

0309

20-4

0 1 2 3 4 5 6 7 8 9 7

T H E
S E T S O R C O N S T I T U T I O N S
O F T H E
R O Y A L B O R O U G H S O F S C O T L A N D,
A S R E C O R D E D I N T H E
B O O K S O F T H E C O N V E N T I O N.

E D I N B U R G H:
Printed in the Year M,DCC,LXXXVII.

IN the General Convention of the Royal Burrows, holden at the Burgh of Edinburgh upon the fifteenth day of July one thousand seven hundred and eight years, by the Commissioners therein convened.

THE which day, the Convention, finding by experience, that nothing does create more trouble to them, then irregularities, and abuses committed by particular burghs in electing their Magistrates and Town Council, contrary to their sett and ancient constitution, Therefore, the Convention, to obviate this inconvenience in time coming, statute and appoint, that each royal burgh within this kingdom, send up their sett to the clerks of the burrows, to be recorded on a particular book to be kept for that very purpose, to the end any question about their respective setts may be quickly discussed upon producing the said book, and that betwixt and the next convention; certifying such as shall fail herein, they shall be fined by the next annual Convention, in the sum of two hundred pounds Scotts money. Extracted from the records of the General Convention of the Royal Burrows of Scotland, upon the preceeding page, by me their conjunct general clerk.

JOHN DUNDAS.
J. W.

E D I N B U R G H.

EXTRACT of the Sett of the City of Edinburgh, and Decreet Arbitral pronounced thereupon, by King James the Sixth, and regiftrate in the Books of Council and Session, the nineteenth day of June one thousand five hundred and eighty-three years.

M A G I S T R A T E S.

THE Magistrates, such as Provost, Bailies, Dean of Guild, and Treafurer, to be in all time coming of the estate and calling of Merchants, conform to the acts of Parliament, and if any Craftiman exerceand merchandize, shall for his good qualities be promoted thereto, in that case, he shall leave his craft, and not occupy the same, be himself nor his servants during the time of his office, and shall not return thereto at any time thereafter, while he obtain special licence of the Provost, Bailies, and Counsell, to that effect.

C O U N S E L L.

THE Counsell to consist of ten Merchants, to wit, the old Provost, four old Bailies, Dean of Guild, and Treafurer, of the next year preceeding, and three Merchants to be chosen to them; and also to consist of eight Craftsmen thereof, six Deacons, and two other Craftsmen, making in the haill the said council eighteen persons, and this by the office-men of that year, viz. the Provost, Bailies, Dean of Guild, and Treafurer.

E L E C T I O N.

AND as to the manner of their Election, it is first generally accordit and agreed, that no manner of person be chosen Provost, Bailies, Dean of Gild, or Treafurer, suppose they be
A Burgeses

Burgeses of the Burgh, and able therefore, without they have been ane year or two upon the Council of before. And anent the Council, the old manner of giving in of tickets be the Deacons out of the whilk the two Craftsmen were yearly chosen to be abrogat, cease and expire, in all time coming, sua that the saids two Craftsmen shall be chosen yearly without any ingiving of tickets indifferently, of the best and worthiest of the Crafts, be the saids Provost, Baillies, Dean of Gild, Treasurer, and Council, alennarly, and none to be on the Council above two years together, except they be office-men, or be virtue of their offices on the Counsell. Sicklike, anent the leits to be Baillies, they shall not be divided nor casten in four ranks, three to every rank, as they were wont to be, but to be chosen indifferently, ane out of the twelve leits, another out of the eleven leits, the third out of the ten, and the fourth out of nine leits. Anent the Deacons, that none be elected Deacon, except he that has been ane master of his Craft, two year at the least; and that none of them be continued in their offices of Deaconship above two years together. Last, in general, that none have vote in leiting, voting, electing of the Provost, Baillies, Council, Deacons, Dean of Gild, or Treasurer, but the persons hereafter following in manner after specified.

ELECTION IN SPECIAL OF DEACONS.

AND to proceed to the said Election, it is found good to begin at the choosing of the Deacons of Crafts, whilks are fourteen in number, to wit, chirurgions, goldsmiths, skinners, furrers, hammermen, wrights, mafons, tailors, baxters, fleshers, cordiners, websters, walkers, bonnetmakers, so the Deacons now present shall stand and continue while the third council day of before the old time of Election of the new Council, whilk was on the Wednesday next preceeding the feast of Michaelmas day. Upon the whilk third Council day, the Provost, Baillies, and Council, now standand, extending to nineteen persons, and from thenceforth yearly and ilk year, the Provost, Baillies, and Council, constitute of the said twenty-five persons, shall call in before them the saids Deacons of Crafts, every one severally, and enquire their opinion and judgment of the best and worthiest of their Crafts; thereafter the saids Provost, Baillies, and Council, shall nominate and leet three persons of the most discreet, godly, and qualified persons, of every one of the saids fourteen crafts, most expert hand-labourers of their own craft, burgeses and freemen of the Burgh of Edinburgh, whereof the old Deacon shall be one, and cause deliver their names to the Deacons every one, according to their craft, whilk Deacons, on the morn thereafter, shall assemble and convene their crafts, and every craft be themselves, forth of their names, shall elect one person who shall be their Deacon for that year; and, upon the next Council day after the said Election, the old Deacons, with some of their masters of their crafts, shall present the new Deacons to the Counsell, who shall authorize them in their offices.

NEW COUNSELL OF DEACONS.

NEXT to proceed to the Election of the new Counsell, the said day of presenting of the new Deacons, the Provost, Baillies, and Council, now standand of nineteen persons, and fra then forth the said day yearly, the Provost, Baillies, and Council, of twenty-five persons, shall choose forth of the saids fourteen Deacons, six persons to be adjoyned with the new Council for the year to come, and to have special vote in leiting and choosing of the Provost, Baillies, and Council; and the same day the old six Deacons, whilk was upon the Council the year preceeding, to be removed, and have no further vote for that year, except some of them be of the number of the new Eleced Deacons.

NEW COUNSELL OF MERCHANTS AND CRAFTS.

THEREAFTER, upon the Wednesday next, preceeding Michaelmas ilk year, the Provost, Baillies, Dean of Gild, Treasurer, and ten Merchants of the Council, and the saids six Deacons, and two Craftsmen, and in the hail twenty-five persons, and twenty-six votes, be

reason

reason of the Provost's two votes, ordinarily standand at all times, shall convene and choose the new Council, to the number of eighteen persons, viz. the old Provost, Baillies, Dean of Gild, and Treasurer, of that year, and the saids six Deacons, to make thirteen persons thereof; and to them to be chosen three Merchants and two Craftsmen, and thir persons to be called the new Council; and if any person of the Merchants chosen upon the new Counsell, happens to be putt on the leit of another office and promoved thereto, another shall be chosen in his roome be the saids Provost, Baillies, and Council.

