployment and just Payment thereof unto them severally and respectively, according to my true Meaning, Declaration and Direction expressed in this my Will.

And I give and bequeath unto my said approved and kind Friend, *Robert Johnson*, one white Bason, and Cover of Silver, being the biggest of my two.

And my Will is, that my Executors shall allow and pay unto my said Half-brother, *Thomas Heriot*, the Rent, Use and Profit of his said Two thousand Pounds Legacy, from the Time of six Months next after my Decease, until he shall accomplish the said Age of twenty and five Years.

In Witness whereof, I have to this my last Will and Testament, written in these fifteen Sheets of Paper, with this latter Part, set my Hand and Seal, in the Presence of those whose Names are subscribed, by me specially intreated to witness the same, the Day and Year aforesaid,

George Heriot.

Signed, sealed, published and pronounced as his last Will and Testament, in Presence of *David Muncy*, *P. Abercrombie*, *Tho. Foulles*, *Andrew Robertson*, *William Adamson*, and *Tho. Potvel* Not. Pub.

The Codicil or Schedule, written the one and twentieth Day of *January*, anno 1623.

Reg. R. JACOBI, *Sc. vicifimo primo.*

Be it known, That whereas I *George Heriot* made my last Will and Testament in Writing, dated the tenth Day of *December* last past; that now I being of good and perfect Memory (Praise be to God) do make this Addition thereunto; and do by this my present Codicil, confirm and ratify my said last Will.

And first, I do most earnestly intreat and desire, that Master Dr. *Balcanquel*, formerly named in my said last Will, shall and will, with all the Convenience he can, after my Decease, repair to the Town of *Edinburgh*, giving unto him absolute Power, to treat and conclude with the Provost, Bailiffs, Ministers, and Council of the said Town of *Edinburgh*, touching and concerning the intended Hospital, and other the Premises, in my said Will specified, and to direct and order the same: And also to solicit the Business in such Manner, that all Things may be done and performed in every Respect, according to my Intent and true Meaning in my said Will expressed: And towards his Charges and Pains therein from time to time, to be taken in and about the accomplishing

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‘and finishing thereof, being a Work of Charity, I give and bequeath unto him the said Master Doctor *Balcanquel*, over and above the Legacy bequeathed to him in my said Will, the Sum of One hundred Pounds *Sterling*, to be paid by my said Executors as followeth, viz. the one half thereof within three Months next after my Decease; and the other half when the said intended Hospital is fully and absolutely finished and accomplished in and by all Things.

‘And also I desire *Joseph Marjoribanks* Merchant, Mr. *Robert Balcanquel*, Minister of *Tranent*, *Nicol Udward* Merchant, *Gilbert Kirkwood* Goldsmith, *Alexander Heriot*, *Alexander Ramsay* and *John Houston*, Merchants, all of the said Town of *Edinburgh*, or any Four of them, in the Absence of the said Master Doctor *Balcanquel*, to be earnest Solicitors in the same Business, and to endeavour the effecting thereof.

‘And my Will and Desire is, that the said Master Doctor *Balcanquel* shall require the said Provost, Bailiffs, Ministers and Council, in the said Will named, that out of the Rents, Issues and Profits of the Means and Estate so by me given, as in my aforesaid Will is limited and declared, they shall keep and maintain ten Bursers in the College of *Edinburgh* for ever, allowing yearly Five Pounds *Sterling* unto each of them; the Election of them to be as shall be ordered or directed by the Book of Statutes, Ordinances or Writings, to be digested, framed and delivered, as in my said Will is mentioned.

‘And I do remit and forgive unto my honoured Friend, Mrs. *Elizabeth Maxwell*, Wife of Mr. *James Maxwell*, the Debt due to me for Gold Workmanship, and furnishing of certain Diamonds to a Chain made by me to her, intreating her to deliver up a Note of my Hand, given for Receipt of certain Diamonds put into the same; and I give unto her the said Mrs. *Maxwell*, over and above, that my yellow pointed Diamond Ring, cut with Fawcettes, which I was accustomed to wear, desiring her to continue her Favour and Friendship for my Friends to her Husband in my Affairs at Court.

‘Item, I give unto my Godchild, the Daughter of *Herman Broscard*, Twenty Pounds *Sterling*; and to my Godchild, *John Trumuld*’s Daughter, Twenty Marks *Sterling*.

‘Item, I give and bequeath unto such of the Children of my late half Brother, *David Heriot*, as shall be unmarried at the Time of my Decease, One hundred Pounds *Sterling*, to be equally divided amongst them.

‘Item, I give and bequeath unto my Kinswoman, *Katherine Baird*, the Sum of Fifty Marks *Sterling*.

‘Item, I give unto my Servant *William Adamson*, in Recompence for his Service, One hundred Pounds *Sterling*, he being found a faithful Servant and Accomptant, which I charge him to be, and to perform unto my said Executors.

‘Item, I give unto my Servants, *Katherine de Jardin* and *Elizabeth Banington*, over and above their Wages, Twenty Pounds *Sterling* a-piece.

‘Item, I give unto Mrs. *Delaune*, Wife of the aforesaid *Gideon Delaune* (named for one of my Executors in my said Will) one gilt Basin and Ewer, which I had formerly from her said Husband, if her Husband accept of the Execution of my said Will, in regard of his Care and Pains to be taken therein.

‘Item, I give unto Mrs. *Terry*, the Sum of Fifty Marks *Sterling*, to make her a Gown withal, if her Husband, whom I have also named an Executor, accept of the Execution thereof, in respect of his Pains to be also taken in that Behalf.

‘Item, I do freely remit unto my kind Friend, Mr. *Gib*, of his Majesty’s Bed-chamber, the Debt which he oweth unto me. And I give unto the Poor of *Robampton* Three Pounds, to be divided amongst them at my Executors Discretion.

‘Item, I give unto Captain *Turner* of King *James*’s Hospital in *London*, founded by Mr. *Sutton*, Five Pounds; and unto an old Woman, named *Kersey*, Fifty Shillings; and to an old Woman named *Alison Heriot*, Fifty Shillings.

‘Item, I give unto *John Anderfone*, and to an poor Man called *Jamesone*, Forty Shillings; and unto Goodman *Jack* and his Wife that keep my House in *Robampton*, Three Pounds.

‘Item, I give unto the poor Prisoners lying for Debt in the said Town of *Edinburgh*, Ten Pounds *Sterling*.

‘Item, I give and bequeath unto *Andrew Robinson*, he being found to have faithfully discharged himself of those Employments that he lately had from me unto *Spain* (over and above his Charges) Fifty Pounds *Sterling*.

‘Item, I give unto Master *George Kirk* of the Prince’s Highness Bed-chamber, as a Token of my Love, a Piece of Plate, or a Diamond (at his Choice) of Fifty Marks *Sterling*.

‘Item, I do remit unto *John de-St. John* the Debt which he oweth me, and I give him over and above, Ten Pounds *Sterling*.

‘Item, I give and bequeath unto my said Half-brother, *James Heriot*, in my said last Will named, the Sum of Five hundred Pounds *Sterling*, over and above the Legacy given to him by my said Will, which Five hundred Pounds I will shall be delivered to him in Jewels, according to a reasonable true Value.

‘And

' And my Will is, that this Codicil be, and be adjudged and taken to be Parcel of my said last Will, and to bear Force by the Right of Codicil, or by any other Right in the best Manner that may be, to be faithfully performed according to my true Meaning, as if the same were declared and set down in my last Will and Testament: In Witness whereof, to this my present Codicil, I have subscribed my Name and set to my Seal this Day and Year above said.'

Besides the above Bequests, *Heriot*, in his Lifetime, gave great Sums of Money amongst his Relations.

In the above Will the Reader may observe, that our Founder bequeathed his real Estates in *England* to two Children, namely, *Elizabeth Band* and *Margaret Scot*; the former, who was his natural Daughter, after his Demise, assumed the Name of *Heriot*, and marrying in *England*, was sometime after reduced to great Streights, info-
 Coun. Regist. much that the Town Council, as Tru-
 vol. XXI. f. fees for her late Father's Hospital, granted
 141. her an annual Pension of One thousand Marks *Scotish*: But on taking in Children to the said Hospital, all Pensions being discharged, the said Council judging it an Act of Charity to relieve her (being then in *Edinburgh*) ordered the Sum of Twenty Pounds *Sterling*, as a present Supply, and to defray the Expence of her Journey to *London*, to be paid on discharging the Town and Hospital from all Pretensions or Demands hereafter; and on Delivery of the said Discharge, the Sum of One thousand Marks to be paid to her.

After the Payment of our Founder's Debts, Legacies and funeral Expences, he devised all the Rest and Residue of his Estate, both real and personal, towards founding an Hospital in *Edinburgh*, and dying on the 12th of *February*, anno 1624, his Executors above named became possessed of all his Effects, other than the Sum of Eleven thousand three hundred and three Pounds thirteen Shillings and four Pence *Sterling*, due to *Heriot* from divers of the *Scotish* Nobility and Gentry upon Mortgages, which, by a Deed of Gift of the 3d *September*, in the Year 1623, at the *Strand* a Street near *London*, he assigned to the Magistrates and Town Council of *Edinburgh*, to be by them employed in founding an Hospital, as aforesaid, in Imitation of that Royal Foundation of Charity in the City of *London*, called *Christ's Hospital*.

Heriot's Executors having faithfully discharged the Trust reposed in them, on the 30th of *November*, anno 1626, sent from *London* to the Common Council of *Edinburgh*, as Feoffees of the Estate of our Founder, an Account of their Receipts and Disbursements, by virtue of the said Trust; wherein is shewn, that the Estate of *Heriot*

in *England* amounted to the Sum of Twenty five thousand three hundred and ninety three Pounds one Shilling and seven Pence *Sterling*, as will appear by the following Account.

Heriot's Executors Account of Receipts and Disbursements.

Dr.	l.	s.	d.
To Debts due by <i>George Heriot</i>	10071	14	00
To Legacies	12204	00	00
To funeral Expences	186	11	10
To Balance	32093	15	09
	54556	01	07
Cr.	l.	s.	d.
By Money due from the King	3350	00	00
By other Debts	32010	14	10
By Jewels, Rings, &c.	12137	12	10
By Household Furniture	717	15	02
By Plate	294	14	11
By Cash by him at his Death	1050	00	00
By Jewels not appraised	4650	00	00
By Jewels sold for more than appraised, at	345	03	10
Sum total	54556	01	07

If we add to the Balance of the above Account the Sum of Eleven thousand three hundred and three Pounds thirteen Shillings and four Pence due to the Trust on the Mortgages above mentioned, and Two hundred and eleven Pounds two Shillings and two Pence, which *Heriot's* Tenements in *Edinburgh* were sold at; the Sum total for erecting and endowing the present Hospital will appear to have amounted to Forty three thousand six hundred and eight Pounds eleven Shillings and three Pence *Sterling* Money.

The *Edinburghers*, in Possession of the Revenues arising by this great Sum of Money, began to think of fitting up an Hospital, pursuant to the Will of the Founder, who, having appointed his large Messuage or Tenement, situated between *Gray's Close* and *Todrick's Wynd* for the intended Hospital, began to prepare the same for that Purpose; but the Magistrates of *Edinburgh*, and *Walter Balcanquell*, one of the Overseers appointed by *Heriot*, having taken a Survey thereof, it was judged unfit for a Work of this Kind; wherefore the Feoffees, by their Act of the 22d *June*, anno 1627, purchased of the Citizens of *Edinburgh* eight Acres and a half of Land near the *Grass-market*, in a Field called *The High Riggs*, for the Sum of Seven thousand six hundred

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hundred Marks *Scotish* Money. This is a Mistake, for, by the Transactions of the Common Council, it appears, that the said Land, for a Site to the intended Hospital, was on the 6th of *February*, anno 1628, sold for the Sum of Seven thousand six hundred and fifty Marks. And having prepared Materials for the intended Work, laid the Foundation of the present magnificent Structure, on the first of *July*, in the Year 1628, according to a Plan of the said *Balconquhall's*; and the Work being carried on till the unhappy national Troubles, anno 1639, which, putting a Stop to the Payment of the Hospital's Revenues, the Work was discontinued. But the Times becoming a little more favourable, the Work was renewed in the Year 1642, and prosecuted with such Success, that it was almost finished anno 1650; when it was taken Possession of by the *English* Army under the Command of *Oliver Cromwell*, who converted it into an Infirmary for the Use of his Army; and in whose Service it continued till the Year 1658; when, on the 15th of *March*, a Committee of the Governors attended General *Monk*, to persuade him to remove the valetudinary Soldiers thence; and for the better obtaining their Request, not only engaged to fit up a House with all Conveniences for their Reception, but likewise to keep the same in Repair, and to grant additional Salaries to the Physicians, Surgeon, Apothecary, Surgeon's-mate and Gardiner. These Terms being accepted by *Monk*, the Soldiers were removed to the new Infirmary in the *Canon-gate*.

The Hospital being prepared for the Reception of the Children soon after, thirty Boys were taken into it on the 11th of *April* anno 1659, together with a Schoolmaster, Caterer, Porter, and three Women Servants. This piteous Number of Children, taken into so magnificent and spacious an Edifice, which is sufficient for the Reception of many Hundreds, as the Fund was likewise for their Maintenance. For as the national Interest of Money was then at Eight per Cent. the Produce of the above named Sum of 43608 *l.* 11 *s.* 3 *d.* must have amounted to the yearly Sum of Three thousand four hundred and eighty eight Pounds *Sterling*, which, at Ten Pounds ten Shillings per Head (which is more than the Expence of *Christ's Hospital* in *London*) would have maintained upwards of three hundred and sixteen Boys, including the Charge of Officers and Servants, which does not reflect much Honour on the Governors of that Time; for, by their imprudent and unjustifiable Conduct, they erected a Fabrick so sumptuous, at the Expence of twenty Years Labour, and above Twenty seven thousand Pounds *Sterling* Charge, that it probably excelled every Structure of its Kind then upon Earth, and was a

Work fitter for the antient *Romans* than the petty *Feoffees* in Trust for so small a Fund; and more proper for the Residence of a great King than the Habitation of a few poor and needy Orphans. For, till this Time, the Vanity of Man was not got to such a Height of Extravagance as to erect Palaces for Beggars.

And that the Management of our Governors might be all of a-piece, they on the 14th of *June*, anno 1659, appointed *Robert Douglas* to preach a Sermon on the first Monday of *June*, in Commemoration of the Founder, for which they not only ordered the Sum of One hundred Marks *Scotish*, or Five Pounds eleven Shillings and one Penny *Sterling* (a Sum equal to a small yearly Stipend in our neighbouring Country of *England*) to be paid to *Douglas*; and the Ministers of *Edinburgh* being annually by Rotation to preach the like Sermon, the said Governors, to their perpetual Reproach, have intailed this enormous Sum, as it were a Debt, upon the Hospital to be yearly paid to the Preacher; which is a Grievance calls loudly for Redress; for the Property of an Hospital ought to be deemed sacred, and not profusely squandered away by the Indiscretion of a few inconsiderate Governors.

On the eighth Day of *August*, in the said Year 1659, ten Boys were taken into the Hospital, which increased the Number to forty. And on the 7th of *May* anno 1660, five Burfers (being half the Number appointed by the Founder) were sent to the College of *Edinburgh*, with an Allowance of Five Pounds *Sterling* each yearly; and on the 23d of *December*, in the Year 1661, the Number of the Boys in the Hospital were increased to fifty two.

Grammar hitherto not having been taught in the Hospital, on the 31st of *October* anno 1659, certain Boys being to be sent to the Grammar School, the Common Council ordered, that in lieu of all Dues of the High School, to which they were sent, Thirty Shillings *Scotish* per Quarter to be paid to the Master, and Twenty four Shillings to the Usher yearly; which is still continued; few of the Boys learning *Latin*, it being found much more for their Interest to teach them Writing and Accompts, to prepare them for Business, for the better enabling them thereafter to provide for themselves and Families.

This noble and stately Fabrick, which is situated on a beautiful Eminence, surrounded with delightful Gardens and pleasant Grass-plots, near the Southern Side of the *Grass Market*, contains about 130 Boys, who are under the Care of a Treasurer, Physician, Surgeon, Clerk, Steward, Schoolmaster, two Assistants, Writing-master, Cook, Taylor, Porter, a Nurse, and seven Women-servants: And the whole Expence of the Hospital in the Year 1740, amounted to the Sum of One thousand seven hundred and

Return to the
House of Lords
of Queen
Anne's Bounty
Augm. poor
Clergy.

and forty four Pounds and twelve Shillings Sterling.

Left any should think, that an historical Relation of *Heriot's Hospital* would be imperfect, without an Account of its Constitutions; I shall therefore subjoin the Statutes thereof, composed by *Walter Balcanquhal*, D. D. one of the Overseers of the said *Heriot's Will*.

The Statutes of George Heriot's Hospital.

To the Honour of Almighty God, to the Edification of his holy Church, and to the Example of all others.

Here begin the Statutes and Ordinances of the Hospital founded, builded and erected upon the only Charges of the Right Worshipful *George Heriot* of pious Memory, sometime Burgess and Goldsmith of the City of *Edinburgh*, and late Jeweller to the two renowned Princes, King *James* (the sixth) of happy Memory, and King *Charles* (the first) now reigning, compiled by *Walter Balcanquhal*, Dean of *Rochester*, after Consultation, Advice and mature Deliberation had thereanent with the Provost, Bailies, Ministers and Council of *Edinburgh*, conform to the Power given to him in the Testament of the said unquhile *George Heriot*, and Codicil annexed thereto, and true Meaning of the same.

Of the Name of the Hospital.

This Foundation and Hospital shall (for all Time to come) perpetually and unchangeably be called by the Name of *George Heriot's Hospital*; and in all Leases let from the said Hospital to any Tenant, and in all Bargains, Evidents, Writings, or any other Writing whatsoever, wherein the Hospital is interested, it shall be called by that Name and none else, and shall be erected, builded and finished with all Diligence in the Bounds thereto designed by the Provost, Bailies, Ministers and Council of *Edinburgh*, with Consent of the said Dean of *Rochester*, contained in the Act of Council made thereanent, of the Date of the 22d Day of *June* 1627, and that conform to the Pattern given by him to them for that Effect.

Of the Founder of the Hospital.

Left the Memory of so pious a Work should perish, and for the Provocation of others to the like Piety; but, above all, for the testifying of the Thankfulness of the Poor there to be maintained, unto Almighty God; he who readeth Prayers every Evening and Morning in the Chapel of the Hospital, shall, amongst other Blessings, give Thanks unto God in express Words, for the bountiful Maintenance, which they, living there, receive

from the Charity of their pious Founder. The like Mention shall be made in every Grace which shall be said after Meals; but especially upon the first *Monday* of *June* every Year, shall be kept a solemn Commemoration and Thanksgiving unto God, in this Form, which followeth.

In the Morning, about eight of the Clock of that Day, the Lord Provost, all the Ministers, Magistrates, and ordinary Council of the City of *Edinburgh*, shall assemble themselves in the Committee Chamber of the said Hospital; from thence all the Scholars and Officers of the said Hospital going before them, two and two, they shall go with all the Solemnity that may be, to the *Grayfriars* Church of the said City, where they shall hear a Sermon preached by one of the said Ministers, every one yearly in their Courses, according to the Antiquity of their Ministry in the said City. The principal Argument of the Sermon shall be to these Purposes; To give God Thanks for the charitable Maintenance which the Poor maintained in the Hospital receive by the Bounty of the said Founder, of whom shall be made honourable Mention; to exhort all Men of Ability, according to their Means, to follow his Example; to urge the Necessity of good Works, according to Mens Power, for the Testimony of their Faith; and to clear the Doctrine of our Church from all the Calumnies of our Adversaries, who give us out to be the Impugners of good Works.

After the Sermon ended, all above named shall return to the Hospital, with the same Solemnity and Order they came from it, where shall be paid to the Minister who preached, to buy him Books, by the Treasurer of the Hospital for the time being, out of the Treasury or Rents of the Hospital, the Sum of

Of the Governors of the Hospital.

The perpetual Governors of the said Hospital shall be the Lord Provost, Bailies, Ministers, and ordinary Council of *Edinburgh* for the time being, and their Successors, for whose Prosperity and Happiness, by the Name of Governors, the Reader of Divine Service in the Chapel, and the Scholars in all Graces after Meals, shall pray in express Words. Likeas, the said Hospital, and whole Estate thereof, shall be guided and governed by the Provost, Bailies, Ministers, and Council for the time.

And according to the Plurality of the Voices of the said Provost, Bailies, Ministers, and ordinary Council of the said Burgh for the time, the whole Estate of the said Hospital, both for the Rents and Treasury, and all Things which may de-

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pend thereupon; as also the Election of all Officers, Scholars and Burfers, thereunto any way belonging, shall be wholly ordered, governed and ruled, these Cautions being provided, which are hereafter in any Part of these Statutes mentioned: But no Member of the said Council of *Edinburgh*, nor any of the said Ministers shall ever have any Voice or Interest in any Business which may any ways concern the said Hospital, either for Rents or Elections, or any other Thing, until such time as he or they shall, in the Presence of the Council and Ministers of *Edinburgh*, take a corporal Oath, laying his Hand upon some Part of the holy Gospel, in these Words: *I A. B. do faithfully swear and promise before God, that, to the best of my Knowledge and Power, I shall carry and demean myself in all Matters which concern the Rents, the Election of the Officers or Scholars, or any Thing else belonging to George Heriot's Hospital. And if I know any going about, at any time, to defraud or defeat the End of the said pious Founder, I shall reveal it to this Assembly, or their Successors. So help me GOD, and the Contents of the Bible.*

Before which Oath personally taken, no Person above mentioned, shall intermeddle with any Thing belonging to the said Hospital. And if any one shall give his Voice, before the said Oath be administered and taken, all Conclusions or Elections resolved upon at that Meeting, shall be utterly void and of no Effect to all Purposes whatsoever.

Of those Things which generally concern Elections and Affairs of the Hospital.

There shall be no Election of Scholars, or any Officers, anywise belonging to the Hospital, nor any Transaction which concerns any way the Estate, or any other Thing belonging to the Hospital, be made or done, but in the Committee Chamber of the said Hospital, or in some other Place within the Buildings of the said Hospital, whensoever there shall be any Election of Officers or Scholars.

First, The eldest Minister of the Town then present shall directly read unto the whole Electors, the ensuing Statute concerning the Election of the Scholars, or the Officer or Officers which are to be chosen; after which, he shall briefly desire them, in the fear of God, and according to their Oath, which they have formerly taken for their Fidelity to the Hospital, and to give their Suffrages according to the true Meaning and Intention of that Statute presently read unto them; and then immediately and not before they shall proceed to the Election.

And because it is fit that the Master of the Hospital should be well regarded in

his Place, to breed the greater Respect unto him in all Elections, and other Businesses which any way concern the Hospital, he shall have a single Suffrage and Voice as well as any of the rest of the Electors of the said Hospital.

The Compiler of the Statutes, *Walter Balcanquell*, Dean of *Rocheſter*, during his natural Life, shall have a single Suffrage in all Elections, and Business concerning the Hospital, whensoever he shall be in the City of *Edinburgh*.

It is ordained, that in all Things belonging to the Hospital, either Elections, Rents, or Government, or any other Thing whatsoever, all these who by the Statutes have a Voice, shall be warned by the Officer of the Hospital, who shall be elected by the Governors to that Effect; and they being warned, what shall by the manyest Voices of these who compare, be concluded, shall stand in Force and Effect.

Of the Election and Office of the Treasurer.

Upon the first Monday after the Election of the Magistrates of this Burgh yearly, there shall be chosen by the said Governors and Master of the Hospital, a sufficient able Man to be Treasurer of the said Hospital for a Year thereafter, whose Office shall be to receive all the Hospital Rents, to keep all Stock and Monies belonging to the Hospital, to pay all Wages and Allowances due to the Officers and Scholars, or any other belonging to the Hospital; to look diligently to the Reparation of the Building of the Hospital, to deliver weekly to the Master of the Hospital, so much Money as to provide the Diet of the Hospital; and every Friday at Night, to take the Master and the Caterer's Accounts, how they have disbursed the said Monies, whose particular Accounts he shall keep by him on a File, subscribed by the said Master and Caterer's Hands: And it shall be in the said Treasurer his Power, to control or allow of the said Accounts, which weekly Accounts (both for the Diet of the Hospital, and all other Charges incident to the same any way) he shall, upon the last Day of every Month, if it be not Sunday, and in that Case, upon the next Day following, deliver up to the four Auditors of the Hospital, these weekly Accounts of all Charges belonging to the Hospital.

He shall be elected by the Plurality of Suffrages of the Ordinary Council, and Ministers of *Edinburgh*, the Master of the Hospital, and Doctor *Balcanquell*, if he be there present; after which Election, the Clerk shall administer to him this Oath in Presence of the Governors, upon some Part of the holy Gospel, viz. *I, A. B. elect Treasurer of George Heriot, his Hospital,*

'pital, do swear and faithfully promise, with
'my best Skill and Power, to discharge all
'that is required of me by the Statutes of
'the said Hospital. So help me God, and
'the Contents of this Book.

'He shall yearly make his Accounts, and
'at his removing from his Office, shall de-
'liver to the succeeding Treasurer, all Ac-
'counts and Papers which any way belong
'to his Office, and may give all Insight for
'the Discharge of the same; which Pa-
'pers shall be always kept and digested in
'good Order, in the Treasure-house of the
'said Hospital.

'If the Treasurer shall die, or by any
'Necessity be removed, the Governors,
'within ten Days of his Death or Removal,
'shall proceed to the Election of a new
'one, observing in his Election all Things
'before mentioned.

Of the Election and Office of the Auditors.

'On the same Day of the Election of the
'Treasurer, there shall be chosen yearly,
'four Auditors of his and all other Ac-
'counts belonging to the said Hospital, viz.
'one of the Bailies of the said Burgh, one
'of the Ministers of the same, one of the
'Merchants and one of the Craftsmen of
'the Council of the said Burgh, who shall,
'ilk last Day of every Month, if it be
'not Sunday, and then the next Day follow-
'ing, hear and perfect the Treasurer his
'Accounts for the Month last past, and
'shall have Power to control or allow them;
'and whatsoever monthly Accounts shall be
'perfected and subscribed by the said Hands
'of the Treasurer, and any two of the said
'Auditors shall be taken for a good month-
'ly Account, and not otherwise, reserving
'always to the whole Body of the Govern-
'ors, that Power to control all the whole
'Accounts, which shall hereafter be de-
'clared.

'The Day after the End of every three
'Months, or, at the farthest, within four
'Days after, the said Treasurer and Audi-
'tors shall deliver up unto the whole Body
'of the Governors assembled in the Com-
'mittee-chamber, their Accounts for the three
'Months last past, fairly written in a Book;
'they shall be read publickly, and there ei-
'ther controlled or allowed; the Allow-
'ance shall be under the Hand of the Re-
'gister of the Hospital, with these Words,
'*ex jussu Dominorum Gubernatorum Hospitalis*;
'which Book of Accounts for three Months,
'so allowed, for the Space of eight Days
'after, shall lie open upon the Table in the
'Committee-chamber, so that if any one of
'the Governors (but none else) have a mind
'to peruse them, they may; and if they
'shall find any Oversight or Fault in them,
'they are charged by virtue of their Oath
'of Fidelity to the Hospital taken at the

'first, to reveal it to the rest of the Gover-
'nors, who shall take Order to correct and
'amend it.

'The Auditors and Treasurer, within
'four Days of the last Month of every Year,
'shall deliver up the whole last Years Ac-
'counts to the whole Body of the Govern-
'ors, assembled in the Committee-chamber,
'where they shall be allowed or controlled,
'every way as is expressed in the quarterly
'Accounts.

'The Election of the Auditors shall be
'by the Plurality of Suffrages, and in all
'Respects, as is exprest in the Election of
'the Treasurer. After the Election, the
'Auditors shall give their Oaths in Presence
'aforesaid, as is taken by the Treasurer,
'*mutatis mutandis*.

'The Auditors shall be yearly chosen as
'the Treasurer is; and if any of them hap-
'pen to decease, the Governors shall pro-
'ceed to the Election of one in his Place,
'within the Time prefixed, in case of the
'Removal or Death of the Treasurer.

'It is to be observed, that the monthly,
'quarterly, and yearly Accounts of the
'Treasurer and Auditors Accounts, shall
'comprehend all Manner of Layings out
'for the Hospital, Diet, Wages, Cloaths,
'Prentice-fees, Reparations and all Things
'else. As also, all Manner of Comings-in,
'whether Rents or Stock in the Treasure-
'house; so that upon the fitting of every
'monthly, quarterly and yearly Accounts,
'there may clearly appear what Rents re-
'main in the Treasurer his Hands, and what
'Stock in the Treasure-house. And if at
'any Time, the Charges to be laid out, shall
'come to be more than the Rents received,
'because of the late coming in of the Rents
'some times, the Treasurer shall borrow
'so much of the Stock, of the Treasure-
'house, with the Allowance of any two of
'the Auditors, who shall see it presently
'repaid again to the Treasure-house upon
'the coming in of the Rents.

Of the Election and Office of the Clerk.

'There shall be chosen by a Plurality of
'Voices, of all of them who have Voices in
'the Election of the Treasurer, a Register
'or Clerk of the Hospital, who shall
'hold the same Office during his natural
'Life, unless for his Misdemeanor, he shall
'be removed by them, who in one of the
'ensuing Statutes shall have Power so to do.
'His Office shall be, fairly and faithfully
'to keep, order and digest all the Evidents,
'and all other Papers whatsoever belonging
'to the said Hospital; as also, as Clerk, to
'sit with the Governors of the Hospital at
'all their Meetings; and there, *in modo et*
'*forma*, to enact all Orders and Resolutions
'made by the said Governors. Likewise
'he shall have the sole Benefit of drawing
'and

‘ and ingrossing all Manner of Evidents, Securities and Writings, which are made betwixt the Hospital and any Party, and shall receive therefore no greater Fee than is usually paid to other Writers to the Signet, or to the Clerk of the Town of *Edinburgh* in such Cases.

‘ After his Election, and before his Admission into the Place, he shall receive the Oath in the same Form, as is before expressed in the Oath of the Treasurer, *mutatis mutandis*. Upon his Death, or Removal, the Governors of the Hospital shall proceed, within ten Days, to the Election of a new one, in the same Forms and Manner as is before expressed. The Register shall have quarterly paid him, by the Treasurer of the Hospital, Fifty Marks *Scots*; and the said Register shall receive as a Fee from him or them, to whose Use any Thing is sealed, and no more.

Of the Seal of the Hospital.

‘ There shall be one common Seal for the said Hospital, engraven with this Device, *Sigillum Hospitalis Georgii Heriot*, about the Circle; and in the Middle, the Pattern of the Hospital. No Security nor Evident, nor Deed shall be reputed to be a Security, Evident or Deed of the Hospital, unless it be sealed and confirmed with the said Seal. The keeping of the said Seal shall be after this Manner: It shall be kept in a Chest, which shall have four several Locks of four several Works; so that one Key can open but one Lock.

‘ On the 24th of *June* in every Year, if it be not *Sunday*, and in that case the next Day following, the Governors of the Hospital shall cause to be delivered one of the Keys to the Dean of *Gild* of the said Burgh for the time being; at which Time also, by Plurality of Voices, they shall chuse three more of their own Number, to keep the other three Keys; of which the one shall be one of the Ministers of the Town, the other a Merchant of the Body of the Council; the third, one of the Deacons of the Crafts. Three several Keys shall be delivered to them accordingly, but not without this Oath first administered unto them by the Clerk, in Presence of the Provost, or one of the Bailies of the said Burgh, and remanent Governors.

‘ I A. B. do faithfully swear and promise, to carry myself to my best Skill and Power, in the keeping of the Seal of *George Heriot* his Hospital, and that I shall never suffer (so far as it lieth in my Power to hinder) the Seal of the said Hospital to be put to any Security, Evident or Writing whatever, unless it be first so decreed and resolved upon, by the Suffrages of the major Part of the Governors of the said Hospital. So help me God and the Contents of this holy Book. Their Office

shall continue only for one whole Year, and this to have Beginning, so soon as the Hospital shall be finished, builded and perfected.

Of the Election of the Master.

‘ Because no Body can be well governed without a Head, there shall be one of good Respect chosen, Master of the Hospital, who shall have Power to govern all the Scholars and Officers who live within the same. His principal Care shall be, to see that the Scholars be brought up in the Fear of Almighty God; and therefore he shall in the Chapel of the Hospital, every Tuesday, Thursday and Sunday, some Part of the Afternoon, catechise and instruct the Scholars in the Grounds and Principles of Faith and Christian Religion, and shall not offer to meddle further with any Points of Divinity, than the Doctrine of the Catechism; and he shall expone no other Catechism unto them, but such as shall either be made, or appointed and approved by the Ministers of *Edinburgh* for the time being: After the End of every Catechism, he shall read a Prayer, and not conceive one of his own; the Prayer shall be delivered him by the Ministers of *Edinburgh*, in which there shall be express Thanks unto God for the raising up their Founder; and an express Petition for the Prosperity and Happiness of the Council and Ministers.

‘ Next, He shall have a special Care that the Scholars and inferior Officers of the House be brought up in good Manners; and therefore, that in all Cases of Misdemeanors, as swearing, fighting, lying, spoiling of their Cloaths or Chambers, or the like, they receive due Correction and Chastisement.

‘ Thirdly, ‘ His Care shall be, as is above expressed, that every Week, once, he take the Butler’s, Baker’s, Brewer’s, Cook’s, and all other Officers weekly Accounts, and shall deliver them to the Treasurer; and therefore the Governors shall have a special Care that the Master to be elected at all Times, have these Qualities, That he be a Man fearing God, of honest Life and Conversation, of so much Learning as he be fit to teach the Catechism; a Man of that Discretion as he may be fit to govern and correct all that live within the House; and a Man of that Care and Providence, that he may be fit to take Accounts of the same; a Man of that Worth and Respect, as he may be fit to be an Assessor with the Governors, having a Suffrage given unto him in all Businesses concerning the Hospital, by the fourth Chapter (or Division) of these Statutes. He shall be an unmarried Man, otherwise let him be altogether incapable of being Master. His Election

‘ Election shall be by the Plurality of Suffrages, of all those who (by the Statutes before mentioned in the fourth Chapter, or Division), have Voices in Elections.

‘ And we charge the Consciences of the Governors in the Lord, that, in the Election of him, all particular and personal Respect laid aside, they only look unto the Fitness of the Man, and observe the true Meaning and Intention of this Statute.

Of what follows the Election of the Master.

‘ After his Election, and before his Admission, the Clerk, in Presence of the Governors there present, shall require him first to take the Oath of Allegiance, and afterward the Party elected, laying his Hand upon some Part of the Gospel, shall swear further thus: *I, A. B. elected Master of George Heriot his Hospital, do swear and faithfully promise before God, that, to my best Power, I shall discharge all which the Statutes of the Hospital require from me; and shall do my best to see all the Statutes of the said Hospital observed by others whom they do concern; and I do promise all Faith and Obedience to the Lord Provost, Bailies, Ministers and Council of Edinburgh now present, and to their Successors. So help me God, and the Contents of this holy Book.* After which Oath taken, he shall have, by some of the Governors of the Hospital, Possession of the Master's Lodgings delivered unto him, and there publickly, in the Hall of the said Hospital, all the Scholars and all Officers living in the House, shall be assembled together, and some one of the Governors whom they shall think fittest, shall declare unto them that this is he whom they have chosen to be Master and Governor over them; and therefore do command them to yield unto him all respectful Obedience in all Things that he shall command them, upon Pain of being expelled from the said Hospital.

‘ The Master of the Hospital, within the Precincts of the same, shall never go without his Gown. In the Hall he shall have his Diet, he and the Schoolmaster, in the upper End, at a little Table, by themselves. He shall have a care to see the Committee-chamber and Garden, with all the Walks kept fair and clean without spoiling; but especially that the Chapel, the Hall, and all the Office-houses be kept sweet and clean; as likewise the Scholars Chambers. He shall have given yearly unto him a new Gown, and quarterly for his Wages, Fifty Pounds Scots Money.

Of the Removal or Chastisement of the Master, when it is needful.

‘ If at any time the Master shall marry,

his Place shall be void. If at any Time he shall be convicted before the Governors of the said Hospital, as a Fornicator, Adulterer, Drunkard, or notorious Swearer and Blasphemer, he shall, *ipso facto*, be deposed. If at any Time he shall be found remiss or negligent in his Place, let him be publickly admonished by the Governors of the Hospital, which Admonition shall be registrate in the Hospital Book; if he offend in the like Kind again, let him receive a second publick Admonition; which also shall be registrate: After which, if he shall offend in the same Kind the third Time, let him receive a third publick peremptory Admonition, which is likewise to be registrate; after which three registrate Admonitions, if ever he offend again in the Premises, let him be irrevocably deposed by the Governors; in which Case, they are presently to proceed to the Election of a new Master.

‘ If at any Time the Master of the Hospital shall lie a whole Night out of the Hospital (except in Cases of violent Detention) without Leave of the Lord Provost of Edinburgh for the Time, or in his Absence, one of the Ministers of the said Burgh; he shall receive a publick Admonition from the Governors, and forfeit a whole Quarter's Wages, which in no Case shall be pardoned. If he do so the second Time he shall receive a second publick Admonition, and forfeit two Quarters Wages, in no Case to be remitted to him; after which, if he shall offend again in that Kind the third Time, and shall be thereof sufficiently convicted before the Governors of the Hospital, he shall be absolutely deposed.

‘ Whensoever the Master's Place of the Hospital shall be void, either by Death, voluntary Cession, Deprivation, or any other Way, the Governors shall, within forty Days, elect and admit an other into his Place, in Form and Manner above mentioned; else it shall be absolutely in the Power of the Lord Chancellor of Scotland for the Time being, to nominate, present and admit into the said Place, whomsoever he shall please, being qualified according to the Statute before written, but still to be admonished, mulcted and deposed by the Electors according to his Offences mentioned in this Statute.

Of the Election and Office of the Schoolmaster.

‘ And because that the Scholars shall be brought up in Letters, there shall be a Schoolmaster, whose Office shall be to teach the Scholars to read and write Scots distinctly, to cypher and cast all Manner of Accompts; as also to teach them the Latin Rudiments, but no farther. He shall

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‘ shall be careful to see the Scholars keep
‘ their Chambers clean, their Cloaths hand-
‘ some, to keep good Order in the Chapel,
‘ and in the Hall, and elsewhere; he shall
‘ correct them for all their Faults.

‘ For his Qualities of Life, good Re-
‘ port, &c. for the Manner of his Election,
‘ Admission, Admonition, mulcting, Depo-
‘ sition, and the Election of a new one in
‘ his Place; it shall be in all Points observed
‘ as is express’d in the Statutes which concern
‘ the Master. He must be unmarried, he
‘ shall yearly have a Gown given him,
‘ without which he shall never go, within
‘ the Precincts of the Hospital. He shall
‘ receive quarterly from the Treasurer of
‘ the Hospital for his Stipend

Of the Election of Scholars.

‘ There shall be chosen and admitted into
‘ the Hospital at the first, so many poor
‘ Scholars as the Revenue of the Hospital
‘ shall be able to maintain, *deductis deducen-*
‘ *dis*, who shall all be Children of Burgeffes
‘ and Freemen of the said Burgh, and a-
‘ mongst these, the Kinsmen of the said
‘ umquhile *George Heriot*, to be preferred.
‘ and all others indifferently to be admitted
‘ without any Respect, but according as the
‘ Plurality of Voices shall fall.

‘ We do charge the Consciences of the
‘ Electors in the Lord, that they chuse
‘ no Burgeffes Children into these Places,
‘ if their Parents be well and sufficiently
‘ able to maintain them, since the Intention
‘ of the Founder is only to relieve the Poor.
‘ All these Scholars, when they are admit-
‘ ted, must not be under seven Years of
‘ Age compleat, and they shall not stay in
‘ the Hospital after they are of the Age of
‘ sixteen Years compleat; at which Time,
‘ if it be found by their Masters that they
‘ are like to prove hopeful Scholars, the
‘ Hospital, out of the Treasure-house, shall
‘ allow them, for the Space of four Years,
‘ to bring them up in the College of *Edin-*
‘ *burgh*, the yearly Allowance of

‘ and their Regent shall be bound to take
‘ nothing for teaching them: If, by their
‘ Masters they shall be thought not fit to
‘ be Scholars, then they shall be bound out
‘ Apprentices to some such Trade as by the
‘ Governors shall be thought fit; the Treas-
‘ ure-house of the Hospital paying for their
‘ Apprentices-fee and no more;
‘ and the Governors taking good Security
‘ of their Masters, for performing of Co-
‘ venants with the Apprentices so bound.

‘ But after the Scholars have learned to
‘ read and write *Scots* distinctly, and the *La-*
‘ *tin* Rudiments, they shall be put out to
‘ the Free Grammar School of *Edinburgh*,
‘ there to be taught, until such Time as
‘ they be either fit for the College, or to be
‘ Apprentices; they shall all come to, and

‘ go from the School together, at all Times
‘ of the Meeting or Scaling of the Gram-
‘ mar School, orderly, and in their Gowns:
‘ The Master of the Grammar School shall
‘ yearly receive from the Treasurer of the
‘ Hospital for teaching of these Scholars

‘ The Election of them shall be thus:
‘ at two Times in the Year, that is to say,
‘ upon the second *Monday* of *October*, after
‘ the Election of the Magistrates, yearly,
‘ and upon the third *Monday* of *April* there-
‘ after ensuing, yearly; the Governors shall
‘ assemble themselves in the Committee-
‘ house, and shall there carefully examine
‘ how many Places of the Scholars have
‘ been voided since the last six Months, ei-
‘ ther by Death, putting to the College, be-
‘ ing made Apprentices, or any other Way
‘ whatsoever. As also, they shall examine
‘ the Revenue and Estate of the Hospital,
‘ whether it be able to maintain any more;
‘ then according to the Number of the
‘ Places voided, and according to what they
‘ find after both these Searches and Exami-
‘ nations, we do charge their Consciences
‘ in the Lord, that they do presently elect
‘ and admit so many Scholars, qualified, as
‘ is before express’d; which Scholars, besides
‘ their Bedding, Lodging, Washing, and
‘ common Fires, shall be allowed from the
‘ Treasurer of the Hospital yearly, for their
‘ Diet, and for their Cloathes

‘ The Election of them shall be by
‘ the Plurality of Suffrages, as is express’d
‘ in other Elections.

‘ They shall be comely and decently ap-
‘ parcelled, as becometh, both in their Lin-
‘ nen and Cloaths; and their Apparel shall
‘ be of sad Russet Cloth, Doublets, Breech-
‘ es, and Stockings or Hose, and Gowns
‘ of the same Colour, with black Hats and
‘ Strings, which they shall be obliged to wear
‘ during their Abode in the said Hospital,
‘ and no other.

Of the Election and Office of the Butler.

‘ There shall be chosen a Butler by Plu-
‘ rality of Voices, to continue in that Of-
‘ fice during his natural Life. He shall not
‘ marry without the Consent of the Gover-
‘ nors asked and obtained. His Care shall
‘ be to take Charge of all the Bread and
‘ Drink, and laying the Table Cloaths at
‘ the Times of Meals in the Hall. He shall
‘ be in all Things obedient to the Master of
‘ the Hospital; and if he shall be convicted
‘ before the Electors of Fornication, Adul-
‘ tery, of being a Drunkard, a common
‘ Swearer, or of wilful and often Disobedi-
‘ ence to the Master of the Hospital, he
‘ shall be presently expelled the Hospital.
‘ For his Wages he shall quarterly receive
‘ for himself, and for his Boy
‘ The Butler shall be charged with the keep-
‘ ing of all the Silver-plate that belongs to
‘ the

‘ the Hospital; as also with all other Spoons,
‘ Salts, Stoups, Cups to drink in, and
‘ Candlesticks which belong to the Hall
‘ Service.

Of the Election and Office of the Cook.

‘ There shall be chosen a Man of honest
‘ and good Report, to be Cook of the Hos-
‘ pital, whose Election, Admission, Licence to
‘ marry, Punishment and Expulsion, shall be
‘ observed in all Points, as is exprest in the for-
‘ mer Chapter or Division, in the Case of the
‘ Butler. He shall be charged, besides the
‘ clean dressing of the Hospital’s Diet, with
‘ the keeping of all the Utensils belonging to
‘ the Kitchen. He shall receive quarterly
‘ Wages for himself for his Boy
‘ He shall deliver up his Accompts for Bread,
‘ Drink, Candles, and other Things be-
‘ longing to his Charge, to the Master, so
‘ often in the Week as he shall require.

Of the Election and Office of the Caterer.