LEITS OF MAGISTRATES.

THIRDLY, to proceed to the choosing of the leits to the Magistrates and office-men, such as Provost, Baillies, Dean of Gild, and Treasurer, upon the Friday next thereafter, there shall convene the said new Council of eighteen persons, and the old Counsell constitute of twelve persons, viz. ten Merchants and two Craftsmen, and in the hail thirty persons, to the Provost's odd vote, whilks persons, solemnly protesting before God, that they shall choose the persons whom they find most meet, without favour, hatred, or any kind of collusion, then shall begin and choose the leits to the said Magistrates, and office-men, to every one of them three leits, that is to say, to the Provost, two leits with himself, to the four Baillies every one of them three leits, the old Baillies not being ane, except they be new chosen thereto; to the Dean of Gild two leits with himself, and to the Treasurer two leits with himself; whilks hail leits shall be of the order and calling of Merchants as said is.

ELECTION OF MAGISTRATES.

FOURTHLY, to proceed to the electing and choosing of the saids Magistrates and office-men, upon the Tuesday next after Michaelmas yearly, there shall convene the saids thirty persons of new and old Council, and with them the rest of the Deacons of crafts whilks are not of the Counsell, extending to eight persons; the hail persons sua convened extending to thirty-eight persons by the Provost's odd vote, whereof twenty Merchants and eighteen Craftsmen, whilks persons shall begin at the leits of the Provost, and every one in their own rank, give their votes to such as they find meet, for the well of the Town, according to their knowledge and conscience, but feid or favour, and on whom the greatest number of votes shall fall, that he be sworn, received, and admitted Provost for that year, and sua to proceed thro' the leits of the Baillies, Dean of Gild, and Treasurer, while the said election be completely ended, the saids Provost, Baillies, Dean of Gild, Treasurer, and Counsell, elected as said is, making in the hail twenty-five persons, they only, and no others, shall have the full government and administration of the hail common well of this Burgh, in all things, as the Provost, Baillies, and Council thereof, or of any other Burgh had of before, or may have hereafter, be the laws or consuetude of this realm, infestments and priviledges granted to this Town be our Sovereign Lord's most Noble Progenitors, exceptand always thir causes following, in the whilks the hail fourteen Deacons of Crafts shall be called and adjoyned with them, to give their special vote and consultation thereunto. To witt, in Election of the Provost, Baillies, Dean of Gild, and Treasurer, as said is, in setting of fews or any manner of tacks, attour the yearly rousing on Martinmas even; in giving of benefices and other offices in Burgh; in granting of extents, contributions, emprimits, and sicklike, bigging of common works, and in disponing of the common good above the sum of twenty pounds together. Extracted from the records of the general convention of the Royal Burrows of Scotland, upon this, and the eight preceeding pages, by me their conjunct general clerk.

JOHN DUNDAS.

J. W.

At Edinburgh, the eighth day of April, one thousand seven hundred and thirty years.

WHICH day, the Right Honourable the Lord Provost, Magistrates, and Council of the city of Edinburgh, being assembled, a letter from the Right Honourable Archibald Lord Ilay, address to the Lord Provost, with the decret-arbitral pronounced and awarded by his Lordship upon the matters to him submitted, were severally read, and the Council, with the extraordinary Deacons, unanimously ordered the same to be inviolably observed, and to be recorded, and appointed the Treasurer to cause print the same; the tenor whereof follows. Whereas, by two several submissions, dated and signed at Edinburgh, the thirteenth and fourteenth days of March, one thousand seven hundred and twenty nine years, by the Magistrates and Merchant Council, and Deacons of Crafts and Trades Councilers of the said Burgh, on the one and other parts, and in 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 furth, were submitted to me as sole arbiter chosen and elected by both parties, and particularly certain proceses at their instance against others, depending before the Lords of Council and Session; and I having maturely considered the said mutual proceses, 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 furth my final sentence and decret-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 hospitalls, or who is a pensioner of the town or trade, or has or enjoys any benefice 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 benefice, 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 vote in any meeting whatsoever of any Incorporation within the said 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 of three for election of Deacons, be inviolably for ever observed, and that the short leets be returned by them out of the said leets of six, regularly and legally 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 authorized in their offices, are, by the nature of the thing, and the precedents, and consistently with the sett, judges, in the first instance, of questions that may be stirred concerning the right of persons claiming to be admitted into the office of Deacon; subject, nevertheless, to complaint, and the review 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 Guild, and Treasurer, and twelve persons in the leet for Baillies; but it is not determined by the sett, whether the said leets should contain one and twenty different persons; and the usage appears to be in the contrary, which therefore ought to prevail. And further, finds, decerns, and declares, that the Deacons extraordinary, or not of the Council, have a vote in choosing proxies for the absent members of the ordinary Council at the annual Election, in all steps where they have a right to be present. And