‘ There shall be chosen a Man of good
‘ and honest Report to be Caterer, whose Of-
‘ fice shall be, faithfully, and at the best
‘ Rates, to buy good and wholesome Meat
‘ for the Diet of the Hospital; as also to
‘ deliver up his daily Accompts (clean and
‘ fairly written) to the Master of the Hospi-
‘ tal, so often in the Week as he shall re-
‘ quire them from him. His Election, Ad-
‘ mission, Licence to marry, his Punish-
‘ ment or Expulsion, in all Points to be ob-
‘ served, as is exprest in the two former
‘ Statutes concerning the Butler and Cook.
‘ He shall receive quarterly for his Wages

Of the Election and Office of Porter.

‘ There shall be chosen a Man unmar-
‘ ried, of honest Report, to be Porter of the
‘ Hospital. He shall be a Man of good
‘ Strength, able to keep out all sturdy Beg-
‘ gars and vagrant Persons. He shall lock
‘ the Gates at all Times of Prayers and
‘ Meals. Every Night he shall lock up the
‘ Gates, and bring the Keys of them up to
‘ the Master at seven of the Clock in the
‘ Winter, and at nine in the Summer. He
‘ shall keep the Court very clean, he shall
‘ sweep clean the Chapel every Day, and the
‘ Hall after every Meal; he shall see the
‘ Walks kept clean and fair, and make all
‘ the publick Fires in the Hall; and if at
‘ any time he dispose himself to marry, he
‘ shall demit his Place, or else be deprived
‘ of the same. His Election, Admission,
‘ Punishment or Expulsion, shall be in all
‘ Points observed, as is exprest in the Sta-
‘ tutes which concern the three former Of-
‘ fices. He shall have for his quarterly
‘ Wages and every Year a Gown,
‘ which he must wear continually at the
‘ Gate.

‘ These four Officers, viz. the Butler,
‘ Cook, Caterer and Porter, shall have
‘ their Diet in the Hall, immediately after
‘ the Master has dined, and the Scholars
‘ risen from the Table; with whom like-
‘ wise the Master’s Man shall be allowed his
‘ Diet.

Of the Election and Office of the Gardener.

‘ There shall be provided for the Hospi-
‘ tal a good and sufficient Gardener, whose
‘ Care shall be to look well to the Commit-
‘ tee Garden, whereof the Master is to have
‘ the Use; to the Kitchen Garden, and to
‘ all the Walks and Hedges belonging to
‘ the Hospital. The Governors to elect,
‘ place and displace the Gardener at their
‘ Pleasure. He shall receive quarterly for
‘ his Wages

Of the Election and Office of the Women.

‘ There shall be chosen six Women, of
‘ good and honest Report, unmarried, and
‘ who must never marry. They shall be of
‘ the Age of forty five Years at the least;
‘ their Charge shall be diligently to wash all
‘ the Linnens, that belong either in general
‘ to the Hospital, or in particular to any
‘ Scholar; and to make all the Scholars
‘ Beds, and sweep their Chambers, and to
‘ attend such of them as shall be sick. Their
‘ Election, Admission, Punishment or Ex-
‘ pulsion, is in all Points to be observed, as
‘ in the Case of the Hospital Butler is ex-
‘ prest in the 14th Chapter (or Division).
‘ They are to have their Diet in some Room
‘ by themselves; they are to be charged
‘ with, and answerable for all the publick
‘ Linnens of the Hospital, and the particu-
‘ lar Linnens of the Scholars. They shall
‘ receive quarterly for their Wages, every
‘ one of them

‘ All these Officers, before mentioned, in
‘ case of Misdemeanor, shall be punished by
‘ the Master of the Hospital; and therefore
‘ there shall be a Pair of Stocks placed at
‘ the End of the Hall in the Hospital, in
‘ which the Master shall command to be laid
‘ any Officer for any such Offence, as in his
‘ Discretion shall seem to deserve it; and the
‘ Master likewise shall have Authority to lay
‘ in the same Stocks any vagrant Stranger
‘ of mean Quality, who, within the Pre-
‘ cincts of the Hospital, shall commit any
‘ such Offence as may deserve it. The Of-
‘ ficer for executing the Master’s Command
‘ in this Point of Justice, shall be the Por-
‘ ter of the Hospital.

‘ All these Under-officers, viz. Caterer,
‘ Butler, Cook, Porter, Women and Gar-
‘ dener, shall find sufficient Security for their
‘ Intromission and Discharge of their Duties
‘ in their Offices.

Of

Of the Election and Offices of the Physician, Apothecary, and Barber Surgeon.

‘ There shall be appointed one Doctor of Physick, who, for visiting and looking to all the sick in [the Hospital, shall receive yearly from the Treasurer One Apothecary, who shall be paid for all his Bills of Drugs, if they be subscribed with the Doctor of Physick his Hand. One Chirurgion Barber, who shall cut and poll the Hair of all the Scholars in the Hospital: As also, look to the Cure of all those within the Hospital, who any way shall stand in need of his Art, and shall receive for his Wages yearly

Of such Things as concern the Hospital in general.

First, For the Service of Almighty God, there shall be in the Chapel of the Hospital every Day in the Morning, betwixt seven and eight of the Clock, Divine Service read by the Master of the School, in this Order. First, Shall be read the ordinary Confession of Sins. Next, Some one of the Psalms in Prose: After that, one Chapter of the Old Testament; and after that, one of the New Testament; both of them in Order, as the Ministers of *Edinburgh* shall direct. After which shall be said the Creed; after that a Prayer shall be said, in which Thanks shall be given to God for all his spiritual and temporal Blessings; amongst his temporal Blessings, for the present Maintenance which they receive from God by the Hands of their bountiful Founder.

Moreover, They shall pray for the Life and happy Reign of our Sovereign Lord the King, the Queen, and of all the Royal Progeny, for the Lords of his most Honourable Privy Council; and more especially for the Provost, Bailies, Ministers, and Council of *Edinburgh*, their most religious and honoured Governors, beseeching God to raise up unto them such Benefactors, as may, by the Testimony of their good Works, bear Witness to the Holiness of our Profession and Religion. This Prayer is not to be conceived by the Schoolmaster, but to be read by him every Day, as it shall be delivered unto him penned by the Ministers of *Edinburgh*.

At every Meal before Meat, Grace shall be said in the Midst of the Hall, by one of the Scholars; and it shall be a set Form of Grace, pronounced in the Midst of the Hall, after the said Scholar hath first read one of the Psalms. After Dinner, the same Scholar shall say the Grace, giving God Thanks, amongst other Things, for their Founder, and praying for their Governors. This Grace likewise is to be

in a set Form, as it is to be delivered unto them by the Ministers.

Every Sunday, the Master, the Schoolmaster, and all the Scholars in Order, two and two, shall go solemnly in Order in their Gowns, and all the Officers of the House that can be spared going after them, to the *Grayfriars* Church, both to the Forenoon and Afternoon Sermon, and there shall sit in such a Place as shall be appointed for them: And in that decent Order return back again from the Church to the said Hospital. All the Scholars, in the Chapel, Hall, Church, and all other Places whatsoever, shall take place according to that Rank and Order in which they are elected and admitted to be Scholars of the Hospital, and no otherwise.

There shall ever be kept in the Treasure-house of the Hospital, so great a Stock of Money, as, in all Probability, is able to defray the Charges of these Scholars who are maintained in the Hospital, and pay the Apprentices-fees of all such as are to be bound out Apprentices, and pay the Charge of Reparations, and all other common Charges whatsoever belonging to the Hospital.

Twice every Year, that is to say, upon the second Monday of *October*, after the Election of the Magistrates yearly, and upon the third Monday of *April* thereafter ensuing, yearly, being six Months distant from one another, the Electors shall visit the said Hospital, hear and determine all Complaints that can be made, either against the Master, Schoolmaster, or Officers; shall reform all Abuses which they find in the same; see that all Parts of the Hospital be tight, and in good Reparation; and inquire whether the Scholars Diet be good and wholesome, their Cloaths honest and seemly, their Beds and Chambers sweet and cleanly, according to the Allowances bestowed upon them; and set straight all other Things which need to be amended.

All the Monies which by Debts, Rents, or any other way shall belong to the Hospital, besides that which shall come in to the Stock of the Treasure-house, shall be bestowed upon Land, and no otherwise for all Time to come whatsoever.

Of Things reserved to the Compiler.

The Compiler of these Statutes, Doctor *Balcanquell*, doth reserve unto himself full Power for the filling up of all Blanks in these Statutes, and all the Power which he now hath, for the determining of the Stipends, or Wages of all Persons, to whom by these Statutes, Wages or Stipends are to be allowed, until such Time as after the building and erecting of the said Hospital, and a perfect Examination of

of the clear probable Revenue of the said Hospital, after the perfecting and clearing all Manner of Accompts and Deductions, either in his own Presence, or by the Information of the Lord Provost, Bailies, Ministers, and Council of *Edinburgh*, it may appear unto him, what Wages the Revenue of the Hospital is able to allow to all such, as by the Statutes before mentioned are to receive Wages and Allowances. As also, he doth reserve unto himself all the Power which is given unto him by the last Will of the pious Founder, or the Codicil thereunto annexed, for the ordering and settling of the ten Burfers Places therein mentioned, until such time as the building of the said Hospital shall be finished.

And if it shall please God, that the said *Walter Balcanquell* (before the Times above mentioned) depart this Life, he doth by these Presents transmit the whole Power now resident in him concerning these two Points of determining Stipends and Wages, and ordering and settling of the ten Burfers, to the Lord Provost, Bailies, Ministers and Council of *Edinburgh* for the time being; whom he doth earnestly beseech in the Lord, to take all faithful and possible Pains, that these two Points be conscientiously settled, according as they shall find the Revenue of the Hospital will give Leave.

To prevent all Corruptions in After-times, there shall never be made by the Electors, any Pre-election of any Place whatsoever belonging to the Hospital; nor shall the Pre-election or Election of any Officer or Scholar, before the Place unto which he is pre-elected or elected be actually void, stand good, but it shall be void *ipso facto*; and therefore, before the Hospital-building be finished, and fit to receive those who are appointed to inhabit it, there shall be made no Election, nor Pre-election of any Officer or Scholar belonging to the Hospital, excepting only such as must of necessity attend the Fabric of the said Building, or the present Revenue, Monies or Estate presently belonging, or intended for the said Hospital; and these, after the Building is finished, or before, to leave their Places, unless they be then again, *de novo*, chosen by the Electors; but after the House is fitted for the receiving of those who are to live in it, then all Elections shall go, as is express in the Statutes before mentioned.

The Compiler of these Statutes, *Walter Balcanquell*, Dean of *Rocheſter*, doth reserve unto himself, during his own natural Life, all Power for adding unto, or diminishing from, or altering of these present Statutes, accordingly as upon emergent Occasions he shall be thereunto induced by his own Conscience, or Consultations with the Lord

Provost, Magistrates, Ministry and Council of *Edinburgh*, or by the Advice of those who are learned in the Laws of the Realm of *Scotland*; otherwise, if from the said Dean of *Rocheſter* in his Lifetime, these Statutes shall receive no Addition, Diminution, nor Alteration, then these Statutes being subscribed with his Hand, and sealed with his Seal at any Time before his Death, shall have the Strength, Validity and Force to all Purposes whatsoever, of the Statutes mentioned in the Will of the Founder, by which, and no otherwise, the said Hospital shall be perpetually governed, ordered and directed for ever hereafter unto the End of the World.

And if there shall arise any Controversy concerning the Interpretation of the said Statutes, or of any Part, Sentence, or Word in the same; it is ordained, that those five mentioned in the Founder's Will, *viz.* the Lord Chancellor, the two Archbishops, the Lord President of the College of Justice, and the Lord Advocate to his Majesty of this Realm of *Scotland* for the time being, shall have sole and whole Power to interpret the same, and to determine all Controversies arising about the Interpretation of the same; so that whatsoever any three of these five met together, and all Parties interested being convened, shall judicially, or extra-judicially, declare in their Consciences, to come nearest the true Meaning of these Statutes; that nothing but that shall be taken for the true Meaning of the same, and in all Points, without further Scruple, be observed and followed.

And that these Statutes may never be concealed, there shall be one true Copy of them for ever kept and registered in the Books of Session, one in the Register of the Council of *Edinburgh*; one in the Register Office of the said Hospital; and more in other Places, if needful, if any shall be thought upon; that so any Party interested in them, may have open and free Recourse unto them.

The Conclusion.

And now, finally, I the unworthy Servant of God, *Walter Balcanquell*, the Compiler of these Statutes, do onerate and charge the Consciences of you the Lord Provost, the Magistrates, the Ministry, and Council of the City of *Edinburgh*, and all those who shall be your Successors, unto the second Coming of the Son of God, and that by the Bowels of our Lord Jesus Christ, who one Day will come to judge the quick and the dead, and take a particular Account of every one of you for this particular Stewardship wherewith you are trusted; by the Zeal and Honour of our reformed Religion, which, by this pious

X x x x x

Work

‘Work of the Founder, is illustrated and vindicated from the Calumnies of the Adversaries to our holy Profession, by that pious Respect, which you his Fellow Citizens ought to carry to the pious Memory and last Will of the religious Founder, your worthy Citizen *George Heriot*.

‘And, lastly, for the clearing of your own Consciences, and your own particular Accounts in that great Day of the Lord, let none of you who read these Presents, nor your Successors, who in After-ages shall come to read them, offer to frustrate the pious Founder of his holy Intention, either by taking directly or indirectly from this Hospital, any Thing which he in his Piety hath doted unto it, or by altering of it, or bestowing it upon any other Use, though you shall conceive it to be far more pious or profitable, or to go about to alter any of these Statutes and Ordinances, after they shall be once put up unto you, compleatly subscribed and sealed, as you will answer the contrary at the uttermost of your Perils, in the Day of the Lord Jesus, to whom (being fully assured of your godly Care and zealous Conscience in those Particulars) with His Father, and the Holy Ghost, Three Persons, but one undivided Essence of the Godhead, as for all other their Blessings, so in particular for the great Charity of this most pious and religious Founder, be ascribed, as is most due, all Praise, Honour and Glory, from Age to Age, Amen.

Ego Gualterus Balcanquel, S. S. Theologie doctor, ecclesie cathedralis Rossensis decanus, civis Edinburgensis natus & juratus, pientissimi viri Gualteri Balcanquel, civitatis Edinburgensie circiter quadraginta tres annos pastoris vigilantissimi filius potestate ad id mihi facta ex testamento & codicillo clarissimi optimique viri Georgii Heriot, gemmarum regii, trado, clarissimis, reverendissimis, spectatissimis viris, D. D. praefecto, balivis, pastorebus, reliquisque senatoribus Edinburgensis ordinariis, statuta haec, viginti tribus capitibus comprehensa, observanda, habendaque in perpetuum, pro statutis seu ordinationibus illis in testamento & codicillo Georgii Heriot, commemoratis; reservatis mihi me semper cum his & singulis, quae per statuta haec referuntur. Ita est, quod singrapha & sigillo meo ratum esse jubeo.

GUALTERUS BALCANQUEL.

Edinburgi, 13 Julii, anno post incarnatum redemptorem, 1627. annoque regni domini nostri Caroli I. tertio.

Locus Sigilli.

Remark. For Balcanquel, to impose an Oath upon the Governors of this Hospital that was not to be altered upon any Account, is the most insolent, daring and iniquitous Crime a Man could be guilty of; seeing thereby he did, as it were, insult the Almighty, by insinuating to the World, that

there was a Priest in it as capable of making unalterable Laws as himself: Whereas, divers of his Statutes to, be sworn to are so very trifling and insignificant, that it is almost a Shame to publish them. And the Governors, by being bound by this shocking Oath, are rendered incapable of serving the Hospital in so beneficial a Manner as they might; therefore ought justly to be altered.

INFIRMARY.

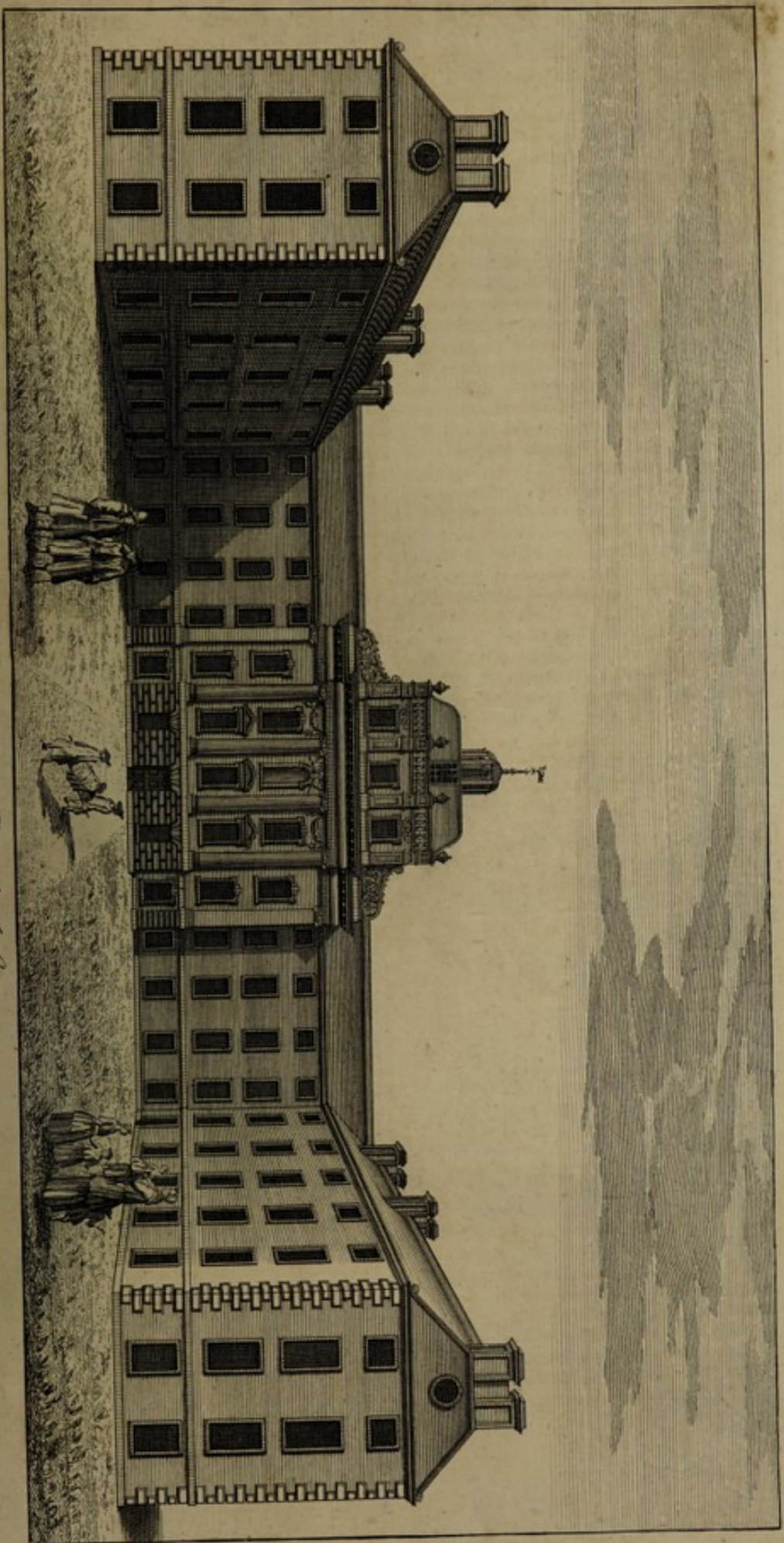
No charitable Foundation being deemed of more Use to a Nation than those for the Relief of poor, sick, distempered and lame Objects; for, being cured of their several Maladies and casual Infirmities, are rendered useful Members of the Community; whereas, in populous Cities, destitute of Places for their Relief, they perish for want of Assistance; whereby the Publick are deprived of many useful Hands.

Divers well disposed Persons, having, with great Concern, observed this to be the Case of *Edinburgh*, resolved to attempt to remedy this Defect; for which Purpose, in the Year 1721, they published an exhortatory Pamphlet, setting forth the great Necessity and Advantages of such an Hospital to the Nation; and published Proposals for raising a Fund to accomplish so good a Work: But there appearing so little Probability of Success, dropt the Prosecution of their Scheme.

In the Year 1725, the Copartners of the *Scottish Fishery* being about to dissolve their Company, the College of Physicians of *Edinburgh* applied to the Proprietors for Part of their Stock towards founding an Hospital as aforesaid. Having succeeded in their Application; for the more effectually carrying on the Design, proposed a voluntary Subscription to be entered into by all who were willing to encourage so laudable an Undertaking. And, as an Incouragement for Men to subscribe, the several Sums that might be subscribed, were declared to be null and void, provided that the Sum of Two thousand Pounds Sterling was not subscribed against a certain Day: And, to set a good Example to others, most of the Faculty not only subscribed generously, but divers of their Number undertook to procure Subscriptions from others; and being seconded therein by Surgeons and others, the Subscriptions before the Time limited exceeded the Sum proposed to be subscribed for before that Period. And as a farther Incouragement to so good a Work, the said College of Physicians generously obliged themselves, that one or more of their Number should, without Fee or Reward, diligently attend the Hospital when erected.

Now there being Ground to hope that Subscriptions would increase, and thereby soon be enabled to begin the Work; the Gentlemen who had strenuously endeavoured

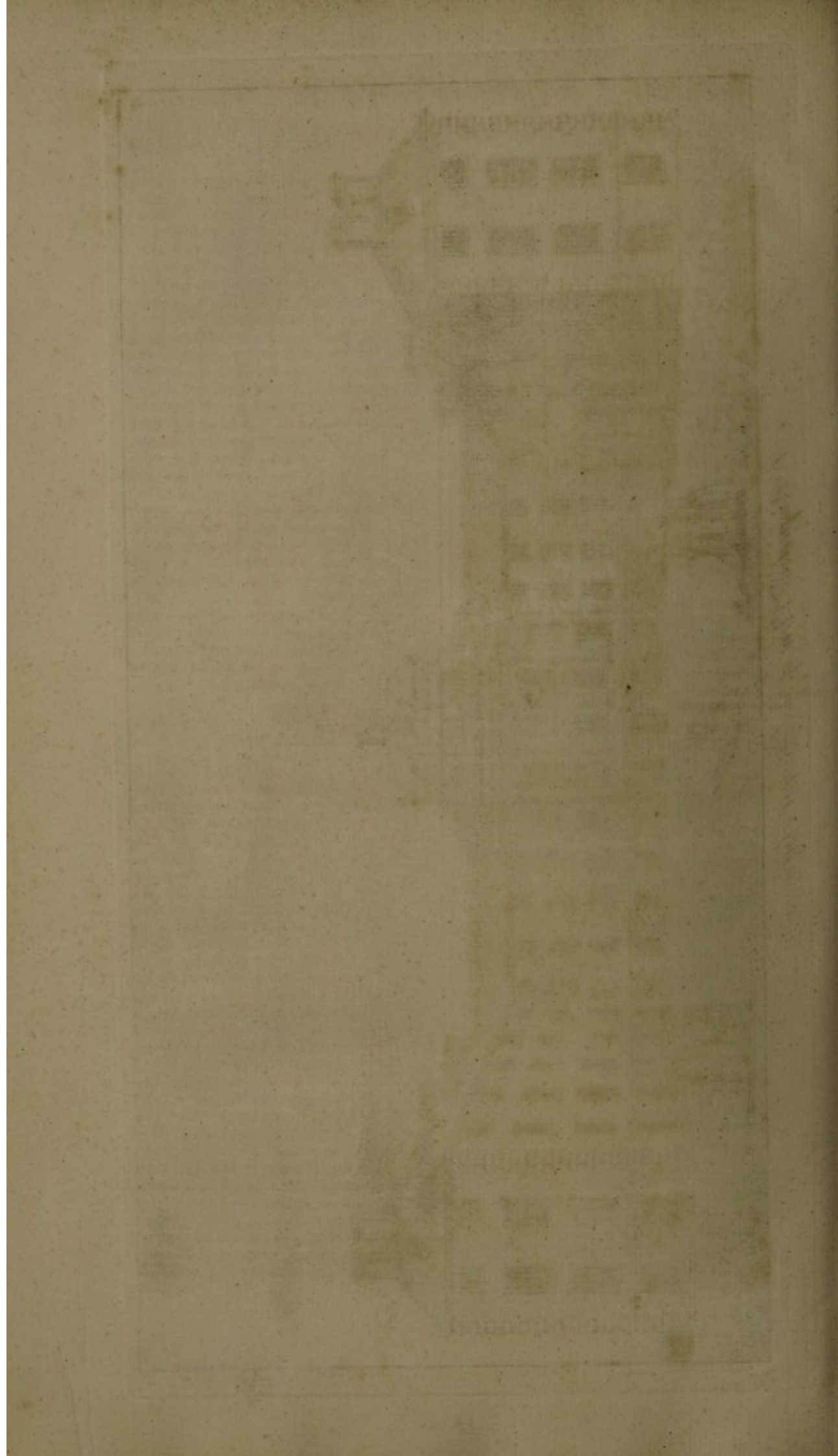
to



J. J. Smith del.

A Perspective View of the Royal Infirmary -

J. J. Smith sculp.



to promote this truly good and laudable Undertaking, resolved to divest themselves of the Management; pursuant to which, in the Month of *February*, anno 1728, summoned a Meeting of the Subscribers before whom they laid an Account of the several Steps taken, and the Situation of their Affairs. In this Assembly, a Committee, consisting of twelve of the Contributors, was appointed to prosecute the Subscriptions, gather in the Money subscribed, and to prepare a Plan for erecting an Infirmary. And amongst other Means for increasing the Stock, it was agreed to petition the General Assembly of the Church of *Scotland* for a voluntary Subscription, throughout the several Parishes within their Jurisdiction; which being readily granted, the Contribution was earnestly and strenuously recommended by the Assembly in their Act of the 11th of *May*, in the Year 1728, and a Copy thereof sent to the Incumbents of the several Parishes throughout *Scotland*; yet such was the amazing Indolence, Laziness and Obduration of the said Incumbents, to their eternal Reproach, that though this great and pious Design was calculated for the Relief and Benefit of the greatest and most moving Objects upon Earth, few of them concerned themselves in this truly good and Christian Work (or at least, according to my

Account Royal
Infirmary, p. 5.

Author, many had not sent in the Money collected by them) as is evident from the printed Account of the Names of the Parishes whose Ministers made Collections on this Occasion, which appear to have been only eighty three, out of all the numerous Parishes of the Kingdom, although the pious Undertaking was intended for the Benefit and Relief of the distressed Poor of all Parishes and Countries whatever.

However, though this great and invaluable Work was deserted by about ten out of eleven of those who call themselves the Ministers of God; yet the ever good and most gracious God, who delights in nothing more than doing Good to his Creatures, appeared in a very signal Manner to assist this Godlike Undertaking, by opening the Hearts of the Laity, both in this and other Kingdoms, to contribute towards the Accomplishment thereof as the greatest of all Charities; whereby the Committee was enabled to summon another Meeting of the Contributors, whom they acquainted that their Capital was in such a Condition, they were of opinion, the Erection of an Infirmary might be gone upon; which being approved of by the Benefactors, they appointed a Committee of twenty two of their Number to manage the Building thereof. But, in the interim, it being judged more for the publick Interest and Benefit of the distressed, to hire a little low-rented House, for the immediate Reception of such a Num-

ber of Objects as their small Stock would admit of.

Pursuant to this Resolution, a House was taken, fitted up and furnished, and a Matron or House-keeper, with a Servant or Nurse appointed to attend the small Number of Patients. Now the only Difficulty remaining was, how to provide Surgeons and Medicines; this seeming Obstacle was soon removed, by certain Surgeon Apothecaries in *Edinburgh*, who generously offered not only to furnish the House with Medicines at their own Expence, but to attend the Patients by Rotation, without Fee or Reward; for which, their Names justly deserve with Honour to be committed to Posterity, as a Reward of their Worth, which are as followeth, namely, *John Macgill, Francis Congalton, George Cunningham, Robert Hope, Alexander Monro, and John Douglas*. The House being ready, Patients were taken in on the sixth of *August*, anno 1729; and, that all well disposed Persons might have an Opportunity to throw in their Mite to this Charity, a Poor's Box was erected in the Passage leading to the Patients Rooms.

The pious Work, through the Goodness of God, being thus far advanced, the Committee prepared the following Constitutions and Rules for the better Government of the said Infirmary.

Rules for the Management of the Infirmary or Hospital for Sick-poor in the City of Edinburgh.

1. ' That the Management of this Hospital may be sure and fixt, and the annual Election of Managers certain and easy, the same shall be committed to twenty Persons, who are all Donors to the Hospital, viz. The Lord Provost of *Edinburgh* for the Time, the President, and in his Absence the Vice-president of the Royal College of Physicians at *Edinburgh* for the Time, and four other Members of the College; whereof two out of the Professors of Medicine in the University of *Edinburgh* at the Time, and two of the Surgeons of *Edinburgh*, or three Surgeons, if there is no Professor of Anatomy; one of the Senators of the College of Justice, one of the Faculty of Advocates, one of the Society of Writers to the Signet, one of the Ministers of the Gospel in *Edinburgh*, and six others who have been Donors to the Hospital, of which twenty, seven to be a Quorum.
2. ' The first Election of Managers shall be in a general Meeting of the Donors, or Contributors to the Hospital called for that Effect by the Committee.
3. ' That annually thereafter, on the first Monday of *January*, the general Meeting of Managers for the preceding Year shall consider

consider and agree, who amongst them ought to be eased and disburdened of the Trouble of Management, and elect and assume others in their Places, out of the same Classes or Societies to which the Persons dismissed do belong; the Number to be altered at one Time not exceeding six, or less than four; and in case of the Decease of any, during the Currency of a Year, that the first general Meeting of the Managers thereafter elect and assume one in his Place out of the Society to which he belonged to serve the Remainder of the Year.

4. That, out of the twenty Managers, there shall be annually chosen by themselves at their first Meeting in *January*, twelve, whose Residence and Business will best allow them to look after the Affairs of the Hospital, to be the ordinary Managers, whereof five to be a *Quorum*; two of which twelve as Visitors, shall by turns (in the Order to be fixt by themselves) visit the Hospital once a Month at least, and inquire into the Management thereof, the Treatment and Diet of the Patients, the Conduct of the House-keeper or Mistress, the Behaviour of Servants and Patients, and whole Oeconomy of the House.

5. There shall be two general Meetings of all the Managers yearly, the first *Monday of January*, and first *Monday of July*.

6. There shall be four Meetings of the ordinary Managers yearly, the first *Monday of February*, the first *Monday of May*, the first *Monday of August* and the first *Monday of November*.

7. The ordinary Managers may call the extraordinary Managers, at other Times than the two Meetings above, when Occasion requires.

8. The Visitors for the Time may call Meetings of the ordinary Managers, other than the four Meetings above, when Occasion requires.

9. At the general Meeting of the Managers yearly in *January*, they shall chuse a Treasurer, a Clerk, a Mistress or House-keeper, or continue those formerly elected, and determine their Salaries; and in case of the Death of any of these during the Currency of a Year, the ordinary Managers shall chuse another fit Person to supply the Office during the Remainder of the Year, and give a suitable Salary.

10. That the ordinary Managers shall, at each of their four Meetings above, examine and control the Treasurer's Accounts, for three Months preceding, and sign the same.

11. The ordinary Managers shall have the Power of directing every Thing concerning the Management of the Stock and Revenue of the Hospital; the providing of all Necessaries, the ordering of Repa-

rations, the electing of common Servants, and the determining their Fees; the providing of Furniture, and directing all other Things and Matters concerning the right Management of the Hospital, but subject to the Review and Correction of the general Meeting of Managers.

12. The ordinary Managers shall have the Power of regulating the daily Attendance of a Physician and Surgeon, for visiting and giving Directions about the Patients.

13. The ordinary Managers shall yearly, on the first *Monday of July*, lay before the General Meeting of the Managers, the Records of their whole Management and Proceedings, and report the State of the Hospital, its Stock and Revenue, and annual Charge, the Number of Patients taken in, cured, dismissed, or dead, and a State of the Treasurer's Accounts for the Year preceding *January* before.

14. At the said General Meeting, the Managers may make what Regulations, and give what Directions they shall judge proper, touching the Patients and Servants in the Hospital, their Conduct and Management.

15. The Physician and Surgeon in waiting at the time, shall be Judges, if the Patients offered to the Hospital, ought to be taken in or not; also when it is fit to dismiss any. In all Cases extraordinary, they are to take the Advice of other Physicians and Surgeons concerned in the Hospital at the time.

16. No Patient shall be taken in, unless he or she bring proper Certificates of their being true and worthy Objects of the Hospital's Charity.

17. The ordinary Managers shall from time to time concert and digest Rules, touching the Conduct and Behaviour of the Patients and Servants; and also concerning such Diseases, Sickneses and Circumstances of Persons, who ought not to be admitted into the Hospital, subject always to Alteration and Review by the extraordinary.

18. A Register or Record shall be kept in the Hospital, in which is to be entered the Names of all Patients that shall be taken in, the Parish of their Birth or Residence, their Age, Disease, when taken in, when dismissed, and whether cured or dead.

19. Also another Record shall be kept, in which the Physicians are to write all their Prescriptions and Directions concerning the Patients.

20. The ordinary Managers shall every Year cause make an Inventory of all the Household Plenishing, Furniture, and others belonging to the Hospital, and compare it with the Inventory of the preceding Year, and what has been brought in after

after it, and (giving Allowance for Tear and Wear) to judge if there be any Imbezlement, and examine who is chargeable with it, if any be.

21. 'The Treasurer shall have Oversight of the Hospital's Stock and Revenue, and the receiving and paying all Monies about the Hospital, under the Inspection, Control and Direction of the ordinary Managers.

22. 'The Clerk shall attend all the Meetings of the Managers, extraordinary and ordinary, and all the Meetings of the Visitors, and carefully minute and record all their Transactions, Resolutions and Directions, so far as they shall judge needful; and shall have the Privilege of drawing all Writs, Rights and Securities concerning the Hospital.

23. 'The Mistress or House-keeper shall be a Woman free of the Burden of Children, and the Care of a separate Family; she shall have the Charge of all the Pleading and Furniture in the Hospital, the Trust of buying all Provisions, overseeing the Patients and Servants, ordering their Diet, administering the Medicines ordered by the Physicians, the Trust of buying all House-necessaries, the Care of keeping the Chambers, Beds, Cloaths, Linnens, and all other Things within the Hospital neat and clean; and to her all the Servants and Patients within the Hospital are to be submissive and obedient.

24. 'The Physician and Surgeon attending, shall every Week revise the Mistress her Accompts, whereby they may judge of the Diet provided by her to the Patients; they shall subscribe the same, for certifying thereof to the Treasurer, to be allowed by him to her.

25. 'All inferior Servants within the Hospital shall also be Persons free of the Burden of Children, and the Care of a separate Family.

26. 'The Mistress, and all Servants within Doors, must attend the Hospital diligently and carefully, and do their Duties respectively, honestly and faithfully; none of them shall be a Night out of the Hospital, or at unreasonable Hours, or absent when needed, without Leave asked and obtained from the Physician or Surgeon in waiting.

27. 'Every Donor to the Hospital shall have free Access to and Inspection of the Books and Records of the Hospital, that they may offer their Advice to the Managers, if any Thing occurs to them for the Benefit and Advantage thereof.

28. 'The Managers shall continue their Endeavours to procure, and shall take in new Donations from time to time to the Hospital, and inroll the Donors in the same Manner, as if they had been original Subscribers and Donors.

29. 'The General Meeting of the Managers may call a General Meeting of the Donors at any Time they shall think necessary and proper; and shall, upon Application of any seven Donors to the Hospital, call a General Meeting of the Donors.

30. 'The preceding Rules are to continue and be observed, unless the same shall happen to be altered in any Article, or new Articles added by a General Meeting of the Donors.'

Pursuant to the above Regulations, the Managers, in the Month of February, in the Year 1730, appointed twelve ordinary Managers, and chose a Treasurer and Clerk. The ordinary Managers, at their first Meeting, classed themselves as monthly Visitors, and made Orders concerning the Admission, Dismission and Behaviour of the Patients, whose Number taken into the Infirmary in the first Year amounted to thirty five, whereof nineteen were cured, five recovered, so as to manage their ordinary Affairs, requiring only Time to confirm Health, by recovering Strength; five discharged, either as incurable, or for Irregularities; one died; and in the House five remained. Besides these, divers Out-patients were attended by the Physicians and Surgeons, who also gave Advice daily to all diseased Persons that came to the Infirmary at the Hours of visiting.

The Stock of the Infirmary in the Year 1735, amounting to about the Sum of Three thousand Pounds Sterling; the Managers were thereby encouraged to apply for a Charter to establish and perpetuate the Undertaking; which his present Majesty was graciously pleased to grant; whereof the following is a Copy.

By her Majesty the Queen, Guardian of the Kingdom, &c. &c.

CAROLINE R. C. R.

'Our sovereign Lord ordains Letters Patent to be made and passed under the Seal appointed by the Treaty of Union, to be kept in Place of the Great Seal of Scotland, in the Words or to the Effect following.'

GEORGE II. by the Grace of God, of Great Britain, France and Ireland, King, &c. greeting.

'Whereas an humble Petition hath been presented to us in behalf of the Managers of the charitable Fund for Maintenance and Cure of sick Poor in North Britain, setting forth, That several well disposed Persons, well affected to our Person and Government, (from a due Sense of the Misery that many poor Persons in Scotland were reduced to by Poverty and Sickness,

Y y y y

who,

‘ who, though not incurable, were in no
 ‘ Condition to maintain themselves while
 ‘ under Cure, even when Physicians and
 ‘ Chirurgeons, charitably disposed, were in-
 ‘ clined to assist them with their Skill and
 ‘ Medicines *gratis*) did, some Years ago, set
 ‘ forward a Subscription, which, with some
 ‘ few Donations, has now produced a Fund
 ‘ of about Three thousand Pounds *Sterling*,
 ‘ the Interest whereof, by Agreement of the
 ‘ Subscribers and Donors, is to be applied
 ‘ for erecting a House in *Edinburgh*, where-
 ‘ in poor Sick, properly recommended from
 ‘ any Part of the Country, who are not ab-
 ‘ solutely incurable, are to be maintained
 ‘ and taken care of by the Royal College of
 ‘ Physicians of *Edinburgh*, and some of the
 ‘ most skilful Chirurgeons.

‘ That, under the Direction of the Ma-
 ‘ nagers chosen by the Contributors, a House
 ‘ has been hired, and so far as the Interest
 ‘ of the Fund would go, poor Persons have
 ‘ been received into it, and have been so well
 ‘ taken care of, that many, under the Bless-
 ‘ ing of God, have thereby been restored
 ‘ to their Health.

‘ That this Charity is so apparently of
 ‘ universal Benefit, that, ’tis hoped, the Fund
 ‘ may considerably increase by Donations of
 ‘ charitable Persons, if authorised by our
 ‘ Royal Permission; and if the Undertaking
 ‘ shall be brought and kept under good Ma-
 ‘ nagement and Regulations; and therefore
 ‘ most humbly praying, that we would be
 ‘ graciously pleased to grant our Royal
 ‘ Charter, erecting the said Contributors
 ‘ and Donors who have already subscribed
 ‘ and such others as shall hereafter contri-
 ‘ bute to the said charitable Design and Fund,
 ‘ into a Corporation with perpetual Successi-
 ‘ on, and with Power to take Donations, to
 ‘ purchase Lands and Securities for Sums
 ‘ of Money lent; to erect Houses, to sue
 ‘ and be sued, and all other Things to do
 ‘ and execute consistent with the Laws of
 ‘ our Realm, that may tend to promote the
 ‘ said charitable Design.

‘ Now, know ye, that we having taken
 ‘ into our Consideration the charitable In-
 ‘ tention of the Petitioners, and being de-
 ‘ sirous to promote so good and laudable a
 ‘ Charity by virtue of our Prerogative Roy-
 ‘ al, and out of our special Grace, certain
 ‘ Knowledge and mere Motion, have erect-
 ‘ ed, created, and incorporated, and by these
 ‘ Presents for us and our Heirs and Succes-
 ‘ sors, do erect, create and incorporate all
 ‘ and every the said Contributors, who have
 ‘ already contributed to the said charitable
 ‘ Design; and all such Persons as shall
 ‘ hereafter contribute thereto, into one Bo-
 ‘ dy corporate and politick, by the Name
 ‘ of *The Royal Infirmary of Edinburgh*; un-
 ‘ der which Name they shall have perpet-
 ‘ ual Succession and a common Seal; and
 ‘ they and their Successors under the same

‘ Name shall be legally intituled, and ca-
 ‘ pable to purchase and enjoy Lands, Tene-
 ‘ ments, and any other Heritage in *Scotland*,
 ‘ not exceeding the yearly Value of One thou-
 ‘ sand Pounds *Sterling*; and to lend such
 ‘ Sum or Sums of Money, to any Person or
 ‘ Persons, and upon such Security as they
 ‘ shall think fit; and to sue and be sued, and
 ‘ to make such By-laws, Rules and Orders,
 ‘ consistent with the Laws of our Realm,
 ‘ as may best conduce to the charitable End
 ‘ and Purpose above mentioned; and gene-
 ‘ rally all other Matters and Things tending
 ‘ to the pious Design aforesaid, to do and
 ‘ execute as fully and amply in every Re-
 ‘ spect as any Body corporate lawfully may
 ‘ do, and as if the said Matters and Things
 ‘ were herein particularly set down.

‘ And for better accomplishing the Ends
 ‘ aforesaid, and for making and establishing
 ‘ a continual Succession of fit Persons for
 ‘ managing the Affairs of the said Corpora-
 ‘ tion, We do, by these Presents, for us,
 ‘ our Heirs and Successors, will, ordain and
 ‘ appoint, that the Affairs of the said Cor-
 ‘ poration shall be, from time to time, and
 ‘ for ever hereafter, governed and directed
 ‘ by twenty Managers, whereof the Lord
 ‘ Provost of our City of *Edinburgh* for the
 ‘ Time being, and in case of his Absence,
 ‘ the Dean of Gild shall be always one; and
 ‘ the President of our Royal College of
 ‘ Physicians of *Edinburgh*, and in case of
 ‘ his Absence, the Vice-president shall be al-
 ‘ ways an other; and the Deacon Conveener
 ‘ of the Crafts of our said City for the
 ‘ Time, shall be always an other; and the
 ‘ remaining seventeen, shall be annually e-
 ‘ lected at the Times, and in the Manner
 ‘ herein after directed, out of the Classes
 ‘ following, *viz.* four out of our said Royal
 ‘ College of Physicians, whereof two shall
 ‘ be of the Professors of Medicine in the U-
 ‘ niversity of *Edinburgh*, if there are any
 ‘ such at the Time; the Professor of Ana-
 ‘ tomy of the said University, if there be a-
 ‘ ny such at the Time; and two out of the
 ‘ Incorporation of Chirurgeons of our said
 ‘ City; or three out of the said Incorpora-
 ‘ tion of Chirurgeons, if there is no Profes-
 ‘ sor of Anatomy at the Time; one out of
 ‘ the Senators of our College of Justice;
 ‘ one out of the Faculty of Advocates; one
 ‘ out of the Society of the Clerks to our Sig-
 ‘ net; one out of the Ministers of the Gos-
 ‘ pel in *Edinburgh*; and six more to be e-
 ‘ lected out of the Number of the Contri-
 ‘ butors to the said Charity, residing in or
 ‘ near the said City, if such can be found
 ‘ ready to undertake the Office.

‘ And we further will, direct and ordain,
 ‘ that *Alexander Wilson* Esq; present Lord
 ‘ Provost of our City of *Edinburgh*, *James*
 ‘ *Syme*, present Deacon Conveener of the
 ‘ Crafts of the said City, *David Erskine* of
 ‘ *Dun*, and Sir *Gilbert Elliot* of *Minto*, Ba-
 ‘ ronet,

ronet, Senators of our College of Justice; *Duncan Forbes, Esq;* our Advocate, *Charles Areskine of Barjarg, Esq;* our Solicitor; *Robert Dundas of Arncliffe, Esq;* Dean of the Faculty of Advocates; *Mr. William Bowles,* Deputy Remembrancer in Exchequer, *Doctor Robert Lewis,* President of the Royal College of Physicians; *Doctor John Clerk* and *Doctor John Lermount,* Members of the said Royal College; *Mr. Alexander Monro,* Professor of Anatomy; *Mr. Andrew Sinclair* and *Doctor Andrew Plummer,* Professors of Medicine; *Mr. Robert Hope,* and *Mr. Francis Congalton,* Chirurgeons in *Edinburgh;* *Mr. Robert Hepburn,* Writer to the Signet; *Mr. George Logan,* one of the Ministers of the Gospel in *Edinburgh;* *George Drummond Esq;* one of the Commissioners of our Customs at *Edinburgh,* and *Mr. Peter Wedderburn,* Advocate; whereof seven to be a *Quorum,* shall take upon them the Direction, and be the Managers of the said Corporation, from the Date hereof, until the first *Monday of January* next: And the said Managers shall, on the said first *Monday of January,* assemble between the Hours of two and four in the Afternoon, in the Burrow Room of our said City of *Edinburgh;* and they, or any seven of them, shall, there and then, by a Majority of Voices, elect and nominate, out of the several Classes and the Proportions before described, so many fit Persons as, with the Lord Provost of *Edinburgh,* or, in his Absence, the Dean of Gild, the President of the Royal College of Physicians, the Deacon Conveener of the said City, and the Professor of Anatomy of the said University, when there is such Professor there, will compose the full Number of the twenty Managers for directing and governing the Affairs of the said Corporation for the Year ensuing.

Which twenty Managers, so to be elected and nominated, or any seven, or more of them shall, on the first *Monday of January,* in the Year following, in like manner, by a Majority of Voices, elect and name their Successors in the Management and Direction of the Affairs of the said Corporation, and so on yearly; and each Year for ever, on every first *Monday of January,* the Managers for the Year preceding, or any seven or more of them shall, by a Majority of Voices, elect and nominate, out of the said Classes, and in the Proportion aforesaid, so many fit Persons, as, with the said Lord Provost, or, in his Absence, the Dean of Gild, the said President, Deacon Conveener and Professor of Anatomy, when there is such Professor in the University, will compose the full Number of twenty Managers for the Year ensuing; and the twenty Persons above appointed to be Managers, and

their Successors in Office, or any seven of them who are declared to be a *Quorum,* are hereby authorized and impowered, at their first Meeting in *January* yearly, to name and appoint any twelve of their own Number to be ordinary Managers of the Affairs of the Corporation for that Year; of which ordinary Managers five are to be a *Quorum.*

Which ordinary Managers shall have four Meetings in every Year, at some convenient Place, to be appointed by the By-laws of the Corporation within *Edinburgh,* viz. on the first *Monday of February,* the first *Monday of May,* the first *Monday of August,* and the first *Monday of November* yearly, and as many more Meetings as they shall see needful. And that the said ordinary Managers may, as often as they shall see Occasion, call Meetings of the extraordinary Managers for their Advice and Assistance in the Affairs of the Corporation; and, that the said ordinary Managers, may, and shall annually, after their Election in *January,* nominate and chuse a Treasurer to the Corporation and a Clerk thereto, and such other Persons as they shall judge necessary to be employed in the Service of the Corporation; and to appoint them such Salaries, Fees or Rewards, as they, with the Consent of the extraordinary Managers, shall judge proper; and that the said ordinary Managers may, at their Pleasure, remove and discharge the said Treasurer, Clerk, and others so employed as aforesaid, and put other Officers in their Places as they shall see Cause. And the Treasurer, under the Direction of the said ordinary Managers, shall have the Custody of the Corporation's Cash, and shall receive in and pay out all the Monies as he shall be warranted to do by the said extraordinary Managers from time to time, for which he shall be obliged to account to the said ordinary Managers, as often as he shall be by them thereto required.

And we do hereby further will, direct and ordain, that it shall and may be lawful to and for all and every the Members of the said Corporation, or Body politick hereby established, who shall have contributed Five Pounds each or more towards the said Infirmary, to assemble or meet together on the first *Monday of January* next, in the Burrow Room, within our City of *Edinburgh,* and for ever yearly on every first *Monday of January,* at such proper Place within *Edinburgh* as shall be by themselves appointed; and that the said Members of the Incorporation so assembled, shall be, and be called a *general Court;* and they, or a Majority of them so assembled, shall have full Power and Authority to make and constitute such By-laws, Ordinances and Regulations for the Management

' nagement and Government of the Affairs
' of the said Corporation, as to them shall
' seem meet; so that such By-laws, Ordi-
' nances and Regulations be not contrary to
' the true Intent and Meaning hereof, nor
' repugnant to the Laws of our Realm.

' And we do further will, direct and or-
' dain, that at the second and every succeed-
' ing general Court, the Managers for the
' preceding Year shall lay before the gene-
' ral Court, and the Managers who shall
' succeed them for the Year ensuing, an
' Account of their Proceedings in the Exe-
' cution of their Offices; and a distinct and
' full State of the Capital Stock of the Cor-
' poration in Lands, Money, or other Ef-
' fects, with a State of the poor sick Persons
' taken in and entertained during the Year
' of their Management, containing the poor
' sick Persons Names, what Parishes they
' belong to, when they were taken in, what
' their several Diseases were, and when re-
' covered, cured, dismissed, or dead; pro-
' vided always, and it is hereby expressly
' provided and declared, that it shall not be
' lawful for the said Managers, or their said
' *Quorum* on any Occasion or Pretext what-
' soever, in the Course of their Manage-
' ment, to break in upon the Capital Stock
' of the said Corporation, but only to ap-
' ply the annual Interest or Revenue as they
' shall judge fit and necessary for the Ends
' and Uses above mentioned.

' And we do hereby will, direct and or-
' dain, that it shall and may be lawful for
' the Lord Provost of *Edinburgh* for the
' Time being, or in his Absence the Dean
' of Guild of the said City, to administer
' the Oath *de fideli administratione* to the said
' first Managers, and the like Oath *de fideli*
' shall be annually sworn by all the Mana-
' gers at their Election in *January*, or in the
' first Meeting where they assemble there-
' after; and the said ordinary Managers are
' hereby authorised and appointed to admi-
' nister the Oath *de fideli*, to the Treasurer
' and Clerk, at their Entry into their Offi-
' ces; and in case any of the Managers e-
' lected as aforesaid, shall refuse to accept
' of the Office, and take Oath *de fideli*, or
' that any of them shall happen to die with-
' in a Year after their Election, the ordina-
' ry and extraordinary Managers assembled,
' or any seven or more of them may, and
' are hereby authorised to name an other
' Manager in the Room of the Person de-
' ceased. And the said Managers are here-
' by further authorised to receive such other
' Sums of Money, Lands, Goods or Gear,
' as shall be given by any Person whatso-
' ever to the Use of the said Corporation;
' and shall keep Books for Subscriptions,
' and such other Books as they shall think
' needful for that Purpose, and all other
' Purposes of the said Corporation.

' For the doing whereof these Presents

' shall be to the Director of the Chancella-
' ry for writing the same; and to the Keep-
' er of the said Seal, for causing the same
' to be appended thereto, a sufficient War-
' rant.'

Given at his Majesty's Court at *Kensington*,
the 25th Day of *August* 1736, in the
Tenth Year of his Majesty's Reign.

By her Majesty's Command.

HOLLES NEWCASTLE.

The Capital Stock of the Infirmary be-
ing increased to about the Sum of Five thou-
sand Pounds *Sterling*, and all Things conspi-
ring to forward the good Work, the Ma-
nagers began to put in Execution the Plan
for building an Hospital; and in the Month
of *August*, anno 1738, laid the Foundation
of the Eastern End of the present magnifi-
cent Fabrick; for a Description of which,
I can do no better than insert that publish-
ed in two Letters, from a Gentleman in *E-*
dinburgh to his Friend in the Country;
which are as follows.

' What I have said, no doubt, has rai-
' sed your Curiosity to know what Sort of
' a House they are building; what Num-
' ber of Patients it is to contain, how much
' of it is built, and when it will be ready
' to take in Patients. As to these,

' The Managers purchased a very con-
' venient Area to build their House upon,
' finely situated. The Plan agreed to is
' a Body of a House, two hundred and six
' Feet long from East to West, fronting
' North, with two Wings or Jambs, extend-
' ing Northward from the Ends of the Bo-
' dy, seventy Feet each. The Building con-
' sists of a Ground Floor, and three Stories
' over it. The first three Stories are each
' eleven Feet high, and the fourth Story
' eight Feet high; and over the middle
' Part of the Building is an Attick, rising a
' Story higher than the rest of the House:
' The whole House twenty five Feet within
' the Walls, except in the Center, where it
' is thirty six Feet broad.

' In the Ground Story, the middle Part
' of the Building is taken up with a Hall
' and great Stair-case, possessing a Space
' of thirty by thirty six Feet. There is al-
' so twelve Cells for Lunaticks, all vaulted.
' There is a large Kitchen, with Larder,
' Pantry, and Cellars, of Size suitable to an-
' swer their End, for the Number the House
' can contain, with a Laundry and Wash-
' ing-house, a Mistress's Room and Keep-
' er's Room; also two Rooms for Nurses;
' with what is further necessary for their
' Convenience; a cold and hot Bagnio.
' &c.

' In the second Story, the middle Part
' of the House, over the Hall below, is
' the Managers Room, being thirty Feet
' by twenty; to the East of that Room is a
' Gallery

Gallery of eighty one Feet long and twenty five broad, with Beds placed on each Side, with a Cloſet at the Head of each Bed. The Areas betwixt the Beds are each fix Feet by eight, and lighted by a large Window; theſe Beds are ſo diſpoſed that the drawing of a Curtain at the Foot of them, forms a Kind of Room, where the two Beds front one another. In each of the four Corners of this Gallery is a little Fire-room, with one Bed, for Patients who require Warmneſs; ſo that this Floor contains twenty four Beds in all.

In the Wing or Jamb, projecting ſeventy Feet from the Eaſt End of the above Gallery, is a Stair-caſe adjoining to the aforeſaid Gallery, and is central for it and the Remainder of that Jamb, in which are twelve Beds diſpoſed as the former; whereof four are in Fire-rooms for the Convenience of the Sick. The Stair-caſe has a large Lant in the Middle, by which it is propoſed that a Patient may be carried by a Pulley in a Chair to all the different Galleries, to prevent the racking Pain that might otherwiſe be occaſioned in being carried up or down Stairs. Thus one Floor from the Middle of the Houſe Eaſtwards, contains thirty fix Beds, and ſo the two Areas over Head, viz. the third and fourth, contain ſeventy two Beds. Theſe Stories being diſpoſed in the ſame Manner as that above deſcribed, making one hundred and eight Beds for Men; beſides three Fire-rooms on the Front of the Stair-caſe, deſigned for the Accommodation of the Servants who attend the Sick.

On the Weſt End of the Hall, or middle Part of the Houſe there is the ſame Convenience and Extent of Room, and diſpoſed in the ſame Manner in all the three Stories as the former, containing one hundred and eight Beds, deſigned only for the Accommodation of Women; with three Rooms on the Front of the Stair on that Side, being one in each Story, for accommodating the Women Servants who attend the Sick. As the Beds are deſigned only to hold one Perſon, the whole Houſe contains two hundred and ſixteen Beds; whereof forty eight with Chimnies, beſides the Cells for Lunatics. In theſe different Wards there is a Gallery formed of nine Feet wide, free from the Beds; at the Ends of which Gallery are large Chimnies for the common Benefit of the whole.

In the third Story of the middle Part of the Houſe are the Treafurer's, Secretary's, and Accomptant's Offices, and a Surgery. And in the fourth Story thereof with the Attick over it, and a Dome-roof over the whole of the middle Part, is contained the Operation-Room being a Cube of thirty Feet, to be put in the Shape of a Theatre, with Benches riſing on the three

Sides thereof from the Floor, and Galleries above, ſo diſpoſed, that two or three hundred Students and Apprentices may conveniently ſee any Operation performed, without diſturbance thoſe who perform it. To this Operation Room there is very eaſy and convenient Acceſs by the great Stair, which goes the Height of the Operation-room, and by which no Diſturbance can be given to the Patients in the Houſe. This Part of the Building, containing the Hall, Managers Room above, Treafurer's, Secretary's and Accomptant's Offices and Surgery in the third Story, and Operation-room in the fourth, and being all ſeparate from the reſt of the Houſe by ſtone Walls, prevents not only the Noiſe that would be occaſioned at the Performance of an Operation, but alſo makes a proper Division betwixt the Men and Womens Wards, and answering the ſame Ends as if they were diſtinct Buildings.

The Building, ſo far as it is carried on, is judged by every body of Skill to be ſubſtantiſhly and well executed. It has no hewn Work but what was thought abſolutely neceſſary for Strength as well as Decency; viz. Corners, a Baſe, and Belting: This laſt became abſolutely neceſſary in order to make a proper Intake upon the Wall above the firſt Story, as the Wall is thicker in that Story than in thoſe above, which was thought a Security for the Building. The Doors, Windows, and a ſmall Tabling on the Tops of the Walls are likewiſe done in Stone, but plain.

As the middle Part of the Houſe is more properly a College than an Hoſpital, and as the whole muſt in Time prove the Glory of this Country, ſome of the Contributors who gave liberal Donations towards carrying on the Building, ſignified to the Managers, that the ornamenting the middle Part of the Houſe, where the Hall, Operation-room, &c. are, on the Front, would be agreeable to them; judging that ſuch a Stretch of Building muſt have a poor Appearance, without decently dreſſing that Part which firſt attracts the Eye: And therefore the Managers thought it their Duty to comply with the Contributors Deſire, and accordingly have raiſed a Tetraſtyle of three Quarter-columns, and two Pilasters of the *Ionick* Order, finiſhed with a proper Entablature and Attick over it, all ſtanding on a ruſtick Baſement; which, with the reſt, gives Satisfaction to all that ſee it.

This noble and pious Undertaking, when it is brought to its deſigned Perfection, on the Suppoſition, that one Patient with another ſtays fix Weeks in the Houſe, gives the delightful Proſpect, that above one thouſand ſeven hundred may be taken care of in it annually. It may be, the Number may be much greater, it being

able to accommodate so many at once, whereof some must be daily going out, leaves little Room to doubt that there will always be a sufficient Number of empty Beds to accommodate every Patient that offers.

The Managers being restricted by the Charter from applying any Part of their Capital toward the Building, made their Addresses to the several Societies in *Edinburgh*, and to the General Assembly of the Church of *Scotland*, for a national Collection to enable them to carry on the Building; and having received a considerable Sum from Collections at the Doors of the Churches, and Episcopal Meetings in *Edinburgh*, other Places, and Donations from private Persons and different Societies there, for carrying on the Building, they, in *August* 1738, laid the Foundation of the East End of the Body of the House, which will accommodate seventy two Patients: The Estimate of this is about the Sum of One thousand six hundred Pounds *Sterling*. They also carried on the Stair-case of the Wing adjoining to it at the same time.

This was all they ventured on at first; but that the Students might from this reap the Advantage of attending on the House, and the House the Benefit of their Honorary; they agreed to fit up an interim Theatre for Operations in this Part of the Building. However, they soon found the Undertaking was in such Esteem with the Publick, that there was no Reason to fear the Want of Money to carry on the middle Part of the Building where the Theatre is designed; and therefore with the unanimous Approbation of a general Meeting of the Contributors, they founded this in the Spring following. What they founded last Year is roofed, and the middle Part is in such Forwardness, that two or three Weeks of good Weather would have enabled them to put the Roof on it also.

It is surprising to find the Building so far advanced; sure the Managers deserve well of the Publick for their Application to it: Six of them are vested by the Board with the Care of every Thing relating to the Building, by the Name of *The Building Committee*; one or other of these weekly controul the Overseer's Bill of Expence for Wages, Materials, &c.; and one or other of these Gentlemen is for the most Part overseeing the Masons and Labourers.

One Thing I cannot omit telling you, besides their rational Grounds of Hope to be enabled to carry on the Building, the Managers had a just Dependence on Providence to provide the Means, and their Expectations have been fully answered. That Text has had a beautiful Accom-

plishment in this Instance, *The liberal Man deviseth liberal Things, and by liberal Things shall he stand.* Their Scheme was liberal, the Publick have thought it so, and have enabled them to go on with it with Spirit; for when the Plan was resolved on, they had not Fifty Pounds in their Treasurer's Hands applicable to the Building; and yet from the Time they founded the Building, they have been always enabled to clear off their weekly Bill of Expence every *Saturday* Night; which has amounted, in the building Season, to Thirty Pounds at a Medium, besides paying for two Loads of Timber. It is true that their Funds have been often at so low a Pass, that when one Week's Bill was cleared, they had not Money enough left to pay the next; but a bountiful Providence always interposed and sent them a Supply time enough to answer the next Demand. One Instance, among others, was a Remittance from *London*, by the celebrated Mrs. *Mary Drummond* (a famous Preacheress among the People called *Quakers*) of Eighty three Pounds collected among her Friends there; which was but one of many good Offices she has done to the Infirmary. Let Mankind learn from this, in every Act of Mercy, in every charitable Office to others, to trust that God waits to be gracious unto us.

Before what is built can be fit for taking in Patients, there is yet much to be done, which must cost a great deal of Money; the Ground-floor is to be paved, the other Floors laid; the House is to be fashed and plaistered, and all the Furniture of the House, of every Kind, is to be provided; such as Bedsteads, Beds, Blankets, Sheets, and other Linnen; all the Kitchen Furniture, Chimnies, Locks, &c. and for all this there is not at present any Money in the Treasurer's Hands, nor to pay for a large Parcel of Timber, for which they are still in Debt.

In order to deafen the Noise of the Students attending the Physicians and Surgeons in the Galleries over Head, and to guard against Fire, Vermin and Stench, it is proposed to lay all the Floors of the Galleries, between the Beams, with Brick Arches, resting on the Scantlings, to bring these to a Plain a-Top with liquid Mortar, and to pave above this with unglaz'd *Dutch* Tiles; it is true, this is much more expensive than a Floor of Boards; but it is necessary and well judged in the Managers: They act in this by the uniform Rule of their Conduct, which is to execute every Thing in the frugalest Manner, but to spare no necessary useful Expence, any more than they are sparing of their Labour, Attention and Attendance to complete the extraordinary Service which

‘ which may and under God must necessarily result from this great Design.

‘ To fit and furnish this Part of the House will be the Managers first Care, that Patients may be taken into it as soon as possible; and if the Donations come in during the Winter, so well as that they find they have a Surplus of Money after defraying this Charge, they will go on with the West End of the Body of the House as far as they can; and it is much to be wished that they may be enabled to go on with that Part of the House soon, because the Hospital cannot accommodate the Patients labouring under different Ailings, with the Conveniency that were to be wished, by keeping not only the Men and Women, but even the Patients labouring under acute Diseases in a separate Manner, consistent with Decency and Conveniency, for Want of proper Accommodation.

My Author, in his second Letter, proceeds in the Description of the Hospital as follows.

‘ I was so particular in the Description of the Building in my last, that I need not mention it here. The East Ward is quite finished; so is the middle Part of the House. The Operation-room is finely contrived; I am told it is the best adapted to the Purpose of any one in *Europe*, of which you may judge by a Section of it that accompanies this. The West Ward had the Roof on it twelve Months ago; the Walls of it are dry enough, and the Workmen are now employed in finishing it within. The upper Floor will be ready for Patients next Month, and the other two in *May* next.

‘ The Wings have an Under-ground Storey of Vaults added to them for keeping Provisions for the House, which was not Part of the first Plan. The Mason-work of the East Wing is three Stories above Ground, and of the West Wing one Story: By Midsummer next the Managers hope to have the Roof upon both of them, and they will be finished with all convenient Dispatch, that the Patients of different Sexes may be lodged in the different Parts of the House appropriated for them; and the Patients labouring under acute Diseases may be lodged by themselves in the Wings; the Forwardness of the Wings is owing to a Collection, carried on by the Collectors and other Officers of Excise among themselves, which has paid the Masons Wages for what Part of the Wings is already built, and will probably do so for what Part of them yet remains to be built.

‘ So far with respect to the Building. What I have farther to add, is, while the Managers were thus solicitously carrying it on, they did not omit doing all the Good

‘ to the distressed, the Interest of their Capital enabled to do. No, they faithfully applied every Farthing of that Interest for Maintenance of Patients; yea, I am even told, they took a little from the Building Funds for that Service, and many hundreds have thereby been relieved. The Accommodation they had for their Patients, while the House was building, was by no Means so good as they wished; and therefore, as soon as the Walls of the East Ward would admit of it, they furnished two Floors thereof, one for Men and the other for Women; where they have at present thirty four Patients lodged, all clothed in Dresses provided for them while they remain in it, at the Expence of the Hospital.

‘ The Physicians and Surgeons continue their charitable Attendance on the Patients, and the Surgeons to furnish all the Medicines *gratis*. They attend the House as they are classed by the Managers, each Class consisting of two Physicians and four Surgeons, attends one Month at a time; the Surgeons divide the four Sides of the Floor now in Use by Lot among themselves. The Patients are visited by the Physicians and Surgeons once every Day at a fixed Hour, and oftner when the Patients Case requires it. The House is kept clean and sweet; you find nothing in it to offend either your Smell or your Eye; the Patients are used with great Tenderness, and the Order established in the House, gives great Satisfaction.

‘ The Managers class themselves two and two, and visit the House Month about, to see that their Orders for the Management of it be strictly complied with. They have settled a Clerk in the House for keeping the Books relating to the Patients; they, in my Opinion, deserve very well to be described.

‘ There is one Book for entering all Applications to admit Patients, in the Order in which they are presented to the Physicians and Surgeons in waiting, that it may appear from thence that the Patients are all taken into the House in the Order of their Applications, without Preference, unless the clamant Circumstances of the Patient's Case, or where the Circumstances of the Patients are equal; that the Regard to the Recommendation of the Benefactors of the Hospital make it necessary to dispense with that Rule. In this Book too, if Patients are refused Admittance, the Reason why they were not admitted, is inserted.

The several Pages of this Book consist of six Columns; the first contains the Dates or Times when Persons applied for Admittance; the second, the Names of the Petitioners; third, Names of Distempers; fourth, Names of Recommenders; fifth,

fifth, Cause of Non-admission; and the sixth, the Times of Admission.

There is a Journal kept, in which, in different Columns under proper Titles, opposite to the Number on the several Beds, the Clerk inserts every Circumstance of the Patient's Case, as dictated to him by the Physicians, whom he attends for that Purpose, from Bed to Bed, with his Journal lying open upon a Desk, moving on Casters; and a Note of the daily Prescriptions is also entered here.

Each Page of the Journal is divided into Seventeen Columns, containing a Diary of the Cases of the several Patients, and various Appearances of their Distempers while under Cure; the Names whereof are placed at the Heads of the several Columns as followeth, *viz.* The first contains the Dates of the Year, Month and Day; the second, the Number of the Bed wherein the Patient lies; third, Operation of the Medicines; fourth, intervening Symptoms; fifth, Pulse; sixth, Thirst; seventh, Appetite; eighth, Spittle; ninth, Tongue; Tenth, Sweat; eleventh, Urine; twelfth, Fæces; thirteenth, ordinary Symptoms; fourteenth, supervening Symptoms; fifteenth, Food; sixteenth, Drink; and the seventeenth, Medicines.

There is a Leger, in which every Patient has an Opening left for them, with the Number of their Bed and their Name at the Head: Here, on their first coming to the House, the Physician dictates to him, and he enters an exact Description of the Patient's Case, and to this he subjoins daily from the Journal all that happens, and the Prescriptions for them while they continue in the House. He also keeps Books of a few Sheets of Paper stitched together, in which, under the Name of the Patients, and Number of their Bed, he daily writes the Prescriptions to be transcribed by the Surgeons Apprentices, and the Directions as to Diet and Regimen are here set down, to guide the Governante and Nurses in their Management of the Sick.

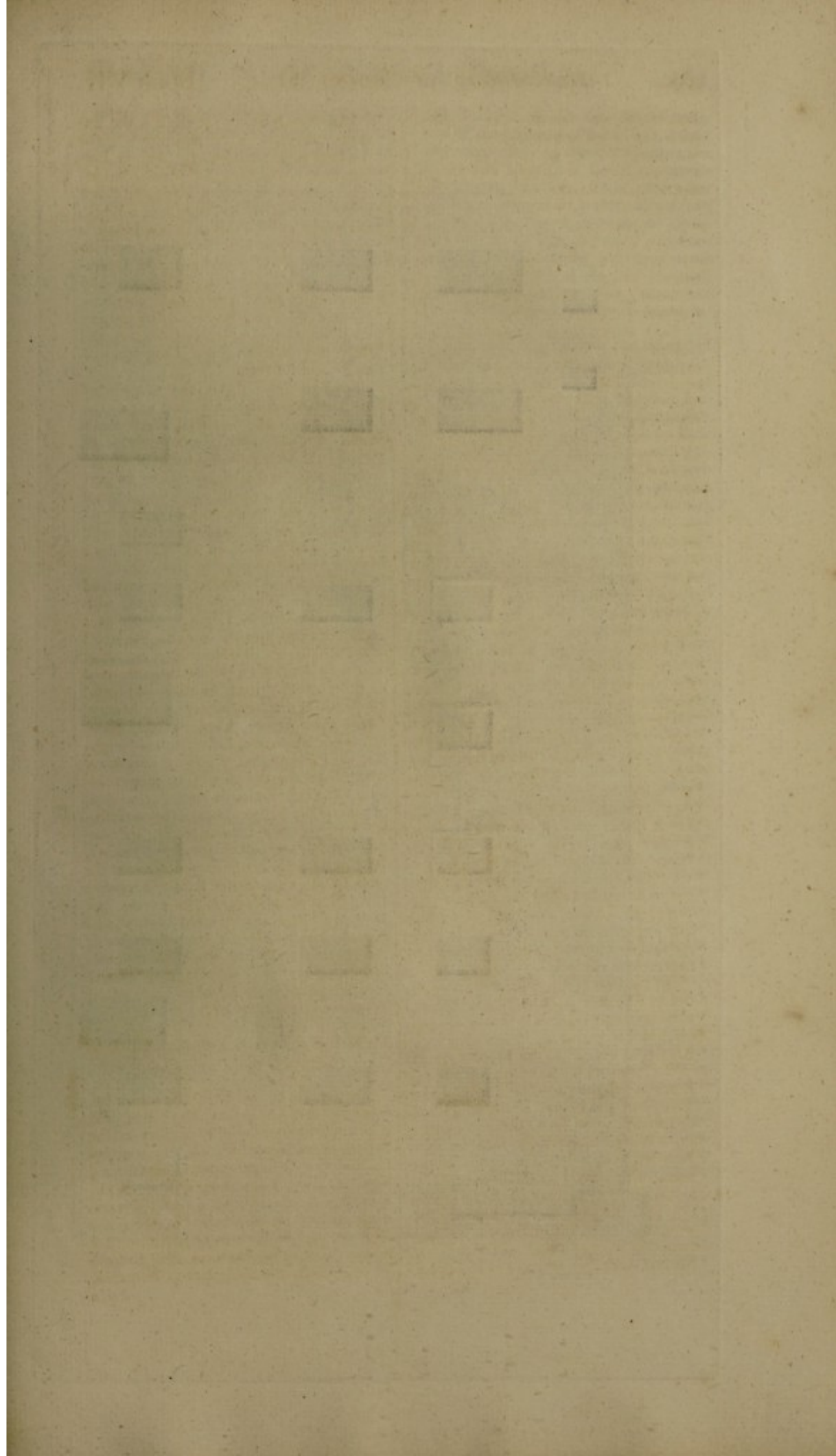
At the End of the Leger there is an Index of the several Patients and Diseases mentioned in it; and a general alphabetical Index is preparing, under the proper Articles of which, all the Diseases treated in the Infirmary are to be entered; with a Reference to the particular Pages of each Volume of the Leger, where the History of Patients, under such Diseases are inserted. What Improvement such an exact Register, a depositing of accurate Observations, which every one can have Access to consult, may in a little Time be to Physick and Surgery, is very obvious. It were much to be wished that all the Infirmaries in Europe would follow the same Method; but that is scarce to be hoped.

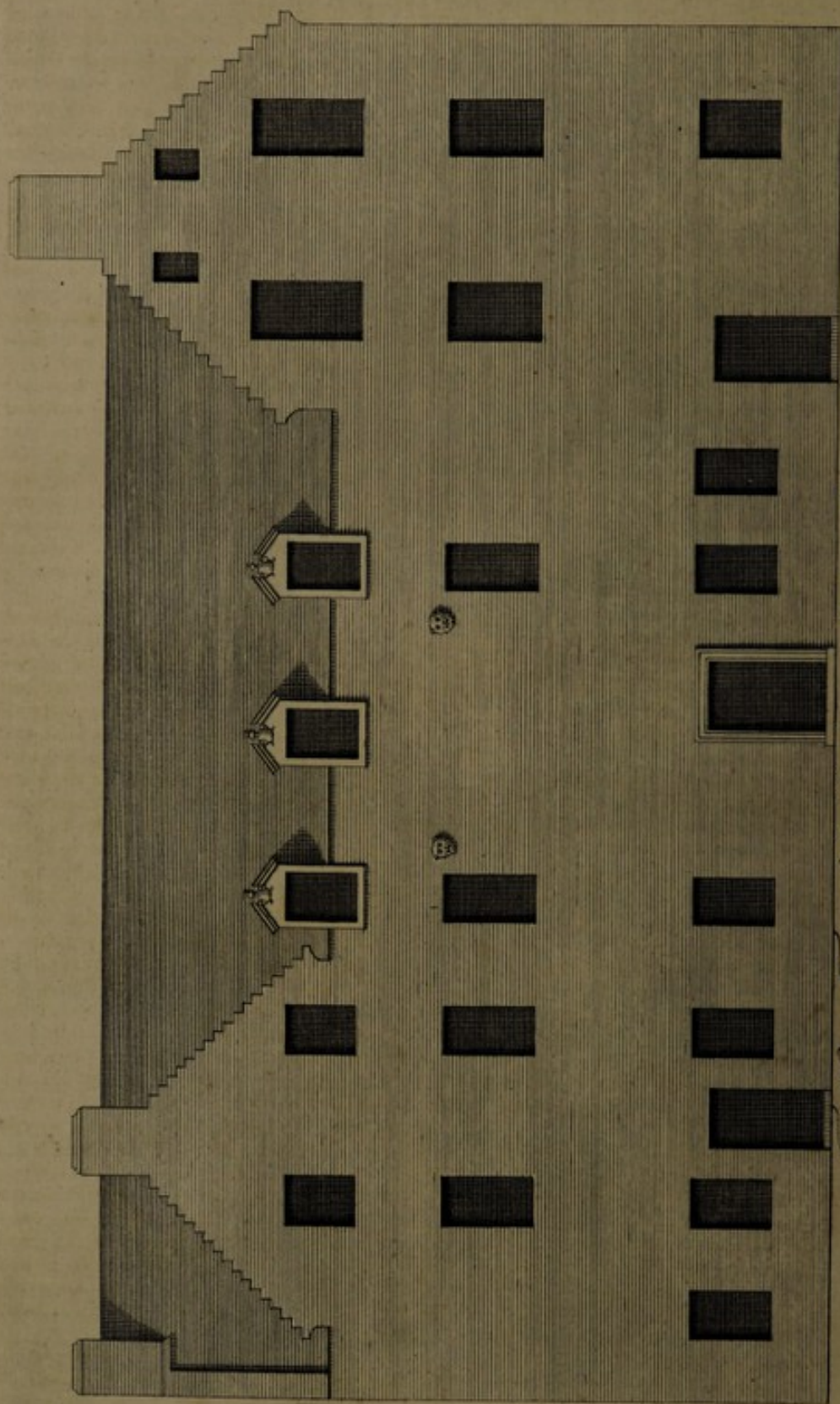
All the Questions are asked at the Patients publickly, in the hearing of all the Students who are attending, and the Prescriptions are ordered in the same Manner. The Students see every Thing the Clerk enters into the Journal, and, once a-Week, the whole of the Practice in the House is read leisurely by him from the Leger to the whole of the Students in the Operation-room, to give them an Opportunity of taking Notes of every Cure they think worth while; yea, he has Orders to give them full Copies of every Cure they call for, upon their paying a Trifle for writing it out for them.

In viewing this stately and magnificent Structure outwardly, and its numerous, spacious and well furnished Apartments within, together with the Number of its Patients, so well provided for with all Necessaries whatever, and all this to be performed without the least Fund for so great a Work; I was struck with the greatest Astonishment, which induced me to reflect, that Providence, does in as conspicuous a Manner, manifest itself in this Affair, as it did in Christ's feeding Five thousand Men, besides Women and Children, with five Loaves and two Fishes; which, in a great Measure appears by the Eagerness of the People of all Denominations, who, as it were acted by a Divine Impulse, vied to promote this good, laudable and useful Undertaking; many contributing Money, others gave Stones, Lime, Wood, Slates and Glafs, which were carried by the Neighbouring Farmers *gratis*; and not only many Master-Masons, Wrights, (Carpenters) Slaters, Glaziers, &c. gave their Attendance, but many Journeymen and Labourers frequently gave their Labour *gratis*; and many Joiners gave Sashes for the Windows. And all Things conspiring to forward the pious Design, considerable Remittances were made from abroad, not only in Europe, but America; but especially from England and Ireland. And such was the Generosity of the Proprietors of the Plate Glafs-houses at Newcastle upon Tyne, that they gave a Quantity of Glafs sufficient to glaze all the Windows in the Body of the House.

THE MERCHANTS MAIDEN HOSPITAL.

The Origin of this Hospital, which belongs to the Company of Merchants, and is situated without the *Bristow* Port in the Suburb denominated *Bristow*, is owing to the following Consideration. There having been for many Years, several Hospitals in *Edinburgh* for the Reception and Intertainment of poor aged Citizens, both Men and Women, and Boys, Sons of Freeman. But no Provision being made in that Respect for poor Girls, the Daughters of Burghesses, divers





The Western Front of the Merchant's Maiden Hospital

divers well disposed Persons charitably inclined, especially certain Members of the Incorporation of Merchants in *Edinburgh*, taking the same into Consideration, formed a Project to erect an Hospital, for the Maintenance and Education of poor Maidens by charitable Contributions; and sundry Persons of Distinction having undertaken to solicit the same, Benefactions came flowing in beyond Expectation, amongst which, that of the pious *Mary Erskine* (Relict of the late *James Hair* Druggist in *Edinburgh*) was the most considerable; who, on this Occasion, not only purchased a handsome and convenient Building, with large and pleasant Gardens, and other Accommodations, (to be employed for the intended Hospital) at the Expence of Twelve thousand Marks *Scotish*; but a little before her Death gave a considerable Sum of Money to the same; which being greatly increased by the Benefactions of the Company of Merchants aforesaid, and other well disposed Persons, the Contributors, by virtue of an Agreement in their first Paper of Subscriptions, established this Hospital in the Year 1695, by the Name of *The Maiden Hospital*, founded by the Company of Merchants of *Edinburgh* and *Mary Erskine*: Pursuant to which all the Contributors were summoned to meet to consider of proper Measures to be taken for the good Government of the new Foundation. In this Meeting, which was held on the 26th of *November*, anno 1697, certain Rules or Constitutions were agreed on for that Purpose; but they being some time after found defective, were altered and amended, and the new Rules or By-Laws published in the Year 1702, to shew the People the great Care that was taken faithfully to apply the Money already given, and to encourage others to contribute for the Advancement of so laudable a Design.

The good Work being thus far advanced, the Governors applied to the Common Council of *Edinburgh* for a Ratification of the new Establishment; which was readily granted by their Act of the third of *May*, anno 1704, and for a Confirmation of the whole, had Recourse to Parliament, which likewise granted the same; and the Act being, as it were, a Charter, I shall subjoin a Copy thereof.

At *Edinburgh*, the twenty fifth Day of *March*, One thousand seven hundred and seven Years, Our Sovereign Lady and Estates of Parliament considering, that the Company of Merchants of *Edinburgh*, and *Mary Erskine*, Relict of *James Hair*, Druggist in *Edinburgh*, with the Assistance of several noble and generous Benefactors, have erected an Hospital for maintaining and educating poor young Children of the female Sex; and with the Money given by the said *Mary Erskine*, have purchased and acquired the great Lodgings, Houses

and Yards in *Brislo*, for Accommodation of the Children of the said Hospital; and also considering that the Management of the said Hospital is settled on certain Governors, Treasurer, Clerk, and other Officers, conform to certain Rules and Constitutions agreed upon by the Donators and Benefactors, a Part whereof are contained in a Contract past betwixt the present Governors of the said Hospital, and the said *Mary Erskine*, dated the twelfth and thirteenth Days of *March* instant.

Therefore her Majesty and Estates of Parliament, hereby allow and approve of the Erection of the foresaid Hospital, and ratify and confirm the same, together with the Rules and Constitutions already made for managing thereof; particularly these contained in the foresaid Contract, with the said Contract itself, together with such Rules and Constitutions as shall hereafter happen to be made, for the better governing and regulating of the said Hospital and whole Concerns thereof; the sament hail Constitutions and Rules being always consistent with the Laws of the Kingdom, and with the amended Constitutions contained in the said Contract, and approved of by the Town Council of *Edinburgh*.

And farther, her Majesty and Estates of Parliament, hereby authorise the Governors of the said Hospital, to receive all Mortifications and Donations that shall be made in favours of the sament; approving hereby of the sament, and of all Donations and Mortifications already made; declaring the said Hospital, in all Time coming, to be a free Hospital; and the foresaid great Lodgings, Houses and Yards, and Pertinents, thereof in *Brislo*, purchased and doted for the Use of the said Hospital, by the said *Mary Erskine*, to be free of all publick Burdens whatsoever for the pious Use above mentioned, with Power to the Governors thereof, not only to administrate the Funds and Rents of the said Hospital, with all Donations already made; but likewise to purchase and procure Lands and Tenements, and others, for the Use, Benefit and Advantage of the said Hospital; and for that Effect, to make and grant, give and receive all Manner of Writs, Deeds and Securities necessary; and to have and use a common Seal, with such Inscriptions as the Governors shall think fit, for Confirmation of the said Deeds and Writs. And generally to have, use and enjoy all such Powers, Liberties and Immunities as any Hospital or By-law may have within this Kingdom.

The Hospital thus far advanced in its Establishment, certain By-laws or Rules were drawn up for its good Government; but as these Orders or By-laws, with those of

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other Hospitals in this City are extracted from the Constitutions of *Heriot's Hospital*, and being the same in Substance, 'twere needless to insert them, to occasion an useless Tautology, which would answer no other End than that of greatly enlarging the Work to the Reader's unnecessary Trouble; wherefore I have thought fit to omit them, seeing they may be known by perusing the Orders of the said *Heriot's Hospital*.

As I have above inserted the Confirmation of this new Foundation or Maiden Hospital by Parliament, it is also necessary to subjoin the Ratification thereof by the Common Council of *Edinburgh*, which is as follows.

Edinburgh, the nineteenth Day of March, One thousand seven hundred and eight Years.

'The which Day, the Lord Provost, Baillies, Council, Deacons of Crafts ordinary and extraordinary, being convened in Council, anent the Petition given in by *William Baird*, present Treasurer to the good Town of *Edinburgh*, and Master of the Company of Merchants there; and *Robert Tod*, Treasurer to the Maiden Hospital, founded by the said Company of Merchants, and *Mary Erskine*, for themselves, and in Name of the other Governors thereof, shewing, that the said Company of Merchants having, several Years ago, projected the founding of a Maiden Hospital; they, by the Blessing of God attending their Endeavours, with the Assistance of many charitable Persons of several Ranks, especially of the charitable and pious *Mary Erskine*, did carry on that worthy Design, and have now brought it to a very good Length.

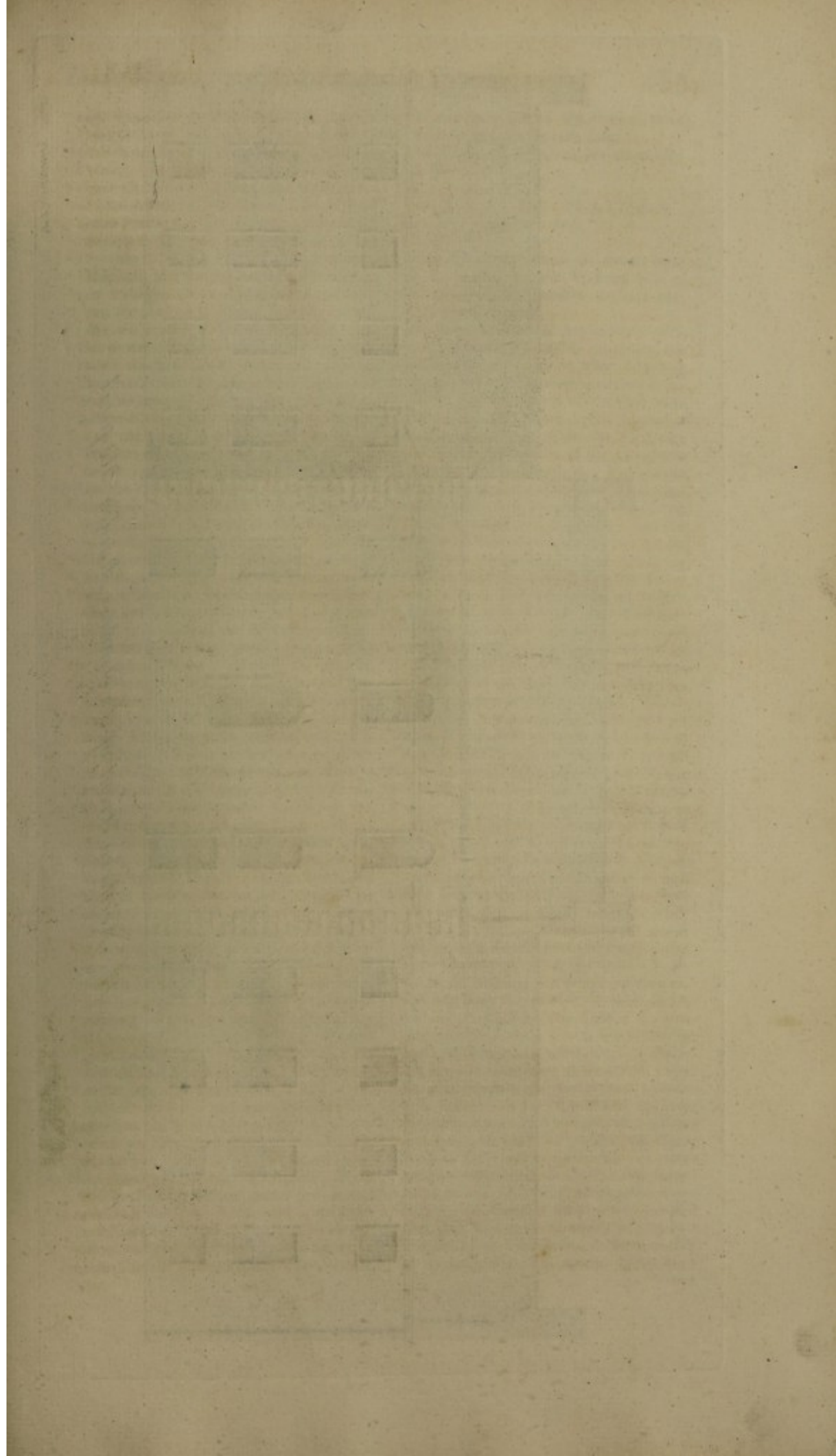
'And the Governors having, some Years ago, applied to the Town Council, the then Lord Provost and Council did, by their Act, dated the third Day of *May*, One thousand seven hundred and four Years, approve of the said pious and charitable Design and Foundation; and declared that they would give all due Incouragement and Assistance for carrying on and perfecting so good a Work, as the Extract of the said Act produced will testify. Since that Time the Government of the Hospital has continued according to the Rules and Constitutions then given in to the Council, and agreed to and approved; and, by the rich Blessing of the Almighty, the Stock is considerably augmented, to the great Satisfaction of all well disposed Persons, and Honour, as well as the real Advantage of the good Town in many Respects; and there is good Ground to hope that the same will yet much more increase, especially if the Council shall give that Incouragement and Assistance thereto, which was by the foresaid Act promised and confidently expected from the

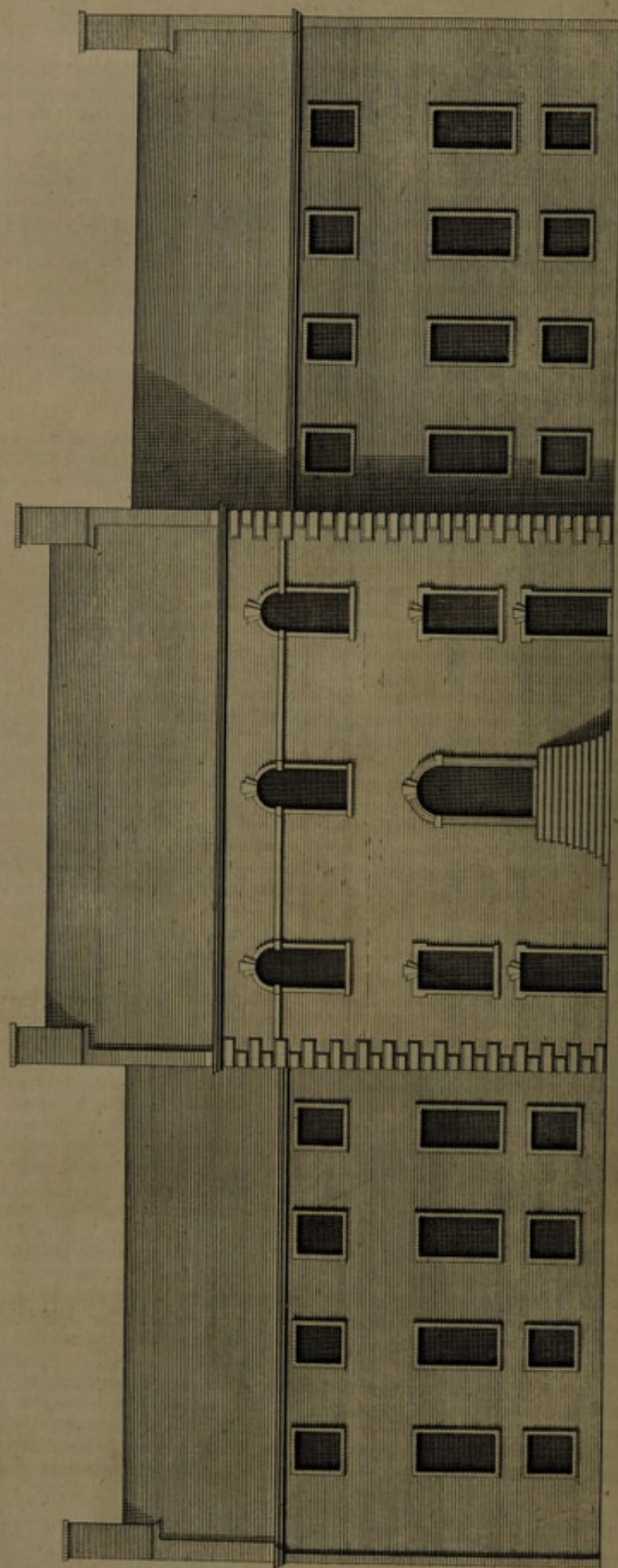
'Patrons of all Publick Undertakings within the City, to whom the Governors of the said Hospital have had a special Regard in all their Proceedings, particularly to be noticed in this, that five of the Governors must necessarily be chosen out of the Town Council, beside such other Counsellors as may occasionally happen to be elected.