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 extraordinary Council, may proceed, and act in the same manner as if all the members were present: But, if the Provost, or Preses shall happen to neglect, or shall refuse to call a Council on Wednesday, the ordinary Council day, a majority of the said Council may, forty-eight hours preceding the ordinary and stated time of meeting, require the aforesaid Provost, or Preses, under form of instrument, to call a Council, and, upon his refusing, 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 proceed to do business. And finds, decerns, and declares, That the Council ordinary and extraordinary have the sole power and right of governing 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 within the year to which the said accompts relate, or within three months after the expiration of the said year, and that no article of depurpement of the town's money ought to be allowed, unless the same be sufficiently vouched. And finds and decerns, That the expence of all public treats ought to be previously authorized by the Council, and attested, when laid out, by two of the Council, 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 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 declares, That the said extraordinary Deacons of Crafts have right to give their special vote and consultation annually, in electing and chusing the members of the Dean of-Guild Court of Edinburgh; but that they have no vote in the election of the officers of the Train-bands, the Constables, and Baillies of the public merkats of the city, and their assistants, kirk and college treasurers, stent-masters, and auditors of the town's accompts, nor in electing and chusing the baron-baillies of the suburbs, namely, the baillies of Leith, Canongate, Portsburgh, and Calton, the Magistrates and ordinary Council having the only right of chusing the said officers. And 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-Guild, or Treasurer, or to set feus, or any manner of tacks, attour the yearly rousing on Martinmas Even; or to give benefices, and other offices within the burgh; or to grant extents, contributions, empriments, and concerning public burdens, or to dispose of the common good, above the sum of twenty pounds Scots together. And further finds the said extraordinary 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 from the burgh, which includes a case relating to the privilege of parliament, the same is hereby to receive no determination, of consent, and at the desire of both parties. And also decerns and ordains the minutes of the Council to be read and signed in open Council the next Council day, immediately after they shall have received a second reading. And, touching the office of Conveener, and the meetings of Deacons and Craftsmen among themselves, finds the office of Conveener has the authority 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 that, by the sett of the town, neither the merchants among themselves, nor the crafts, and their Deacons, or visitors, can have, or make any particular or general conventions, as Deacons with Deacons, Deacons with their crafts, or crafts among themselves, without the advice and consent of the Provost and Council, excepting the cases 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 continued 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 Council. 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, upon payment of such valuable consideration 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 several stocks belonging to the said Incorporations, or to make by-laws concerning the same: And this I give forth as my final sentence and decret-arbitral betwixt the said parties; and decerns and ordains them to abide by, and fulfill the same each to other in all time coming. In witness whereof, I have subscribed these presents, written on this and

and the preceding page, by Henry Pujolas, my servant, at London, the twelfth day of March, seven-
teen hundred and twenty-nine, thirty, before these witnesses, Richard Lancashire, and the above said
Henry Pujolas, my servants. (Signed) Ilay. Richard Lancashire, witness, Henry Pujolas, witness.
Extracted from the council records of the city of Edinburgh, upon this and the ten preceding pages, by
me conjunct principal city-clerk of Edinburgh.

JOHN DUNDA S.
J. W.

NOTE.

GUILDRY.—The guild brethren, including the members of the merchant company, are about 500 ;
but the simple burgeses, not connected with the guildry or incorporations, may be about the same num-
ber.

HERITORS.—It is exceedingly difficult to ascertain, with precision, the number of heritors in this
burgh, *who are not burgeses*; we can therefore only form a conjecture upon this head, and our conjecture
is, that these heritors may be about 1500 in all.

INCORPORATIONS.—The number of incorporations is fourteen, and of the members connected with
them 422.

INHABITANTS.—The number of inhabitants within the royalty, or what is properly termed the city,
may be about 40,000. But the suburbs, which is very extensive and populous, does at least contain equal
that number; so that the inhabitants in general, in and about Edinburgh, may be reckoned at above
80,000.

SETT OF THE BURGH OF GLASGOW.

At Glasgow, the twenty-second day of October, one thousand seven hundred and eleven years. The
which day, the provost, baillies, and town counsell convened, considering, That, by an act of the gene-
ral convention of royal burrows, the whole royal burrows are ordained to transmit to the clerk to the
royal burrows each of their fetts, and customes in their elections of their magistrats and counsell, to be
recorded in the books of general convention of the said royal burrows, in manner, and to the effect as is
more fully specified in the said act; therefore the magistrats and town counsell doe hereby declare the sett
or accustomed way of this burgh of Glasgow, in their elections of their provost, baillies, town counsell,
dean of gild, deacon conveener, treasurer, and others, after insert, to be as followes, viz. By the ordi-
nary sett of the said burgh, the town counsell thereof, (beside the provost and three baillies), is to con-
sist of the number of thirteen merchants and twelve trades; and, if either the dean of gild, deacon con-
veener, treasurer, or master of work, or all of them, shall happen to be chosen of persons not in the town
counsell, they, by their election, become extraordinary counsellors.

The Election of Provost and Baillies.

Upon the first Tuesday after Michaelmas, (which is the ordinary day of election of those who should
bear office, as provost and baillies of this burgh for the year ensuing), the provost, baillies, and town
counsell convened, doe proceed, first to the election of the provost, and the haill counsell being remo-
ved from the table, except the present provost and baillies, the said provost and baillies doe leit the mer-
chant rank in four leits, and the counsell being called to take their place at the table, each of the said four
leits are severally voted, and are chosen out of each of them, and the said four persons so chosen being
removed and divided in tuo leits, and the said tuo leits being severally voted, there are tuo persons cho-
sen out of the same, and which tuo persons are putt in one leit, and the same putt to the vote, which of
them shall be chosen as provost; he who has plurality of votes is elected as provost for the year ensuing,
and he may be elected and continued at the next year's election for a second year; but he cannot be leited
or elected, till tuo years expire after his going out of the office.

Item, After the election of the provost, as said is, they doe proceed to the electione of the three baillies,
and the haill counsell being again removed from the table, except the provost elected, as is immediately
above written; and the three baillies who are to be changed, with the late provost, or provosts, the saids
persons not removed sett down the leits of the merchants and crafts, ranks in counsell, out of which the
three baillies are to be chosen for the year ensuing. The merchant rank, who are capable to be leited,
are divided in four leits, and the counsell being called to take their place, the said four leits are severally
putt

putt to the vote, and one chosen out of each of them; and the said four persons so chosen, being divided
in tuo leits, and the counsellors of the trades rank being divided in three leits, and severally putt to the
vote, there are three persons chosen, which are putt in one leit, and the saids three leits of merchants and
crafts, (after the persons thereon are removed), being severally putt to the vote, there is one of the tuo in
the first leit of the merchant rank chosen for first and eldest baillie, and one of the tuo in the second leit
of the merchant rank chosen second baillie for the year ensuing; as also, there is one of the three in the
leit of the crafts rank chosen as baillie for the crafts rank; and it is also the sett and custome in the elec-
tione of the baillies, that none of the counsell who have been elected baillie, can be thereafter leited for,
or elected a baillie, till tuo years expyre after their being out of that office.

The Election of the Town Counsell.

Upon the first Friday after the election of the said magistrats, there doe convene the present provost and
three baillies, and the provost and three baillies that were in office the last year, and the provost and three bail-
lies who were magistrats the year preceding the last year, which three years magistrats makes up the num-
ber of twelve, and, if any of the said number be defective, in respect of one man being provost tuo of the said
three years, or by the absence or death of any of the twelve; therefore these convened doe elect, or call for so
many persons as shall happen to be wanting of the said full number, of the same quality of the absents,
whether they be merchants or crafts, to make up the said number of twelve; who are appointed by the
constitution of this burgh, to make choice of these who are to bear the office as counsellors of this burgh
for the year ensuing, and then doe proceed to the election of thirteen of the merchant rank, and twelve
of the trades rank, to bear office as counsellors, which counsellors are elected as follows, viz. The whole
thirteen of the merchant rank, and twelve of the trades rank, who were counsellors the year preceding,
are leited with others of the same rank who are not counsellors: And, in respect that the present magi-
strats are chosen out of the last counsell, the late magistrats doe come in their place to make up the num-
ber, and be leited as counsellors; and none of the said thirteen merchants, or twelve trades, can be leited
one with another, but with persons out of the counsell, as said is, except in the case, when either the
dean of gild, deacon conveener, treasurer, or master of work, shall happen to be extraordinary counsellors
by their office, they may be leited against as many of the magistrats and trades counsellors of the same
rank. And, in case it shall happen at any time, that a considerable number of the counsellors who are
elected, as said is, doe not accept, the magistrats and counsell may, and have been in use to elect o-
thers in their roomes and place.

The Election of the Dean of Gild, Deacon Conveener, Treasurer, and others.

Upon the first Wednesday after the election of the counsell, doe convene the provost, baillies, and coun-
sellors, both of the merchants and trades ranks, together with the deacons of the respective incorporat-
crafts of the burgh. And, because that the trades baillie, and counsellors, and deacons foresaid, doe ex-
ceed the number of the magistrats and counsell of the merchant rank, there are as many merchants added
to them as makes up the merchants and trades ranks both alike number, and then there is a leit produced
from the merchants house, contained in ane act thereof, under their clerk's hand, consisting of three per-
sons of the merchants rank, and one of them is chosen be the magistrats and town counsell, and others
foresaid, to bear office as dean of gild of this burgh for the year ensuing. Also, there is a leit produced
from the trades house, contained in ane act thereof under their clerk's hand, consisting of three persons
of the crafts rank; and one of them is chosen be the said magistrats and town counsell, and others fore-
said, to bear office as deacon conveener of this burgh for the year ensuing. And, in the election of the
dean of gild and deacon conveener, the provost has the first vote; and, in case of an equality, the casting
vote; but, in other elections, has only the casting vote.

Thereafter, the merchants and deacons who are added to the merchants and town counsell for electing
the dean of gild and deacon conveener, being removed, the magistrats or town counsell putt two or three
persons on the leit, which is putt to the vote, and one of them is chosen to bear office as treasurer of the
burgh for the year ensuing; and that the leit out of which the treasurer is elected, consists of the merchant
rank, or trades rank, *per vices*, or year about.

Item, In electing the baillie of Gorbals, the magistrats and town counsell putt tuo or three of their
number on the leit, which is putt to the vote, and one of them is chosen to bear office as baillie of the Gor-
bals.

bals for the year ensuing, and the leit out of which he is chosen, consists of the merchants rank, and trades rank, *per vices*, or year about.

Item, In electing the water baillie, the magistrats and toun counsell, doe putt tuo persons (either of the counsell, or not of the same, as they think fit,) upon the leit, which is putt to the vote, and one of them is chosen to bear office as water baillie for the year ensuing, and the leit out of which he is chosen consists of the merchants rank, and trades rank, *per vices*, or year about.

Item, In electing the master of work, the magistrats and toun counsell doe putt tuo persons of the merchant rank (either of the counsell or not of the same, as they think fit,) upon the leit, which is putt to the vote, and one of them is chosen to bear office as master of work of the burgh for the year ensuing.

Item, There is a leet produced from the incorporation of maltmen, under their clerk's hand, consisting of four or five persons of that trade, which leit being putt to the vote, one of them is chosen be the magistrats and toun counsell, to be visiter of the maltmen for the year ensuing.

Item, There is a leet produced from the incorporation of gardeners, under their clerk's hand, consisting of tuo persons of that trade, which leit being putt to the vote, one of them is chosen be the magistrats and toun counsell, to be visiter of the gardeners for the year ensuing.

Item, In electing the procurator-fiscall of court, there is a leit made be the magistrats and toun counsell, consisting of tuo persons, which leit being putt to the vote, one of them is elected procurator-fiscall of court for the year ensuing; and the magistrats and toun counsell recommends to the provost to transmit an extract hereof under the clerk's hands, to the clerk to the convention of royal burrows, to the effect specified in the said act of the burrows. Extracted by me, *sc* *subscribitur*, J. A. M. B. R. Y. D. E.

Act of the Royal Burrows, ratifying some regulations, alterations, and amendments, in the sett of the Burgh of Glasgow.

In the General Convention of the Royal Burrows of Scotland, holden at the Burgh of Edinburgh, upon the fifth day of July one thousand seven hundred and forty-eight years, by the commissioners therein convened.

The which day, John Murdoch, Esq; commissioner for Glasgow, presented a petition to the convention, in name of the magistrats and town council of Glasgow, shewing, that they had agreed in certain regulations for altering and amending the sett of the said burgh, which had been communicated to the merchants and trades-houses there, an extract of which was putt into the clerk's hands with the said petition; and therefore craving the convention would consider the said regulations, and interpose their sanction thereto, and appoint them to be recorded agreeable to the rules and practice of the convention. Which being considered by the convention, they remitted the same to the burghs of Edinburgh, Perth, Dundee, Aberdeen, Stirling, Montrose, and Dumfries, to consider the said regulations, and they to report against the next federunt; and, accordingly, the committee above named appointed to consider the alterations and amendments, proposed by the town of Glasgow to be made upon their sett and constitution; reported, that they having maturely considered the regulations contained in an extracted act of the town council of Glasgow, dated the fifteenth day of April last, containing some variations of the sett of their town and constitution, were of opinion, that the same were agreeable to law, and conducive to the interest of that burgh, and therefore recommended to the convention to interpose their authority for making the same effectual, and to appoint the clerks to record the said regulations in the books of the general convention, and declare them a part of the sett and constitution of the city of Glasgow in time coming. Which being considered by the convention, they approved and hereby approve of the committee's report, and appoint the said regulations to be recorded in the book kept for recording the setts of the royal burrows; as also in the books of the general convention, immediately after the rising of this convention; and declared, and hereby declare the same to be a part of the sett and constitution of the town of Glasgow, and they to proceed accordingly in time coming. Which regulations and alterations, are accordingly recorded both in the book kept for recording the setts of the royal burrows, and in the books of the general convention; and of which the tenor follows: At Glasgow, the fifteenth day of April one thousand seven hundred and forty-eight years; the which day, the magistrats and town council convened, the committee nominate by a former act, dated the eight of April instant, for considering what alterations and amendments may be proper to be made in the sett of the town; reported, that the constitution of the town council of Glasgow, has been long complained of as having a tendency to continue the government of the city in a particular

ticular sett longer than may be for the publick interest, there being sometimes difficulty to gett the more creditable burgeses to accept of offices; and time and experience having discovered fundry defects in the former constitution, the following alterations and amendments, are humbly submitted and reported by the committee, to whom this affair has been remitted, to take effect at Michaelmas 1748, and to be observed in all time coming, viz.