'Albeit the Constitutions and Rules of Government were agreeable to all Circumstances under View when made; yet, upon an Emergence for the Hospital's Advantage, there was a Contract entered in to upon the twelfth and thirteenth Days of *March*, One thousand seven hundred and seven Years, betwixt the then Governors, authorised by an Act of the Contributors to that Effect on the one Part, and the said *Mary Erskine* on the other Part, whereby the said Governors became bound that the Contributors should make certain Alterations and Amendments of the Constitutions. They, in a full Meeting, upon the ninth Day of *February* last, have agreed to, voted and approved of these Alterations and Amendments, with some other Amendments found by Practice very convenient and advantageous for the Hospital, conform to the Duplicate of these Constitutions, as now altered and amended therewith given in.

'The Governors did, last Session of Parliament, obtain a Ratification of the Settlement of this Hospital, and of the Rules and Constitutions made or to be made for governing thereof; and particularly what is contained in the Contract with the said *Mary Erskine*; and the Contributors having recommended to the Governors to apply to the Council for Ratification; craving therefore the Council to ratify and approve the new Draught of the Rules and Constitutions for managing the said Maiden Hospital, and to bestow some of their wonted Bounty upon the same, suitable to the Share of Government they have in it, and to what was formerly promised, and now hoped for; that others may thereby be animated and encouraged to contribute their Endeavours for advancing such a laudable Foundation as the Petition bears.

'And together with the said Petition, the said Petitioners produced the Extract of the said former Act of Council, which the Contract foresaid, betwixt the then Governors of the said Hospital, and the said *Mary Erskine*; and a Duplicate of the new Draught of the Constitutions of the Dates, Tenors and Contents above mentioned; all which being read in Presence of, and considered by the Council, upon the twelfth Day of *March* instant, they remitted the Consideration of the above Petition to the Magistrates, *Gavin Plum-*
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The Northern Front of the Trades Maiden Hospital.

mer, Conveener, Mr. Alexander Nisbet, Deacon Scott and Deacon Nimmo, who were to report their Opinion thereof to the Council. Conform to which Remit, the above Committee having, upon the 19th of March instant, met and considered the above Petition and Act of Council above mentioned therewith produced, approving the then Rules and Constitutions of the Hospital; and having exactly perused the new Draught of the Rules and Constitutions for managing of the said Hospital, together with the Contract betwixt the Governors and the said Mary Erskine, they found the same to be exact, and for the Hospital's Benefit and Advantage, no ways disagreeable to, or against the Rights, Liberties and Privileges of the Community of the good Town; and that the Contributors and Governors have, in all their Proceedings, had a special Regard to the Government of the same, and testified a due Respect to the Lord Provost, Baillies and Council, and were of opinion, that, as the Town Council has a large Share in the Government of the Hospital, so they should not only give all Incouragement and Assistance for advancing thereof, but also contribute suitably for increasing the Stock and Fund of the same; that thereby so very necessary, pious and charitable a Work, now well established, may be further carried on, to the Honour and Advantage of the Community, and great Comfort of both the charitable and necessitous: And that the Council should pass an Act of Ratification and Approbation of the said new Draught of the Constitutions, as the said Report, written on the Back of the said Petition, and signed by the said Committee bears.

Which Petition and Writs above mentioned, therewith produced, with the above written Report, being, upon the Date of thir Presents, read in Presence of, and considered by the Council and the extraordinary Deacons, and they being therewith well and ripely advised, they approved, and hereby approve of the above Report, and in the Terms thereof have ratified and approved, and hereby ratify and approve of the said new Draught of the Rules and Constitutions of the said Hospital, resolving to give all Incouragement and Assistance for advancing the Interest of the said Hospital.

N. B. By the Statutes of the Hospital, agreed on anno 1708, the Quorum of the Governors was appointed to be nine; but by those of the Year 1718, the said Quorum was reduced to the Number seven. And in the said Statutes anno 1708, a Benefactor, who gave the Sum of Two thousand Marks to the Hospital, was intitled to a Right of Presentation; but in the Statutes of the Year 1718, the Qualification for that

Right was increased to the Sum of three thousand six hundred Marks Scotch.

The Girls in this Hospital, are about fifty in Number.

The TRADES MAIDEN HOSPITAL.

This Hospital, which is situate near Argyll's Square, on the Western Side of the Horse wynd, was founded on the following Occasion, viz.

The Incorporations of Artisans or Craftsmen of Edinburgh laudably emulating the Merchants of this City, in their founding an Hospital for the Maintenance and Education of the Daughters of decayed Merchants; about the Year 1701, formed a Design to erect an Hospital for the Inter-tainment and Education of the Daughters of their own poor Members. Pursuant to which, the several Companies of Trades generously contributed towards accomplishing so good and desirable a Work. And the Common Council of Edinburgh having, by their Act of the third May, anno 1704, approved of their pious and charitable Resolution, with a Promise to give all Incouragement thereto. The said Incorporations purchased certain Houses and Gardens on the Western Side of the Horse-wynd where the present Hospital is situated) and fitted up one of the said Houses for an Hospital; and having appointed a Governess, Schoolmistress and Servants for the same, and taken in divers Girls, applied to Parliament for an Act to establish their new Foundation, and to enable them to make Constitutions or By-laws for its good Government, which was readily granted; and being, as it were the Charter of Foundation, shall add a Copy thereof, which is as follows.

At Edinburgh, the twenty fifth Day of March, One thousand seven hundred and seven Years, Our Sovereign Lady, with Advice and Consent of the Estates of Parliament, considering that there is a pious and laudable Design now carrying on by the Incorporations of the Craftsmen of Edinburgh, and others who join with them, authorised by the Town Council of the said Burgh, by their Act dated the third Day of May, 1704 Years, for founding and erecting an Hospital for the Maintenance and Education of the female Children and Grand-children of decayed Craftsmen and others, to be presented by Persons who give Donations thereto; which may be of a general Advantage, and especially to the City of Edinburgh. Therefore her Majesty, with Advice and Consent foresaid, do hereby allow and authorise the said Incorporations of the Craftsmen of Edinburgh and others joining, or who shall join with them, to meet as oft as Occasion requires, and to make such

Rules

' Rules and Constitutions for the carrying on and supporting of the said Hospital allenary, as they shall find just and convenient. As also, to settle such Funds, as well out of their publick Boxes belonging to their respective Administrations, as private Estates, as they shall think fit; and to receive Mortifications or Donations from any Person who shall be pleased to contribute thereto; the said Rules and Acts to be made by them, being always consistent with the Laws of the Kingdom, and with the Acts and Constitutions of the City of *Edinburgh*. And statutes and ordains the said Rules and Constitutions to be made by them, to be as valid and effectual, to all Intents and Purposes, for the ordering and governing of the Hospital above mentioned, as if they were particularly exprest and set down in this Act.

' Whereanent her Majesty, with Advice and Consent aforesaid, dispenses for ever. And further, her Majesty, with Advice and Consent aforesaid, ordains and declares the foresaid Hospital, when set up and settled in its Constitutions and Directors and Overseers, to be a free Hospital for the pious Use aforesaid; with Power to the said Hospital and its Overseers and Directors, not only to administrate the Funds and Rents appertaining thereto, but likewise to purchase and acquire Lands, Tenements and others, for the farther Good and Advantage thereof; and for that End to make, grant and receive all Manner of Deeds and Writs necessary for that Effect; and to have a Seal, if they shall think needful; and with such Inscription as they shall appoint for the Confirmation of the said Deeds. And generally to have all such Powers, Liberties and Immunities of a free Hospital for pious Uses, as any other Hospital for the like Uses hath, or by the Law may have in this Kingdom.'

Now the Hospital being established by Parliament, the worthy *Mary Erskine*, the joint Foundress of the Merchants Maiden Hospital, ever inclin'd to promote good Works, gave so considerable a Sum of Money, to this new Foundation, that the Incorporations of Trades unanimously agreed to give her the Title of *joint Foundress* of their Hospital; and that two Persons of the Name of *Erskine*, named by her, should be joint Governors of the same in all times coming; and after her Demise, the said Governors to have the Presentation of the several Girls she had a Right to present by virtue of her great and charitable Benefaction aforesaid; and that the *senior* of her said Representatives or Governors, should preside in all the Courts of Governors (held on account of the Hospital) in the Absence of the Deacon Conveener, and

shall have the Custody of one of the three Keys of the Hospital's Charter-house.

And by virtue of the above specified Act of Parliament, and Contract with the said *Mary Erskine*, the Deacon Conveener, Deacons of the several Incorporations of Crafts, Contributors, the Trades two Counsellors, and others, with the two Representatives of the said Foundress being Governors of the said Hospital, after divers Meetings, agreed on certain Orders or Constitutions for the good Government of their said Hospital; which being the Substance of those of *Herriot's Hospital*, and taken from the same, 'twere needless to insert them in this Account, as already mentioned.

On the 17th of *July*, anno 1742, the Girls in this Hospital were Fifty in Number.

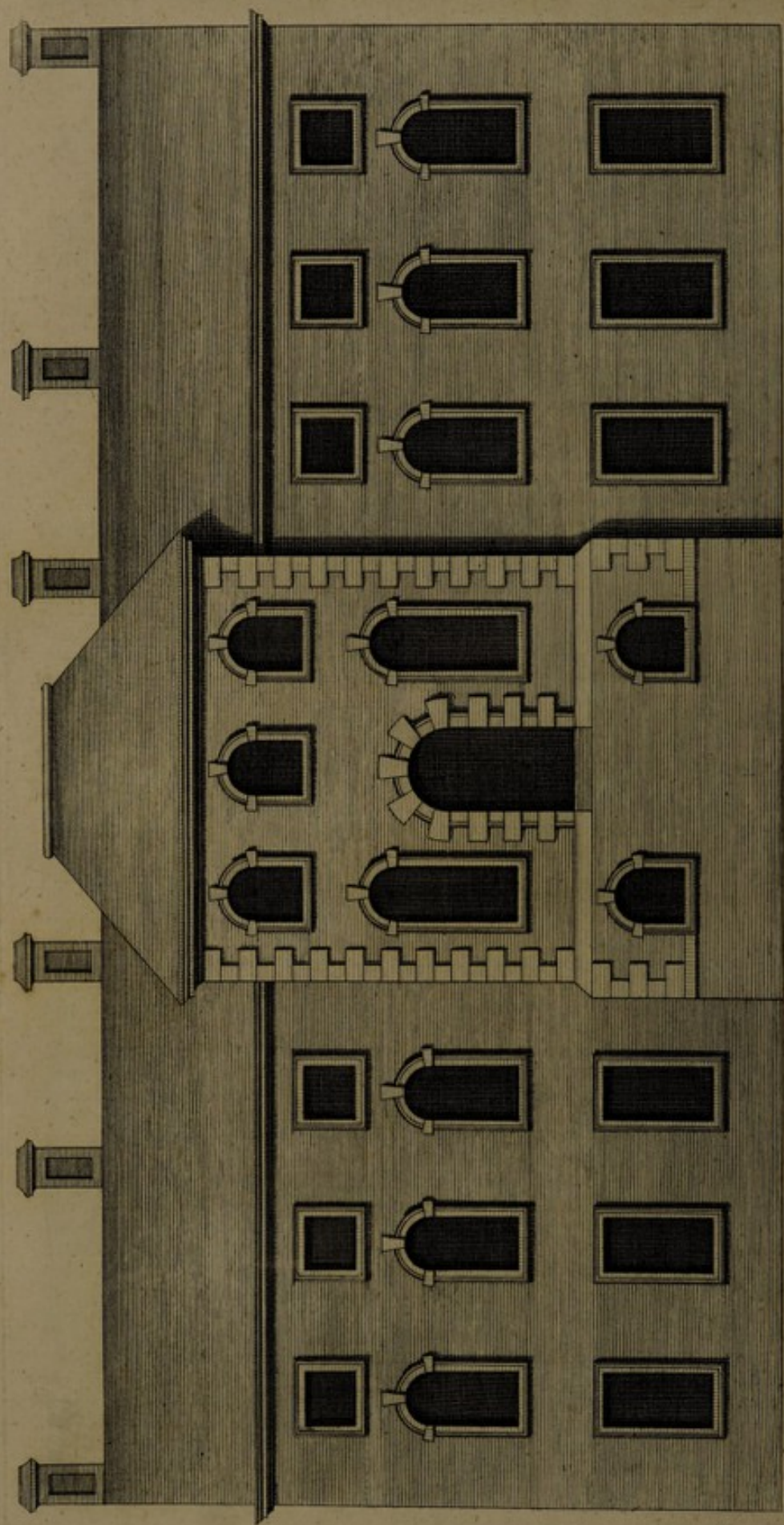
The ORPHANS HOSPITAL.

This House, which is situated without the City-wall, on the Northern Side of *Edinburgh*, near the Western End of the Trinity or College Church, is erected on or near the Place whereon *Dingwall Castle* stood; the Occasion of the founding and Erection whereof, please to take as follows.

Andrew Gairdner, Citizen and Merchant of *Edinburgh*, with other well disposed Persons, bewailing the unhappy and deplorable Condition of many poor helpless Orphans and distressed Infants of indigent Parents, who, through great Poverty, being brought up in Ignorance and Vice, became a Burden and Reproach to their Country; which being taken into Consideration by the aforesaid Persons, they not only contributed amongst themselves, but procured Money of others towards their Relief; with which they put several to School, and otherwise provided for those piteous Objects: And being encouraged by the Success they met with, formed a Design to erect an Hospital and School for the Reception, Intertainment and Education of such miserable Children. And having, in the Beginning of the Year 1733, communicated their Design to the Society for propagating Christian Knowledge, and other Persons of Distinction, it was so well received and approved of, that a Plan was agreed on, and certain Rules proposed for the Government of the intended Foundation. And a Contribution being proposed for the more effectually carrying on this good Work; and a Paper, containing a Preamble, setting forth the whole Undertaking drawn up, whereon the several Subscribers might set down such Sums as they were respectively inclined to contribute towards carrying on this laudable Design.

The Subscription answering beyond Expectation, the Undertakers were thereby so greatly encouraged, that, in the Month of *November* following, they hired a House, furnished it, appointed a Mistress or Matron

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The Orphan Hospital .

Richardson & Lupton.

tron and Servants; took in thirty Orphans, chose two Masters, one to instruct the Children in the Principles of Religion, Reading and Writing, and the other to teach them Weaving and other Branches of Manufacture; for which proper Materials were provided.

In the Year 1734, for the better carrying on this good Work, a large Collection was made in the several Churches and Meeting-houses in *Edinburgh*, and Persons of all Ranks contributed in Money Provisions, and other Necessaries, for the Service of the House; whereby the Managers were encouraged to purchase a Piece of Ground whereon to erect an Hospital, the Foundation whereof was laid on the 28th Day of *June*, in the aforesaid Year. And though many Dealers in Timber and Lead, Masons, Wrights or Carpenters, Smiths, Glasiers, Slaters, and other Artificers, did generously contribute to the Building; yet, that Part of the Edifice now built, cost about the Sum of Eight hundred Pounds *Sterling* out of the common Stock.

The good Work thus far advanced, the whole Proceedings were laid before the Magistrates and Common Council of *Edinburgh*, who, on the 22d of *January*, anno 1735, not only approved of the same, but granted a Charter to the Contributors, constituting them a free Society, with Powers and Privileges for their better Regulation.

All Things conspiring to promote the interest of the Hospital, the Governors, in the Year 1742, applied to the King for a Charter, for the better Government of this useful Foundation. His Majesty, willing to forward so good a Work, was graciously pleased to grant his Letters patent for that Purpose; of which the following is a Copy.

GEORGE R.

Our Sovereign Lord considering, that an humble Petition hath been presented to his Majesty by *Thomas Dundas* of *Fingask*, Merchant, and late Baillie of *Edinburgh*, Preses; and in Name of a general Meeting of the Contributors, towards erecting an Orphan Hospital and Work-house in *Edinburgh*, setting forth, that, notwithstanding of the many excellent Laws made in that Part of his Majesty's Kingdom, for the Education and Intertainment, and setting to Work the Poor thereof; great Numbers of Children, Orphans, or whose Parents cannot bear the Charges of their Education and Maintenance, are abandoned to Ignorance, Idleness and Vice, and so become a great Burden when young, and much heavier when old, upon Society.

And that they taking this into Consideration, had, for remedying of the said Evils, agreed to give and mortify certain Sums of Money to be applied for defray-

ing the Charge of maintaining the said destitute Children, and instructing them in Reading, Writing, and Arithmetick; in the Principles of our most holy Religion; and in such Trades, Labour, Handicrafts and Offices, as upon Trial and Examination shall be found best adapted to their several Geniuses and Capacities.

And that the Design was approved of by several Persons of Distinction, as well Nobility as others, and by the Lords of Session, the Magistrates and Town Council of the City of *Edinburgh*, the Faculty of Advocates, the Society of Clerks to the Signet, and many other charitable Persons; as also by several Synods and Presbyteries of the Church of *Scotland*; and, that the said Contributors had, in several general Meetings, considered of and agreed to certain Rules for the better Management of the said Orphan Hospital and Work-house.

And his Majesty understanding that the said Contributors have already made a considerable Progress towards erecting and establishing of the said Orphan Hospital and Work-house; and judging that the aforesaid Design, if rightly managed, may prove a great Benefit, not only to the Poor, but likewise to the Nation in general; and tend much to the Incouragement of Piety, Charity, and Industry: Does therefore appoint a Patent to be past and expedite, under the Seal appointed by the Articles of Union, to be kept and used in *Scotland*, in Place of the Great Seal thereof; constituting, erecting and incorporating as his Majesty for himself and his Royal Successors, by these Presents, constitutes, erects, incorporates, and perpetually establishes and confirms his Majesty's trusty and well beloved the Lord Justice General for *Scotland*, the President of the Court of Session in *Scotland*, and the senior Senator of the College of Justice; his Majesty's Advocate for *Scotland*, the Lord Justice Clerk, the Lord Chief Baron of Exchequer in *Scotland*, and senior Baron of that Court; the Lord Provost of *Edinburgh*, the Dean of Gild and Treasurer of the said Burgh; his Majesty's Solicitor for *Scotland*; the Dean of Faculty of Advocates and Treasurer to the said Faculty, the Keeper of his Majesty's Signet in *Scotland*, the Treasurer to the Society of Clerks to his Majesty's Signet in *Scotland*, and the senior Commissioner for the said Society; the Moderator of the Presbytery of *Edinburgh*, the senior Minister of the City of *Edinburgh*; the Principal of the Royal College of Physicians there, the Professor of Anatomy there, the Master of the Merchant Company there, the Deacon Conveener of the Trades of *Edinburgh*, the Deacon of the Surgeons there, and the Deacon of the Wea-

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vers there, all now for the Time being, and their Successors in their respective Offices: As also, *John*, Earl of *Hoptoun*, *Patrick Campbell* of *Monzie*, one of the Senators of the College of Justice, *Mr. William Carmichael* of *Skirling*, Advocate, *Sir Gilbert Elliot* of *Stobs*, Baronet, Colonel *John Erskine* of *Carnock*, *Daniel Campbell* of *Sbatfield*, *Mr. George Buchan* of *Curnledge*, *Mr. James Nimmo*, Receiver General of his Majesty's Excise, *Mr. Patrick Haldane* of *Bearcrofts*, Advocate, *Mr. Alexander Boswall* of *Auchinlack*, Advocate, *Mr. George Logan*, Minister of the Gospel in *Edinburgh*, *Mr. Alexander Webster*, Minister of the Gospel there, *Mr. John Hepburn*, Minister of the Gospel there, Doctor *James Dundas* Physician in *Edinburgh*, Doctor *John Boswal* Physician there, *Thomas Dundas* of *Fingask*, Merchant, and late Baillie of *Edinburgh*, *Alexander Arbuthnot* of *Knox*, Merchant, and late Baillie there, *John Cochran* of *Alderston*, Merchant, and late Baillie there, *John Coutts*, Merchant, and present Baillie there, *John Wilson*, Merchant, and present Baillie there, *George Millar*, Merchant, and late Baillie there, *William Hamilton*, Brewer, and late Baillie there, *Alexander Young*, Writer there, *Alexander Christie* Writer there, *Robert Tod* Merchant there, *Archibald Wallace*, Merchant there, *John Inglis*, Merchant there, *William Braidwood*, Candlemaker there, *John Young*, Taylor there, *John Murray*, Merchant there, *William Henderson*, Merchant there, *Gilbert Laurie*, Surgeon Apothecary there, *Robert Fleming*, Printer there, *Thomas Gairdner* Merchant there, and Treasurer to the Hospital, *Alexander Chambers*, Merchant there, Accomptant to the Hospital, *Archibald Cockburn*, Merchant there, Comptroller to the Hospital, *Alexander Stevenson* of *Montgrenan*, Writer to the Signet, *Hugh Crawford*, Writer to the Signet, *William Millar*, Writer to the Signet, *John Patoun*, Bookseller in *Edinburgh*, *Nicol Spence*, Writer there, *William Robertson* of *Falside*, Writer to the Signet, *Mr. William Hog*, Merchant in *Edinburgh*, *Thomas Trotter*, Merchant there, *James Milroy*, Merchant there, *Andrew Thomson*, Brewer there, *James Stirling*, Merchant there, *John Forrest*, Merchant there, *Thomas Lumisden*, Printer there, *Archibald Stewart*, Merchant there, *Alexander Mason*, Merchant there, *John Kennedy*, Surgeon Apothecary there, *George Cuningbame*, Surgeon Apothecary there, *William Wardrobe*, Surgeon Apothecary there, *John Wallace*, Surgeon Apothecary there, *Alexander Alison*, Deputy Receiver of Excise in *Edinburgh*, *William Walker* Writer there, *William Adam*, Architect there, and *James Wilson*, Smith there: And such other Persons as shall be elected in Manner after directed; into one Body politick and cor-

porate, or legal Incorporation and Society in Deed and Name, under the Name and Title of the *Orphan Hospital and Work-house at Edinburgh*. And as such Corporation, and by such Name, to have perpetual Succession.

And his Majesty wills, grants, and declares, that the said Corporation and their Successors aforesaid, by the Name aforesaid, shall have full Power, and be able and capable in Law, to purchase, take, hold and enjoy in Feu, heritably and irredeemably, for the Use and Behoof of the said Corporation, any Lands, Tenements, Houses, Annuities, Jurisdictions, and other Heritages, not exceeding in the whole, the clear yearly Rent of One thousand Pounds Sterling, after Deduction of Feu-duties, or Chief-rent Cesses, Ministers or School Masters Stipends and Fees, and other publick Burdens. And for that End, to take, receive, and enjoy, for the Behoof aforesaid, all and whatever Mortifications and Donations of Heritages, Goods, Money, and other Estates and Effects, real and personal, which are already, or shall hereafter be made, given or granted in favours of the said Corporation: And to imploy and bestow such Heritages, Goods, Money, Estates and Effects, real and personal, so gifted and mortified, and Produce and Proceeds thereof, for and towards the Maintenance and Instruction of Children in the Hospital and Work-house of the said Corporation, and Government and Service thereof and of the said Children, in such Manner as the said Corporation and their Successors, or major Part of such of them as shall convene at their general Meetings herein after directed, shall think reasonable and proper. And also to sell and dispose of such Lands and other Heritages, purchased and acquired by the said Corporation or their Successors, as they, or major Part of them shall convene at their general Meetings herein after directed, shall judge profitable and convenient for the said Corporation: Provided always that such Sale and Disposal of any Part of their Heritages be made with the Consent and Approbation of his Majesty's trusty and well beloved, the Lord Justice General, the Lord President of the Court of Session, the Lord Chief Baron of the Court of Exchequer, the Lord Justice Clerk, his Majesty's Advocate, and his Majesty's Solicitor for Scotland, the Lord Provost of *Edinburgh*, and the Keeper of his Majesty's Signet in Scotland, all of them for the Time being, or any three of them.

And that the said Corporation and their Successors, by Name aforesaid, may, and shall sue and be sued, plead and defend in all Actions and Processes whatever, Civil or Criminal; and act and do all and eve-

‘ry other lawful Matter and Thing, in as ample Manner and Form as any other Body politick or corporate, or any other his Majesty’s Subjects, but with and under the Provisions before written; and may have a common Seal for the publick Business of the said Corporation, and break, make new, and alter the same at Pleasure.

‘ And that the said Corporation and their Successors shall, and may make, constitute and ordain, again repeal or alter such, and so many By-laws, Constitutions, Rules and Ordinances as they, or major Part of such of them as shall convene at any of their general Meetings herein after directed, shall judge necessary and convenient for the well ordering and governing of the said Corporation and the Officers thereof; and Children to be maintained and instructed in the Hospital and Work-house of the same; and with and under such Mulcts and Penalties upon the Transgressors or Disobeyers as they shall think reasonable; provided always that such By-laws and Rules be not contrary to the true Intent and Meaning of these Presents, or repugnant to the Laws and Statutes of the Kingdom.

‘ And for the better Execution of the Purposes aforesaid, his Majesty hereby gives and grants to the said Corporation and their Successors, full Power and Authority, that they and their Successors for ever may meet and convene four times in the Year, or oftner, at such Times and Places as they shall think fit, for the better Management of the Estate and Affairs of the said Corporation. These Times and Places being always settled and determined by the By-laws thereof; and at such Meetings, the said Corporation and their Successors, or major Part of them, who shall convene thereat, shall and may chuse and elect such Person or Persons to be Members of the said Corporation, besides these herein appointed, as they or the major Part shall think beneficial to the same; such Persons so to be elected being always Contributors or Donors of some Money, less or more, for the Use and Benefit of the said Corporation.

‘ And shall and may chuse and elect yearly, out of the Members of the said Corporation for the Time being, fifteen Persons to be Managers of the said Corporation; and shall and may elect and chuse any Person or Persons to be Treasurers, Clerks, Accomptants, Comptrollers, Masters, and such other Officers or Servants, one or more, as shall be thought necessary for the said Corporation or Children, and with such Salaries, Fees and Allowances, as the said Corporation shall think reasonable; provided always that none of the Managers shall be capable to be elected

‘ Treasurer, or unto any other Office dependent upon the Corporation, during the Time of his being a Manager; and which Managers shall continue in that Office for no longer Space than one Year, unless rechosen, and until the first general Meeting thereafter. And in case of the Death or Incapacity of any one of them, his Room or Place shall be filled up by another Member to be chosen by the next general Meeting thereafter, and to continue till the next general Election; but the said Treasurer and other Officers may continue in their respective Offices for such Space of Time as by the By-laws of the said Corporation from time to time shall be appointed.

‘ And that the said fifteen Managers, or any five of them, shall have the Management, Direction and Government of all and sundry Estates and Effects, real and personal, and other Interest and Concerns, Affairs and Business of the said Corporation, and of the Officers thereof, and Children instructed and maintained thereby, and may meet when and where they please for that Purpose, but shall act and manage according to the By-laws and Ordinances of the said Corporation, so far as shall be therein directed.

‘ And his Majesty ordains the said Letters patent to be past under the foresaid Seal, appointed in Place of the Great Seal of *Scotland*, *per saltum*, and without passing any other Seal; and for which these Presents shall be to the Lord Keeper of the said Seal, and to the Director of his Majesty’s Chancery, a sufficient Warrant.

‘ Given at his Majesty’s Court at *Kensington*, the twenty fifth Day of *June*, One thousand seven hundred and forty two, in the sixteenth Year of his Majesty’s Reign.

TWEEDDALE.

Though the Revenue of this Hospital amounts only to about the Sum of One hundred Pounds *Sterling* yearly, yet, by the charitable Collections annually made in the several Churches and Meeting-houses in *Edinburgh*, and generous Benefactions of well disposed Persons, the Governors were enabled to provide for about eighty Children: but since the Erection of the Charity Work-house in *Edinburgh*, the City Orphans are removed from this Hospital to that House; on which account the Collections aforesaid are made in favour of the said Charity Work-house; as are likewise the generous Benefactions, in a great Measure, given for its Support.

Now, as there are a Number of needy Orphans in and about *Edinburgh*, besides others in distant Parts, not intitled to any Benefit from the City Work-house: The Support of this Hospital is highly necessary for the Relief of such piteous and distressed

fed Objects; wherefore 'tis to be hoped, that all Persons charitably disposed, will continue to countenance and encourage this declining House, and not suffer this very useful Foundation to go to Ruin for Want of Assistance; more especially considering that both the temporal and eternal Happiness of so many helpless poor Infants, in a great Measure, thereon depends.

PAUL'S WORK.

Invent. Rec.
Town Clerk's
Office.

Coun. Regist.
vol. V. f. 200.
201.

In an Account or Inventory of certain Deeds or Writings in the Town Clerk's Office of this City, we are told, that in the Year 1653, the said Deeds or Writings were brought from the Town's Charter-house, and deposited in the inner Chamber of the said Office, but now are either lost or mislaid; amongst which was a Charter granted by *Thomas Spence*, Bishop of *Aberdeen*; setting forth, that the said *Thomas*, by Consent of *William*, Archbishop of *St. Andrew's*, had founded an Hospital in *Leith-wynd*, for the Reception and Intertainment of twelve poor Men, and dedicated it to the Virgin *Mary*, by the Appellation of *The Hospital of our Lady in Leith-wynd*, and endowed the same with Lands and Rents, to the Amount of One hundred and nineteen Pounds and fifteen Shillings, *Scotish Money, per annum*; which, before the Year 1573, by the Benefactions of others, was increased to the yearly Sum of One hundred and thirty seven Pounds nineteen Shillings and seven Pence of the same Money.

As this Hospital was founded by Consent of *William*, Archbishop of *St. Andrews*, which was *William Sbevez*, who came to that See in the Year 1478, and Bishop *Spence*, the Founder, dying in the Year 1482, it must have been founded about the Year 1479. In the Year 1582, the Common Council of *Edinburgh* having appointed a Master for the above mentioned Hospital, drew up the following Orders to be observed by him, the Brethren and Beadmen.

1582.
Coun. Regist.
vol. VI. f. 190.

1. 'It is requisite that (the Master) in his outward Life and Manners, that he be of an gud Name and honest Conversation, grave and digest in his Behaviour, not given to ony common or notabill Vice, as ane Blasphemer of Goddis Name, and Swerer of execrable Aithes, ane Drunkard, Dyssyer, Cairter, contentious, or leading ane vagebund or idle Life, but exercising himself in sum honest Industrie.

2. 'That he can perfectlie reid and wryte, that he be of indifferent Knowledge, Witt and Judgement to behave himself circumspectlie, and in favour of all gud Men; diligent and expert to govern his Brethren according to the Rewles given to them, and be cairfull thairinto.

3. 'In Religioun, that he be ane opin

'and zealous Professor of the trew Religioun at this present publicklye preichit within this Realme, and dilligentlie Keiper of the Preiching and Prayers, habill and qualifiet to instruct his Brethren in the principall Grounds of Religioun, and na less cairfull to do the same, instructing and examining thame thairunto.

4. 'That he convene with his Brethren ilk Day, at ten Houris before None, and thrie Houris after None, in the new Hospitale in the Trinitie Collegge, where he sall baith distinctlie and devoutlie reid to thame and the Pair of the said Hospital the common Prayers; to be conversant togidder ane Hour or mair, in serving God, and praying for Increase of the Evangill, the Prosperitie of the King's Majestie and haill Realme, and for the common Weill of this Town thair Patronis.

5. 'That he gif Attendance, that nane of his Brethren be absent from the said Prayers, and execute upon thame (that are) the Paines contenit in the Rewles gevin to thame, that he sie they keip lyk wayes the Prayers and Preiching in the Town.

6. 'Anent the comon Rent of the said Hospitale, that he dilligentlie and cairfullie collect and inbring the same upon his own Expenss, and distribute it faithfullie amongst his Brether, conforme to the principall Foundatioun, and sall mak Compt thair of zeirlye, at the making of the Townis Comptis to the gud Town thair Patron.

7. 'That he do all Things appointit to him in the principall Foundation, according to the Mynd of the Founder, and haif ane Copie in *Scottes*, gif he understand not the *Latin*, not alstricking him alwayes, nor his Brether, to ony Thing contenit thairin, repugnant to the trew Religioun; nor zit alstricking thame to that, quhilk, in respect to the present Estait of the said Hospitale, is not possible to be keipit, quhil it be either repairit, the Rent augmentit, or sic uther gud Order tane thairwith.

8. 'That he mention and reid to his Brether now present, and to everie ane that sall be admittit hereafter, at the Tyme of resaving the Rewles in the said Foundatioun, togidder with thir present Articles and Laws gevin, alsweill to him as thame, that thay pretend na Excuse of Ignorance.

9. 'That he find sufficient responsall Suretie to the Patronis for doing his Office in the observing of the said Foundatioun and thir present Rewles, and to be answerable for his Intromission with the comon Rent of the said Hospitale.

'Fynallie, that he sall underly all further Order that shall be injoinit to him be his said Patronis, or be the Kirk of this Burgh with their Avise.

'Gif

' Gif he failze in ony Pointis heir mentionate, or be found in Neglect and cairless of his Dewtie, or zit obstinate, wilfull or disobedient, he fall be depyvit for ever fra the said Office, and otherwayes punisht at the Discretion of the said Patrones.

Anent the Beidmen and Bretber of the said Hospitale.

bid. f. 191.

1. ' In thair outward Lyfe and Manners, that thay be not defilit with Blame of any portable Vice, of gud Fame and Conversation, na Blasphemer or Swerer, Drunkard, Cairter, Dysser, Theffes, or Pykers, contentious, idill, or vagabund Persones, na oppin nor sturdie Beggars, bot exercising themselves in sum honest and lawfull Trade or Schift, gif Seikness, Aige, or Impotence may suffer thame.

2. ' That thay be obedient to their Maister, sua that he haif na Caus to complene; for the Persones, obstinate, wilfull and disobedient, fall be extremlic punisht and and depyvit.

3. ' In Religioun that thay be na Papistes, bot of the trew Religioun, knawand the chief Groundes thair of, specially the Lordis Prayer, Belief, and Commandis, keip the Preiching and Prayeris, and Examination in the Town, and be earnest and willing to seik God, and to leirne when they are ignorant.

4. ' That thay convene to the Prayeris with thair Maister ilk Day in the new Hospitale, at nine Houris before None, and thrie Houris after None, ther to remayne in calling upon God for Incres of the Religioun, Prosperitie of the Town and Realme, and for the comon Weill of the Town thair Patronis; and utherwayes serving God zealously and devoutlie an Hour or mair.

5. ' The Persones absent without Licence and haill in Bodie, fall tyne ilk Tyme Twa Penies of his Leving, to be distribute among the Persones present; and gif he continues in long Absence, fall be punisht as ane Contemner, and be depyvit for ever.

6. ' Anent thair Rent (Allowance) thoch it be small, zit thay fall not drink, waift, nor dilapidate the same at anes, bot bestowe it faythfullie to their necessarie Sustentation; an Pairt in Meit and Drink, ane either in Claithing, and quha fall be honest and best Stewart thei of, fall haif his Portioun helpit best, as the comon Rent thair of may spair, or with sic Casualtie as the Patrones or Kirk fall bestowe upon thame.

7. ' That thay do all Thingis concerning thame as is contenit in the principall Foundatioun, according to the Mynde of the Founder, sua far as is possible to be

done, and as repugns not to the trew Religioun.

8. ' That thay fall underly ony further Order that fall be gevin thame be the said Patrones, or be the Kirk with thair Avyse; and gif ony failzie or contravene on Point of thir Premises, fall be depyvit and punisht at the Will of the Patrones, according to the Weight of his Fault.'

The Common Council of *Edinburgh*, in the Year 1619, taking into Consideration, that the Extension of the Woolen Manufacture would not only be a great Advantage to the Nation in general, but to this City in particular, by imploying its Poor. For accomplishing so desirable an End, they wrote to *William Dickson* of the City of *Delft* in the Province of *Holland*, to repair to *Edinburgh*, to confer with them concerning their Design; and the said *Dickson* being arrived, the Council entered into a Contract with him to instruct the People in making Woolen Stuffs, namely Grograms, Says, Bays, &c.; for which Purpose *Dickson* was to bring over four Men expert in that Art, with the necessary Implements for carrying on the intended Manufacture, and to take such poor Boys and Girls, as the Council should think proper to put to him.

By virtue of the above Contract, *Dickson*, and the other four Masters were to receive of the Council the Sum of Five thousand Pounds, *Scotish Money*, viz. One thousand Pounds down to defray the Expence of their coming over, and to purchase Materials for the designed Work, and the remaining Four thousand Pounds to be paid at their signing the Contract and entering on the Work. And likewise to provide them with convenient Dwelling-houses and Offices for carrying on their Undertaking Rent-free, for the Term of seven Years; and after the Expiration thereof, to pay such Rents for the same, as shall by the Council be deemed reasonable.

And the said Council also agreed, to pay to the aforesaid Masters the Sum of Thirteen Shillings and four Pence, *Scotish Money*, weekly, for the Space of one Year, for each Boy and Girl put to them by the Council; and, to give each of the said Children a Suit of Apparel, three Shirts or Shifts, with proper Bedding and Furniture necessary for the House, to be upheld by the said Masters during their Continuance in the said Work. And, for the greater Convenience of disposing of the Goods or Stuffs made by the Undertakers, the Town Council obliged themselves to erect a House or Hall for that Purpose.

Pursuant to the aforesaid Contracts, certain Houses for carrying on the Manufacture in, were erected at the Foot of *Leithwynd*, at the Expence of One thousand three hundred and fifty nine Pounds, four Shillings and Sixpence, *Scotish Money*. This

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new

1619.
Coun. Regist.
vol. XIII. f.
85. 86.

1620.
Coun. Regist.
vol. XIII. f.
106.

new Erection was so well approved of, that divers Persons appeared willing to encourage the same by Benefactions: Wherefore the Council, for the better animating well disposed Persons to bestow their Favours on this laudable Undertaking, made and published the following Act to excite them by proper Encouragements to contribute towards its Support.

Coun. Regist.
vol. XIV. f.
15.

Forsuameikle as the Proveft, Baillies, Counfall and Deykins of Craftes, for introducing of Vertue within this Countrey, quairby an Number of Poore ones, quho has no Meanes for up-bringing and educating of themselves in sum vertuous Trad, that, thairefter thay nicht win thair Living with sum Industrie, and not become Beggars and burdenable to these Pairts quhair thay are borne and bred; had fund that the inbringing of all Sorts of Manufactoris of Wool to be the most expedient Way, baith for Relief of the said Poore, and for trayning thame up in Vertew, that thay nicht no longer prove chairgeable to the Cuntrey, but nicht happilie becom gud Members of the Comon Weill.

And for this Effect, had, to thair great Chairges and Expensis, buildit certain Houses at the Foot of *Leith-wynd*, at the Plaice callit *Sanct Paul's Warke*, and had brocht sum Strangers to have bein the Beginners of such laudable Intention; and, thair being a Number of honest Men, zealouslie for the Gud of the Comon Weill that Way inclinitt, willing to bestow of thair awin proper Meanes, for the Intertayment of certaine Poore (to quhome they ar otherwayes subject) and to bring them up in the said Work, till they may win thair awin Living thamselvis. Thairefore, for Satisfacioun of the said Personis, and for an settled Ground, the Proveft, Baillies, and Counfall, hes sett down, statut and ordanit ane generall Ordour to be observit in the said Work, for upbringing and intertayning such Poore as fall be presentit to the said Work, conforme to the Articles following.

Id. ibid.

1. The said Proveft, Baillies, and Counfall ar content that ther be twa Bookes maid, quhairin the Names of such Personnes as fall bestow anie Soumes of Money to the said Use, fall be insert and registrat, quhairof the one to remayn with the Counfall, and the uther with the Maister of the said Work.

2. They fall appoynt zeirlie, twa honest Men, quho fall not onlie keip the said Buik, ordaynit to remayne within the said Worke, bot fall ressaive the Soumes of Money that fall be gevin to the said Use, and fall have Cair of managing the said Soumes, be Advyse of the Counfall and sum of the Benefactors to the Number of three or four, as the Counfall fall think fitt, and outputting the same to Pro-

fit weiklie, to the Use of the Poore, that fall be presentit be the Givers of said Soumes in Manner following; which twa honest Men fall be Overseeris of the Poore in *Sanct Paul's Warke*, and fall be zeirlie comptable for thair Intromissioun and Disbursements to the Counfall, or to those quhome the Counfall fall appoint. And to this Effect, hes nominat this Zeire, *James Nairne*, Merchand, and *Johnne Dickson*, Fleshoir, quha compeirand, acceptit, and gave thair Aithes in comon Form.

3. Quhen the Soumes so gevin and dottit, fall accres to ane competent Soume for Intertayment of ane poore Child or more, the Counfall, be the Advyse foresaid, fall caus the same to be putt out upone Landis or uther sufficient Securitie, to the End the zeirlie Profit quhairof may redound to the Intertayment of ane or more Poore, as the same fall be fund sufficient. And quhen the hail Soumes dottit and gevin, in Manner above written, fall accres to that Greitnes, that Land or Heritage may be acquyred thairwith, quhairof the zeirlie Dewtie may intertayne more at the said Warke; the Counfall, be the Advyse foresaid, quhair thay fall fynd convenient Occasion, fall employ the same upone Heritage, to be mortified to the said Warke to the Use foresaid.

4. It is agreit and condescendit upone ^{Id. ibid.} be the Counfall, that quhatsumever Personne fall give and dott anie Soumes of Money to the said Warke, that for ilk Five hundredth Merkes so gevin and dottit, fall, for himself, during all the Dayes of his Lyfetye, and efter his Deceis, his Aires allenerlie, being alwayes of persyte Zeires, past the Aige of fourtein Zeires, have the Presentatioun of ane poore Chyld, of the Condition and Qualitie underwrytten, to be intertaynit and brocht up at the said Warke, upone the Profit of the said Soume, for the Spaice of ane whole Zeir compleit. And gif, at the Issew and Outrunning of the said Zeir, the said poore one presentit, fall be fund be the Overseeris of the Poore of the said Warke, and such uthers as the Counfall fall appoint, to try the Habilitie and Qualificatioun of the said Poore, together with the Presenter not to have atteynit in the said Zeires Spaice, to that Sufficiencie, as he may either win his awin Living himself, or be so profitable to his Maister to quhome he is committit, as his said Maister may gaine by his Labour and Service; in that Caice, the said poore one fall be intertaynit upone the Profit of the said Soume, for the Spaice of ane uther Zeir; during the which Spaice, it fall not be lawfull to the Giver of the said Soumes, or his Air to present ane uther. And anent the Qualitie and Condition of the Poore to be presentit
to

to the said Warke, it is speciallie agreit and condescendit upone, that it fall not be lawfull to none of the said Benefactors or thair Aires to present anie Poore, bot such as the gud Toun is subject utheways to intertayne.

5. Quhatsoever Poore fall be presentit to the Counfall to be intertaynit and brocht up at the said Warke, the Counfall fall caus the Overseiaris of the Poore of the said Warke to bind thame Prenteis to the Maisters of the said Warke, for the Spaiice of Zeires, quhair of the first Zeir to be intertaynit upone the Proffit of the Soumes dottit for that Use, and for the rest of the Zeires. And if in the second Zeir they be fund to have attaynit to the Degrie of Knowledge that thair Worke may be profitable to thair Maisters, that the Maister be obleist to intertayne thame the rest of thair Prenteship in Meitt and Cleith, and so bring thame up in all the Points of thair Trad and Vocation; and for their cleithing the first Zeir, the Counfall will intervein with the Sessioun of the Paroche, quhairout of the said Poore fall be taiken, for obteneing ane Stand of Cleithes.