Regulation I.

That the late provost and baillies, and the last elected dean of gild and deacon conveener, shall necessarily continue and be of the ordinary council, without election, the year after their having been in, or exercised their respective offices.

Regulation II.

That the two senior merchant and two senior trades counsellors, not being in the magistracy, (excepting always the last year's provost and baillies, together with the last elected dean of gild and conveener,) shall necessarily be disqualified annually from being in the council for the space of three years allenarly; and that the like number of the same rank be chosen or filled up in their places at the time, and in the manner to be condiscended on in the immediately subsequent article; but, in regard hitherto the number of new members brought yearly into the council, has not been fixed or uniform, and that three, or more of the present members of one rank, may decline accepting the office of councilor, for compelling of whom there is at present no provision; and that hereafter, some of the senior councilors foresaid, by being in the office of magistracy, or having been magistrats, dean of gild, or deacon conveener, the preceeding year, may be necessary or constituent members of the council, whereby it shall happen, that there may be only one merchant or trades councilor, exclusive of the necessary members above said, older elected than all the rest of his rank, and that after his being disqualified, there may be two or more of that rank who have been equally long in council; or it may happen, that three or more councilors of the same rank, have been brought in at one election. It is provided, that so oft as any of these cases, or cases of the like nature, shall occur, when only part of the councilors elected at one time need to be dropt, in order to make up the number of tuo of each rank, necessary to be disqualified as above, it shall be in the power of the twelve electors, hereafter mentioned, to determine by plurality of voices, which of these two or more councilors elected at one time, are to fall off from the council for that year, two of each rank being necessarily to be disqualified yearly, whose places are to be filled up in the manner to be hereafter prescribed, and such of the senior councilors as are not disqualified, or continued on the above account, for that year, shall be the first who are to fall off, and necessarily go out of the council the election immediately subsequent, at least so soon as they cease to be necessary councilors, in consequence of the regulation foresaid.

Regulation III.

That upon the first Fryday after the election of magistrats in October 1748; and yearly thereafter on that day, the three setts of magistrats, who, by the original constitution of the burgh, have the power to choose those who are to bear office as councilors, convene within the town-hall at four in the afternoon, the dean of gild and deacon conveener being warned personally, or at their dwelling-houses, to be present with them; and, after filling up the places of such of the electors as are dead, absent, or who have been two years in one office, or born two offices, to make the full number of twelve; the dean of gild and conveener, if at the meeting foresaid, being always to be electors in room of such of their respective ranks whose places are to be filled up as above, and after having a list laid before them by the town-clerk, of the members of last year's council, distinguishing each year when they were last brought into council, these twelve electors are to fill up and choose thirteen merchants, and twelve tradesmen, who, with the provost and three baillies, are to make the ordinary council of twenty-nine for the year subsequent, in the manner following, viz. the thirteen merchant councilors are to be composed of the last year's provost, (when not re-chosen) the two merchant baillies for the preceeding year, the last elected dean of gild; who, in case he has been an extraordinary member of council in the former year, is to supply and fill up the room of one of the new merchant councilors, and that whether he has been newly elected into the office of magistracy or not, and of another new councilor of the merchant rank to be chosen by plurality of voices as above; who, with the said dean of gild in the event foresaid, are to come in place of the two senior merchant councilors.

councilors necessarily to be disqualified and fall off from the council, by the second regulation before sett down. But, in case the last elected dean of gild has been of the ordinary council of twenty-nine the preceding year, the said twelve electors are, by plurality of voices, to name and choose two new merchant councilors, in place of the two senior members of that rank to be disqualified, as above expressed; and so many of the junior or latest elected merchant councilors for the preceding year, not being at the time in the office of magistracy, or having been magistrates or dean of gild the immediately preceding year, as with the necessary and new elected councilors above said, shall make up the number of thirteen, exclusive of the provost and two merchant baillies, are to continue and remain members of the council for the merchant rank the year ensuing; and, as to the twelve trades councilors, they are to consist of the persons following, viz. the immediately preceding year's baillie of that rank, the last elected conveener, who, in case he has been an extraordinary member of council in the former year, is to supply and fill up the room of one of the new trades councilors, and that whether he has been newly elected into the office of magistracy or not, and of another new councilor of the trades rank, to be chosen by plurality of voices as above, who, with the said conveener in the event foresaid, are to come in place of the two senior trades councilors, necessary to be disqualified by the second regulation above written; but, in case the last elected conveener has been of the ordinary council of twenty-nine the preceding year, the said twelve electors are, by plurality of votes, to name and choose two new trades councilors, to supply the place of the two senior members of that rank, to be disqualified as above expressed; and so many of the junior, or latest elected trades councilors, for the preceding year, not being at the time a baillie, or having been baillie or conveener the immediately preceding year, as with the necessary and new elected councilors above said, and shall make up the number of twelve, exclusive of the trades baillie at the time, are to continue and remain members of the council for the craftsmen rank the year ensuing; declaring always, that the said twelve electors, shall further have liberty, and are hereby appointed, to fill up the places of such of the preceding year's council who have died in that time, or refused to accept their offices, and whose seats have not been filled up by the council in terms of the original sett, and that over and above the four new councilors to be annually elected and filled up as before specified. And that there is to be no further change in the council any one year, than by filling up or choosing two new merchant and two new trades councilors, in place of these to be disqualified as aforesaid, or supplying the room of such as are dead, or have refused to accept in the preceding year; in case the seats of the latter have not been filled up by the council as before mentioned; declaring always, that in regard a good number of the merchant councilors elected in October last 1747, have not accepted of their offices, for which, as before noticed, there is at present no compulstion; it shall be permitted, that in October 1748, at filling up the ensuing year's council, in case two or more of the persons chosen councilors for this current year, shall continue to decline acceptance, the twelve electors before named may only fill up, or nominate new councilors in place of those who have not accepted the preceding year, without being obliged to disqualify at that election only, the two senior accepting councilors of that rank, in terms of the second regulation aforesaid.

Regulation IV.

That the baillie for the village of Gorbals is to be chosen out of a lyte of the merchant rank and trades rank, *per vices*, with liberty to the council to nominate them out of their number or not, and to conjoin another baillie for the village and barony as they shall judge expedient.

Regulation V.

That every person hereafter elected, or continued a councilor, shall be obliged to accept of his office on the day whereon the dean of gild and conveener are chosen, if not confined with sickness, or necessarily absent, or at farthest, in three months after his election; and that any person chosen, or continued to be a councilor, refusing or neglecting to accept, as said is, shall, by the magistrates and council, at their first meeting after the first day of January yearly, be fined and amerced in the sum of twenty pounds sterling, payable to the collectors of the merchant and trades-houses *respective* for the behoof of their poor, according to the rank which the refusing or neglecting councilor shall be of, and the said respective collectors are to be obliged, between and the Whit Sunday ensuing, to produce a certificate under the hands of the dean of gild or conveener *respective*, of their having accounted for the said several fines, or that the same are placed to their debites with the several houses, otherwise the said respective collectors shall be obliged to pay

pay the same to the town treasurer for the use of the burgh, with one fifth part more for their neglect in levying the said fines, without prejudice to the council, in case any number of counsellors decline accepting, and choose to pay the above fine, to fill up their places agreeable to the original sett. And declaring always, that if any person shall make payment of the above fyne for not accepting to be councilor, he shall not be again compellable to accept of that office.

Regulation VI.

That every person who shall be hereafter elected provost, one of the baillies, dean of gild, deacon conveener, or treasurer, shall, on his refusing or declining to accept, or exerce any of the said offices, at the first meeting of the council after the election of the dean of gild, be fined and amerced by the magistrates and town council in the sum of forty pounds sterling, payable to the collectors of the merchants and trades houses *respective* for the behoof of the poor, according to the rank which the refusing or neglecting office-bearer shall be of, with certification that, if the said respective collectors do not produce, within three months after an extract of the sentence for the said fines shall be put into their hands, a certificate from the dean of gild or conveener *respective*, of their having accounted for the said several fines, the said respective collectors shall be obliged to pay the same, with one fifth part more for their neglect in levying thereof, to the town treasurer for the use of the burgh. And this article, with the immediately preceding one, to be read annually in the merchants and trades-houses at their first meeting, after electing the dean of gild and conveener.

Regulation VII.

That, in case of the decease of the provost, any one of the baillies, or treasurer, during the time of their being in office, the magistrate to whom belongs the right of presiding in, and conveening the council, who is declared to be the first magistrate in the place at the time, shall call a council within forty-eight hours after such death, and there intimate the inconveniency and necessity of supplying the vacant office, and at that dyett another council shall be appointed, not under four, or above eight days distance from the former, for electing an office-bearer in place of the magistrate or treasurer deceased; and shall appoint the whole members of council to be warned for that effect, at which second meeting, lytes shall be made up, as is presently practised at electing these office-bearers, (excluding the magistrates at the time, or any other debarred from being elected into any of these offices *respective* by the original sett), out of which lytes the office vacant as aforesaid is to be supplied, and the person newly elected to have the same powers and priviledges with his immediate predecessor, in whose place he shall be chosen. And, in case of the death of a dean of guild or conveener, during their being in these offices, the immediately preceding dean of gild and conveener in life, within forty-eight hours after such decease, are to convene their respective houses, who are to appoint a new meeting of their several members, to be conven'd and properly warned, not under four, or above eight days distance from the former dyett, whereof the provost, or presiding magistrate, is to be acquainted, at which last meeting a lyte of three persons shall be elected by majority of votes, to be presented by the two houses *respective*, according to the rank of the person deceased, in the same manner as has been hitherto practised at electing the dean of gild or conveener the first year of their offices; and, immediately after the houses have voted the said lytes *respective*, the presiding magistrate is to call and convene the town council and deacons of crafts, in the same form and method as has been hitherto observed on occasions of that nature; and the persons who, by law or practice, have right to choose a dean of gild, or conveener, shall, by plurality of voices, (the provost, or preses, having the first, as also a casting vote), elect that office-bearer out of the lytes aforesaid, according as the office shall happen to be vacant by death, as said is; and the person so to be elected shall have the same powers and priviledges which his immediate predecessor had, when in life. Declaring also, That, in case of any person's not accepting of any of the said offices, within a month after their said election, the council are to proceed, and make choice of another office-bearer in their place, observing the forms and regulations before set down, in the event of their decease.

Regulation VIII.

That the original sett and constitution of the burgh, so far as not altered, amended, or repealed by the present regulations, shall continue and remain in full force, till a proper and legal alteration be made therein

therein. And that this present platform, and rules therein set down, shall be observed inviolably, till altered by the city council, with consent of the merchants and trades houses, and shall be publicly read in presence of the council annually, immediately before they proceed to the election of the magistrates; which report above written being read in presence of, and duly considered by the magistrates and council, they agreed thereto, and approved, and hereby approve thereof, and ordain the same to take effect, and be observed for the future, according as is above mentioned; and remitt to the magistrates to order copies of the above report to be given in to the dean of gild and deacon conveyer, to be laid by them before their respective houses. Extracted upon this, and the preceeding nine pages, by, (*sic subscribitur*), Jo. M'Gilchrist, depute-clerk, &c. Extracted, &c.

JOHN DUNDA S.
J. W.

NOTE.

GUILDRY, 3420

HERITORS, not burgeses, not above 100.

INCORPORATIONS, 14. The members whereof 2046.

INHABITANTS within the royalty, exclusive of the Calton, Anderston, and Gorbals, 29,876.

SETT OF THE BURGH OF ABERDEEN.

THE town counsell of Aberdeen is chosen yearly out of the whole citizens and burgeses of the city. The roll of the whole brethren of gild being first read at every election of the counsell, which holds upon the Wednesday before Michaelmas day, there being a large catalogue drawn up of all the brethren of gild amongst them, every persone, (whom any of the old counsell desires to be listed among these out of whom the new counsell is to be chosen), is presently set down in that new list; and, when the list is compleated, by reading over the whole brethren of gild of the town, there is an indefinite number set down, upon two or three sheet of paper, with lines drawn after every one of their names, and this is given to the present provost, baillies, and the whole old council, that every one may make choice of thirteen brethren of gild, to be named for the new counsell for the year to come; and most votes, or marks, make up the number.