6. It is alwayes provydit, that, gif at the expyryng of ane Zeir efter the Presentioun of ane poore Child, it fall happin anie of the Benefactors, or efter thame thair Aires, being of perfyte Zeires to be out of the Countrey; in that Caice the Richt of Presentioun for that Zeir to be in the Counfall's Hands; sua that in that Caice, it fall be lawfull to the Counfall to putt and plaice a poore Child in the said Warke; sua that sua oft as the Benefactor, or efter him his Air, fall happin to be off the Countrey the Tyme he sould haif presentit, sua oft the Counfall to haif the onlie Power to present, leist through Negligence, or Absence of the Benefactor, or efter him of his Air, the said Warke sould ressaive Hurt, or the Poore be neglected.

7. For the Incouragement of the Poore that fall be putt to the said Warke, the Counfall promittit, that such of thame, that efter the expyryng of thair Prenteships and sum competent Number of Zeires thairefter, fall be fund worthie be thame to deserve the Degrie of ane Burges, to ressaive and admit thame Burges of this Burgh efter thair Prenteship, gif they be perfyte in thair Calling.

Two Days after passing the above Act, David Trotter and David Makcall Merchants of Edinburg, gave the Sum of One thousand Marks each towards the Support of this new Foundation; as did likewise David Jenkin the Sum of Five hundred Marks of the same Money. The two first of the said Contributors and their Heirs, according to the Constitutions above recited,

had a Right to present two Boys each to the said Work; and the latter, and his Heirs, one poor Boy. The Right of presenting Children to this House had so good an Effect on Persons charitably disposed, 'tis said, that considerable Sums of Money were subscribed to incourage the same.

At what Time, or on what Occasion the Name of the aforesaid Hospital was changed from that of *Our Lady*, to that of *Paul's Work*, I cannot learn; however, by converting the said Hospital into a Work-house, though with a charitable View, cannot be justified; for, by defeating the Founder's Intention, and perverting the Constitution of this Hospital, Men inclined to this Kind of Charity will be greatly discouraged and prevented from bestowing their Money in that Way, considering the little Regard shewn to the laudable Foundation of Bishop Spence, by spurning at his Will, and, as it were, despising his Benefaction.

The SOCIETY for propagating CHRISTIAN KNOWLEDGE.

In the Year 1701, divers Men in *Edinburg*, concerned in the Reformation of Manners, reflecting on the gross Ignorance, Atheism, Popery and Impiety wherewith the Highlands and Islands of *Scotland* abounded, which was chiefly owing to the Poverty of the People, whereby they were rendered unable to get their Children instructed in the Principles of Religion and Virtue; which these Reformers commiserating, they indeavoured to remove the melancholy and unhappy Scene, by attempting to bring about a Reformation in those Parts, for which Purpose they entered into a voluntary Subscription to raise Money for obtaining so good and desirable an End.

The first Attempt they made was at *Abertarf*, in the Shire of *Inverness*, where Popery and Irreligion greatly abounded: The Schoolmaster employed met with such Discouragements from the Inhabitants, that he was obliged to leave the Place after a Year and a half's fruitless Labour. Though the worthy Undertakers were not discouraged at this Disappointment, yet, in their private Capacity found they were unable to carry on so great and expensive a Work; wherefore they indeavoured to find out Means whereby Funds might be settled, and so many Persons concerned as were equal to the Design; and to that End applied to divers Members of the General Assembly of the Church, to obtain the Concurrence and Assistance of that Convention in so great and good a Work. Which being laid before them and taken into Consideration by the said Assembly in the Year 1706, recommended the same to their Commission, who, after divers Conferences with the Undertakers, published Proposals for a Subscription, for

for propagating Christian Knowledge, not only in the Highlands and Islands of Scotland but in foreign Parts, to which was annexed an Obligation, to be subscribed by such as were willing to promote the laudable Work : And for the more speedy and better Advancement of the Design, Copies of the said Proposals were sent to the several Presbyteries throughout Scotland, who were to transmit Reports of the Subscriptions to a Committee appointed by the General Assembly.

This good and pious Design being approved of by a Royal Proclamation in the Year 1708, the General Assembly, by their Act of the 19th April, anno 1709, recommended the same to the several Members of the Church of Scotland, to exert themselves in the best Manner to promote this noble and excellent Undertaking, for the Glory of God, Good of their poor fellow Subjects, and Conversion of foreign Pagan Nations ; and exhorted the Incumbents of the several Parishes to stir up and excite their People to encourage this glorious Work by their Subscriptions. And that the said Incumbents, accompanied by the Elders of their respective Parishes, should not only collect Money for that Purpose, but to preach in vacant Parishes, exhort the People to contribute, and to be aiding and assisting to the several Elders or Heritors in making Collections therein respectively. The Subscriptions and Collections on this Occasion amounting to above the Sum of One thousand Pounds Sterling. The Managers applied to the Queen for Letters patent, to erect the Subscribers into a Body politick and corporate ; which being readily granted, they are of the following Tenor.

ANNE by the Grace of God, Queen of Great Britain, France and Ireland, Defender of the Faith, to all good People, to whose Knowledge these Presents shall come, greeting.

‘ Forasmuch as We understanding the charitable Inclinations of many of our Subjects, for raising a voluntary Contribution towards the farther promoting Christian Knowledge, and the Increase of Piety and Virtue within Scotland, especially in the Highlands, Islands, and remote Corners thereof, where Error, Idolatry, Superstition and Ignorance do mostly abound, by reason of the Largeness of Parishes and Scarcity of Schools ; and for propagating the same in Popish and infidel Parts of the World.

‘ And we having, by our Royal Proclamation, dated the 18th Day of August 1708, with the Advice of our Privy Council, approved of and recommended the foresaid charitable Design, and declared our Resolution to grant these our Letters patent

‘ for erecting the Subscribers into a Society and Corporation for managing the said Contribution. And now finding that the Sum proposed for beginning this good Work is already subscribed for, and We judging that our granting these our Letters patent for erecting and settling the foresaid Corporation and Society, will be highly conducive for accomplishing these pious Ends proposed, and that many others will be hereby induced the more cheerfully to extend their Charity to the Use aforesaid.

‘ And also, We considering, that the Subscribers to this Undertaking are diffused in several Countries and remote Places, so that it is not easy for them to nominate and elect the Members which such a Corporation ought to consist of, did, by our foresaid Proclamation judge it convenient, that the first Nomination of the Members of the said Society should be made by the Lord President and other Lords of our Council and Session in Scotland out of the Subscribers. And now the Subscribers, in Compliance with our Judgment, signified in the said Proclamation, having requested that the said Nomination should be in Manner before and after mentioned. Therefore, and for the better and more orderly carrying on this good Design, we have willed, allowed, confirmed and established, likeas by these Presents we allow, confirm and establish the foresaid Power and Right of the first Nomination, in the Person of the said Lord President, and other Lords of our Council and Session in Scotland.

‘ And farther, we do make, constitute, appoint and ordain the Persons to be named out of the Subscribers and Contributors by the said Lord President, and other Lords of Session (and which Nomination is hereby ordained to be recorded with these Presents in the Registers of our Chancery in Scotland) to be an Incorporation, Society and Body politick, by the Name of *The Society in Scotland for propagating Christian Knowledge*. Likeas we ourselves and our Royal Successors, by these Presents, do make, constitute, appoint, ordain, and declare the Persons to be named by the said Lords of Session, and recorded herewith in Manner aforesaid and their Successors to be elected in Manner aftermentioned, to be a legal Society and Corporation ; and grant unto them full Power to receive Subscriptions, Mortifications, Donations, Legacies, Sums of Money, Lands, Goods and Gear, and therewith to erect and maintain Schools, to teach to read, especially the holy Scriptures, and other good and pious Books ; as also to teach Writing, Arithmetick, and such like Degrees of Knowledge in the Highlands, Islands, and remote Corners of Scotland,

‘ and

and other Parts above mentioned; and to use such Means for instructing the People in the Christian Reformed Protestant Religion as may be competent.

And which Society are hereby ordained to have a general Meeting of the Members thereof quarterly, at *Edinburgh*, in the Town Hall the first *Thursdays* of *January*, *March*, *June*, and *November* yearly, in all Time coming, at three of the Clock in the Afternoon, and oftner, when and where the Society shall think meet; and any nine of the Members of the said Society, who shall convene at the said Time and Place, are hereby declared to be a *Quorum* of the said general Meeting, but still reserving to the said Lords of Session, upon Application of the said Society, a Power to alter the *Quorum* as shall be found needful. And the Society, at their first general Meeting, are, by a Plurality of Voices, to elect one of their Number to be President thereof; as also a Treasurer, a Secretary or Clerk, one or more, and other Officers and Servants as they shall find needful, to continue till the first *Thursday* of *January* next thereafter, or untill others be chosen to succeed them. And upon the first *Thursday* of *January* yearly, in all Time coming, (and in case of any extraordinary Emergent, stopping them from meeting that Day) the next Meeting thereafter the foresaid general Meeting is appointed to make a new Election of Persons to serve in these Offices, or continue the former, as shall be thought most convenient; and the President at the Time of their Election, is hereby impowered to administer an Oath *de fidei administratione officii* to the Clerk, and thereafter the Clerk to administer the like Oath to the President, and then the President is to administer the same Oath *de fidei administratione officii* to each of the rest, before they act in their respective Offices.

And farther, We, by these Presents, do fully empower and authorise the foresaid Society, at any of their quarterly Meetings, in Time coming, to assume into their Number and Society, such of the Subscribers or Contributors (being Protestants) as they shall judge fit and qualified for assisting to carry on this Design. And likewise, the said general Meeting are hereby impowered and ordained at their Meeting yearly, to nominate fifteen of their Number to be a Committee, to meet at *Edinburgh* the first *Thursday* of each Month, and oftner, as Need requires, in such Places as shall be agreed upon by the general Meeting; and the said Committee, or any three of them, at the usual Time and Place of Meeting, are to prosecute the Orders of the general Meeting, audite the Treasurer's Accompts, and ripen and prepare Overtures and Matters, and this Com-

mittee to continue for one Year, but to lay an Account of their whole Transactions and Management before the general Meetings quarterly.

And further, the general Meetings are hereby impowered, as they shall see Cause, to nominate fit Persons in any Places of our Dominions, or elsewhere, for receiving Subscriptions, Money, or other Things, contributed toward the foresaid Design, and to transmit Accounts thereof to the Committee at *Edinburgh*, or the general Meeting; and also, for laying out such Sums as they shall be intrusted with, and ordered by the Society to lay out; and for inquiring concerning the Faithfulness, Diligence, and Success of the Persons employed upon the foresaid Fund, and for keeping a Correspondence with the Committee at *Edinburgh* about these Particulars, and what else concerns the foresaid Society.

And farther, the foresaid Society is hereby declared to be able and capable in Law, to purchase and enjoy Lands, Tenements, Rents, Tacks, Liberties, Privileges and Jurisdictions in Fee and Perpetuity, not exceeding the yearly Value of two thousand Pounds *Sterling*, and all other moveable Estates, Debts, Sums of Money, Goods and Gear whatsoever, and the Rents, Revenues, Annual-rents, and Profits of the capital Stock; to expend, ware out and bestow, for the Support and Maintenance of the said pious Design, for propagating the Knowledge of Christ, erecting and maintaining Schools, and other pious Uses above mentioned, as the foresaid Society shall see Cause.

Likeas We, by these Presents, do declare this Society by the Name foresaid, able and capable by themselves or their Procurators, or Attorneys in their Name, to prosecute, pursue and defend in all Courts and Places, before whatsoever Judge or Judges competent, all and sundry Actions, Causes, Processes, and Pleas, of what Kind and Nature soever the same be; and all and sundry other Matters and Things, to do in as full and ample Form and Manner, as any others our Subjects of our Realm of *Great Britain*, or any other Society, Corporation, or Body politick, within the said Realm, can do in any Sort. And grant and allow, that the foresaid Society shall and may have a common Seal, and that it shall be lawful for them and their Successors, to change, break, alter, and make new the said Seal at their Pleasure.

And We grant unto the foresaid Society, at their quarterly Meetings, in all Time coming, and at no other Meetings, full Power to make such Rules and Ordinances, and to alter the same, as they shall see most convenient and needful for the bet-

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ter Government of the said Society, and Management of the Affairs thereof, and the more effectual promoting of the fore-said Design, and to give such Instructions, Directions, Orders and Encouragements to these they employ, as they shall judge needful and reasonable; and we ordain the same to be observed by all concerned, under the Penalties therein imposed and enacted, providing always the said Rules, Ordinances, Instructions and Directions be agreeable, and no Ways contrary to the Laws and Constitutions of *Scotland*, in Church and State, presently in Force.

And We judging it of great Import, toward the right carrying on of this so Christian and religious a Work, that such as shall be employed upon this Fund as Teachers, in any Capacity, be Men of Piety, Loyalty, Prudence, Gravity, competent Knowledge and Literature, and other Christian and necessary Qualifications, suited to their respective Stations: Do therefore peremptorily require and injoin the several Presbyteries, within whose Bounds such Persons have, for the most part, had their ordinary Residence; and other superior Judicatories of the Church of *Scotland*, to make exact Inquiry into their Manner of Life and Conversation; and strictly to try and examine their other Qualifications above express'd, as the fore-said Laws and Constitutions of *Scotland* do prescribe, before they be entered to such a Work. And We will and command, that none be employed in these Capacities by this Society, upon the Fund above mentioned, but such who being so tried and examined, shall be certified and attested to them by the fore-said Church Judicatories.

And farther, We grant Power to the said Society, that, upon the Death of any of their Number, or of their President, Treasurer, Secretary, or other Officers or Servants, or upon their malversing, or not attending in their respective Stations; and their Removal upon these, or any other just and necessary Accounts; in either of these Cases, the general Meeting may chuse others to succeed; and also impose and exact Fines, not exceeding Ten Pounds *Sterling* for Malversation, besides Damages to the Society and others concerned; and Ten Shillings *Sterling* for each Absence from their Stations, without a relevant Excuse, of which the said Society are Judges.

And we ordain and appoint, that the Books of the said Society be patent and open; that all and every one of the Subscribers, their Heirs and Successors, may have Access to see what Sums of Money are received by the Society from Time to Time; and how the same have been laid out by virtue of these Pre-

sents, or any Authority hereby given, and to understand the Management and Disposition of the Revenues of the said Society, and be satisfied with the same. And, in case of Misapplication, any of the said Subscribers or their forefairs are hereby allowed and impowered to pursue and prosecute these guilty of the same, before any Judge or Judges competent: It is always hereby provided and declared, that it shall not be lawful to the said Society or Managers to diminish the capital Stock, that is, or shall be subscribed for, or mortgaged; but only to apply the Rents, Annual-rents, Profits and Emoluments arising from the same without Prejudice to them, to uplift and employ the Sums to be raised from the Subscribers, as shall be found requisite.

And We do hereby will, command and require all Magistrates, Judges, and Officers of the Law within our Dominions, and others our good Subjects, in their respective Stations, to give all proper and needful Assistance and Encouragement to the said Society, and these employed and intrusted by them in all Matters and Causes tending to the Furtherance of this pious Design; and that, at all Times, and upon all Occasions, when required thereto, as they will be answerable to us.

And lastly, We require and ordain, that these our Letters patent and Charter, or any authentick Copy thereof, shall be good, firm, valid, and effectual in Law, according to our Royal Intentions herein express'd, to all Intents and Purposes: And impower the Lord President of the Session in *Scotland*, to cause timeous Intimation to be given to the Members of the said Society to convene, the first *Thursday* of *January, March, June, or November*, that shall be thirty Days after the Date hereof at *Edinburgh*, in the said Town Hall, or where he shall think most convenient in that City, at three of the Clock in the Afternoon. And the said Society are hereby impowered to cause publick Notifications to be made of this Charter, and the Power hereby granted with what they do upon the same from time to time, in such Manner as they shall think most conducive to the Furtherance of the said Design.

In Testimony whereof We have ordained our Seal, appointed by the Treaty of Union, to be kept and used in the Place of the Great Seal of *Scotland*, to be hereunto appended: At our Court at *St. James's* the 25th Day of *May* 1709 Years, and of our Reign the eighth Year.

Pursuant to this Charter, the Lords of Session, on the 9th of *July* following, nominated eighty two of the Contributors to be Managers or Governors of the Society, who, meeting on the third of the following

following Month of *November*, appointed their President, Treasurer, and Clerk, and fifteen of their Number for a Committee. And made certain Rules and Constitutions for the good Government of the Corporation, which being from time to time occasionally enlarged, are now of such a Length, that the inserting of them in this Work, would require more Time and Space than they can be of Use to the Reader. I shall therefore only mention the Heads thereof, which are as follow.

1. The Society to have for their Seal, an open Book supported by a Hand, whereon is engraven *The Law was given by Moses, but Grace and Truth came by Jesus Christ*. And on the two Sides and upper End thereof, are the Words, *The Holy Bible*. And on the Circle round the same, *Post tenebras lux*.

2. None to be admitted Members of the Society but Protestants, Subscribers to the Fund, who reside in *Scotland*, who are one hundred and twenty in Number. And such Care is taken, that none be of this Number but Men of Worth and Probity, the Name of a Candidate, is put on a Board in the Society's Hall, and exposed to View for the Space of three Months, that the Electors may have Time to inquire into his Character, and if approved of, is elected by Ballot.

3. All Governors residing in *Edinburgh*, who absent themselves from the general Meetings for the Space of a Year, to be exposed, by having their Names publicly declared at every yearly Meeting in the Month of *January*.

4. The Committee is, on every Emergency, empowered to summon a general Court of the Contributors, to consider of casual Affairs and Things of Importance concerning the Society; every of which Court to consist of, at least, eight Members.

5. The Committee, which is to be annually chosen, is empowered on extraordinary Occasions, to assemble on other Days than the first *Thursday* of every Month, which are the Times of Meeting appointed by the Charter. And that no Person be put in the List of Candidates, to be elected a Member of the Committee, but such who chiefly reside in *Edinburgh*. That none of the Society's Money be lent out but to Persons known to be in good Circumstances. And for the greater Advantage of the Corporation, annual Contributions or Subscriptions are to be taken of such Sums, and for such Time as the charitable Benefactors shall deem proper to continue them. And that the State of the Society's Schools may the better be known, the Reports from Ministers, Presbyteries, and corresponding Members, are to be yearly read at the general Meeting of the Contributors, in the

Month of *March*; and for the Satisfaction of the said Contributors, a List of the Schools is to be printed, and Copies thereof distributed among the Members of the Society, and sent to the several Presbyteries throughout *Scotland*.

6. The Treasurer is to give Security for his Fidelity, keep Accompts of the Stock and Revenues of the Society, and of all the Receipts and Disbursements of Money thereunto belonging; the Accounts whereof are to be audited and laid before the anniversary Meeting, on the first *Tuesday* of every Month of *January*.

7. The Sub-clerk is to attend in the Society's Hall alternately, weekly, with the Society's Book-keeper, from the Hour of ten till twelve in the Forenoon, unless otherwise employed in the Society's Affairs; he is carefully to observe the Rules and Orders of the Society and Committee, punctually to attend their Meetings, write and record their Minutes, write and answer Letters, and transact other Affairs belonging to the Corporation.

8. The Book-keeper is carefully to enter all the Society's Accompts in their Books, make out an yearly Inventory of their Securities, remind the Committee quarterly, to inquire into the Society's Stock, Revenues and Inventories concerning their Securities, to assist the Treasurer in dunning, to receive his Orders weekly, and to manage the Society's Processes before the Court of Judicature at *Edinburgh*, and to transact other Affairs according to Direction.

9. The Bookseller, to supply the Society's Schools with Books at the following Prices, viz. Bibles, at One Shilling and ten Pence each; New Testaments, at Seven Pence; Proverbs, at Ten Pence the Dozen; Catechisms, at Three Shilling and Sixpence per Dozen; Confessions of Faith and *Vincent's* Catechism, Sixpence each; *Guthrie's* Trial, and Copy-books, Four Pence Halfpenny each; and Books of Musick, Eight Pence each, all *Sterling* Money. He has also the keeping of all the Society's School-books.

10. The Register of Benefactions contains the Names, Titles, and Sums subscribed by the several Donors, whether Money immediately given, yearly, during the Benefactor's Pleasure, or perpetual Annuities of Lands, Tenements, &c.

11. The Society's Book, called the *Ledger*, contains the Accompts of Stock, Cash, Schoolmasters, of Charge and Incidents, Benefactions, Revenues and Money lent.

12. Two Inventories of the Securities taken for the Society's Stock by the Committee and Treasurer; to which is added all new ones concerning the same. And for the greater Security of the Society's Fund, and better collecting their Rents, the Committee is quarterly, on the first *Thursdays* of *February*

ary and August, and last *Thursdays* of April, and October, carefully to inspect and regulate the said Inventories.

13. The Society's Charter Chest to be placed in their Hall, to have three different Locks, with the like Number of Keys, one whereof to be kept by the Chairman of the Committee, another by the Treasurer, and the third by the Clerk; and the same not to be opened but by Order of the Committee.

14. Every one applying for the Office of Schoolmaster, must have a Certificate from the Presbytery he lives in, setting forth, that he is a Man of Piety, Loyalty, Prudence and Gravity, and every Way qualified for the Place. And being chosen, is carefully to instruct his Scholars in the Principles of the Reformed Religion, by catechising them, at least, twice a Week, on the Shorter Catechism, and to explain the same by the Help of a good Expositor, to take particular Care of the Manners and Deportment of their Scholars, by discouraging Vice, and recommending the Duties of a sober and religious Life; to pray Morning and Evening in the School, to instruct the Children under his Care, to pray at least, Morning and Evening in private; and to beg a Blessing before, and to return Thanks after Meat. To take care that himself and Scholars frequent the publick Worship on the Lord's Day, unless prevented by their great Distance from the Church, or bad Weather; in which Case he is to employ Part of the Day in Praying, singing Psalms, reading the Scriptures, and catechising his Scholars; he is to teach his Scholars the true spelling of Words, and Distinction of Syllables, with the Art of pointing; and when they are sufficiently advanced in reading, to teach them Writing and Arithmetick.

15. The Schools are to be removed according to the Discretion of the Society, and settled in such Places where they shall be judged more useful.

16. The Society, for the Incouragement of poor Scholars of more than ordinary Capacity, preparatory to their becoming Schoolmasters, ordained, that every Boy, on his being recommended as such by his Schoolmaster, Minister of the Parish, and Visitors of his School; and by an Obligation given by his Parents or nearest Kinsmen, that, when qualified, shall take on him the Charge of one of the Society's Schools, and perform all Things required of him in that Station. On the Receipt of the above Recommendation and Obligation, the Society allow One Penny daily to each of the said Poor Scholars, provided they duly attend their respective Schools, and a Suit of Cloaths and Pair of Shoes at the Expiration of two Years. And in case any of the said Boys continued the third Year, and assisted their

respective Masters in teaching, they received three Half-pence daily, and a Suit of Cloaths and Pair of Shoes at the End thereof; and the Masters Salaries are generally about Sixteen Pounds thirteen Shillings and Four Pence *Sterling per annum*. Some serve for smaller Salaries; the Inhabitants in some Places being so much in Love with those Seminaries, that they contribute toward the Master's Support and thereby ease the Society.

17. And for the more effectually carrying on this good and laudable Work, the Society, by virtue of their Charter, granted Commissions to certain Persons within the several Presbyteries throughout Scotland, by the Title of *Correspondents and Visitors of Schools in Scotland*; who, together with the Members of the said Presbyteries, were empowered to meet quarterly, at the Seats of the said Presbyteries, on the last *Wednesdays*, of the Months of *February, May, August* and *November*, with a Power to adjourn themselves to such Times and Places as they shall judge proper. The Moderators of the Presbyteries to preside in all the said Meetings, and shall, from Time to Time, summon the said Correspondents or Visitors to meet as often as he shall see Occasion.

The Correspondents, for their greater Ease and better Dispatch, are empowered to divide themselves into Committees for visiting the Schools, and three thereof to be a *Quorum*, whose Business it is to inquire into the Government of the said Schools, in respect to the Government both of the Masters and Scholars and whether the former, according to the Society's Orders instruct the Children in the Principles of the Reformed Religion; to read *English*, teach them Writing, Arithmetick and Psalmody; and whether they are taught to render *English* into *Gaelick*, (vulgarly called *Irish*) without being learnt to read the latter; to use their best Endeavours for the frugal Management of the Society's Fund, and to receive Benefactions in Money, Corn, Cloaths, Books, and other Necessaries towards the Relief of the Poor; all of which is to be reported at the quarterly Meetings of the Correspondents, and by them to the Society's Committee at *Edinburgh* yearly.

18. And the Society being likewise empowered to settle Correspondents in any Part or Place within the King's Dominions to promote their Undertaking, granted Commissions to certain Persons in the Cities of *London, Bristol, and Dublin*, and in the Province of *New England*, and inabled them to add such Persons as they should judge proper; and that all others who shall contribute the Sum of Ten Pounds *Sterling*, or upwards, towards the Society's Fund, are to be correspondent Members. They are to meet quarterly on the first *Thursdays* of *February, May, August* and *November*, in such

such Places within their respective Cities and Country as they shall judge most convenient, and to adjourn themselves from time to time, and to such Places as they shall think fit; and to chuse a Committee, Treasurer and Clerk, who are to receive the Benefactions and charitable Donations that may be given for the Use of the Schools, to keep Accounts of their Transactions relating to the Society, and to do all other Matters and Things, which tend to promote this truly Christian and pious undertaking.

After the Rebellion in the Year 1715, the Parliament was of opinion, that a Reformation of Religion in the Highlands of Scotland, would greatly contribute towards preventing the like dangerous and destructive Insurrections; and that the readiest Way to accomplish so desirable an End, would be to erect a Number of Charity Schools therein; and, *anno* 1716, passed an Act for that Purpose: Pursuant to which, George I. issued a Commission to certain of the Nobility and Gentry, to find out proper Places for such Erections. They, after diligent Search and Inquiry, reported, that the Number of one hundred and fifty one Schools were necessary, over and above those already established in those Parts. But as there are some curious Remarks in the Report worthy of Observation, I think a Copy thereof will not be unacceptable to the Reader, which please to take as follows.

May it please your Majesty,

' The Commissioners appointed by the Royal Sign Manual, in pursuance of the latter Clause of the Act passed in the last Session of Parliament, intituled, An Act for the more effectual securing the Peace of the Highlands in Scotland, to lay before your Majesty an Account of the proper Places for establishing Schools within the Bounds in the foresaid Act, and of the necessary Salaries for maintaining of them, that all needful Provision may be made for that End; having, in obedience to the said Royal Appointment, made all possible Inquiry into the State and Circumstances of the Countries in the Highlands and Islands of Scotland, do find that the Parishes in those Parts are generally of a very large Extent, many of them being from ten to twenty, some of thirty, forty, and to near fifty Miles in Length; some of these Parishes, divided by Ridges of high Mountains, and by large Rivers, and made up of several Islands, separated from one another by dangerous Seas, so that it is not possible for the Ministers to get all the Inhabitants duly instructed in the Principles of the Protestant Religion, nor can the People regularly attend publick Worship in their Parish Churches, or send their

Children to the parochial Schools, where any such are.

' That there are whole Countries in the Highlands and Islands of Scotland, where the Reformation has never yet obtained any Footing, but the Inhabitants, to this Day, do continue intirely Popish, without any Mixture of Protestants; yea, in some of these Places, the very Heathenish Superstition does yet remain among the People: For Instance, in the Countries of Knoidart, Morbise, Egga, Cana, Southbuit, Bara, Arraisaig, Moidart, and others. All which Circumstances are more fully set forth, in a particular Account and Description of the several Places herewith humbly offered to your Majesty.

' The Commissioners do also observe, that from those Places, chiefly, were brought the most active Tools in the late wicked and unnatural Rebellion; for the Rudeness of those People, and their Ignorance of the Principles of Religion and Virtue, makes them slavishly subject to the Will and Commands of their Popish and disaffected Chieftains and Landlords. And yet, in those Countries, there are to be found many Youths of excellent Spirits, very capable of Instruction, if they had the Means of it; so that, were the Inhabitants of those Countries, who are now dangerous and hurtful to the Nation, taught the Principles of Religion and Virtue, they would become useful and profitable Members of the Commonwealth. And therefore, the Commissioners are humbly of opinion, that no Method whatsoever is so likely to reduce the Highlands and Islands of Scotland to a profound Peace and Quiet, and to bring all the Inhabitants to a hearty and willing Subjection to your Majesty, and your happy Government, as that which your Majesty and the Parliament have now in View: The affording them the Means of Knowledge of the Principles of the Protestant Religion and of Virtue, providing the Laws against trafficking Priests and Jesuits be duly executed in these Parts.

' The Commissioners do humbly judge, that to obtain fully this End, a great many Schools will be necessary to be established, over and above what Provisions for Schools is already made in those Places, either by Law or Charity; but they do, from the good Information and well attested Accounts they have received from those Countries, lay before your Majesty, together with this Report, a List of the Places where the establishing of Schools seems absolutely necessary, because they lie at such vast Distances from the Parish Churches where the parochial Schools are, or ought to be fixed, that they cannot possibly have any Benefit by them, and for the other Reasons expressed in the above

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mentioned particular Account. And there are a great many other Places where Schools are very much wanted, and where they may be established when it can be conveniently done, as will appear by the said large Memorial containing the Accounts sent to the Commissioners from all those Parts where Schools are requisite.

But at present, the Commissioners do, with all humble Submission, propose, that there be the Number of one hundred and fifty one Schools established in the Places expressed in the above mentioned List; and that there be Provision made for Maintenance of them at the Rate of Twenty Pounds *Sterling*, yearly, for each School, for paying the Schoolmasters Salaries, and for buying of Books, and other Necessaries, extending in the whole to the yearly Sum of Three thousand and twenty Pounds *Sterling*; and that the Sums that shall be allowed, be established upon such sure Funds as may yield due Payment to the Schoolmasters half-yearly; because any Deficiency in this will make the Schools give up.

And the Commissioners do likewise humbly propose, that such Sums of Money as shall be allowed for the Ends mentioned in the foresaid Act of Parliament and Royal Sign Manual, be lodged in the Hands of such Persons as your Majesty shall think fit to appoint Managers of this Fund, to be issued out by their Order to the Schoolmasters that shall be settled in Prosecution of the said Act; and that the said Managers be indowed with the same Powers and Privileges, and be enjoined to act by the same Rules, and under the same Provisions and Restrictions that are contained in the Royal Letters patent, granted to the Society in *Scotland*, for propagating Christian Knowledge; a Copy of which Royal Patent is herewith humbly offered to your Majesty.

And because it will be necessary that the most Part, if not all of those Schools be made moveable; and that by Experience in the Course of Time, other Places may be found as convenient as those in which the first Settlements may be made; and that some of those Schools may require a more liberal Allowance than others, that the foresaid Managers be particularly authorized and empowered to remove the Schools from the Places where they may be settled from time to time, to other Places, as they shall judge most convenient for obtaining the Ends of the foresaid Act, and to increase or diminish the Allowances to the several Schoolmasters, according as they shall find the Circumstances of the Case do require, providing always that they do not exceed the total Sum allowed for the Ends foresaid. And that the said Managers and their

Treasurer be ordained to keep distinct and regular Books of Accompts of the whole Sums to be received and paid out, and to make yearly Accompts of the Moneys received and Payments made by their Order and Warrants to such as your Majesty shall appoint.

And the Commissioners do further humbly give it as their Opinion, that, for the Support and Maintenance of the foresaid Schools, it will be necessary that suitable Salaries be allowed to the Secretary, Treasurer, Clerk, Accomptant, and other Servants, such as House-keepers, Doorkeepers, and the like; and that there will be a great Expence in keeping of Books and Records, and for managing a Correspondence with the Schoolmasters and others, about the Concerns of the Schools. And therefore they do, with the greatest Submission propose, that some Provision be likewise made for these Charges.

All the above mentioned Particulars are humbly submitted to your Majesty's Consideration by the foresaid Commissioners, in whose Name, &c.

For attaining this desirable End, the Parliament, in the fourth Year of the said King, enacted, that a Sum not exceeding Twenty thousand Pounds *Sterling* should be appropriated as a Fund; and the Profits arising thereby, applied towards the Maintenance of the intended Schools to be erected in those Parts of the Highlands and Islands that were disarmed on account of the late Rebellion, without the least Provision for the other Parts of the said Highlands and Islands unconcerned in the said Rebellion. And though, by an other Act of Parliament, in the sixth of the same Reign, the aforesaid Sum of Money was exempted from other Uses but that of the said Schools; yet it has not hitherto been raised that I can learn; yet the Society are in hopes that the Parliament, at a proper Season, will raise the same, or by some other Means make Provision for the Maintenance of Schools in several Popish Districts, where the Society through Inability cannot.

Before the Year 1720, the above Charity Schools had so good an Effect in Places wherein they were settled, that, though the Populace were formerly of opinion, that none ought to be brought up to Letters but Persons of Distinction; now they vie who shall have their Children best taught, and such as cannot read are not respected; which begets in them such an Emulation, that many Adults, both Servants and others, nay, married Men and Women go to School; and Popish Parents have obliged themselves to send their Children to be educated in the Protestant Religion, as soon as a School or Schools shall be erected amongst them; which both being now performed, the said Children, 'tis said, are become so averse to Popery,

Popery, that they cannot be prevailed on to hear a Popish Priest.

Though the Schools erected by the Society have been of great Use for instructing poor Infants to read, write, and other Degrees of Knowledge in such Parts of the Country where the Inhabitants are brought up to Labour and Industry; but in other Parts, where Sloth and Idleness prevail, many of the Poor are in a State of Beggary and Theft, or, at least, become Vagrants, and a Burden to their Country. The most effectual Way for reclaiming of such, being thought would be by erecting Schools, wherein Children might be taught Arts and Manufactures, Housewifery and Husbandry, as well as Reading, Writing, &c. For the obtaining so desirable an End, the Society applied to his late Majesty for a Supplemental Charter to enable them to accomplish their laudable Design, which he was pleased to grant by his Letters patent, of the following Tenor.

GEORGE, *by the Grace of God, King of Great Britain, France and Ireland, Defender of the Faith.*

Forasmuch as We taking into our Royal Consideration, that her late Majesty Queen Anne, of blessed Memory, did, upon the Narrative of the charitable Inclinations of many of her Subjects, for raising a voluntary Contribution towards the further promoting of Christian Knowledge, and the Increase of Piety and Virtue in Scotland, by her Letters patent, bearing Date at St. James's the 25th Day of May 1709, constitute, appoint, ordain and declare the said Contributors to be a legal Society and Corporation, by the Name of *The Society in Scotland for propagating Christian Knowledge*; with Power for them to receive Subscriptions, to erect and maintain Schools, to teach to read, especially the Holy Scriptures; as also to teach Writing, Arithmetick, and such like Degrees of Knowledge as might be competent, as in the said Letters patent, containing divers other Clauses at more Length is set forth.

And We taking likewise into Consideration, the Petition of the said Society for propagating Christian Knowledge in their anniversary general Court, held at Edinburgh, upon Thursday the 7th of January last, setting forth the said Letters patent. And that it is found by Experience, that the breeding up of young People to Handy-labour, Trades and Manufactures, together with learning to read and write, will be of great Benefit, not only to these young People, but likewise to the Nation in general, and better answer the Inclinations of the Contributors, for promoting Piety and Virtue. That the foresaid Society are, by their said original Patent, de-

clared able and capable in Law, to purchase and enjoy Lands, Tenements, Rents, and other Privileges and Jurisdictions in Fee and Perpetuity, not exceeding the yearly Value of Two thousand Pounds Sterling: But it may be doubted, whether, by the said Patent, they have Power to sell, and dispose of Lands once purchased: The said Society therefore humbly prayed, We would be pleased not only to ratify and perpetually confirm the foresaid Letters patent for the Ends therein mentioned, but also further to empower and authorise the said Society, by all lawful Means, and according to Rules by them to be established in that Behalf, over and above the Purposes of their original Patent, to cause such of the Children as they shall think fit to be instructed and bred up to Husbandry and Housewifery, or in Trades or Manufactures, or in such like manual Occupations as the Society shall think proper; and that in such Places, and in such Manner as the Society or their Directors shall think the most practicable and expedient. And further, to empower the said Society to sell and dispose of such Lands, Tenements, Rents, Privileges and Jurisdictions as they already have, or shall hereafter purchase so often as they shall judge the same expedient, and for the Interest of the Society.

Therefore, We, from an earnest Desire for promoting the Good of our Subjects in all Parts of our Dominions, ordain Letters Patent to be made and passed under the Seal, appointed by the Treaty of Union, to be kept and made use of in Scotland, in place of the Great Seal of Scotland, containing our Ratification and perpetual Confirmation of the foresaid Letters Patent, for the Ends and Purposes therein mentioned; and also our full Power and Authority to the said Society, by all lawful Means, and according to Rules by them to be established in that behalf, over and above the Purposes of their original Patent; to cause such of the Children, as they shall think fit to be instructed and bred up to Husbandry and Housewifery, or in Trades or Manufactures, or in such like manual Occupations as the Society shall think proper; and that in such Place and in such Manner, as the Society or their Directors for the Time being, shall think the most practicable and expedient. And containing likewise, our full Power to the said Society, to sell and dispose of such Lands, Tenements, Rents Privileges and Jurisdictions, as they already have, or shall hereafter purchase, as often as they shall judge the same expedient, and for the interest of the Society; provided always, that such Sale or Disposal of the foresaid Lands, Tenements and others, shall have the Consent and Approbation of our trusty and well beloved, the

Lords

'Lords Justice-General, President of the Court of Session, Chief Baron of the Court of Exchequer, Justice-Clerk, our Advocate and Solicitor for the Time being, or any three of them, &c.

'In Testimony whereof, we have ordained our Seal appointed by the Treaty of Union to be kept and used in place of the Great Seal of Scotland, to be hereto appended. At our Court at *Kensington*, the 6th of June 1738. and of our Reign the Eleventh Year.'

Upon the Receipt of the above Charter, the Society resolved, that the Benefactions already given, or hereafter may be bestowed for carrying on the Purposes of the said Charter, shall be solely appropriated for that Use; and, for the more effectually putting the same in practice, desired, that all Benefactors would please to acquaint their Treasurer, to which of the Patents or Funds they design their Benefactions; and whether the same are to be added to the Capital Stock, or to be laid out with the yearly Revenues. And whenever Donations are given without mentioning the Fund to which they are applicable, they are equally divided between both.

Should the Society, by the charitable Benefactions of well disposed Persons, be enabled to put their noble Design of working Schools in Execution; it would be of great Service to the Country as well as advantageous to the Poor; who, instead of being, as at present, a Burden to the Nation, would thereby be made useful Members of the Community, by not only providing for themselves and Families by their honest Labour, but make an Addition to the publick Stock by their Industry.

TRINITY HOSPITAL.

Mary of Gelders Consort to *James II.* in the Year 1461, founded at the North-western Corner of *Leith-wynd*, a collegiate Church, in Honour of the Trinity and the Virgin *Mary*, for a Provost, eight Prebendaries, and two Choiristers, as already mentioned in the Charter of Foundation above specified. In the Neighbourhood of the said College, the said *Mary* the Foundress erected an Hospital of the same Name, for the Reception and Intertainment of thirteen poor Persons: which, together with her above Foundation, she amply indowed, with the several Churches, Lands and Tenements, in the Account of the said collegiate Church above specified. Both of these Foundations were confirmed at *St. Andrew's* on the first of April, anno 1462, by *James Kennedy*, Bishop of that See.

At the Reformation of Religion in Scotland, these with other religious Houses and charitable Foundations were appropriated to other Uses: *James*, Earl of *Murray*, Re-

gent of the Kingdom, granted this Church and Hospital to *Sir Simon Preston*, Provost of *Edinburgh*, who, on the 10th of November, in the Year 1567, generously conferred the same on the Citizens of *Edinburgh*, for the Use of their Poor; for which the Common Council returned their most grateful Acknowledgments: This Gift was confirmed by a Royal Charter soon after.

Coun. Regist.
vol. IV.f.206.

But, as *Sir Simon Preston's* Gift was only reversionary, the Town Council of *Edinburgh*, on the 26th of April, anno 1585, by a Contract with *Robert Pont*, Provost of the Trinity College, agreed to pay him for his Right to the said College, the Sum of Three hundred Marks, *Scotish* Money, and an Annuity of One hundred and sixty Pounds of the same Money during Life. This Contract was confirmed by *James VI.* on the 26th December, in the Year 1587, with a Power to the said Magistrates and Council to rebuild the Trinity Hospital in a Place more commodious, at, or near the College.

Now all Things being ready for the intended Work, it was set about, and the Hospital, till this Time, which stood on the Eastern Side of *Leith-wynd* was demolished, and Part of the said College fitted up and converted into a new one where it still stands on the Southern Side of the Trinity College Church, and Western Side of *Leith-wynd*; which was no sooner finished than five Men and two Women were taken into it; and the Number greatly increasing, in the Year 1700, it amounted to fifty four Men and Women. But this being more than the Fund could maintain, the Number was reduced to forty; but by the charitable Benefactions of well disposed Persons, they are again increased to fifty three. These Persons being, as it were, sequestered from the World, have no Care concerning temporal Things; their real Business is to secure an Interest in God, by a religious and dutiful Observation of his Laws, and to serve him in Truth and Sincerity, during their transitory State in this World, as will appear by their being plentifully supplied with all the Necessaries of Life and suitable Conveniencies for their Accommodation; an Account whereof I shall subjoin for the Information of the Reader.

Each Person, has a convenient Room, with proper Furniture to lodge in. The Men have yearly, each a Hat, two Neckcloaths, two Shirts, a Pair of Breeches, one Pair of Shoes, and a Pair of Stockings, and every other Year, a Coat and Waistcoat. And the Women, have yearly, two Shifts, a Pair of Shoes and Stockings, and every two Years, a Gown and Petticoat. And, for buying petty Necessaries, the Men are allowed Eight Shillings and eight Pence *Sterling*, and the Women, Six Shillings and six Pence yearly. For Food, each Person

Person has a daily Allowance of Twelve Ounces of Household Bread; the Men, a *Scotish* Pint, (about three Pints *English*) of Ale, and the Women, Three Mutchkins or three fourths of a Pint, each Day; for Breakfast, have Oat Meal Pottage or Hasty-pudding; and from the first of *August* to the first of *January*, have roasted Mutton two Days in the Week, two Days boil'd Mutton with Broth, two Days boiled fresh Beef and Broth; and on *Monday*, in lieu of Flesh-meat, the Men are allowed Two Pence, and the Women Three Half-pence. From the first of *January* to the first of *June*, their Allowance is fresh Beef and Broth; and during the Months of *June* and *July*, are allowed Lamb's Flesh. They have a small Library of Books to divert themselves with reading, and a convenient Garden to walk in. And, to shew the Reader the Government of the Hospital, I shall add a Copy of its Statutes, which are as follows.

1. 'The Hospital shall be governed by a Council of Governors, consisting of Twentyone Persons, whereof the Lord Provost, the Four Baillies, the Dean of Guild, and the Treasurer of the City of *Edinburgh*, during their Continuance in Office, shall be Seven, the Persons who sit in the Town Council, in the Character of old Magistrates, during their Continuance in Council in that Character, shall be Seven more; and the Deacon Conveener, the two Ministers of the College Church for the Time being, and Four Tradesmen to be chosen by the Town Council, shall be the other Seven.'

2. 'The Council of Governors mentioned in the foregoing Statutes, whereof Eleven are declared to be a Quorum, shall meet four Times every Year in the Hospital, viz. on the third *Monday* of *October*, second *Monday* of *January*, second *Monday* of *April*, and second *Monday* of *July*; and as often at other Times, as the Hospital shall require; and shall have Power and Authority to govern the Hospital, censure, punish and extrude the Persons entertained in it; to chuse, censure and dismiss all Officers and Servants as Occasion requires; to direct its Oeconomy within and without Doors; to act with the Treasurer; and in general, to order all its Affairs, determining and concluding by a Majority of Votes.'

3. 'The Persons to be admitted into, and maintained in the Hospital, shall be no other, than old Men or old Women, Burghesses, Burghes Wives, or Children of Burghesses, not married, nor under the Age of fifty Years; or shall be Persons of the Age and State of Life before mentioned, presented by the Donators of Two hundred and fifty Pounds *Sterling*; and the Number of the Persons to be constantly entertained, shall be so many as the Re-

venue of the Hospital can conveniently maintain, after the Deduction of the Charge of Management and of maintaining the Fabrick.'