Next, they of the old counsell choose out of their own number four, who are called the old four, which being added to the former thirteen, make up the number of seventeen brethren of gild. And, lastly, having got the roll of all the present deacons of trades, there are two of these deacons chosen, which makes up the compleat number of nineteen for the counsell the year ensuing.

The new chosen counsellors being all sent for, and come in the afternoon, the whole old and new counsell, with the six deacons of trades, and the four deacons of the old and new counsell, which makes up ten deacons of trades, and thirty brethren of gild, making up in all the number of forty votes, they altogether choose, first the provost, then four baillies, a dean of gild, a treasurer, a master of the kirk-work, and bridge-work, a master of the mortified moneys, a master of the gild hospital, a master of the shoar, called master of the impost, and six single counsellors, who bear no office, but sit and vote in all affairs that come before the counsell, with the two deacons of trades. If, in this election, there fall to be one having equal votes, the provost, in this case, hath the casting vote.

This is the true way of election of the town counsell of Aberdeen yearly. In testimony whereof, thir presents are subscribed by Mr Alexander Thomson common clerk of the said burgh, at Aberdeen, the 21st day of June, 1710 years. *Sic subscribitur* Al. Thomson. Extracted, &c.

JOHN DUNDA S.
J. W.

NOTE.

GUILDRY about 240.

HERITORS, not guild brethren, or of any incorporation, and rated in the cess-books of the borough at L. 60 Scots, and upwards, are about 160.

INCORPORATIONS, seven. Six are established by royal charters; and one, the butchers, by a seal of cause from the town council; of this incorporation none is eligible to the council.—Members connected with all the incorporations are about 350.

INHABITANTS, computed to be at least 20,000.

S E T T

P E R T H.

Sett of the Burgh of Perth anent their Annual Elections.

THE counsell of the said burgh consists of twentie-six in number; whereof fourteen are merchants, and twelve are tradesmen, who, conforme to their ancient custome, doe, upon the first Monday after Michaelmas yearly, at ten of the clock in the forenoon, convene within their counsell-house, and, after prayer to Almighty God for his assistance and direction in that matter, they proceed to their election of their magistrates, and the counsell for the ensuing year, in manner following.

First, If any of the members of the merchant counsell for the preceeding year be absent, by reason of death, sickness, or any other necessary and urgent affairs; in that case, the merchant counsell, by plurality of votes of their own number, give the vote, or votes, of the persone, or persons absent to so many persons of their own number who are present.

Secondly, Each person of the old merchant counsell gives out one. But it is to be observed, that these persons who were provost, baillies, dean of gild, and treasurer of the last year, are not elective, but continue to be counsellors for the ensuing year. Albeit, not of new elected to continue in the office of magistracie, &c. for a second year.

Thirdly, The counsell, by plurality of votes of both gildrie and trades, out of the leits given in to them by the trades, doe elect the counsellors for the trades for the ensuing year. Thereafter the new elected counsellors are called for, and, before they be allowed to take their chair, and sit down, they are qualified by taking the oaths prescribed by law, the oaths of fidelity, secrecie, and that they shall not vote to the continuing of the provost, baillies, and dean of gild, in office longer time than two years together.

Fourthly, The counsell being thus fully constituted, he that was provost for the preceeding year, if he has been only provost for one year, gives out one fit persone on leit with himself, and, if he hath been two years provost together, and so not capable to be elected himself, gives out two on leit, and, if the counsell be not satisfied with the leit, they, by a plurality of votes, add another fit person to the provost's leit; and, out of that leit, the counsell, by plurality of votes, elect one to be provost, sheriff, and crown-er of the burgh for the ensuing year, who, before he takes his chair, is qualified, conform to law.

Fifthly, He that was dean of gild the preceeding year, gives out on leit these that were the three merchant baillies for the last year, out of which leit the counsell elects their dean of gild for the ensuing year.

Sixthly, The first baillie for the preceeding year, if he hath been in office but one year, gives out one fit persone with himself on leit; and, if he hath been two years in office, and so not elective himself, gives out two fit persons on the leit to be elected first baillie for the ensuing year; and, if the counsell be not pleased with the leit, they add another fit person to the leit, out of which leit they elect their first baillie, and, after the same forme and manner, the second and third merchant baillies are leited and elected, and immediately after election qualified, conform to law.

Seventhly, The trades have the trades baillie *per vices*, (except the wrights, tailors, fishers, and shoemakers, who, in this burgh, are called the four small trades, and have but a baillie among them four, each four years. The hammermen having the first, the bakers the second, the glovers the third, and the said four small trades the fourth); and that trade who falls to have the trades baillie the ensuing year, meets in the morning before the election, and makes choice of two fit persons of their trade, to be given in by them on the leit to the town counsell; and the counsell elects one of them two to be trades baillies the ensuing year. *Nota*, That the weavers and walkers are debarred from being members of the counsell of Perth.

Eighthly, The treasurer is a merchant the one year, and a trades-man the other; and that year that he is a merchant, the new elected provost gives out two fit persons on leit to be treasurer, and, if the counsell be not pleased with the leit, they add another, and then, by plurality of votes, elect one of the three treasurer for the ensuing year. And that year that the trades have the treasurer, who have him also *per vices*, as they have the trades baillie, that trade, whose towre it is to have him, gives in two fit persons of their trade to the town counsell on leit; out of which the counsell elects one to be treasurer for the ensuing year, who being called for, (if he was not a member of the counsell before), gives his oath of fidelity, and takes the other oaths prescribed by law.

Ninthly, On the Wednesday after Michaelmas, the several trades meet at their respective meeting houses, and elects their deacons for the ensuing year; and, on the Thursday, the trades baillie, trades counsellors, and

and deacons, meet, and elect their deacon convenor. Signed by me, *sic* *subscribitur*, Ro. Graham clerk. Extracted, &c.

JOHN DUNDAS.
J. W.

NOTE.

GUILDRY uncertain as to numbers, but are computed by the trades at about 300 residing and doing business.

HERITORS, resident and not burgeses or members of incorporations, about 30.

INCORPORATIONS 8, including the weavers, who have no feat in council by the present sett, and the members of the whole incorporations 469.

INHABITANTS, about 14,000, and are daily encreasing.

D U N D E E.

Sett of the Election of the Magistrates and Counsell of the Burgh of Dundee.