4. 'The Donor of the Sum of Two hundred Pounds *Sterling*, shall be privileged to present any Person whatsoever of the Age and State forementioned, to be admitted into, and maintained in the Hospital, at the End of Six Months, after Payment of the respective Sums before mentioned, and the Privileges shall descend to Heirs and Successors whatsoever. Providing nevertheless, that no Person be presented upon the Decease of another till Twelve Months are elapsed after the last Person's Decease.'

5. 'All Persons admitted into the Hospital, shall be provided with decent Apparel, wholesome Food and convenient Lodgings, furnished with clean Linnen, Bed and Bed-cloaths; shall have such Allowance paid them weekly for petty incident Expences, as the Council of Governors shall think fit, and shall be decently buried at the Hospital's Expence. But, each Person shall bring into the Hospital, at their Admission, a Bed and Bed-cloaths for their own Use; and shall sign a Writ, by which they transfer and dispoise to the Masters, for the Behoof of the Hospital, all the Goods and Gear, Money or Effects they are possessed of at their Admission. And shall farther solemnly promise before the Council, to demean themselves orderly in the Hospital, to be obedient to the Orders of the Council, and to obey the Governor and Governesse, in all their just and lawful Commands.'

6. 'The Officers and Servants employed in the Hospital, shall be, two Masters, the one a Merchant, the other a Tradesman, a Clerk, a Governor, a Governesse, a Caterer or Cateresse, a Porter or Messenger, and as many Maid Servants, as the Exigence of the Hospital shall require. Upon the Death, Demission, or Removal of any thereof, the Council shall proceed to chuse others in their Places, within fourteen Days thereafter.'

7. 'The joint Business of the two Masters, shall be frequently to visit the Hospital in order to inspect the Conduct and Behaviour of all the Officers, Servants and Persons entertained in it, to report to the Council, what they observe to be amiss, and to summon Meetings of the Council as Occasion requires. But it shall be the particular Province of the Merchant Master, to serve as Treasurer to the Hospital, by receiving the Revenue, and defraying the Expence of it, and keeping regular Books of Accompts, in the Form to be prescribed to him by the Council. And of the Tradesman Master to inspect the Behaviour of the People in the Hospital in

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‘ a particular Manner, and see to the Execution of the Council’s Orders.

8. ‘ The Office of the Clerk shall be to attend all Meetings and Committees, to keep an exact Sederunt-book of Transactions, and Register-book of all Persons admitted into the Hospital, to write all Committees Reports, to draw all Writs and Evidents which concern the Hospital’s Affairs; to keep all the Papers belonging to the Hospital in a safe Place, and in due Order; and further, to do what the Council shall, from Time to Time, direct in his Sphere. His Salary shall be such as the Council shall appoint not exceeding Ten Pounds *Sterling* yearly.

9. ‘ The Province of the Governor shall be to inspect the Manners and Behaviour of all Persons in the Hospital, particularly of the Men; and to report what he finds amiss to the Masters, to discourse with them, counsel, advise, and reprove them as Occasion requires; to sit at Table where the Men eat, to officiate as Chaplain, by praying with them in the Morning and Evening, asking God’s Blessing, and returning him Thanks at Meat; and further, to do what else the Council shall from Time to Time direct concerning his Office. He shall be maintained in the Hospital at Bed and Board, and his Salary, out of which he is to provide himself with decent Cloaths, shall be such as the Council shall appoint, not exceeding Twenty five Pounds *Sterling* yearly.

10. ‘ The Business of the Governess shall be to inspect the Manners and Behaviour of all Persons in the Hospital, particularly of the Women; and to report what she finds amiss to the Master; and officiate as Steward, taking Charge of the Provisions of Meat and Drink brought into the Hospital, overseeing the Dressing and Disposal thereof, and accounting for it to the Masters; to comptroll the Caterer, or Caterers, and account with him or her, and sit at the Head of the Table where the Women eat; and further, to do whatever the Council shall, from Time to Time, direct concerning her Office. She shall be maintained and intainted in the Hospital; and her Salary, for providing Cloaths, and defraying personal Charges, shall be such as the Council shall appoint, not exceeding Twelve Pounds *Sterling*, yearly.

11. ‘ The Caterer or Caterers Business shall be, to go to the Mercat and buy the Victuals, accounting to the Governess for his or her Intromissions; and if a Cateress, to assist in dressing of them, and doing the other Parts of a Servant’s Work in the Hospital, his, or her Fee, and the Fee of the other Maid-servants shall be such as the Governess shall agree upon with them by Advice of the Master. And the Porter,

or Messenger’s Business shall be, to open and lock the Gates regularly, delivering the Keys every Night to the Governor, and receive them back from him in the Morning; to summon the Governors to all Meetings; and further, to do what the Masters or the Governor and Governess shall direct, consistent with the Rules of Oeconomy in the Hospital. They shall be maintained and intainted in the Hospital; and the Porter or Messenger’s Salary shall be what the Council shall appoint, not exceeding Three Pounds *Sterling*, yearly.

12. ‘ Every Governor shall, at his Admission, and before he enter upon the Exercise of his Office, take the following Oath, to be administered to him by the Clerk, viz. *I A. B. do faithfully promise and solemnly swear, that I will punctually observe the Statutes of this Hospital, and demean myself uprightly, disinterestedly, and honestly in the Choice of Officers and Servants, and in all other Matters which concern the Hospital; and if I, at any Time, find any Person attempting or endeavouring to imbezzle its Revenue, or defraud it in any Manner of way, I will vigorously oppose him, and reveal it to the Council of Governors for the Time being: This I promise, and by God, and as I shall answer to him at the great Day.*

‘ Every Master shall, in like Manner, before he enter upon the Exercise of his Office, take the following Oath, viz. *I A. B. now appointed Master of the Trinity Hospital, do faithfully promise, and solemnly swear, that I shall faithfully and honestly perform all that is required of me by the Statutes of this Hospital, by God, and as I shall answer to him at the great Day.* And the same Oath *mutatis mutandis* shall be taken by the Governor and Governess.

The Revenues of this Hospital at present amount to the yearly Sum of Six hundred and thirty seven Pounds eleven Shillings and one Penny, *Sterling* Money.

WATSON’S HOSPITAL.

This Hospital, which is pleasantly situated in *Heriot’s Croft* or Field, on the Southern Side of *Edinburgh*, between the City Wall and the beautiful and delightful Walks and Meadows denominated *Hope’s Park*, was founded by *George Watson*, Citizen and Merchant of *Edinburgh*. Our Founder was descended from a Family, which, for a long Series of Years, appear to have been Merchants of this City; but, by the Death of his Father *John Watson*, (who left his Affairs in great Disorder) and the Marriage of his Mother to a second Husband, he, and his Brother *John*, being left to the Care of Fortune, *Elizabeth Watson*, alias *Davidson*, their Aunt, generously provided both for their

Preamble Stat.
anno 1724.

The first part of the report deals with the general situation of the country and the progress of the work. It is followed by a detailed account of the various projects and the results achieved. The report concludes with a summary of the work done and the prospects for the future.

The second part of the report deals with the financial situation of the country and the progress of the work. It is followed by a detailed account of the various projects and the results achieved. The report concludes with a summary of the work done and the prospects for the future.

The third part of the report deals with the social situation of the country and the progress of the work. It is followed by a detailed account of the various projects and the results achieved. The report concludes with a summary of the work done and the prospects for the future.

The fourth part of the report deals with the economic situation of the country and the progress of the work. It is followed by a detailed account of the various projects and the results achieved. The report concludes with a summary of the work done and the prospects for the future.

The fifth part of the report deals with the political situation of the country and the progress of the work. It is followed by a detailed account of the various projects and the results achieved. The report concludes with a summary of the work done and the prospects for the future.

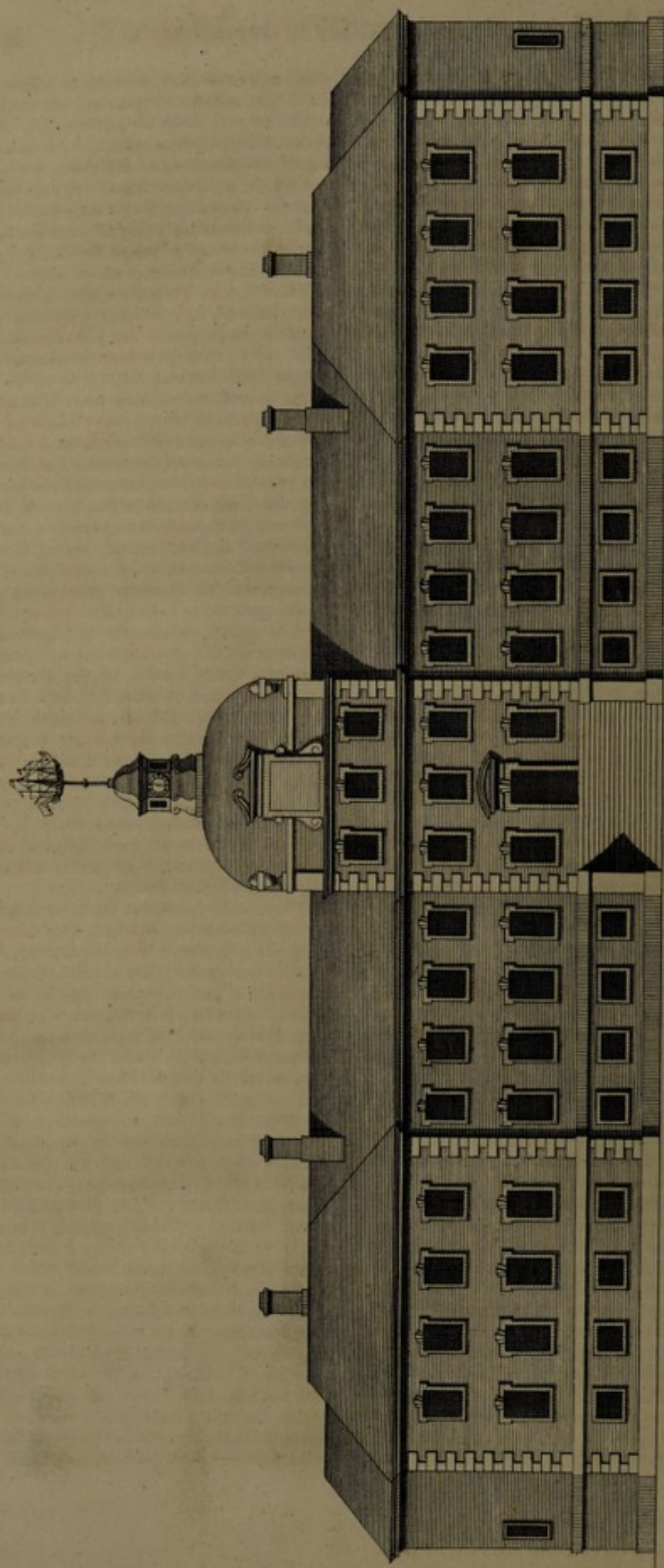
The sixth part of the report deals with the cultural situation of the country and the progress of the work. It is followed by a detailed account of the various projects and the results achieved. The report concludes with a summary of the work done and the prospects for the future.

The seventh part of the report deals with the educational situation of the country and the progress of the work. It is followed by a detailed account of the various projects and the results achieved. The report concludes with a summary of the work done and the prospects for the future.

The eighth part of the report deals with the health situation of the country and the progress of the work. It is followed by a detailed account of the various projects and the results achieved. The report concludes with a summary of the work done and the prospects for the future.

The ninth part of the report deals with the environment situation of the country and the progress of the work. It is followed by a detailed account of the various projects and the results achieved. The report concludes with a summary of the work done and the prospects for the future.

The tenth part of the report deals with the foreign relations of the country and the progress of the work. It is followed by a detailed account of the various projects and the results achieved. The report concludes with a summary of the work done and the prospects for the future.

*P. Fourdrinier Sculp.*

their Maintenance and Education; and *George* being her Favourite, she put him Apprentice to a Merchant in *Edinburgh*; and, after the Expiration of his Servitude, sent him to *Holland* to improve himself in Writing and Accompts; and after some Time gave him a small Sum to begin the World withal. But whether the Money given was too little to trade with, or his Inclination led him to act for an other, does not appear; however, on his Return to *Scotland* in the Year 1676, he entered into the Service of *Sir James Dick*, Kt. and Merchant of *Edinburgh* as his Clerk or Book-keeper, who, sometime after, allowed him to transact in a mercantile Way, certain Affairs in the Course of Exchange between *London* and *Edinburgh*, on his own Account.

Watson having left *Dick's* Service, at the Erection of the Bank of *Scotland*, was chosen Accomptant thereto; and soon after was appointed Receiver to the *Edinburgh* Impost on Ale, and for divers Years was Treasurer, both to the Merchants Maiden Hospital, and Society for propagating Christian Knowledge; all of which he discharged with great Applause; and dying a Bachelor, left the Sum of Twelve thousand Pounds *Sterling* to found an Hospital for the Intertainment and Education of Boys, Children, and Grand-children of decayed Merchants in *Edinburgh*; which Sum, by the prudent Management of the Governors, was improved to about Twenty thousand Pounds *Sterling*, before they erected an Edifice for the Reception of Children.

Our Founder, not unmindful of the great Benefits conferred on him in his helpless infant State, by his Aunt *Davidson* aforesaid, ordered, that, on Application for taking Children into his Hospital, those of the Name of *Davidson* to have the Preference: And appointed certain Persons to draw up Rules or Constitutions for the good Government of his said Hospital, which was performed in the Year 1724; but being likewise composed from those of *Heriot's* Hospital, are also omitted.

Coun. Regia.
vol. LIX.
p. 60.

Being now in good Circumstances to build, the Governors, in the Year 1738, purchased of the Town Council seven Acres and a half of Land, in *Heriot's* Croft or Field: This Spot, which lies just without the Southern Wall of *Edinburgh*, in the Barony of *Broughton* and Parish of *St. Cutbert*, is bounded on the East by the spacious Walk leading from the Charity Workhouse postern Gate, to *Hope's* Park; on the South, by the Northern Ditch of the said Park; on the West, by the Path-way on the Eastern Side of *Lauriston's* Gardens; and on the North by *Bristow* Causeway.

For the above Purchase was paid a Fine of Nineteen Pounds twelve Shillings and nine Pence *Sterling*, the Amount of one Year's feu'd Rent; which Rent is to be

paid at the Rate of four Bolls and a half of Wheat and Barley yearly, to be valued at the highest Rates of Corn in the County of *Edinburgh* annually. And considering that this Feu is in Mortmain, no subsequent Entry can be made by the Fall of Lives: Wherefore the said Governors, at the Expiration of every twenty five Years, are to pay to the Town, eight Bolls, one Peck, and one Lippy of the aforesaid Corn.

Now as the Treatment of the Boys in this Hospital is such, that probably it is no where to be paralleled, I shall shew how they are provided for both within and out of the said Hospital.

As an Incentive to Learning, Virtue and Diligence, those brought up to Letters, besides what is to be learned in the Hospital, are severally allowed the Sum of Ten Pounds *Sterling* annually, to prosecute their Studies in the College of *Edinburgh*, for the Term of five Years; and at their leaving the University, have the Sum of Thirty Pounds *Sterling* given to each of them, as an Encouragement to them to proceed in their Studies privately. And the Boys designed for Commerce, or the Arts or Mysteries of Trades, when put Apprentices, have the Sum of Twenty Pounds *Sterling* given with each of them; and if the said Boys behave faithfully and industriously during their Servitude, and remain three Years thereafter unmarried, with an unspotted Character, or being married with Consent of the Governors, and then free from Debt and every unworthy Engagement, are to have the Sum of Fifty Pounds *Sterling* each, to enable them to set up and begin the World withal, in the Way of Business.

They are apparelled in the modern Dress, in a very handsome Manner, more, in all Respects, like the Sons of Gentlemen, than Charity Children. Their Diet, from the first Day of the Month of *March*, to the first of *November*, is as follows: For Breakfast, Pottage or Hasty-pudding with Ale or Butter-milk; and from the first of *November* to the first of *March*, Pottage and Ale. For Dinner, from *March* the first, to the fifteenth of *June*, on *Sundays*, *Tuesdays*, and *Thursdays*, Beef and Broth; from the fifteenth of *June* to the first of *August*, on the said Days, Lamb, either roasted or made into Hodge-podge; from the first of *August* to the first of *November* likewise, on the same Days, alternately, roasted Mutton, and Beef and Mutton boiled with Broth; and from the first of *November* to the first of *March*, Beef and Broth, with Plenty of Greens and Roots, according to the Season; with eight Ounces of Bread, and half a Mutchkin (half an *English* Pint) of Ale, each, during the Times aforesaid. For Dinner on the *Mondays*, *Wednesdays*, and *Fridays*, Milk, and half a Pound of Bread; and for Dinner on *Saturdays*, Barley, Milk, with

with eight Ounces of Bread throughout the Year. And for Supper, Bread and Ale, the Year round.

Besides the above mentioned Charities, there are divers others belonging to *Edinburgh*, one or two whereof I shall just mention, viz. one

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119.

Johnstone of London, in the Year 1640, bequeathed to this City the Sum of Three thousand Pounds *Sterling*; One thousand whereof to be employed in setting the Poor to Work; another for the Support of eight Bursars in the College of *Edinburgh*, and the third towards relieving the Town Poor for ever.

Amongst all the pious Benefactions belonging to *Edinburgh*, I think none deserves the Name of Charity more than the Legacy of Captain *William Horn*, who, by his Will of the 17th of July, anno 1741, bequeathed to the Magistrates of *Edinburgh* in Trust, (after the Decease of his Widow) the Sum

of Three thousand five hundred Pounds *Sterling* in South Sea Annuities, to be laid out by them to the best Advantage; and the Profits arising therefrom, to be yearly distributed on the 25th of *December* to Poor Labourers and their Families, whose Business being to work without Doors, are, by the Inclemency of the Weather, in severe Seasons, rendered incapable to follow their Labour. The largest of which Families to have Five Pounds each, and the smallest two Pounds ten Shillings *Sterling* each. The Profits of One thousand five hundred Pounds of the said Legacy, to be given to poor Labourers belonging to the City of *Edinburgh*; those arising by One thousand, to the Labourers in the Nether Parish of *Liberton*; and those of the other thousand, to the poor Labourers of the *Westport*, *Bristow*, and *Potterraw*, in the Parish of *St. Cuthbert* and Suburbs of *Edinburgh*.

The End of the Seventh Book



T H E

T H E

HISTORY of EDINBURGH.

B O O K VIII.

Containing the antient and present State of the Town and Port of LEITH.

ALTHOUGH *Leith* be an Appendage to *Edinburgh*, yet as it is at a considerable Distance from that City. I have thought proper to give an Account thereof by itself; wherein I shall set forth its antient and present State, in all their Branches: And, to do it Justice, it may truly be said, that on the Harbour of *Leith*, in a great Measure, depends the Welfare of *Edinburgh*. And were *Leith* a free and independent Town, *Edinburgh* would soon empty itself into *Leith*; which has occasioned its suffering great Hardships, to prevent its ingrossing the Trade and Commerce of *Edinburgh*, as hereafter will appear. However, at present, it seems to raise its Head and to bear a better Aspect than formerly.

The first Mention I find of *Leith*, is (in the Foundation Charter of the Abbey of *Holy-rood-house*, founded by King *David I.*) by the Name of *Inverleith*; which in the *Gaelick*, or antient *Scotish* Language, signifies *The Mouth of the (Water of Leith)*. This Appellation it undoubtedly received from its Situation, at the Influx of the River-*et Leith* to the Frith of *Forth*. And as to the House about a Mile higher, on the Northern Side of the said River-*et*, at present called *Inverleith*; its proper Name is *Over* or *Upper Inverleith*, from its higher Situation within the Country, to distinguish it from its Original at the Mouth of the Rivulet; but by whom or at what Time *Leith* was founded I cannot learn; for the first Time I read of it, is in the Beginning of the twelfth Century as aforesaid; and the second Time was when the *Edinburgers*, on the twenty eighth of *May*, anno 1329, amongst other Things, obtained of King *Robert I.* a Grant of the Harbour and Mills of *Leith*, with their Appurtenancies; but not having a Right to the Banks of the said Harbour or River, Disputes arose

betwixt them and the Proprietor, Sir *Robert Logane* of *Lestralrig*, Knight, whereby, in the Year 1398, they were obliged to purchase of him the said Banks or waste Piece of Ground, extending from the Walls of the Houses to the River, to be converted into Wharfs or Quays, for the Convenience of Shipping and landing of Goods and Merchandize; with a Right to make Ways or Roads through his Lands of *Lestralrig*, for the carrying of Goods and Merchandize to and from the Port of *Leith*; together with a Power of keeping Shops for the Sale of Bread, Wine, Wax, Silk, and other mercantile Commodities; and a Liberty to erect Granaries for the Conservation of Corn within the Town of *Leith*. Cart. Logane.

Although the *Edinburgers*, by the above Grant, thought themselves secure of the several Concessions therein stipulated; yet such was the wicked and litigious Nature of *Logane*, that he confined them to the Use of a very inconvenient narrow Lane, now called *The Burges's Close*, a little be-north the *Tolbooth-wynd*, at the Shore of *Leith*. Wherefore the Town Council of *Edinburgh* commenced a Process against him for free Access to and from their Port of *Leith*, for the Convenience of Trade by virtue of their Town being a Burgh Royal; in Consideration whereof, the said *Logane* was obliged to grant to the *Edinburgers* a free and commodious Way to and from their said Port of *Leith*.

Though, by the above mentioned Grant of *Logane's*, the *Edinburgers* were impowered to keep Shops and sell Goods by Retail in *Leith*, the *Leithers* were greatly oppressed; yet the said *Edinburgers* thinking that Grant insufficient to prevent the said *Leithers* from interfering with them in Commerce, obtained of the said *Logane* for a certain Sum of Money, an exclusive and very inflaming Grant, whereby the Inhabitants of *Leith*

Cart. Rob. I.

Balfour's A& Leith.

G g g g g *Leith*

Leith were not only restrained from carrying on any Sort of Commerce, but even from keeping of Warehouses; nay, such was their Bondage, that they were not allowed to keep Inns or Houses for the Intertainment of Strangers.

Coun. Regist. Edin. vol. I. f. 19. 20. And that nothing might be wanting to render the unhappy *Leithers* still more miserable, the Town Council of *Edinburgh*, in the Year 1485, ordained, that no Merchant of *Edinburgh* presume to take into Partnership an Inhabitant of *Leith*, under the Penalty of Forty Shillings to the Church Work, and to be deprived of his Freedom of the City for the Space of one Year: And, as if all the above were not sufficient to oppress the unhappy *Leithers*, it was by the said Council enacted, that none of the Revenues of *Edinburgh* be let to an Inhabitant of *Leith*, nor any of the Farmers of the said Revenues presume to take a *Leither* as a Partner in any Contract relating to the same; nay, not to take any Person of *Leith* into his Service in that Respect under the Penalties aforesaid.

And to compleat the Ruin of the distressed *Leithers*, the Earl of *Hertford*, General of the *English* Army, took, sack'd and burnt their Town in the Year 1541.

Buchan. Hist. in vit. Mar. To secure a convenient Place in *Scotland*, for landing of *French* Troops, Monsieur de *Desse*, the *French* General, here, in the Year 1549, began to fortify the Town of *Leith*. This Fortrefs, by its Remains, appears to have been of an octangular Form, consisting of eight Bastions, the first whereof, called *Ramsay's Fort*, was, for Defence of the Harbour, situated on the Eastern Side of the River, a little benorth the King's Work near where the Weigh-house stands at present; hence the Town wall wynding South-eastwards, joined the Bastion on the Eastern Side of *Little London*, at the upper End of the *Weigh-house-wynd*; and the Rampart continuing its Course Southwards, was intersected by the third Bastion, at present a Garden near the Northeastern Corner of the Church-yard, at the Eastern End whereof, Part of the said Wall is still to be seen; whence, running Southwards, joined the Bastion at the Southeastern Corner of the Wall; which, together with the Ditch, do plainly appear, though now converted into a Garden; adjacent to which, near the Southern End of the *Kirkgate*, at the Northwestern Corner of *St. Anthony's Wynd* stood the Port or Gate of *St. Anthony*, so denominated from its Vicinity to the Preceptory of *St. Anthony*; hence, the Wall passing Westwards, on the Northern Side of the said *St. Anthony's*, and uniting with the fifth Bastion, the Vestigia whereof, together with those of the Wall and Ditch, are still visible in the Gardens. Whence, continuing its Course Westwards, crosseth the Road to *Broughton*, and joins

the Southwestern Bastion of the Fortrefs, yet in great Perfection; and turning Northwards descended the Hill to the River *Leith*, and crossing the same by a wooden Bridge of Communication (the Remains whereof were to be seen a few Years since) joined a Bastion on the Northern Side of the said River; hence the Rampart wynding Eastwards, passed over the Ground whereon the middle Part of the present Citadel is erected: And continuing its Course Eastward, ended at the Fort erected on the Western Side of the River, at a Place now called *The Sand Port*, for Security of the Harbour, which appears to have been built with Stones, by the Ruins of the strong Walls still remaining; as doth likewise that of *Ramsay's Fort*, on the Eastern Side of the River, which was by the Town Council of *Edinburgh* ordered to be taken down in the Year 1560.

Remark. Although I have only been able to discover one Gate or Port in the Fortifications of *Leith*, viz. that of *St. Anthony's* aforesaid, there were undoubtedly divers others therein, one whereof I imagine to have stood at the Eastern End of the *Hill-head-wynd*, through which lay the Road from the middle Part of the Town to *Musselburgh* and other Parts of the County of *East Lothian*; another at the Southern End of *Cables-wynd*, over the Road leading to *Broughton*; and a third at the Northern End of the Bridge of Communication aforesaid for the Western Road; which, together with the Entrance from the Frith, shews that *Leith* was entred by five several Ways, which is the same Number at present.

Leith was no sooner fortified, than, by the Accession of People from all Parts, its Inhabitants were considerably augmented; and *Mary of Lorrain*, Queen Dowager, and Regent of *Scotland* intending to make it her Residence, to ingratiate herself with the Inhabitants, and secure them to the Queen her Daughter's Interest, obliged herself by a Contract with the *Leithers*, dated at *Holyrood-house* the thirtieth of January, anno 1555, to erect their said Town of *Leith* into a Rec. Leith. Burgh of Barony, with Letters of Bailiary, to continue in Force till she erected it into a Burgh Royal. Preparatory to which, the said Regent purchased of *Robert Logane* of *Lestralrig* the Superiority of the said Town and Links of *Leith*, for the Use of the Inhabitants; for which, according to Contract, they paid to the said *Logane* the Sum of Three thousand Pounds, *Scotish Money*, as appears by six several Receipts under his Hand, still in their Possession. And a few Days after, the said Regent granted to the *Leithers* her Letters patent, empowering them to chuse Bailiffs for their better Government, with Charters for erecting divers of their Arts or Trades into Corporations. But the Queen Regent dying soon after, to the great Loss and Grief of the Inhabitants,

Inhabitants, who, instead of having any Thing farther done for their Service, had the Misfortune to learn, that the King and Queen had granted the Superiority of their Town to the *Edinburghers* for the Sum of Ten thousand Marks, and the Reversion thereof, which the Town Council of *Edinburgh* many Years after purchased of Lord *Thirlstane*, for the Sum of Fourteen thousand Marks, as I have elsewhere made appear; whereby the unfortunate *Leithers* were in as bad a Condition as formerly; nay, I may say, worse, by the Loss of their Money paid for the Superiority aforesaid; for I cannot learn that it ever was returned. However, from this Period, I think we may date *Leith's* being called a Town; for before this Time, it having had neither Magistrate or Corporation, could only be reckoned a Village.

Id. ibid.

The Town of *Leith* being strongly fortified by the *French* as above mentioned, gave great Uneasiness to the Nobility, Gentry, and Commons of the Reformed Religion, who imagined, that, by this Means, their *French* and Popish Enemies intended to enslave them and their Country, procured Assistance from *Elizabeth*, Queen of *England*, to prevent their destructive Designs; and the *English* Army being joined by the *Scottish* Reformers, laid Siege to *Leith* in the Month of *April*, anno 1560, which being carried on with various Success till the Month of *July* following, a Peace was concluded, whereby both the *English* and *French* Armies were to leave *Scotland*, and the latter being to be transported to *France* on Board *English* Vessels, sailed from *Leith* on their Return homeward on the sixteenth of the said Month; and the former began their March the same Day to *England*. Thus *Leith*, by Assistance of the *English* was happily delivered from *French* Servitude.

Leith, which is pleasantly situated, on the Southern Bank of the Frith of *Forth*, in the Barony of *Lestralrig*, and County of *Edinburgh* or *Mid Lothian*, undoubtedly owes its Name to the River *Leith*, which, in some Measure, is evident by a Place at its Source, denominated *Leith-head*; and another on its Northern Bank, called *Inverleith*. Be that as it will, the Town, which is divided by the said River into the Districts or Parishes of *South* and *North Leith*, is situated Northeastward from *Edinburgh*, at the Distance from the Southern End of the *Kirkgate* in the former, and Northern End of the *Caldron* at the latter, one Mile, a Quarter, and Twenty eight Yards, *English* Measure, being the Length of the Walk or Footway betwixt the Extremities of the said City and Town. And the Distance between the Cross of *Edinburgh* and the Quay or Shore of *Leith*, at the lower End of the *Tolbooth-wynd*, is two Miles,

three hundred and nine Yards of the same Measure.

The Southern and Northern Parts of *Leith*, are conjoined by a handsome Stonern Bridge of three Arches. The small River forms the Harbour, which from the said Bridge, along the Southern Side, where the Ships ly, is near Half a Mile in Length; and, the Northern Side of the said Harbour, is employed by Ship Carpenters Yards, for the building of small Vessels. This Harbour, which, is a dry one, can contain above One hundred Ships to ly safely and commodiously; at neap Tides, the Depth of Water on the Bar at the Mouth of the Haven, is above Nine Feet, at Spring-Tides, commonly about Fourteen, and sometimes by strong Easterly Winds, near Eighteen Feet Water on the said Bar. The Quay, extending along the Southern and Eastern Sides of the Harbour, which, is strongly fenced with an Ashler Stonern Wall, is of a proper Height and Breadth, for the Conveniency of lading and unlading of Ships.

Though the River *Leith* be but small, yet on it, in a great Measure, depends the Welfare of *Edinburgh*; for to it, which makes the Harbour, the Commerce of the *Edinburghers*, which is their chief Support, is intirely owing: And the great Number of Corn and other Mills thereon, amounting, in the short Space of about two Miles and a half, to upwards of thirty in Number, is a great Benefit to the Citizens, and would have been of much greater Advantage to them; but being feu'd, bring but little Profit to their Superiors.

ST. MARY'S CHURCH.

Leith, as already hinted, consisting of Rec. *Leith*, two Towns or Parishes; that on the Southern Side of the River, denominated *South Leith*, being the principal and most antient. It appears toward the Close of the fourteenth Century, to have been only a small Village belonging to the Parish of *Lestralrig* (improperly called *Restralrig*) and Vassalage of Sir *Robert Logane*, Knight. But *Leith*, by the Commerce of the *Edinburghers*, being considerably increased, a Chapel was erected therein for the Use of the Inhabitants.

Leith continuing to increase, the Charge was judged too great for one Minister; wherefore the Inhabitants added another, and obliged themselves to pay his Stipend; but Differences arising concerning the Manner of Payment, it was referred to the Presbytery of *Edinburgh*, who, by their Award in the Year 1593, divided the Inhabitants of *Leith* into four Classes, viz. The Mariners, Maltmen, Trades and Traffickers, each whereof were to pay a fourth Part of the said Minister's Stipend; that of the first being paid by the Patron.

The

Rec. Parl. 18.
Parl. Ja. VI.

The Church of *Lestalrig* being greatly decayed, the Parishioners, for the Space of fifty Years resorted to the Chapel of *Leith* to Divine Service; and there being no Prospect of the said Church's being repaired, the Parliament, by their Act of the 24th June, in the Year 1606, divested it of its parochial Right, and conferred the same on the Chapel of *Leith*. And the District of *Lestalrig* being appointed for its Parish, the Inhabitants were enjoined to repair thither; and annexing the Parsonage, Benefice, Glebe, and Parsonage-house of *Lestalrig* for Support of the Incumbent, ordered the Old Church to be suppressed, and the Patronage of the new Foundation to be reserved to the Patron of the Old, and his Successors; but the Lord *Balmerinock*, the Patron, being engaged in the Rebellion, anno 1745, the Patronage is forfeited, and the King become Patron.

But, for the better illustrating this Affair, I think it will not be amiss to subjoin a Copy of the said Decree or Award, whereby the second Minister's Stipend was ordered to be paid, which is as follows.

' Be it kend till all Men, be thir present Letters, We Mr. *Robert Douglas*, *Mungo Law*, *James Hamilton*, *Hugh MacKaill*, *Andro Fairfowl* and *George Leslie*, Ministers nominat and appointed be the rest of our Brethren of the Presbyterie of *Edinburgh*, to decern and determine in the Matters after specified. For sa miekle as the Parochiners of South *Leith*, Gentilmen and Traffiquers, Skippers, Maltmen and Craftismen, be their Submissioun, subscryvit with their Hands, of the Dait the Fourten Day of *Junii* last bypast, hath submitted to the Determinatioun of them that should be appointit be the said Presbyterie, whatsoever Differences are betwixt the said Gentilmen and Traffiquers, and the Skippers, Maltmen and Craftis, anent the settling of Mr. *Alexander Gibsonne*, ane of the Minister's Stipends, and his Successors, as the said Submissioun of the Dait foresaid beirs. Which being product to the said Presbyterie of *Edinburgh*, the Nyntten Day of *Junii* instant, and considered be them, they nominat and appointed us, Sex of their Number to decern and determine in the said Matter submitted be the Act of the said Presbyterie maid their anent the said Day; accordingly we have mett and conveyed with the said Gentilmen and Traffiquers, Skippers, Maltmen and Craftismen of the said Parochine of South *Leith*; and, having heard them anent the Differences standing among them, tuitching the Payment and settling of the said Minister and his Successors, their Stipend: to wit, of the Sum of Twelve hundred Pounds *Scotts Money*, to be payit yeirlie at *Whitsunday* and *Martinas*, in twa equall Portiouns, beginand

' the first Termes Payment fra *Whitsunday* now last by past, and at *Martinas* next in this instant Year of God, Ane thousand sex hundreth and fiftie Years; and all that any of them could alledge and say against uthers.

' And also having taken Tryell anent the Form and Payment of the said Ministers Stipend in Tymes bygane, be the saids Four Parties, and having taken Consideratioun theiranent, and whole Premisses; and being dewlie advysit thairwith, as equitable and justlie as we could, for discerning therein; We, according to the said Submissioun and Act of the said Presbyterie, warand and Power given to us thairby, do, by this our Decreet, determine, descerne and ordaine in Maner following: to wit, that the saids Skippers of *Leith*, together with the uther Seamen or Mariners who payis thair Dewes into the *Ternitie-hous*, remaine as before ane fourt Part of the said Toun of *Leith*; and that they and their Successors pay to the Minister and his Successors, ane just fourt Pairt of his Stipend; and that nane of the said Skippers and Mariners, or their Successors (althogh trading utherways) be obliged to contribute with the saids Traffiquers, in Tymes comeing, for the first Pairt.

' *Secondlie*, We descerne that the said Maltmen in *Leith*, togidder with the pit-tie Brewars and Sledders in the said Toun contributing with them, remaine in that same Kynd as of befoir ane other fourt Pairt of the said Toun of *Leith*; and that they and thair Successors (althogh trading utherways) be obliged to contribute with the said Traffiquers in Tyme comeing, for the second Pairt.

' *Thirddie*, We descerne, that the Craftismen, with the Meilmen adjoined to them, fall be ane other fourt Pairt of the said Toun and Parochine of *Leith*; and that they and thair Successors pay to the said Minister and his Successors ane other just fourt Pairt of his said Stipend; and that nane of the saids Craftismen, Meilmakers, nor thair Successors (althogh trading utherways) be obliged to contribute with the said Traffiquers in Tyme comeing, for the third Pairt.

' And *Lastlie*, We descerne and ordaine, that all other Gentilmen and Indwellers in the saids Toun of *Leith*, that are not any of the saids three other Corporations above wryttin fall be ane other fourt Pairt of the said Toun and Parochine; and that they and thair Successors fall pay to the said Minister and his Successors ane other fourt Pairt of his said Stipend in all Tyme comeing, for the last and fourt Pairt, without any Questioun, Obstacle, or Impediment or Contradiction to be maid by the saids Perties or any of them or thair Successors, anent the Payment of thair

Coun. Regist.
Edin. vol.
XVII. f. 277.

their own Pairs respective, as is above devydit of the said Minister's Stipend, proportionallie in all Tyme comeing.

And this our Decreit and Determination anent the Premisses in Maner foresaid, to all and sundrie whom it effeires, We make knowne be thir Presentis, and recommends the same to be insert in our Presbyterie Book, *ad futuram rei memoriam*. In Witnes whereof We have subscrivit the sament with our Hands, at *Edinburgh*, the third Day of *July* 1650 Yeirs. Sic subscribitur, *Robert Dowglas, &c.*

The above Decreet or Award being read and considered by the Common Council of *Edinburgh*, they promised to be aiding and assisting by their Authority in all lawful Ways to the Performance thereof.

The above Award not answering; for though the Ministers were equally burdened with the Charge of the Parish, were yet unequal in their Stipends, which occasioned frequent Complaints. The *Edinburghers*, in the Year 1722, having obtained an Act of Parliament for raising a Duty of Two Pence *Scotish* on the Pint of all Ale and Beer, sold within their City and Liberties, and Places therein mentioned, of which the Parish of *South Leith* being one, the *Leithers* got the said Gift, burdened with the yearly Sum of Forty four Pounds ten Shillings *Sterling*, for augmenting and making equal the said Ministers Stipends, which at present amount to about One hundred Pounds *Sterling* each.

The Church Session or Vestry of *Leith*, sometime after the Reformation of Religion in *Scotland*, having purchased the Lands and Properties of divers religious Foundations in the Towns of *Leith* and *Newhaven*, and Liberties thereof, King *James VI.* in the Year 1614, granted and confirmed the same by Charter for the Use of their Poor; whereof the following is a Copy.

JAMES, by the Grace of God, King of Great Britain, France and Ireland, Defender of the Faith, to all our loving Subjects, greeting.

Rec. Leith. Know ye, that We have given and granted, and by this our present Charter confirmed; and by these Presents do give and grant, and for us and our Successors, perpetually confirm to our beloved the Minister, Elders, and Deacons of the Church Session of *Leith* and their Successors, in the Name and Behalf of the Poor of the Hospital of the same, present and to come, all the Lands, Tenements, Houses, Buildings, Gardens, Teinds, Chapels, Churches, Orchards, Crofts Annualrents, Dail-silver, Death-pennies, yearly Duties, Fruits, Alms-duties, Profits and Emoluments whatsoever, which did belong or shall belong to whatever Chapelries, Altarages, Vicarages, and Prebendaries, founded in what-

soever Church, Chapel, or College within the said Town of *Leith* and Jurisdiction thereof, by whatever Patron, in Possession whereof, any Chaplain, Prebendary, or Titular formerly were; wheresoever the said Lands, Tenements Houses, Buildings, Gardens Orchards Crofts, Annualrents, yearly Duties, Fruits, Profits, Emoluments, and other Duties thereof, ly, or were formerly collected within the said Town of *Leith*, or in any other Part or Place within our Kingdom of *Scotland*. Together with all Annualrents, Farms, Feu-farms, Emoluments, Profits, and Duties whatsoever, arising by Houses, Lands, or Tenements, within the said Town of *Leith*; to whatever Chapelries, Altarages, Churches, Burying-places, Prebendaries, and yearly Duties wheresoever the same are or ly within our Kingdom of *Scotland*, without the said Town of *Leith*. Together with all Arrearages thereunto belonging.

And also, all the Lands, Tenements, Houses, Buildings, Gardens, Orchards, Crofts, Annualrents, Churches, Chapels, Teinds, Death-silver, yearly Duties, Fruits, Profits, Duties, and Emoluments whatsoever, which formerly belonged to, or hereafter may belong to the several Chapelries, Altarages, Vicarages, or Prebendaries, founded in any Church, Chapel, or College within the Town of *Lestrig*, by any Person or Patron whatsoever; in Possession whereof, any Chaplain, Prebendary, Vicar, or Titulars of the same, formerly were, or shall be known to have been; where ever the said Lands, Tenements, Houses, Buildings, Gardens, Orchards, Crofts, Annualrents, Churches, Chapels, Teinds, Dail-silver, Death-silver, yearly Duties, Profits, Fruits Duties, and Emoluments, ly or were formerly collected, as well within the said Town of *Lestrig*, as in any other Place or Part within our Kingdom of *Scotland*: Together with the several Annualrents, Farms, Feu-farms, Emoluments, and Duties arising from Houses, Lands, or Tenements within the said Town of *Lestrig*; founded or given to whatsoever Chapelries, Prebendaries, Altarages, Vicarages, Churches, Burial-places, and yearly Duties wheresoever the same are or ly within our Kingdom of *Scotland*, without the said Town of *Lestrig*, together with all Arrearages thereunto belonging.

And also, all that Piece of arable Land commonly called *The Holy Blood Acre*, with its Appurtenancies. And likewise all the Croft of arable Land contiguous to *St. Anthony's* Garden, with its Pertinents, antiently possessed by *Andrew Straiton*. And also, all that Place and Piece of Ground whereon the Church of the Preceptory of *St. Anthony* of the Knights

H h h h h

Templars

Templers formerly stood; together with the Church-yard, Mansion-house, Chambers, Gardens, Orchards, and their Appurtenances. And also, all that Tenement of Land lying on the South Side of the Water in the said Town of *Leith*, within the Barony of *Lestralig* and Sheriffwick of *Edinburgh*, being bounded on the North and East by the common Ways, was given and granted to the said Preceptory of *St. Anthony's* by the late *Edward Logan*. Together with all the Lands, Tenements, Annualrents, Fruits, Revenues, and Duties, and every Thing else which appertained to the said Preceptory of *St. Anthony's*, within the said Towns of *Leith* and *Lestralig*, whereof the Preceptors of the said Preceptory were at any Time heretofore in Possession.

Together with all Arrearages due, or may become due to the same; Tenants, Tenancies, Service of free Tenants, and other Appurtenances thereunto belonging. All of which Lands, &c. above mentioned, with their Hereditary Pertinents which heretofore belonged to the said Minister, Elders, and Deacons of the said Kirk Session of *Leith*, in Name and Behalf of the Poor of the aforesaid Hospital of the said Town of *Leith*, which they, by their Procurators, in their Name, lawfully constituted for that Purpose, did resign their Letters patent to us by the Hands of our Commissioner appointed to receive Resignations, as their lawful Superior at *Edinburgh*, purely and simply by Staff and Balton according to Custom; with all Right, Title, Claim of Right, Property and Possession, which they had, have, or any Way might have, or pretend to have, to the same or any Part thereof, in any Manner of Way in Time coming, in favour of us; and for this our new Charter and heritable Infeftment to be given and granted by us to the said Minister, Elders and Deacons of the said Church Session of *Leith*, and their Successors, in Name and Behalf of the Poor of the aforesaid Hospital of the said Town of *Leith* under our Great Seal in due Form. And,

Id: ibid.

Know ye, that We have given and granted, and by this our present Charter, perpetually confirmed for us and our Successors to the aforesaid Minister, Elders, and Deacons of the said Church Session of *Leith*, and to their Successors in the said Offices, hereditarily in Name and Behalf of the Poor of the Hospital of the Town of *Leith* aforesaid, both present and to come; and in Name and Behalf of the Poor of the said Town of *Leith*, all that Place and Piece of Ground whereon the Chapel of *St. James*, antiently called *The Chapel of the Virgin Mary of Newhaven* antiently stood; with the Chapel-yard and Mansion-house, Buildings, Gardens, Orchards, and

Wastes, with their Appurtenances, lying within the Town of *Newhaven* and our Sheriffwick of *Edinburgh*. And likewise, all those six Acres and seven Particulates of Land, with their Appurtenances, lying within the Precinct of the said Town of *Newhaven*; viz. four Particulates of the said Land, lying between the Lands of the late *John Bartoun*, on the East, the Lands of old belonging to our Predecessors on the South; and the Lands which antiently belonged to the Laird of *Innerleith*, on the Western and Northern Parts; and two Acres of the said Land, lying betwixt the Lands of old belonging to our Predecessors on the East; the Laird of *Innerleith's* Lands on the West, ascending to the Craig-head and Water-drop of the same on the South, and descending to the Flood-mark on the Northern Side; and the aforesaid seven Particulates of Land, lying between the Lands of the late *Andrew Laing*; the Lands of the late *William Hirstoun* on the West; the Water-drop of the Brae-head on the South, and our common Highway on the Northern Parts; the which six Acres of Land aforesaid antiently belonged to *James Towers* of *Innerleith*, and the said seven Particulates of Land formerly appertained to *Thomas Bramwood*.

And also, those five Particats of Land with their Appurtenances lying within the District of *Newhaven* between the Land of *Edward Aitken*, on the West; the Lands of *Hugh Brown* on the East; the Hill-head on the South; and our publick Highway on the North. And likewise all and sundry other Lands, Particulates, Tenements, Houses, Buildings, Annualrents, Revenues, Feu-farms, Farms, Fruits, Rents, Death-silver, Emoluments and Duties whatsoever, as well named as not named, with Liberties, Privileges, Profits and Commodities whatsoever, belonging to, or may justly belong to the said Chapelry of *St. James*, or Inheritance of the same, with Tenants, Tenancies, Service of free Tenants and Appurtenances whatsoever: The which Lands, Acres, Particulates, Houses, Buildings, Places, Wastes, &c. with their Appurtenances as aforesaid, did formerly belong to the said Chapelry of *St. James*, of old, called the Chapelry of the blessed Virgin *Mary*, as the Inheritance and Property thereof, which were resigned by *James Balfour*, present Chaplain to the said Chapelry and his Procurators lawfully appointed thereto, and delivered his Letters patent into our Hands, as into the Hands of his undoubted hereditary Patron, and immediate Superior of the same, purely and simply by Staff and Balton at *Whitehall*; with all Right, Title and Claim of Right, Property and Possession which the said *James* had, has or anyways might have to the same,

‘ same, or any Part thereof, in any Manner
 ‘ of Way, in Time coming, in favour of
 ‘ the said Minister, Elders and Deacons of
 ‘ the said Church Session of *Leith*, in Name
 ‘ and Behalf of the Poor of the said Town
 ‘ of *Leith*, for this our new Charter, and
 ‘ heritable Infeiments to be made and given
 ‘ to them thereupon, under our Great Seal
 ‘ in due Form.

‘ Moreover, know ye, that for several
 ‘ good Causes and Considerations, us there-
 ‘ unto moving, We have given and grant-
 ‘ ed of new, and by this our present Char-
 ‘ ter, perpetually confirmed to the aforesaid
 ‘ Minister, Elders, and Deacons of the
 ‘ Church Session of the Town of *South Leith*,
 ‘ and their Successors in the said Offices,
 ‘ heritably in Name and Behalf of the Poor
 ‘ of the said Hospital, and the Poor of the
 ‘ said Town of *Leith*, both present and to
 ‘ come, all the aforesaid Lands, Tene-
 ‘ ments, Houses, Buildings, Gardens, Orch-
 ‘ ards, Crofts, Churches, Chapels, Annual-
 ‘ rents, Dail-silver, Death-pennies, yearly
 ‘ Duties, Fruits, Alms-duties, Profits and
 ‘ Emoluments whatsoever, which pertained,
 ‘ or in Time coming may pertain to what-
 ‘ ever Chapelry, Altarage, Vicarage, or
 ‘ Prebend, founded in whatever Church,
 ‘ Chapel, or College within the said Towns
 ‘ of *Leith* and *Lestralrig*, or Districts there-
 ‘ unto belonging, by whatsoever Patron; in
 ‘ Possession whereof the Chaplains, Pre-
 ‘ bendaries, and other Titulars thereof,
 ‘ formerly were; wherefoever the aforesaid
 ‘ Lands, Tenements, Houses, Buildings,
 ‘ Gardens, Orchards, Crofts, Annualrents,
 ‘ yearly Duties, Fruits, Profits, Emolu-
 ‘ ments, and other Duties of the same, ly-
 ‘ or were formerly collected, as well within
 ‘ the said Towns of *Leith* and *Lestralrig*, as
 ‘ within all other Parts or Places through-
 ‘ out our Kingdom of *Scotland*: Together
 ‘ with all Annualrents, Farms, Feu-farms,
 ‘ Emoluments, and Duties whatsoever, a-
 ‘ rising by Houses, Lands, or Tenements,
 ‘ with the said Towns of *Leith* and *Le-
 ‘ stralrig* founded, given, or granted to what-
 ‘ ever Chapelry, Prebend, Altarage, Vica-
 ‘ rage, Church, Burying-place, and yearly
 ‘ Rents in all Parts of our Kingdom of *Scot-
 ‘ land*, without the said Towns of *Leith* and
 ‘ *Lestralrig*; and of all Arrearages due there-
 ‘ unto, now and in all Time coming, or
 ‘ may become due.

‘ And also, all the aforesaid Place or
 ‘ Piece of Ground, whereon the Church of
 ‘ the said *St. Anthony* formerly stood, with
 ‘ the Church-yard, Mansion-house, Cham-
 ‘ bers, Gardens, and Orchards, with their
 ‘ Appurtenancies. And all the aforesaid
 ‘ Piece of arable Land, commonly called
 ‘ *The Holy Blood Acre*, with its Appurte-
 ‘ nancies. And all the aforesaid Croft of
 ‘ arable Land, contiguous to the Garden of
 ‘ *St. Anthony*, with the Appurtenancies of

‘ old possessed by the said *Andrew Straitoun*:
 ‘ The aforesaid Tenements lying in the said
 ‘ Town of *Leith*, on the Southern Side of
 ‘ the Water thereof, formerly given and
 ‘ granted to the said Preceptory of *St. An-
 ‘ thony*, by the above mentioned late *Edward
 ‘ Logan*. And likewise that Tenement of
 ‘ Land antiently granted to the said Precep-
 ‘ tory and Hospital of *St. Anthony*, by
 ‘ *Simon Prestoun*, Burgefs of *Musle-
 ‘ burgh*, lying on the South Side of the *Fish-
 ‘ er-row*, in the said Town of *Musleburgh*,
 ‘ between the Land of *Robert Hempseed* on
 ‘ the Eastern, and the Lands of the Friars
 ‘ of *Haddingtoun* on the Western Parts. And
 ‘ also a perpetual Annuity of Five Marks
 ‘ current Money of this our Kingdom, grant-
 ‘ ed by Sir *David Young*, to the said Pre-
 ‘ ceptory of *St. Anthony*, to be received at
 ‘ the Two usual Terms of *Whitsunday* and
 ‘ *Martinmas* in equal Sums, arising from
 ‘ certain Tenements or Lands on the South-
 ‘ ern Side of the Tolbooth in our City of
 ‘ *Edinburgh*, between the Tenement or Land
 ‘ of the late *John Houler* on the West, which
 ‘ formerly belonged to the late *Marion Brown*,
 ‘ and *Hugh Douglas* her Husband; and a
 ‘ little Land or House belonging to the said
 ‘ late *Marion*, and let in Feu-farm to *Mi-
 ‘ chael Gilbert*, Goldsmith, on the East; and
 ‘ the Lands or Houses of the late
 ‘ *Vetch* and *William Adamsone* on the South,
 ‘ and our High Street on the Northern
 ‘ Side. Together with all the Lands, Te-
 ‘ nements, Annualrents, Fruits, Revenues,
 ‘ Duties, Profits and Commodities what-
 ‘ soever, formerly belonging to, or that may
 ‘ any Way appertain or belong to the said
 ‘ Preceptory of *St. Anthony* and Inheritance
 ‘ of the same, as well within the said Towns
 ‘ of *Leith*, *Lestralrig*, and *Musleburgh*, as with-
 ‘ in all other Places and Parts within our
 ‘ Kingdom of *Scotland*; of which the Pre-
 ‘ ceptors of the said Preceptory were posses-
 ‘ sed of: Together with all Arrearages that
 ‘ are or may become due, with Tenants,
 ‘ Tenancies, Service of free Tenants, with
 ‘ all their Appurtenancies.

‘ And likewise, all the aforesaid Place or
 ‘ Spot of Gound, whereon the said Chapel of
 ‘ of *St. James*, antiently called the Chapel of
 ‘ the Virgin *Mary* of *Newhaven*, formerly
 ‘ stood, with the Yard of the said Chapel,
 ‘ Mansions, Houses, Buildings, Gardens,
 ‘ Orchards, Wastes and Appurtenancies
 ‘ thereunto belonging. And all the afore-
 ‘ said six Acres and seven Particats of
 ‘ Land above mentioned, lying between the
 ‘ Boundings, Marks and Marches as above
 ‘ expressed. And also, all the eight Parti-
 ‘ cats of Land possessed by the late *David
 ‘ Wilson*, late Chaplain of the said Chapelry,
 ‘ with all the Houses, Buildings, Gardens
 ‘ and Appurtenancies thereof, lying between
 ‘ our common High-way on the South, the
 ‘ Flood Mark on the North, the Green on

‘ the

the East; and the Vennel or Passage, that leads by the Western End of the said Chapel. And all these Particulates of Land, with Houses, Buildings, Gardens and Appurtenancies thereof; lying between the Lands of the late Robert Thomson, on the West, the Vennel or Passage above mentioned on the East; the publick High-way on the South, and the Flood Mark on the Northern Parts thereof.

And all the aforesaid five Particulates of Land, with their Appurtenancies, lying between the aforesaid Lands of Edward Aitken, on the West; the Lands of the above named Hugh Brown, on the East, the Hill-head on the South; and our Highway on the Northern Part thereof, and likewise, all our Annualrents, Feu-farms and other Revenues and Duties of all and sundry, the Lands, Rudes and Acres of Land of Newhaven and Harbour of the same, given and granted by our Predecessors, to the said Chapelry of St. James, together with all and sundry other Lands, Acres, Particulates, Tenements, Houses, Buildings, Gardens, Annualrents, Revenues, Feu-farms, Rents and Duties whatsoever, which formerly belonged to the said Chapelry of St. James, and the Inheritance thereof; with the whole Profits and Advantages arising therefrom, in all Parts of our Kingdom of Scotland, and of which the above named Chaplains were in Possession; together with all Arrearages, Tenants, Tenancies, Service of free Tenants, and their Appurtenancies, with all Right, Title, Interest, Claim of Right, as well petitory as possessory, which We, our Predecessors, had, have or may have Claim or Pretension, or to any Part thereof, or to the Rents, Farms, Profits and Duties of the same, in any Time bypast, or to come, by virtue of any Acts of Parliament or other Laws or Statutes of this our Kingdom; or for any other Cause, Action or Occasion, preceeding the Date of this our present Charter, renouncing and discharging them from all Actions and Instances of the same for us and our Successors, competent to the said Minister, Elders and Deacons of the said Session of the Church of South Leith, and their Successors, in Name and Behalf of the aforesaid Poor of the said Town, now and for ever, with a Paction not to search, and with a Supply of all Defects, as well not named as named in this our present Charter. And we for the Causes aforesaid, have erected, united, annexed created and incorporated, and by this our present Charter, for us and our Successors, erect, unite, annex, create and incorporate all and sundry, the aforesaid Lands, Tenements, Churches and Chapelries, with Orchards, Gardens, Crofts, Houses,

Buildings, Annualrents and others, particularly and generally above specified; with Tenants, Tenancies and Service of free Tenants, with their Appurtenancies, into a Body corporate, to be called in all Times hereafter, the Foundation of Leith to the Use aforesaid.

And, We will and grant, and for us and our Successors appoint and ordain, that on Possession taken by the said Minister, Elders and Deacons of the Session of the said Church of South Leith, in Name and Behalf of the Poor aforesaid, shall be good and sufficient to them and their Successors, for the above mentioned Lands, Tenements Churches, Chapels, Orchards, Gardens, Crofts, Houses, Buildings, Annualrents, Feu-farms, Dail-silver, Obit-silver, yearly Duties, Fruits, Rents and others, generally and particularly above mentioned, with Tenants, Tenancies and Service of free Tenants with their Appurtenancies, notwithstanding of their not being contiguous, but in divers Parts, Sheriffwicks and Jurisdictions. Wherefore, We for us and our Successors, have dispensed, and by this our present Charter do dispense for now and ever. To have and to hold all the above mentioned Lands, Tenements, Houses, Buildings, Gardens, Teinds, Chapels, Orchards, Crofts, Annualrents, Dail-silver, Death-silver, yearly Duties, Fruits, Alms-Duties, Profits and Emoluments whatsoever, which appertained, or hereafter may appertain to any Chapelries, Altarages, Vicarages or Prebends, in any Church, Chapel or College within the said Towns of Leith and Restalrig, and Districts thereof; founded by whatever Patron, in the Possession whereof the Chaplains, Prebendaries and other Titulars formerly were, in what Places soever the aforesaid Lands, Tenements, Houses, Buildings, Gardens, Orchards, Crofts, Annualrents, yearly Duties, Fruits, Profits, Emoluments, and other Duties of the same ly, or were formerly elected, as well within the Towns of Leith and Restalrig, as in any other Part or Place within our Kingdom of Scotland.

Together with all and sundry Annualrents, Farms, Feu-farms, Emoluments and Duties whatsoever arising out of the said Lands, Houses or Tenements within the said Towns of Leith and Restalrig, given or granted to whatever Chapelry, Prebend, Altarage, Vicarage, Church, Burial-place and yearly Duties, where-ever they ly within our Kingdom of Scotland, without the aforesaid Towns of Leith and Restalrig; together with all Arrearages, that are, or hereafter shall remain unpaid. And likewise, all the aforesaid Place or Piece of Ground whereon the late Church of the Preceptory of St. Anthony was situated

ated, with the Church-yard, Mansion-house, Chambers, Gardens and Orchards with their Pertinents. And all the above mentioned Crofts, of arable Land, contiguous to the Garden of *St. Anthony*, with its Appurtenancies, formerly in the Possession of *Andrew Straitoun*. The above named Tenement of Land lying in said Town of *Leith*, on the South Side of the Water, granted to the aforesaid Preceptory of *St. Anthony* by the late *Edward Logan*. And also, all the above mentioned Tenement of Land, granted to the said Preceptory and Hospital of *St. Anthony*, by *Simon Preston* Esq; Burgess of the said Burgh of *Musselburgh*, lying on the Southern Side of the *Fisherrow* of the said Town, between the Boundaries aforesaid. And likewise, all the aforesaid Annuity of Five Marks *Scotish* Money as above mentioned, granted by the said *Sir David Young*, to the said Preceptory of *St. Anthony*, to be received at the Terms above named, arising from the aforesaid Tenements and Lands belonging to the late *Marion Brown*, and *Hugh Douglass* her Husband, lying within our aforesaid Town of *Edinburgh*, on the Southern Side of the Tolbooth, between the Boundaries above mentioned.

Together with all and sundry, the Lands, Tenements, Annuities, Fruits, Revenues, Duties, Profits, and Commodities whatsoever, formerly belonging to the said Preceptory of *St. Anthony*, and Inheritance thereof, as well within our said Town of *Edinburgh*, as the said Towns of *Leith*, *Lestraig* and *Musselburgh*, as within any other Part or Place within our Kingdom of *Scotland*, of which the Preceptors of the said Preceptory, were at any Time heretofore in Possession. Together with all Monies remaining due, or hereafter shall become due, with Tenants, Tenancies and Service of free Tenants, with their Appurtenancies. And likewise all the aforesaid Site of *St. James's* Chapel, antiently called the Chapel of the Virgin *Mary* of *Newhaven*, with its Yard, Mansion-house, Buildings, Gardens, Orchards, Wastes, with their Appurtenancies. And all the aforesaid six Acres and seven Particulates of Land above mentioned with their Appurtenancies, lying within the Boundaries aforesaid. And also, all the aforesaid eight Particulates of Land of the late *David Wilson*, Chaplain to the said Chapelry, with Houses, Buildings and Gardens, with their Appurtenancies, lying between the Boundaries above mentioned. And all the aforesaid Particulates of Land, with Houses, Buildings and Gardens with their Appurtenancies, lying with the Boundaries above named. And all the above mentioned five Particulates of Land, with their Appurtenancies within the Bounda-

ries aforesaid. And likewise all and sundry, our above named Annuities, Farms, Feu-farms, Revenues and Duties of all the aforesaid Lands, Rudes and Acres of Land of *Newhaven*, and Harbour thereof, given and granted by our Predecessors to the said Chapelry of *St. James*; together with the several Lands, Acres, Particulates, Tenements, Houses, Buildings, Gardens, Annuities, Revenues, Feu-farms, Rents, and Duties whatsoever, of late belonging to the said Chapelry of *St. James*, and Inheritance thereof; with all the Advantages and Profits arising therefrom, where-ever they ly within this our Kingdom, and, whereof the Chaplains of the said Chapelry were in Possession; with all Arrearages that now are, or hereafter may happen, with Tenants, Tenancies, and Service of free Tenants with their Appurtenancies.

And, that the said Minister, Elders and Deacons of the Session of the said Church of South *Leith*, and their Successors, in Name and Behalf of the Poor of the said Hospital, and of the Town of *Leith*, now and to come, shall hold of us and our Successors, in free and pure Alms, at present and in all Times hereafter, by their Boundaries and Marches set of old, as they ly in Length and Breadth, in Houses, Buildings, Bushes, Plains, Moors, Marshes, Ways, Paths, Waters, Stanks, Burns, Meadows, Pastures and Pasturages, Mills, Multures and Sequels thereof; Fowlings, Huntings, Fisheries, Peats, Turves, Coals, Coal-heughs, Cunnings, Cunningsers, Doves, Dovecotes, Smiddies, Kills, and Breweries, Heather, Woods, Groves, Free and Lime-stone Quarries, Courts and their Issues, Hereyelds, Bloodwits, Marchet-Mulieris, with common Pasturage, free Ith and Entry; with all other Liberties, Commodities, Profits, Conveniencies and proper Appurtenancies thereof; whether named or not named, as well under as above the Ground, far off and near at Hand, belonging or that may justly belong to the Lands aforesaid and others respectively and particularly above mentioned, with the Appurtenancies in Time coming freely, quietly, wholly, honourably, well and in Peace, without any Revocation, Impediment or Obstacle whatsoever. And with special and full Power to the said Minister, Elders and Deacons of the Session of the said Church of South *Leith* and their Successors in the said Offices, in Name and Behalf of the said Poor, present and to come, by themselves or Agents, Treasurers and Collectors whom they shall appoint to demand, receive and collect, all and sundry, the aforesaid Farms, Annuities, Fruits, Emoluments, yearly Duties, Dail-silver, Death-silver, and other Duties whatsoever, as particularly and ge-

'nerally above expressed; wherefore the
 'same was collected or received before, and
 'the like in all Time coming, from every
 'Person or Persons liable to such Payments.
 'And thereupon to dispose of, to the Use
 'and Benefit of the said Poor, as they shall
 'think fit. And to let and set the aforesaid
 'Lands, Tenements, Houses, and Build-
 'ings; to build and repair ruinous Houses,
 'and to dispose them into proper Apart-
 'ments or Lodgings as shall be deemed
 'most for the Interest of the said Poor.
 'And the said Session shall as fully and free-
 'ly possess the same, as the aforesaid Chap-
 'lains, Preceptors, Prebendaries, Vicars and
 'Friars formerly did enjoy and inherit them.
 'Moreover We, of our certain Knowledge
 'and meer Motion, have renounced, dis-
 'charged, given and granted, and by this
 'our present Charter, for us and our Suc-
 'cessors, renounce, discharge, give, and
 'grant to the aforesaid Minister, Elders,
 'and Deacons, and their Successors, in
 'Name and Behalf of the said Poor; all
 'the third Part of the Annualrents, Tithes,
 'Fruits, Casualties, &c. generally and par-
 'ticularly above expressed; with all Right,
 'Title and Claim of Right, which We or
 'our Successors aforesaid had, have, or any
 'Ways may have in and to the same in
 'Time coming, by virtue of any Act of
 'Parliament, or other Acts, Laws, Statutes
 'or Constitutions of this our Kingdom,
 'made or to be made in the contrary.
 'Hereby injoining and commanding our
 'several Chamberlains, Comptrollers, and
 'Collectors, now and hereafter, and all o-
 'thers whom it doth or may concern; that
 'none of them presume to collect and re-
 'ceive the above mentioned Annualrents,
 'Tithes, Fruits, yearly Duties, Revenues,
 'Dail-silver, Death-silver, Emoluments, &c.
 'above specified, or any Part thereof, of a-
 'ny Year or Term past or to come; nor
 'to obstruct or hinder the said Minister,
 'Elders, and Deacons or their Successors,
 'Agents, Treasurers, or Collectors, now
 'or hereafter, in the quiet and peaceable
 'Possession, Injoyment and collecting of the
 'same in Time coming, or in the Exten-
 'sion of their Offices in that Respect, re-
 'quiring and commanding the Lords of our
 'Council and Session, that they issue and
 'direct our Letters, under the Pain of Re-
 'bellion and putting to the Horn, at the In-
 'stance of the said Minister, Elders and Dea-
 'cons, or their Successors aforesaid, on a
 'simple Charge of ten Days only, in due
 'and competent Form; to cause them, their
 'Collectors and Treasurer aforesaid, to be
 'obeyed and thankfully paid of all and
 'sundry the above named Annualrents,
 'Tithes, Revenues, Farms, Feu-farms,
 'Dail-silver, yearly Duties, Emoluments,
 '&c. particularly and generally set forth, as

'above specified; with all Arrearages due,
 'or that may become due hereafter.

'In Witness whereof We have command-
 'ed our great Seal to be put to this our pre-
 'sent Charter, witnessed by our right well
 'beloved Cousin and Counsellors, James,
 'Marquis of Hamilton, Earl of Arran, and
 'Lord Evan; George, Earl of Marishal, Lord
 'Keith, Marishal of our Kingdom; Alexan-
 'der, Earl of Dumfermline, Lord Five, and
 'Urquhart, our Chancellor; Thomas, Lord
 'Binning, our Secretary; our well beloved
 'and familiar Counsellors Sir Richard Cock-
 'burn younger of Clerkingtoun, Keeper of
 'our Privy Seal; Sir Alexander Hay of
 'Whitburgh, Clerk of our Council, Regist-
 'er, and Rolls; Sir John Cockburn of Ormi-
 'stoun, our Justice Clerk, Knights; and
 'John Scot of Scotstarvit, Director of our
 'Chancery. Given at Whitehall, the second
 'Day of March, One thousand six hundred
 'and fourteen Years, and in the forty se-
 'venth and eleventh Year of our Reigns.

Though I cannot ascertain the Time of
 a Chapel's being first built in *Leith*, yet, by
 what has been said of *Leith*'s being erected
 into a Parish it must have been before the
 Year 1556, nay, before the Year 1496;
 for then there seems to have been conside-
 rable Church-work carried on at *Leith*:
 Now whether this was the Foundation of
 the Chapel, or a re-building, or Inlarge-
 ment, I cannot ascertain, though I take the
 last to be the most probable; and that the
 Work carried on at that Time must either
 have been the Erection of the Choir at the
 Eastern End (which was demolished by the
English Army, anno 1543) or the Side-build-
 ings or Isles which plainly appeared to be ad-
 ditional: Wherefore I am of opinion, that
 the central Part or Middle Isle of the present
 Church, with the Steeple, were the ancient
 Chapel; which I think is plainly to be seen
 by the Side-buildings which I take to have
 been added when the said Chapel was made
 parochial, for the better Accommodation of
 the numerous Auditory: And that the
 Choir at the Eastern End was then demo-
 lished, as being of little or no Use since the
 Abolition of Popery. Be that as it will,
 this large Church, which is handsome and
 well contrived in the Inside, was the same
 on the Outside till the Year 1746, by its
 being decorated with five beautiful stonern
 jamb Windows on each Side the Roof;
 which being found hurtful to the said Roof,
 were taken down in the Years 1747, and
 1748, whereby the said Church is deprived
 of its greatest external Ornament.

This Parish, at present, for the Conve-
 nience of catechising, is cantoned into
 twelve Divisions, wherein, exclusive of the
Caldton and *Abbey-bill*, which I have already
 accounted for, are contained One thousand
 three hundred and twenty four Families, and
 examinable

examinable Persons, four thousand three hundred and sixty one in Number.

There being only one other Place of Worship in *South Leith*; it is a small Congregation of the Episcopal Communion of the Church of *England*, but have no Burying-ground.

The Inhabitants of *Leith*, as Vassals to *Edinburgh*, having no Government of their own, the *Edinburghers* appoint yearly one of their old Magistrates to be Baron Bailiff and Judge Admiral of *Leith*. And of late nominate a Person residing in *Leith* as the said Baron Bailiff's Deputy, who not only acts as Conservator of the Peace, but presides in the Court held here, wherein are tried Causes both Civil and Criminal, other than in Capital Cases. The Officers in this Town are the aforesaid Baron Bailiff and his Deputy; a Town Clerk, Fiscal, Constables, and four Officers belonging to the Magistrates. Note, The Baron Bailiff, to defray the Expence of his Office, has an annual Allowance from the *Edinburghers* of Fifty Pounds *Sterling*.

The Inhabitants of *Leith*, as above mentioned, are divided into four Classes, namely, the Mariners, Maltmen, Trades, and Traffickers; the first whereof consist of the Masters of Ships and Sailors, the second of Malt-makers, and Brewers; the third of Coopers, Bakers, Smiths, Taylors, Wrights, Weavers, &c.; and the fourth or last are Dealers or Merchants.

The charitable Foundations in *South Leith* are two in Number, viz. King *James's* Hospital, and that of the Mariners; both situated in the *Kirk-gate* or Church Street.

King *James's* Hospital, which stands on the Eastern Side of the *Kirkgate*, and at the Southwestern Corner of the Church-yard was founded by the Church Session of *South Leith*, in the Year 1614, and indowed with certain Lands and Tenements antiently belonging to the Preceptory of *St. Anthony* in *Leith*, and the Chapel of *St. James* at *Newhaven*; the Profits whereof, together with the Contributions made by the Maltmen, Trades, and Traffickers in *Leith* were appropriated for the Intertainment of aged Women belonging to the said Crafts, who seldom exceed twelve in Number; each of whom has a convenient Apartment, with Fire and Candles, and a weekly Pension for their Subsistence. This Foundation being confirmed by the Charter of King *James VI.* above specified, it received the Appellation of *King James's Hospital*.

The Mariners Hospital is of an antienter Foundation than that of King *James's*, as appears by the following Inscription on the Front thereof.

*In the Name of the Lord, we Masteris and
Marenelis bylis this Hous to the Poor,
anno 1555.*

This Hospital, which is situate on the Western Side of the aforesaid *Kirkgate*, and at the North-eastern Corner of the *Lees Quarter Wynd*, is a handsome Building for the Reception both of Men and Women; though at present are only six Women therein, who have convenient Apartments, with an Allowance of Two Pounds *Sterling* each yearly. To this House likewise belong fifty Out-pensioners who are paid monthly and quarterly; the former have an Allowance of Three Shillings and four Pence *Sterling* each, and the latter about Four Shillings of the same Money: Besides the Children of both are put to School and taught to read *Englisb*.

The Remarkables in SOUTH-LEITH are as follows.

At the South-western Corner of *St. Anthony's Wynd*, near the *Kirk-gate*, stood the Preceptory and Hospital of the Knights Templers of *St. Anthony*; which being dissolved at the Reformation, the Church Session of *South Leith* bought certain of its Lands and Tenements as already mentioned.

At the lower End of the *Tolbooth-wynd*, near the Shore, is situated the Tolbooth or Town-house, wherein is not only transacted the Town's Affairs, but it serves for a Prison; and underneath the Stair-case is the Guard-room for the King's Troops in *Leith*. The Building of this Edifice, which was finished in the Year 1565, was greatly opposed by the *Edinburghers*, as I have demonstrated by the Queen's Letters, in the History of the City.

Fronting the Shore or Quay of *Leith*, betwixt the Lanes at present denominated the *Weigh-house-wynd* on the North, the *Broad-wynd* on the South, and the *Netter Close*, and Part of the *Rotten-row* on the East, was situated a large Building, called *The King's Work*. The first Mention I find of this spacious Edifice is in the Year 1477, when King *James III.* granted out of it a perpetual Annuity of Twelve Marks *Scotish*, Rec. Parl. House, lib. 8. No. 62. for Support of a Chaplain to officiate at the Altar of the upper Chapel in the collegiate Church of the blessed *Virgin Mary of Lestalrig*, founded by the said King. This Structure was burnt by the Earl of *Hertford*, General of the *English* Army, in the Year 1543, and the Site thereof on the 21st of *October*, anno 1564, set in Feu to *John Chisbols*, Comptroller of the Artillery, at a Ground-rent of Forty Shillings yearly.

This Edifice, in the Year 1647, appears to have been either repaired or re-built, Coun. Regist. Edin. vol. XVI. f. 178. its consisting of divers Tenements, a Galle-ry, Close, or Court, and a Garden, which the Common Council of *Edinburgh* at this Time purchased of Sir *William Dick*, Knight, for the Sum of Forty five thousand Marks, *Scotish*

Ibid. f. 187.

Scotish Money; and, soon after, let the same on Lease, at the yearly Rent of Sixteen hundred Marks of the same Money. In this Place, *Bernard Lindsay*, by a Grant from King *James VI.* anno 1613, was impowered to keep four Taverns; in Commemoration of whom, the North-western Angle of the present Building is still called *Bernard's Nook* or *Corner*.

Coun. Regist.
Edin. vol.

XVII. f. 102.

Whether this Place was a Royal Residence, or an Arsenal for kingly Stores, I cannot learn, though, by there being a Catchpel or Tennis Court therein, it gives Room to imagine its having been the former, though not observed by our Historians. Be that as it will, the said Catchpel was, by an Act of the Town Council of *Edinburgh*, in the Year 1649, ordered to be repaired, a Floor to be laid, to divide it into two Stor-ys, and to be otherways commodiously fitted up for a Weigh-house, which is the present, as may be seen by the five large walled up Windows in the Northern Side or Front thereof; but the Front thereof being rebuilt, anno 1752, they are demolished.

Cart. Edin.

At a small Distance from the King's Work, Eastward, is an Inclosure denominated *Little London*, of the Length from North to South, sixty three Ells, and in Breadth, from East to West, fifty one Ells; it is, at present, bounded on the West by *Quality-street*, on the North by the *Weigh-house-wynd*, on the East, by the Way leading to the Church, and on the South by an anonymous Wynd; but how it came to be so called I cannot learn. However, the first Time I read of this Spot of Ground is in the Year 1542, when it was granted by *Robert Logane* of *Lestralrig* to *John Creich*, by the Name of a Piece of the Links of *Leith*; and the first Time I find it by the Appellation of *Little London* is, anno 1574,

Coun. Regist.
Edin. vol. V.

f. 41.

when the House there was ordered to be cleansed for the Reception of People recovered from the Plague. And in the Year 1577, it was, by the Town Council of *Edinburgh*, with certain Lands adjacent, ordered to be purchased for their Use at the Rate of Three hundred Marks *Scotish*. And anno 1640, it was let on Lease for the Term of seven Years to one Colonel *Hamilton* for the Sum of Twenty Shillings *Scotish Money per annum*.

Ibid. f. 88.

The Place in *Leith* whereon 'tis said the first Houses were erected, is bounded on the South by the *Tolbooth-wynd*, on the West by the Shore or Quay, on the North by the *Broad-wynd*, and on the East by the *Rotten-row*, including its Eastern Side; its was denominated *The Closets*, or *Closets*, from the Narrowness of the Streets or Passages between the Houses, one whereof called the *Burgefs Close* was the first Road, granted by *Logane* of *Lestralrig* to the *Edinburghers*, as a Way to and from their Harbour of *Leith*; but, from its Streightness, being ra-

ther a Foot-path than a Road for Horses and Carriages, they were forced by Inconvenience to purchase of him a Liberty to make other Ways, as already mentioned.

Cart. Edin.
Ja. VI.

In the said Closets, in the Regency of the Queen Dowager, *Mary of Lorrain*, was (before the *Edinburghers* obtained the Superiority of *Leith*) a Place, (in *French*) denominated *The Burs*, whither the People used to resort to treat of their Affairs. This Meeting-place or Exchange, I take to be the Close at the lower End of the *Paunch-market*, at present called the *Burs*, which is in some Measure corroborated by the Remains of three Piazzas on the Southern Side, either for Shelter or Shops, nay, probably for both.

Mary of Lorrain, as already observed, having chosen *Leith* for her Residence, erected a House to dwell in at the Corner of *Quality-street-wynd* in the *Rotten-row*; but the same being taken down and re-built, the *Scotish Arms*, which were in the Front thereof, are erected in the Wall of a House opposite thereto on the Southern Side. And the said *Mary*, for the Convenience of holding Councils, erected a handsome and spacious Edifice for her Privy Council to meet in. Both those Buildings by Mistake are said to have been erected and occupied by *Mary Queen of Scots*.

Mary having begun to build in the Town of *Leith*, was followed therein by divers of the Nobility, Bishops, and other Persons of Distinction, of her Party; several of whose Houses are still remaining, as may be seen in sundry Places, by their spacious Rooms, lofty Cielings, large Stair-cases, and private Oratories, or Chapels for the Celebration of Mass.

On the Northern Side of the *Weigh-house-wynd* is a spacious Inclosure, denominated *The Timber Busb*, from its being a Repository, or Store-place for the Reception of Timber or Wood of all Sorts imported at *Leith*. This Place, which at first was inclosed with a wooden Fence, was, by divers Orders of the Town Council, in the Year 1644 and 1650, fortified with a strong stonern Wall, at the Expence of Eleven thousand seven hundred Marks *Scotish*. The strong Wall at present regarding the Frith, is Part thereof; and not as some have imagined, Part of the Eastern Fort erected by the *French* for Defence of the Harbour of *Leith*: For Part of the said Fort with an obtuse Angle is still remaining at the Western End of the said Wall, wherein is situated a Wind-mill for the making of Rape Oil. This additional Fort was erected on the following Occasion: The Pier of *Leith* (long after the Town was fortified by the *French*) being extended a considerable Way farther into the Frith of *Forth*, the *French* Bastion, called *Ramsay's Fort*, at the antient Mouth of the Harbour, was rendered

Coun. Regist.
Edin. vol. XV.
f. 334. 335.
vol. XVII. f.
221.

dered insufficient for its Defence; wherefore the aforesaid Fort was erected at the new Mouth of the Haven for its Defence.

Id. ibid.

Towards the Middle of the Sixteenth Century, the Mouth of the Harbour of *Leith* was greatly incommoded by Sand-banks, chiefly occasioned by high Floods and Easterly Winds; for the removing of which, and preventing the like in Time coming, a strong Head or wooden Rampart was erected a considerable Way into the Frith about the Beginning of the Seventeenth Century; but by its too Easterly Situation not answering, a new wooden Fence was erected a considerable Distance to the Westward, where the present wooden Head is situated; but that likewise proving insufficient, the present stonern Pier at the Northern End of the said Fence, was erected about the Year 1722, at the Expence of many thousands of Pounds *Sterling*; but so badly performed, that surely never were a People more imposed upon than the *Edinburghers* in this Affair; for it is built of the worst Materials, many of the Stones being already greatly decayed, and honey-comb'd above an Inch in Depth; and the Morter is so very bad, that Children have spoiled the parapet Wall thereof, by pulling it out of the Joints with their Fingers. And the said Wall, being at first exposed to the violent and powerful Attacks of the Sea, it is greatly shaken and rent in divers Places, insomuch, it is to be feared, that in a few Years, it will become a Prey to the Sea and Weather. And, notwithstanding of the vast Expence attending this bad Performance, the Water seems to be but little deepned at the Mouth of the Harbour, by a Bar or Sand-bank across the Mouth of the Haven.

By a Tradition amongst the Inhabitants of *Leith*, the great Road from the East, led through the Street at present denominated *The Weigh-house Wynd*, and intersecting the River *Leith*, ran Westward to the *Queen's Ferry, Stirling, &c.* This Road, by its rectilineal Direction at present, seems to have been a Roman Military Way leading to the Stations at *Cramond*, the Wall of *Antoninus Pius* or *Graban's-dike*, and other Stations and Camps of that brave People to the Westward.

An Account of NORTH LEITH.

The District of the Town and Parish of *North Leith*, which is situate on the Northern Side of the River *Leith*, and Southern Side of the Frith of *Forth*, in the Regality and Barony of *Broughton*, antiently belonged to the Abbot of *Holy-rood-house*, as Superior of the said Regality and Barony.

The first Time I find this Town mentioned is in the Year 1493, when *Robert Balantyne*, Abbot of the said *Holy-rood-house*,

taking into Consideration, that divers Houses were erected in this Place, resolved to build a Chapel for the Accommodation of their Inhabitants, and with the Consent of his Chapter, and Approbation of *William*, Archbishop of *St. Andrew's*, founded the same at the Northern End of the Bridge of *Leith*, where the present Church is situate, and indowed and dedicated it to *St. Ninian* the *Gallovidian* Apostle.

But the chief Motives that induced the Abbot to erect this Chapel, as set forth in his Charter of Foundation, are, the Honour of God, the Virgin *Mary*, and *St. Ninian*, and for the Salvation of the Souls of the late King *James III.* and *Margaret* his Consort; for the Prosperity of the reigning King, *James IV.* and for the Salvation of the Souls of their Predecessors and Successors; for the Soul of the said *William*, Archbishop of *St. Andrew's*, and those of his Predecessors and Successors; for the Founder's own Soul, and those of his Father and Mother; for the Souls of the Abbots, his Predecessors and Successors; for the Souls of all those to whom he was any Ways indebted, or had any Way offended; and for the Souls of all the faithful and deceased Saints: And appointed two Chaplains to officiate in the said Chapel, who were yearly to receive all the Profits arising out of a House or Tenement erected by the Founder, at the Southern End of the Bridge of *Leith*, and Four Pounds yearly out of other Lands or Tenements in *South Leith*, out of which was appropriated the yearly Sum of Fifteen Marks *Scotish*, to each of the said Chaplains, as their respective Stipends; and the Surplusage of the Money and Profits arising out of the said Lands or Tenements; Offerings made in the said Chapel, and Tolls or Duties arising from the said Bridge of *Leith*, to be employed in repairing the said Chapel, Bridge, and Tenement, and for lighting the said Chapel, and the Surplus to be given to the Poor. This Charter was confirmed by King *James IV.* on the first Day of *January* in the Year 1493.

Remark. In the Charter of Foundation above mentioned, it is said, that if either of the aforesaid Chaplains keep a Lass or Concubine, in an open and notorious Manner, he shall be degraded; which seems to imply, that they, or either of them might keep a Miss, or Misses, provided it were not publickly known.

At the Reformation of Religion in *Scotland*, the Abbey of *Holy-rood-house* being dissolved, and the District erected into a Temporal Lordship, the Inhabitants of *North Leith* purchased of Lord *Holy-rood-house* the said Chapel of *St. Ninian*, the Chaplain's House, Tithes of the Lands of *Hill-house* Field, and of Fish brought into the Harbours of *Leith* and *Newhaven*; together with certain Houses in *North Leith*,

Minist. Acet.

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Rec. Parl. 18.
Parl. Ja. VI.

and divers Acres of Land, the Profits whereof to be applied as a Maintenance for their Minister; rebuilt the Chapel and Chaplain's House; and a certain District being annexed to the former, it was by an Act of Parliament of the ninth of July, anno 1609, erected into a Parish; and the said Chapel constituted its Church, independent of the Parish and Church of *Holy-wood-house*, out of which they were taken. The Parishioners being Patrons, they vested the Management of the Funds appropriated for paying the Incumbent's Stipend in the Church Session, who settled a yearly Stipend of Eight hundred Marks *Scotish* on their said Minister: And in the Year 1666, by a Decree of Locality, obtained an Augmentation of Four hundred Marks *per annum*, out of the Parish of *St. Cuthbert's*, in Consideration that the Church Lands in *Newbaven*, were some Time before annexed to the said Parish of *St. Cuthbert's*. By this Augmentation, the Incumbent's Stipend is increased to the Sum of Twelve hundred Marks yearly; which, together with a Parsonage-house, and a Glebe of four Acres of Ground is the Minister's Subsistence.

Coun. Regist.
Edin. vol.
XVIII f. 115.
116.

The Four hundred Marks aforesaid arising from the Tithes of certain Lands in *Newbaven*, formerly given to the said Parish of *St. Cuthbert's* to increase the Incumbent's Stipend, amounting to forty seven Bolls and five Pecks of Bear, being annexed to the Parish of *North Leith*; the Common Council of *Edinburgh*, on the twenty first of April, anno 1656, by a Contract of Exchange with *James Reid*, Parson of the said *St. Cuthbert's*, agreed for themselves and Successors, to give to the said *Reid* and his Successors, the aforesaid Quantity of Corn, out of certain Lands in his own Parish, in lieu of the said Tithes in *Newbaven*; and engaged to get the said Contract and Agreement ratified and confirmed in all Judicatories necessary.

The Church Session or Trustees, by their good Management of the Lands and Tenements aforesaid, together with the Profits arising by the Church Seats, not only pay the Incumbent's Stipend, but the Salaries of the Schoolmaster and inferior Church-Officers.

The Inhabitants of *North Leith* having for many Years been destitute of a Cemetery, by being deprived of their common Burial-place by the Erection of the Citadel; the Common Council of *Edinburgh*, to supply that Defect, granted them, in the Year 1664, a Piece of Garden-ground on the Southern Side of their ancient Cemetery and Hospital, of the Length of fifty Ells on the Southern Side, the Northern, fifty five, the Eastern, fifty four, and the Western Side, twenty three Ells in Breadth: And where the Citadel is situate, antiently stood the Chapel and Hospital of *St. Nicholas*.

Coun. Regist.
Edin. vol. XX.
f. 78.

This Parish consists of six Divisions, the first denominated the *Coal-bill*, contains eighty Families, in which are two hundred and sixty one examinable Persons; the second, called *The Bridge-end*, and *Back of the Church*, consists of fifty seven Families, and one hundred and seventy four Catechumens; the third, named *The North Side of North Leith*, contains sixty nine Families, and one hundred and seventy five examinable Persons; the fourth, denominated *The South Side of North Leith*, consists of one hundred and fifty five Families, and four hundred and twenty seven Catechumens; the fifth, consisting of the Citadel, *Dam-head*, and the *Links*, contains forty seven Families, and examinable Persons, one hundred and forty five; and the sixth Division of *Newbaven* consists of ninety eight Families, and Catechumens, three hundred and fourteen; together, five hundred and six Families, and one thousand four hundred and ninety six examinable Persons, above eight Years of Age, anno 1744. Total of Families, five hundred and six; and of examinable Persons, fourteen hundred and ninety six.

Minist. Acct.

The Remarkables in NORTH-LEITH are as follows.

The handsome stonern Bridge, consisting of three Arches, which unites the Southern and Northern Parts of *Leith*, appears to have been founded by *Robert Balantyne*, Abbot of the Monastery of *Holy-wood-house* near *Edinburgh*, about the Year 1493; for in his Charter of Foundation of the Chapel of *St. Ninian*, at the Northern End of the said Bridge, he orders the Profits of all the Land or Tenement, Offerings made in the said Chapeland Tolls of the said Bridge, to be employed in repairing the said Chapel, Bridge, &c.

At the Northern End of the Bridge, is situated the Parish Church, the Northern Side whereof was the above mentioned *St. Ninian's* Chapel; in the Neighbourhood whereof in *St. Nicholas's* Wynd, is the Parish School; and the Northern Part of the Eastern Bank of the River *Leith* or Harbour, is occupied by Ship-builders Yards. And at the Northeastern Corner of the Town, at a Place denominated *The Sand Port*, stood the Western Fort of *Leith* for Defence of the Harbour on that Side, as the Eastern Fort on the adverse Bank, was for the other. And just without the Western Ditch of the Citadel was a Ropery, but the Sea, in the Year 1746, having demolished Part of it, the Proprietor was obliged to leave both his House and Work, which in a very few Years, if not remedied, must be swallowed up. For the preventing of which, the Author of this History, having in his Observations in that Neighbour-

Neighbourhood, considered the great Danger the Harbour of *Leith* was in, by the Sea's breaking into the Western Ditch of *Cromwell's Citadel*, which, if not timely guarded against, will, in a few Years, 'tis to be feared, break through into the River *Leith*, on the Western Side of the Bridge and destroy the Haven: Nay, if a proper Fence be not made against the Sea, *North Leith* itself must become a Prey to it, probably in less than half a Century.

And to secure the Coast on this Side, the said Author sent his Thoughts thereon to the Magistrates and Town Council of *Edinburgh*, with a Proposal effectually to remedy the same, by communicating to them a Discovery made by himself, to prevent both the Sea and Rivers from incroaching on the Land; to be done, at most, for one tenth Part of the Expence, hitherto ineffectually laid out on this Kind of Work. And to shew his great Regard for *Edinburgh*, and his own Disinterestedness in this Affair, offered to the said Magistrates and Council, not only to direct Men in the Work, but without Fee or Reward, to discover the Secret to them, by making a Trial on a Breach made by the Sea, in the Fence or Wall of the Eastern Rope-walk in *North Leith*. The Answer to which by the Town Council, was, That though they were Superiors of the Land, yet, as they had feu'd it to others, it behove them to secure their Properties; without considering, that if *Leith* Harbour were destroyed, *Edinburgh* must of Course be ruined. Thus, with the greatest Inco-
Cart. Edin.
Coun. Regist.
vol. XXII. f.
69.

gitancy they rejected the generous Offer of the Discovery aforesaid; which, however may in a short Time prove of greater Advantage to *Britain*, than any Thing hitherto found out for its Benefit against the Ravages of the Sea and Rivers.

Add to this, (as elsewhere mentioned) the great Ravages done by the Sea at the *Black Rocks*, on the Eastern Side of *Leith*, which has occasioned the Road from *Mussleburgh's* being divers Times removed farther into the Country; and the Land being now violently assailed by the Sea, both on the Eastern and Northern Sides, all must give Way to its Rage, and the Links of *South Leith* probably within less than a Century will be swallowed up.

The Common Council of *Edinburgh* as already mentioned, rather than the Town of *Leith* should be re-fortified by the *English*, on the fifth of May, in the Year 1656, agreed to give General *Monk* the Sum of Five thousand Pounds *Sterling* towards erecting a Citadel; which was soon after founded at the Northwestern Corner of *North Leith*, of a pentagonal Form, with five Bastions, and one Gate fronting the East. This Fortrefs, with others, after the Restoration of King *Charles II.* being ordered to be demolished, *John*, Earl of *Lauderdale*,

obtained a Grant of it; and knowing that none were so fit to be imposed on in an Affair of this Kind as the *Edinburghers*; he, preparatory thereto, vamp'd it up, and gilt the Bait with the alluring Epithets of a free Burgh of Regality and Barony, an Office of Bailliary, a weekly Market, yearly Fair, and other Emoluments which he obtained by a Grant from the King. Though the *Edinburghers* were well apprized of the Design, yet to prevent incurring the Ill-will of this wicked and rapacious Prime Minister, they, in the Year 1663, purchased the said Citadel of him at the shameful and exorbitant Price of Six thousand Pounds *Sterling*.

This Bugbear, which cost the *Edinburghers* no less a Sum than Eleven thousand Pounds *Sterling*, is, in a short Time, likely to become a Prey to the Sea; for, by its violent Attacks, it has already strip'd it of its strong stonern Wall on that Side, and destroyed its two Northern Bastions; and continuing to prey upon it, it must in a few Years engulf the whole, and of Course destroy the Harbour of *Leith*, whereon the Prosperity of *Edinburgh* depends, if not timely prevented.

A little to the Westward of the Citadel, are still to be seen the Vestigia of a Bastion and Ditch, the Remains of the North-western Bulwark of *Leith*, erected by the *French* about the Year 1549. The Ditch ran from the Northern End of the Bridge of Communication above mentioned, and joining the said Bastion with a winding Course Eastward, passed where the present Citadel is situate; thence continuing its Course, joined the Bulwark erected on the Western Side of the River *Leith*, near the *Sand Port*, for Defence of the Harbour on that Side; which together with the other Parts of the *French* Fortifications of *Leith*, were, in the Year 1560, demolished by an Order of the Town Council of *Edinburgh*; in lieu whereof, the North-eastern Bulwark of the Citadel, since erected by General *Monk*, anno 1656, served to defend the Harbour on that Side.

The Water of the Frith of *Forth* having been found to be deeper at the Place now denominated *Newhaven*, than on any other Part of the Coast in that Neighbourhood: Encouraged thereby, King *James IV.* erected there a Yard or Dock for Ship-building, and a Harbour for the Reception of Vessels, from which it received the Appellation of *The Newhaven*. And Houses being built for the Accommodation of Ship-wrights, Mariners, &c. a Chapel was erected and dedicated to the Virgin *Mary* and *St. James*, to accommodate them in the Performance of their religious Duties. But the former giving way to the latter, it went by the Appellation of *St. James's Chapel*, as appears by a Deed of Resignation of the said Chapel into the Hands of King *James V.* by
Cart. Edin.
Sir

Sir James Cowie Chaplain thereof, on the twenty eight of April, anno 1508. However, the Village was denominated *Our Lady's Port of Grace, alias Newhaven*. The *Edinburghers* apprehensive that this *Newhaven* or Port might be prejudicial to theirs of *Leith*, purchased of the said King, the said Cart. Ja. IV. *Newhaven* and Town; together with all their Rights and Privileges which he conveyed to them by his Grant of the ninth March 1510; and the said Chapel being dissolved at the Reformation of Religion in Scotland, the Profits thereof, some time after, as already mentioned, were taken from the Minister of *St. Cuthbert's* Parish, and added to the Incumbent's Stipend of *North Leith*. The Area of the said Chapel, the Ruins whereof are still to be seen at the Western End of the Village, is converted into a Cemetery for the Use of the Inhabitants.

The Remarkables of NEWHAVEN are as follows.

At the Eastern End of the Village was a Ropery erected by the aforesaid King James IV. the Vestigia whereof are still remaining along the Coast for a considerable Space. Adjoining to the Eastern End of the said Village was a Glass-house, and hard by a Salt-work, both set up by *Englishmen*. The Place at present is inhabited by Fishermen, who chiefly supply *Edinburgh* with Sea-fish. The adjacent Plains at the Eastern and Western Ends of *Newhaven* denominated the *Links*, were, in the Year 1595, let at a yearly Rent of Six Marks *Scotish* Money; and in the same Year the Links of *Leith* were set at Thirty Marks *per annum* of the same Money; whereby is shewn, that the Links of *Newhaven* must then have been one fifth of the Dimensions of those of *Leith*; whereas at present, notwithstanding the great Ravages made on the latter by the Sea, it seems to be above twenty Times the Bigness of the former, occasioned by the great Spoil made thereon by the Sea, whereby it is reduced to little more than a Road-way, which probably in a very few Years will likewise be ingulfed, to the great Loss of the Proprietors, whose Business it is to unite and fortify the Coast, to put a Stop to the devouring Element. And that the aforesaid Links were greatly preyed upon in the Space of Twenty two Years, preceding the Year 1595, is manifest, by the said Links (extending from *St. Nicholas's* Chapel on the East to *Wardy-brae* on the West) being let in the Year 1573, at Twenty five Marks yearly; which is above four Times the Value in so short a Space of Time, which gives Reason to believe, that the said Links in that small Number of Years were mostly swal-

lowed up by the Sea, and its Bounds reduced in Proportion to the Rent.

As the Town of *Leith*, by the great Increase of Manufactures and Commerce, both in *Edinburgh* and itself, within the short Space of six Years, is augmented in the Number of its Inhabitants above one thousand; I shall by the Bills of Mortality Minist. Acct. endeavour to shew the Number of Souls in it at present, viz. Buried in the Parish of *South Leith*, from the Year 1745, to that of 1751, both inclusive, thirteen hundred and twenty seven; the Medium whereof being one hundred and eighty nine, without reckoning Still-born Children, Strangers, or those buried in the Cemeteries of the *Caldton* and *Lestalrig*, both belonging to this Parish, who keep their own Registers and bury their own Dead; and being both at a considerable Distance from *Leith*, and the former being adjacent to *Edinburgh*, I have accounted for it in the History of that City, as I have likewise done those of the *English* from *Edinburgh*, buried in the latter. And as to the others interred there, they are not more concerned with those buried in *Leith* than if they belonged to a separate Parish.

But in the Parish of *North Leith*, no Register of Mortality being kept, I am obliged to calculate the Number of Burials from that of Baptisms in the above mentioned Years, which amounting to five hundred and forty one; the Medium whereof being seventy seven, the Difference between it and the Number of Persons buried there, being about six, in favour of the Christenings; the Medium of the Interments is thereby reduced to seventy one, which, added to those buried in *South Leith*, the Number of Persons annually buried in the Town of *Leith*, at a Medium of seven Years, being two hundred and sixty, which, multiplied by twenty eight, like that of *Edinburgh*, the present Number of the Inhabitants of *Leith* will appear to be seven thousand two hundred and eighty, which is a Number much more considerable than has hitherto been imagined. The Number of Buryings in *South Leith* I received from *Alexander Walker*, Session Clerk; and that of the Christenings in *North Leith* from *George Buchan*, Session Clerk, attested by them respectively.

Remark. As *Leith* hitherto seems to have been deemed, as it were, unworthy of being brought in Competition with divers Towns of the Kingdom, it will not be amiss to see what Rank it bears amongst the principal Towns of Scotland, which will appear by their several Accounts of Burials attested by their Town and Session Clerks, which are as follows.

Buried in *Glasgow*, from the Year 1735, to 1741, both inclusive, six thousand two hundred and forty seven; Medium, eight hundred

hundred and ninety two: But this being for *Glasgow* only, exclusive of the large Suburb on the Southern Side of the River *Clyde*, denominated *The Gorbels*, which, (were its Account of Mortality added to that of *Glasgow*, it would be considerably increased. Besides, *Glasgow*, since the Year 1741, is greatly increased in the Number of its Inhabitants, as appears by its Bill of Mortality, anno 1751, in which Year were buried in that City, twelve hundred and seventy seven, although it does not appear to have been a sickly Year.

Buried in the Town of *Perth*, in the Year 1751 and 1752, (being the first Years of keeping a Register of Mortality in that Place) five hundred and ninety eight; the Medium whereof is two hundred and ninety nine. This Account I received from the present Lord Provost, Mr. *James Crie*, attested by *Walter Miller*, Deputy Town Clerk.

Buried in the Town of *Leith*, from the Year 1745, to 1751, both inclusive, two thousand three hundred and fifteen; Medium, two hundred and sixty: Attested by the Session Clerks above mentioned.

Buried in the Town of *Aberdeen*, from the Year 1745, to 1751, both included, as recorded in the publick Registers, nine hundred and seven Persons; and by the Magistrates Warrants for burying the Poor gratis, during the above mentioned Number of Years, they amounted to one hundred and seventy six; together, one thousand and eighty three; the Medium whereof being one hundred and fifty four; to which being added the conjectural Number of fifty five for those supposed to have been buried from *Aberdeen*, in the Church-yards of the Old Town of *Aberdeen*, *Footdee*, and the *Spittal*, together with those interred in the Cemeteries of the Quakers and Papists, and in other Parts of the Country, the Number of People annually buried in and from the said New Town of *Aberdeen*, will appear to be two hundred and nine. But as this is the Case of all the other Towns, both in respect to the Poor and Country, the Differences being unknown, the Numbers cannot be ascertained. The above Numbers of Burials I received from the publick spirited *Alexander Robertson*, Esq; late Provost of *Aberdeen*. Attested by the Town

Clerk, Magistrates Warrants, and conjectural Account, at the Expence of much Trouble.

Buried in the Town of *Dundee*, from the Year 1729, to 1735, both inclusive, thirteen hundred and two; the Medium whereof is one hundred and eighty six. Attested by *David Bruce*, Session Clerk.

Buried in the Town of *Stirling*, from the Year 1729, to 1735, both inclusive, eight hundred and ninety eight, the Medium whereof is one hundred and twenty eight. Attested by *William Cheyne*, Session Clerk.

Buried in the Town of *Drumfries*, from the Year 1728, to 1734, both included, eight hundred and thirty one; the Medium thereof is one hundred and eighteen. Attested from the Register by the Reverend and publick spirited Mr. *Scot*.

Buried in the Town of *Kilmarnock*, without mentioning the Years, other than the last seven Years, which I take to be from the Year 1736, to 1742, both inclusive, eight hundred and eleven; the Medium one hundred and fifteen, sent me by one of the Incumbents, but without Name.

Buried in the Town of *Inverness*, from the Year 1729, to 1735, both included, seven hundred and seventy seven; Medium, one hundred and eleven. Through Carelessness, unattested.

Buried in the Town of *Montrose*, from the Year 1725, to 1731, both inclusive, four hundred and fifty seven; Medium, one hundred and eight: But through Carelessness, like that of *Inverness*, is not attested.

The Town of *Elgin* having hitherto had no Register of Mortality in the Account sent me by the Reverend Mr. *Shaw*, a Minister there, who tells me, that the Number of Souls in this Place, amount to about two thousand five hundred, which, according to the above Method of Calculation, there must yearly have died out of it, eighty nine Persons.

Remark. As the yearly Burials in the ten Towns immediately above mentioned, amount to sixteen hundred and twenty three, and those of *Edinburgh* to seventeen hundred and ninety, 'tis thereby shewn that *Edinburgh* exceeds all the said ten Towns in the Number of Burials, one hundred and sixty seven, and in that of Souls, four thousand six hundred and seventy six.

The End of the Eighth Book.

L I I I I THE



HISTORY of EDINBURGH.

B O O K IX.

A Perambulation of divers Miles round EDINBURGH.

Containing Accounts of the several natural and artificial Curiosities therein; together with those of the Scottish, Pictish, Roman and Danish Antiquities.

HAVING set out from *Edinburgh* on my Perambulation Eastwards, at the Distance of about a Mile, from the *Watergate*, at the Foot of the *Canongate*, lies the Lake or Loch of *Lestallrig*, vulgarly *Loch-end*: This Lake, which is about five hundred Yards in Length, half as much in Breadth, and where deepest, about eighty Feet as 'tis said; and the Fish wherewith it is said to abound are only Pikes and Eels; however, as it is of late become more noted on account of applying its Waters to another Use, it is necessary to say something farther concerning the same.

Leith being of late greatly increased, both in its Dimensions and Number of Inhabitants, it was judged necessary to have it supplied with sweet Water for the Use of the People, and as this Affair has been much talked of, I think it will not be amiss to give some Account of it; viz. the Magistrates, and chief Men of the Town began to treat with one *Grabam*, a Plummer, concerning the same; but the *Hawkhill* Rock being near the Place where the Trench was to be dug for Reception of the leaden Pipe, a final Agreement was not made, lest they should be obliged to cut through Part of the said rocky Hill, whereby the Expence would have been considerably increased; wherefore the Conclusion of the Agreement was deferred till they saw how it would turn out.

And as the said Magistrates and principal Inhabitants are of opinion that the said Loch is fed with Springs therein, without the least Reason for this their Belief. However, to inform themselves in some Things concerning the said Loch, they repaired to one,

Baird a Farmer, who had lived many Years in that Neighbourhood, but unluckily forgot, or more probably did not know, that the first Question to be asked of him was, whether the Lake discharged itself by a Run of Water from it, and for what Time; but that not being done, remain in the same Degree of Uncertainty, whether the Loch be supplied with Springs therein or not.

Matters hitherto being carried on by the *Leithers* in this Manner, a Wellwisher of theirs, without the least View to Interest, indeavoured to inform himself in the best Sort, of every Thing touching the said Loch, to prevent the People's being imposed on as aforesaid; when on Inquiry he was informed, that as it were periodically, the Loch discharged itself by a Run from it for about the Space of a Month, early in the Spring, which being occasioned by the great Rains and Snow during the Winter, gives Room to suspect that there are no Springs in the Lake, but if there are, they must be so very small as not to be able to supply the Expence of Exhalation, whereby it is exhausted to such a Degree in Summer, that it is feared it will not be in a Condition to supply *Leith* with six Feet Depth of Water, which is the Quantity it is required to furnish.

Now, as is here surmised, if the imaginary Springs in the Loch are not sufficient to supply it with Water, 'tis necessary to inquire whence the Supply comes, which is from Rain and Snow as aforesaid; which falling on the surrounding Heights, washeth the neighbouring Fields, and brings along with it most of the Filth within its Reach, whether it be human Excrement, Carion, &c. which being brought to this Receiver, the rare Part thereof is exhaled, while

while the dense remains, and the Water from it running to *Leith*, cannot be very agreeable neither to drink or dress Victuals withal, except in Cases of Necessity, when none else is to be had.

To remedy this, and prevent the People from being imposed on, their afore said Friend, Author of this Work, made it his Business to find out good Water for their Use, which he having with the greatest Pleasure discovered, joyfully acquainted the *Leithers* therewith; which issuing from *Salisbury Craigs*, is not only the best of Water, but there is a sufficient Quantity in all Seasons to supply *Leith* withal; and if Occasion require may be augmented to double the Quantity at a very small Expence; which at this Time when the Town is so greatly on the Increase, ought to be carefully considered.

Besides, by laying the present Pipe so very deep in the Ground (said to be about fifteen Feet) for so great a Space, the Expence of Repairs will be very great; for the Undertaker simply imagining that the Pipe being of Lead would ly, as it were, for ever without wanting to be repaired, not considering the great Expence which otherwise must attend it, as is manifest by the frequent and numerous Repairs made to the *Edinburgh* and other leaden Pipes; which, in the present Case, in less than a Century, may be attended with some Hundreds of Pounds *Sterling* Expence; by digging so great a Depth, and so long a Way to come at the Pipe, which might easily have been prevented, by erecting an arched subterraneous Duct to lay the Pipe in, where it would have been of easy Access, without the Expence of digging, which may be presumed will be very often; for Lead, laid in a fourth Ground, which that of Sand wherein this lyes, is said to be, it will soon be converted into White-lead, and rendered useless in regard to a Duct, which in some Measure might have been prevented by fortifying it with Clay; of which divers of the *Leithers* were made acquainted with before they began the Work, but being vain of their Project, would not recede from it, feasible or not.

And commencing the Work, a Stop was soon put to it by a Blunder of the Undertaker's, whereby he was obliged to re-dig up the Ground to come at the Pipe, and to cut, mangle, and otherwise prepare it before the Water would pass. Besides, this Project seems otherwise to have been very ill contrived, for by laying a Pipe of so small a Bore as that of an Inch and a half, it will not be sufficient to supply the Town with a proper Quantity of Water; wherefore 'tis to be feared, that, instead of being a Service to the People, it may, as it were, occasion a Civil War amongst them, by continual Jars and Fighting for the precious

Element, which, by its Scarcity, will not be able to supply their Wants.

And to conclude the Errors of this amazing Project, we need only shew the great Imprudence of the Projectors, in entering upon a Work, of which one Moiety of the Expence was to be raised amongst the Inhabitants by a voluntary Contribution, which, of all other Things, ought at first to have been gone upon to save themselves from being saddled with the Sum uncontributed, by the People's Caprice, in refusing to contribute (which they have already done) by which they would have acted securely, by putting it out of their Power to impose upon them. And if the Work at last should not answer, Query, who must pay the Expence already incurred? And if it should be found necessary to bring Water to *Leith* from another Place, how is the Money to be raised to defray the Expence?

South-east from the above Loch, at a small Distance, lies the Village of *Lestrig*, the Church whereof, now in Ruins, was antiently collegiate, and the Mother Church of that of *Leith*; belonging to which, was a Number of religious Foundations, the Yard whereof at present is a Cemetery for the Use of the present Inhabitants, and in Part thereof, the *English* Congregation in *Edinburgh* interr, for the Convenience of performing the Office of the Dead over them.

South-westward, at the Distance of about a Mile and a half stands the Village of *Duddingston*, with its Loch on the Southern Side, about the Length of half a Mile, and about one third in Breadth, and where deepest about eight or nine Fathom; it is much frequented by Teal and Wild-ducks, and is said to abound with Carp, Dace, Pikes, and Eels, and is fed by Springs from the neighbouring Hill of *Arthur's Seat*. The Lands in the Neighbourhood being of a rich Soil, produce excellent Grain, and the Farmers are said to be excelled no where in Agriculture.

At a small Distance Southwards are the Coal-pits of *Oberstown*, which produceth excellent Coals; the Water from which is drained by Fire Engines.

About three Miles South-eastward from *Edinburgh* is situated *Monkton* (vulgarly *Mountain*) so denominated from a Priory of Monks antiently there: At this Place is a very great Curiosity, denominated the *Rowting Well*, which is a Draw-well in the Yard of the Mansion-house, the Area whereof, from the Mouth to the Water, is about thirty five Feet; and is so called from certain Noises it makes preceding a Storm, sometimes resembling the beating of a Copper-smith's largest Hammers, then a Noise like a Shower of Hail falling into Water, and at other Times, by a violent Bubbling, raises the Water above a Foot higher than its natural Level.

Remark.

Remark. This Well, not being far from the Sea, I was of opinion that the Waves, through subterraneous Passages, beat against the Rocks below; but considering that it is above a Mile distant from the Frith, imagine that the Motion of the Water at that Distance cannot be so strong as to occasion those Beatings; wherefore I shall make another Attempt to try whether I can discover the Cause thereof.

The Ground in this Neighbourhood being chiefly hollow, occasioned by a Number of Coal-pits having antiently been there, and still are, the Wind forcing in through the Chinks of the Rocks, in different Proportions, and from one Quarter with much more Violence than from another, might agitate the Water to such a Degree, that beating against the Rocks, may occasion the greater Noise resembling that of the Hammers; and the Wind from another Quarter, entering through numberless Crevices and Veins of the Rocks below the Water in the Well, and by Pressure violently ascending through the Water, in an infinite Number of Divisions, raising it some Height above its natural Level, might, by descending, occasion the Noise resembling a Shower of Hail falling into Water. And the Wind, from another Quarter, forcing in larger Quantities of Air, through the Crevices and Veins of the Rock below the Water in the Well, which being violently forced up by Pressure, might occasion the violent Bubbling of the Water. But as these are only Conjectures, the Reader may endeavour to discover the true Causes thereof.

And to shew that this Kind of Rarity is not peculiar to Scotland, we are told by *Cambden*, that, in the Isle of Barry, near the Mouth of the River Taf, in Glamorgan Shire in South Wales, is a Chink in a Rock, to which, if one puts his Ear, he will hear a Noise as if Smiths were at Work; sometimes you hear, as it were, the Blowing of Bellows, at other Times the Strokes of Hammers, grinding of Tools, and, as it were, the hissing Noise of gluend iron Bars in a Furnace; this my Author imagined were occasioned by a Repercussion of the Waves, but, by their being the same at Low-water, could not tell what to make of them.

Likewise of this Kind, in the Vicinity of *Stackpool Bosher* or *Bosherston* in South Wales is a small Pond, Pit, or Pool near the Sea, called *Bosherston Mear*, of such a Profundity, that although many Times sounded, its Depth is yet unknown. This Pond or Pool, preceding stormy Weather, bubbles, fumes, and makes such an amazing Noise, that it is heard at the Distance of above ten Miles, and is distinctly known from that of the Sea; and the Neighbours, by its Noise, can partly guess at the Weather that

will follow; nay, the Relator was told, the Evening before, the Weather that happened the following Day; and this not once, by Chance, but the like often happened. Notwithstanding of this positive Assertion, he is diffident in respect to the whole, by his telling us, 'That there is much more talked of this Place than I shall trouble you with at present, because I take some Relations for fabulous, and living remote from it myself, have had no Opportunity of being satisfied of the Truth by others.'

Remark. Our Author, I think, has good Reason to question the Truth of this Relation; for, were there nothing else in it to render it incredible, that of a small Pond or little Pool's making such a hideous Noise as to be heard about the Distance of ten Miles, is of itself sufficient to destroy the Belief of the whole.

From *Mountain*, at the Distance of about a Mile Eastward, lies the beautiful Village of *Inveresk*, which, from its Situation, Houses, and Salubrity of Air, is justly reckoned the finest Village and most healthy Place in Scotland.

Underneath the Hill whereon *Inveresk* is situated, is a curious Piece of Art made on the following Occasion, *William Adam* of *Edinburgh*, Architect, having erected a Coal Work at *Pinkie*, in the Year 1739, whereout he extracted the Water by a Horse Machine; but, this Method proving both inconvenient and too expensive, he resolved to erect a Water Engine for the same Purpose; for the supplying of which with Water, he determined to cut an Aqueduct through the Hill whereon *Inveresk* stands; preparatory to which, he cut a Canal from the River *Eske* to the Foot of the said Hill, above a Mile in Length; then began the Work of his Aqueduct, at the Entrance on which, unluckily light on a Bed of Sand which abounded with Water; which rendered his Proceeding on a Level impracticable, and had almost ruined the whole Design: But this Defect being supplied by an admirable Contrivance, he sunk two Shafts at the Extremities of the intended Aqueduct, quite through the Sand Bed, and entering the Rock at the Depth of Fifty Feet below the first intended Level, began his Duct in the Rock, to join the Shafts aforesaid; which being finished, the Water descended by one Shaft, and continuing its Course through the Aqueduct, rises through the adverse Shaft, and hastens to its Work on the Engine. This Aqueduct between the Shafts is near eight hundred Feet in Length, four Feet in Width, and six Feet in Height, and about one hundred Feet below the Surface of the Hill whereon the Village is situate. Although this Work was begun in the Month of November, anno 1742, and the Duct, for the greater Expedition, was begun at both Ends, and wrought inwards the

the Center, both by Day and Night, by fresh Sets of Men, yet it was not finished till the Month of *May*, in the Year 1744.

In the Neighbourhood of *Pinkie*, on the 10th of *September*, anno 1547, was fought a Battle between the *Scots* and *English*, one of the most fatal *Scotland* ever suffered. And on the same Spot, in the Year 1567, *Queen Mary*, with the Earl of *Bothwell*, incamped with her Army; but the dastardly Murderer having made off to secure himself, *Mary* disbanded her Troops and surrendered herself to the Regent and his Army without the Effusion of Blood.

Adjacent to *Pinkie*, on the Southern Side of the Frith of *Forth*, and Eastern Bank of the River *Esik*, lyes the large Burgh of Barony denominated *Musleburgh*, whereat, about the Year 1749, a Harbour was made for the Reception of Ships; which, together with the Erection of some Manufactures lately set up there, bids fair for its Increase; and over the River *Esik*, on its Western Side, is a stately Bridge of three spacious Arches of the Segment of a Circle.

South-west from *Musleburgh*, at the Distance of about two Miles on the Southern Side of the River *Esik*, is situate a Burgh of Barony called *Dalkeith*, which is adorned by the noble and magnificent Mansion of the Duke of *Buccleugh*, which for Grandeur and Furniture is excelled by few in *Great Britain*, and is accommodated with one of the best Markets in the Country.

At the Distance of about three Miles to the Westward of *Dalkeith* is situated the Seat of *Hawthorn-Den*, wherein 'tis said, the celebrated Poet *Drummond*, in the Reign of King *James VI.* wrote his Poems. This House stands on the North-eastern Side of the River *North Esik*, in the County of *Mid Lothian*; underneath which, are the noted Caverns of *Hawthorn-Den*, by Dr. *Stuckely* in his *Itinerarium Curiosum*, said to have been the King of *Pictland's* Castle or Palace; which nothing can shew the Doctor's Credulity more, than by suffering himself to be imposed upon by the Tattle of the Vulgar, who in all Things they cannot account for, are ascribed to the *Picts*, without the least Foundation. For those Caves, instead of having been a Castle or Palace, I take them either to have been a Receptacle for Robbers, or Places to secure the People and their Effects in, during the destructive Wars between the *Picts* and *English*, and *Scots* and *English*; which is in some Measure confirmed by a Number of Works of the same Kind, on the *English* and *Scotish* Borders; and in the Northern Parts of *Scotland*, to secure the People and their Effects against *English* and *Danish* Plunderers, and cruel Depredations; which I think, will in some Sort appear by the following Description of them.

The Entrance into those Caverns is in the Side of a perpendicular Rock, of great

Height above the River, to which you descend by twenty seven high Steps cut into the said Rock; then passing alongst a Board, about the Length of five Feet, and Breadth of ten Inches, you mount the Rock on eight Steps, and arrives at the Mouth of the Cave, or an imaginary Palace; within the Entrance of which, on the Left-hand Side, cut in the Rock, is a long and narrow Trance or Passage, ascended to by two Steps, of the Length of seventy five Feet, and Breadth of six, vulgarly called the *King's Gallery*; near the upper End of which, likewise cut in the Rock, is a narrow Dungeon, denominated the *King's Bed Chamber*. And on the Right-hand Side of these Caverns, also cut in the Rock, is another Cave, of the Length of Twenty one Feet, and Breadth of six Feet, descended to by two Steps, denominated the *King's Guard Room*: These are the fine Apartments of the Royal Dungeons, by Dr. *Stuckely*, and the Populace called a *Pictish* Castle and Royal Palace! And in descending the Rock, before you pass the Board, there is a Room, (but no Part of the pretended Palace) cut out in the Rock of modern Workmanship, called the *Cypress Grove*, wherein 'tis said *Drummond* composed his Poems: It is of the Length of seven Feet, six broad, and five and a half in Height. The three Rooms above mentioned, by their amazingly great Strength in Access, I take to have been at first a Shelter-place for a Band of Thieves and Robbers; and the House being since built over them, and a Draw-well sunk through the *King's Guard-room*, I imagine it to have been made by the Proprietor, to let down his Effects by, to secure them from an Enemy; for, by the Narrowness of the Way, by Steps, and along the Board, it could not be effected. Such Places of Security were not peculiar to *Scotland*; for *Tacitus*, in his Customs of the *Germans*, tells us, that they had a Number of subterraneous Houses and Caverns to secure themselves and Effects in Time of War. We have likewise many Instances of which, both in the Southern and Northern Parts of *Scotland*, as aforesaid.

About the Distance of two Miles North-westward from *Hawthorn-Den*, is the Village of *Roslin*, at which is a most beautiful Chapel, of *Gothick* Construction, being the only Part finished of an intended collegiate Church: This Chapel is of such curious and excellent Workmanship, that both the Citizens of *Edinburgh*, and curious Strangers croud thither to see it.

And as at this Place, on the 24th of *February*, anno 1302, happened three Battles in one Day, which the like being scarcely heard of, I shall be a little more particular in the Account thereof.

We are told by our own Writers, that *Boeth. Hist. Edward I. King of England*, sent *Ralph Conlib. 14.* *fray*, with a powerful Army to subdue the

M m m m m m *Scots*,

It was from these fastnesses that Remains of Dalkeith House &c. made their successful incursions on the English Strengths

Stuck. Itiner. cur.

Buchan. Hist.
in vit. John
Bailiol.

Scots, and make an End of the War at once. And having entered *Scotland* as far as *Roslin*, five Miles besouth *Edinburgh*, without Opposition, expected no Resistance from a People, by a long and bloody War, reduced to the lowest Degree of Misery. And for the better enabling him to plunder, divided his Army into three Divisions; of which the *Scottish* Generals, *John Cumin*, and *Simon Frazer* receiving Advice of, they, with the greatest Expedition, raised about eight thousand Men, and marched towards the Enemy, with a View either to abridge the Limits of their Plunderings, or if a favourable Opportunity offered, to fight them, which soon after happened; for *Confray*, little expecting the *Scots* would attack him; but *Cumin* and *Frazer*, unwilling to let slip so favourable an Opportunity, while his Army was divided, furiously assaulted the first Division, and routed them with a great Slaughter, and those who escaped, carrying Intelligence of their Misfortune to the second Division, all ran to Arms and exhorted each other, not only to revenge the Blood of their Countrymen, but by their Bravery to save themselves from the like Fate. Thus prepared, they marched forward, and a fierce Battle ensuing; after a bloody Engagement, the *English* were again routed. These two Victories being obtained, the *Scots* imagining themselves out of Danger, after their great Loss and Fatigue began to refresh themselves, when News arrived of the March of the third Division of the *English* towards them, with a Resolution either to conquer or die. This was a great Discouragement to the *Scots*, who after a great Loss of Men, by a double Engagement, the Number of their wounded, and great Fatigue undergone, to be attacked by a fresh Army, struck a great Terror amongst them; which rendered it difficult to prevail on them to defend themselves, till their Commanders laid before them the great Danger they were in, and made them sensible there were Hopes in fighting, but certain Destruction in flying. Having by these and the like Speeches prevailed on them to engage, and killing their Prisoners, to prevent their falling on them in the Time of Battle, and arming their Servants with the Spoils of the Slain, a furious Fight began; which was carried on with equal Ardour and Desperation, till the *Scots*, by their Officers, reminded of their double Victory, renewed their Courage; and giving a violent Charge, broke the Enemy, and put them to Flight, and obtained a third and compleat Victory, which is scarcely, if at all, to be paralleled. *English* Writers, in their Accounts of these Battles, tell us, that the *English* Army, before it was divided, was commanded by *John de Seagrave*, Regent of *Scotland* for King *Edward*, instead of *Ralph Confray*, as asserted by our Historians.

Chron. Abbr.
ad an. 1302.

Not far distant from *Roslin*, is *Penny-cuick*, the Seat of Sir *John Clark*, Bart. one of the Barons of his Majesty's Court of Exchequer in *Scotland*, an Antiquary of the first Rate, whose Collection of *Roman* Antiquities is so considerable, that probably it is not to be excelled in this Part of the Island; the most curious of which, is the original Statue of the Goddess *Brigantia*, worshipped by the *Brigantes* or *Pictish Britains*, in this Part of the Island: It is a very beautiful stonern Figure, of the Height of four Feet, dressed in the *Toga*, with a Head on its Breast, a Mural Crown on its Head, a Spear in the Right-hand, and a Globe in the Left, with the following Inscription under its Feet,

BRIGANTIAE. S. AMANDUS.
ARCTECTUS IMPERIO.
IMP. 1.

And the Baron, as Proprietor of the Lands of *Penny-cuick*, is obliged, whenever the King comes into the Neighbourhood of *Edinburgh*, to receive his Majesty at the *Harestone* (now erected in the Park Wall, almost opposite to the Southeastern Corner of the Park-dike, at the End of *Tipperlin* Lone, near the *Borough Moor-head*) and standing thereon gave three Blasts on a Horn; whereby is held certain Privileges belonging to the Estate of *Penny-cuick*.

On *Pentland Hills*, at a Place denominated the *Rullion Green*, on the 24th November, anno 1663, was fought the Battle of *Pentland Hills*, wherein *Dalziel* routed the Covenanters, killed about fifty, and took about eighty Prisoners, who, according to *Burnet*, were a poor harmless Company of Men, become mad by Oppression.

Near to this Place is the *House of the Moor*, belonging to the Citizens of *Edinburgh*, by a Contract of Excambion, between Lord *Abernetby* of *Salton*, and the Magistrates of this City, on the 14th and 21st of February, anno 1612; whereby the former granted to the latter a Right of holding Markets at the said *House of the Moor*, and on the Moor of *Glenuse*; in Consideration whereof, the latter granted to the former the Superiority of the three Husband Lands of *Salton*, which Contract of Exchange was recorded in the Books of *Forb. Town Clerk Acct.* Session, on the 9th of March, in the same Year, and some Years since was confirmed by Parliament.

The high Grounds in this Neighbourhood denominated *Pentland Hills*, according to Sir *Robert Sibbald*, they ought to be called *Benland Hills*, that is, the hilly or mountainous Country; for *Ben*, in the Highland or *Gaelick* Language signifies a Hill or Mountain, and as these seem to be the highest in the County of *Mid Lothian*, are probably about eight hundred Feet in Height. About

About a Mile to the Eastward of those Hills, lies a small Village denominated *St. Catherine's*, or the *Kaims*, at which is a Spring called the *Oily Well*, from an unctuous Substance wherewith it is covered, said to be good for scorbutical Disorders.

About two Miles South-eastward is the beautiful Seat of Lord *Somerville*, called the *Drum*, which antiently gave Name to the circumjacent Country far and near, by the Appellation of the *Forest of Drumselch*, wherein our Kings used to divert themselves with Hunting. This being a *Gaelick* Compound, various are the Derivations thereof; *Drum*, the first Part of the Compound signifying a Back or Ridge, which no Place has a better Title to than the Eminence or Ridge on the Northern Side of this Mansion-house; and *selch* or *saleuch*, the latter Part of the Denomination by some, is said to import a Number of Eminencies or little Hills surrounding or inclosing the *Drum*, or principal Height. Others say that *selch* is a Corruption of *Sealoch*, marshy or miry Places, which likewise answers to the Situation of the *Drum*; for divers Myres or Marshes in this Neighbourhood have been drained within the last Century. Of these Derivations the Reader may chuse which he likes best.

This Country, from a Forest, is become the most beautiful and delightful in the Kingdom, abounding with a Number of noble and pleasant Seats of the Nobility and Gentry; and being of a rich Soil, furnisheth all the Necessaries of Life in great Plenty; and for the best of Coals for Fuel, no Country exceeds it.

At a little Distance Northwards, is situated on the Top of a Rock, the strong Castle of *Craig-Miller*, wherein some of our Princes have been confined by their rebellious Subjects. But to return to *Pentland-hills*, on the Northern Side of which, on the adverse Hill, is Part of the united *Roman* Roads from *Teviotdale* and *Tweeddale*, which passing near the *Cat-beaps*, continues its Course to the *Roman* Naval Station at *Cramond* on the Southern Side of the Frith of *Forth*.

The large oval Camp in this Neighbourhood, by the Military Way passing through it, is by many regarded as a *Roman* Fortref; but that it was not, its Form is sufficient to demonstrate; and to shew that it was rather a *Pictish* or *Danish* Fence than a *Roman* Strength. Be that as it will, this is certain, that *Cromwell*, before the Fight at *Dunbar*, lay with his Army in it for some Time.

On the Southern Side of this Camp are divers large Cairns of Stones, denominated the *Cat-beaps*, that is, the *Battle-beaps*; in the Neighbourhood of which, is a flat Stone erect, about ten Feet in Height, called the *Cary-stone*; whether this be a Corruption

of the *Cat-stean* I know not; but by the neighbouring Cairns and Camp, it seems as if a Battle had been fought in this Vicinity, in Commemoration of which, the Cairns and Stone might have been erected. Whence, continuing our Course Northwards, on the Western Side of the Road on the Hill of *Braid*, is a Stone erect, denominated the *Buck-stone*, so called, as 'tis said, from the King's Buck-hounds being unchained and thrown off at it. And a little to the Eastward in a Bottom, is a House called the *Hermitage*, from a Hermit's Cell antiently at that Place. But to return to the Road, on the Eastern Side whereof, almost opposite to the South-eastern Corner of the Park-wall of *Tipperlin* Lone is the *Hare-stone*, whereon, as already hinted, the Laird of *Pennycook* stood and saluted the King, with three Blasts of a Horn, at his Arrival in these Parts, whereby 'tis said he enjoyed certain Privileges.

Being returned to the *Borough Moor*, it is necessary to acquaint my Readers, that since I wrote the Account of the *South Loch*, to shew contrary (probably) to the Opinion of all in *Edinburgh*, including myself, that the *South Loch* was not in the *Cowgate*, as has been falsely asserted and propagated through Ignorance and Lies. Therefore, to silence all Cavillers, and wicked Deceivers in Time coming, I shall demonstrate, beyond the Possibility of a Contradiction, that the very Spot whereon the said *South Loch* lay, is at present denominated *Hope's Park* or the *Meadow*, which is the Place I all along allotted for it: For the Truth of which, all Persons may be fully and faithfully informed by applying to the Chartulary of the Barony of *Portsburgh*, the general Office of Sasines in *Edinburgh*, or the national Records in the lower Parliament House, and Charters and Sasines in the Hands of *Archibald Blair*, and other Proprietors of the Lands of *Louriston*, and *Heriot's Crofts*, wherein is expressly set forth, that the said Lands are bounded on the South by the *South Loch*; which is sufficient effectually to refute those Persons who delight in Fable, Falshood, and Romance.

Now, as without a peradventure, I can truly and boldly affirm that I have discovered the very Place whereon the said *South Loch* lay, to the Satisfaction of all who prefer Truth to Fable and Romance; the Citizens and others who have hitherto been basely misled by wicked Deceivers, will perceive how grossly they have been imposed upon by Men who delight in Lies.

Whilst in this Neighbourhood I shall likewise observe, that the Village at the Western End of *Bruntfield Links*, commonly called *The Wrights Houses*, said to have been so denominated from Wrights antiently dwelling there, who were chiefly employed in cutting down and manufacturing the Oaks

Oaks and other Timber of the *Borough Moor*. That this is a Mistake, I think, is evident, by the Boundary of the said Moor's running with a North-eastern Course, from *Marchiston* to the Laird of *Wryte's House*; in the Neighbourhood of which, Houses being since erected, are corruptly called *Wright's Houses*, instead of *Wryte's Houses*; as belonging to the said Laird of *Wryte*. The Western Wing of this Building, being the most antient Part of the Edifice, it appears by the Inscription, *anno 1376* thereon, to be near four hundred Years standing; for the Wing on the Eastern Side was built in the Reign of King *Robert III.* and the central Building to join the Wings was erected in *James VI.'s* Reign: Yet notwithstanding the Antiquity of this Place, I still regard the House of *Marchiston*, as already hinted, to be much older, by the Manner of its Construction. But to return to the *Roman Road* at the *Buckstone*, whence it continued its Course in a Northern Direction to *Cramond* afore said.

The Village of *Cramond*, which is situated on the Eastern Side of the River *Almon*, at its Influx into the Frith of *Forth*, on the Southern Bank of that Estuary, I take to have antiently been a Naval *Roman* Station; which, for the Convenience of Access, had not only a commodious Harbour, but, by the Vestigia of the Military Ways still remaining, appears to have had three *Roman* Roads leading to it, from the South, East, and West; and that it was a *Roman* Town, is manifest, by the great Number of *Roman* Antiquities found there within these few Years, viz. an Eagle on a large square Stone, grasping Lightning with its Talons, and a Crown in its Beak. At the same Place was discovered the Base of a Column, with a Medal of *Faustina*, Consort to *M. Antoninus*. And near the Parsonage House were discovered divers stonern Walls, in different Directions, running parallel, about four Feet below the Surface of the Ground, and from their Foundations, of the Height of three Feet, and but a small Distance asunder; amongst which were found divers *Roman* Medals, and *Fibula*, with a Number of Potshards or broken Urns. This Place, by the Height, Distance, and Position of the Walls, and Quantity of broken Urns, I take to have been a *Roman* Pottery.

The Medals found in this Place appear to be very numerous, whereof Sir *John Inglis Bart.* has many, found in his own Grounds, the Inscriptions on some are very fair, while those on others are mostly defaced, and some quite gone. And on the North-western Side of the River, on a Rock, in *Alto Relievo*, is cut the Figure of an Eagle, which, by its being exposed, probably about sixteen hundred Years, is become a Prey to Time, and the Inclemency of Weather.

The Harbour of this Place, till within these few Years, abounded with a Variety of Fish, viz. Grilches, Trouts, Whittings, and such a Plenty of Smelts, that five thousand has been taken at a Draught; but being deserted by all, none are now to be had, which is supposed to be either owing to the watering of Flax in the River, or liming the Grounds in the Neighbourhood; that it is owing to one or both, I think is not to be questioned.

Incum. Acet. Parish.

About a Mile higher, the *Almon* is crossed by a handsome Bridge of three Arches, and of such Latitude that the like is scarcely to be seen in *Scotland*. A little higher, in the said River, is the Lin or Cataract of *Craigie-ball*; the Fall of which is about twenty-five Feet of perpendicular Height, which occasions such a rushing Noise amongst the Rocks, that it is often heard at the Distance of above two Miles, as already hinted.

Now as most of the Names of Places in the *Lothians* are *Englisb*, I take *Cramond*, the Name of this Village, to be of a *Saxon* Origin, which implies the Mouth of the *Cra*; for I have read of it in *Englisb* Writers, amongst the Benefactions made to the Church of *Lindisfarn* or *Holy Island* in *Northumberland*, by the Appellation of *Cramuthe*, which is synonymous, and of the same Signification with *Cramond*, the Mouth of the *Cra*; now, as there is an easy Transition between *Craw* and *A*, the Name of the River may have been changed from *Craw-water* to *Almon-water*, which is humbly submitted to the Judgment of the curious Reader.

About three Miles South-westward of *Cramond*, and four Miles and a half Westward from *Edinburgh*, near the Road to *Linlithgow*, in a Field on the Northern Side of the Way, in the Neighbourhood of *Lennox Bridge*, and a Farm House, denominated *The Catsfean*, is situated a sepulchral Monument denominated *The Catsfean*, of the Height of four Feet six Inches above Ground, about five in Breadth, and three Feet in Thickness; on this Monument, which is a rough Field Stone, is the following Inscription,

In hoc tumulo jacet veta F. velli.

on which *Edward Lbuid*, an eminent Antiquary makes this Remark; viz. 'This the common People call the *Catsfean*. Philip Trans. That the *British* or *Welsh* Names begin- No 269. ning with G. W. began in Latin with V. as we find by *Grotelm*, whom Latin Writers call *Vortigernus*, *Vortimerus*, and *Vitelinus*; so he supposeth the Person's Name here interred was *Guet*, or *Getb*, of which Name were sundry Kings of the *Picts*; whence the vulgar Name of *Catsfean*, he thinks, is derived. That this is a Mistake,

take, I think is evident; for *Gweth* his Name could not be, seeing the *Piſts* or *Gael* had no *W* in their Alphabet or Language. And as *Catſtean* is a *Gaelick* and *Engliſh* Compound, the former Part thereof ſignifying

a Battle, and *ſtean* or *ſtan* the latter, a Stone; ſo it is the *Battleſtone*, in Commemoration probably of a Battle being fought at or near this Place, wherein *Veta* or *Villi*, interred here, was ſlain.

The End of the Ninth and laſt Book.



ERRATA.

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The three following Articles, forgot to be inserted in the Errata, are here added, to supply the Defect.

Page 494, c. 2. l. 29. after been, add a. p. 496, c. 2. l. 55. f. Baston r. Bastion. p. 498, c. 2. l. 32. f. appears r. seems.

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1. The Plan of <i>Edinburgh</i>	1.	8. <i>St. Mary's</i> Chapel	167	15. Charity-workhouse	430
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