THE magistrates and counsell, consisting of twenty persons, doe meet yearly, on Tuesday preceeding Thursday immediately preceeding Michaelmas, and, after leiting of ten merchants and six tradesmen, they make choice of five merchants and three trades to be counsellors for the year ensuing, of which there must not be two trades counsellors of one trade. After the said merchants and trades counsellors are chosen and accepting, the old and new counsell proceed to the making up of leits for the new counsell, and, after nominating of four persons who have carried the charge of magistracie, they make choice of two to be on the leit for the provost's office; then they proceed to the making up of leits for the baillies office, and they nominate sixteen who have carried the charge of counsellors, and out of these they make choice of eight to be on the leit for the baillies office. Then, out of the four baillies presently in office, they make up a leit of two for the dean of gild's office.

Then they nominate four for the treasurer's office, and of these they make choice of two to be on the leit.

On Wednesday thereafter, these leits are extracted and given out to the convenor of the nine trades, who do meet in the common burial place, and every trade gets a double of the leits. On Thursday thereafter, the nine deacons, and old and new counsell proceed to the electing of the provost, baillies, dean of gild, and treasurer, which is carried according to the plurality of votes. *Extractum per me, sic* *subscribitur*, A. Wederburn clerk. Extracted, &c.

JOHN DUNDAS.
J. W.

NOTE.

GUILDRY about 300.

HERITORS, who are not burgeses, about 50.

INCORPORATIONS, constituted by charters 9, and the number of individuals composing them, about 350. Their servants and dependants about 4680 persons.

There are here a number of societies, who, it is said, have incorporate themselves, and have no legal establishments but seals of cause, or what prescription may have given them.

INHABITANTS of the royalty, about 13,000, and in the suburbs about 5000.

I N V E R N E S S.

Sett of the Burgh of Inverness.

AT Inverness, the 11th day of September, 1676, the decret underwritten, conforme to the ordinance therein contained, is insert and registrat in the burrow court books of Inverness, whereof the tenor follows. At Inverness, the 2d day of September, 1676 years, anent the act of the general convention of burrows, holden at Edinburgh upon the 7th day of July, 1676 years last bypast, by the commissioners of burrows, mentioning, That where the convention being truly informed of the great debates, divisions, and confusions that are both within the council, and amongst the inhabitants of the town of Inverness,

in

in relatione to the electione of magistrats and councillors of the said burgh. And, considering that it is the desire of all parties interested in the said debates, that the present convention would take the same to their serious consideration, and to take such effectual course therein as may prevent such dangers and inconveniences as may prove fatal to the said burgh, if not timeously composed. And the convention, considering that it ought to be their cheiff care, as it is the principal designe of their institution, that the inhabitants of the royal burrows should live together in amity, peace, and a good understanding amongst themselves; and, when any division arises amongst any of the royal burrows, it is their constant custome to appoint some of their number to settle and determine their differences: Therefore, and for the particular care and respects they bear towards the burgh of Inverness, have appointed, likeas, by their presents appoint, Sr. Patrick Threapland, present provost of Perth, George Brown, present provost of Dundee, Gilbert Mollison, present baillie of Aberdeen, Alexander Miln, present provost of Linlithgow, Robert Renald, present provost of Montrose, David Donaldson, commissioner for the burgh of Brechin, Captain James Bennet, commissioner for Inverkeithing, Archibald Wilson, baillie of Queensferry, and Mr James Rothead, generell clerk to the said burrows, together with James Ross, burges of Nairn, Sr. Robert Dunbar, provost of Forres, Ronald Bayne, late baillie of Dingwall, and Alexander Grahame, provost of Fortrose, or any seven of them to meet at Inverness the last day of August next to come, with continuation of days, and to call before them all persons within the said burgh, whether magistrats, councillors, or other inhabitants, and to hear what each partie has to alledge either for or against the forme and modell of the present custome of their burgh in the election of their magistrats and council; and, after hearing of the sames, to determine, settle, and compose all their differences, in order to their future elections, as far as possible can be, to the general satisfaction of all parties concerned, with full power to them, if need beis, to establish and sett ane plate forme and government of the said burgh, which shall be most agreeable to the laws of the kingdome, example of the best governed burrows of the nation, and to the particular constitution of the said burgh, wherein the said commissioners are to proceed and determine without partiality, and in singleness of heart, having nothing before their eyes but the true and solid interest of the common well of the said burgh. And, in regard the convention has been at so great pains for the good and peace of that burgh, and that the foresaid commissioners are to be at so great trouble and expences as to go to the said burgh of Inverness for their quiet and settlement: Therefore the convention requires and obtests the hail foresaid persons, who are any ways concerned in the said debates and divisions, to lay aside all partiality, animosities, humour, and their own private interests in the said affair, and to give all due respect, deference, and submission, to what shall be appointed and determined by our saids commissioners in the premisses, as if the sames had been enacted and ordained by this present convention; declaring that, in case of a quorum of our saids commissioners do not meet at the said burgh before their election, according to their preceeding custome, then declaring, that the present magistrats and councillors shall proceed to their election, according to their preceeding custome. And ordains them to report their dilligence herein to the next general convention, and this to be ane head of the next missive, whereanent their presents shall be ane sufficient warrand to the saids commissioners, as the said act of burrows, of the date foresaid, under the signe and subscriptione manual of Mr James Rothead, general clerk of the the said burrows, at more length bears. Conforme to the appointment of the said act, they are mett and convened at Inverness, the several commissioners of the burrows afternamed, upon the last day of August last by past, for taking notice of, and rectifying the differences betwixt the saids magistrats of the said burgh, and others, to witt, Sr. Patrick Threapland, provost of Perth, George Brown, provost of Dundee, Gilbert Mollison, baillie of Aberdeen, Alexander Miln, provost of Linlithgow, Robert Renald, provost of Montrose, David Donaldson for the burgh of Brechin, Archibald Wilson, baillie of the Queensferry, Sr. Robert Dunbar, provost of Forres, Ronald Bayne, late baillie of Dingwall, and Alexander Grahame, provost of Fortrose, who having mett and convened, as said is, they, for the more and orderly procedure in the matter underwritten, have made and chosen Sir Patrick Threapland, provost of Perth, as preses in the said meeting, and the saids commissioners have nominated and chosen Mr Alexander Edward writer in Edinburgh, as their clerk, to serve them in their meeting; and also have called and convened before them the foresaid present magistrats, gildrie, and tradesmen, and having perused the counsell books, and read over the contract or bond betwixt the present magistrats, gildrie, and trades, and having heard the grievances and objections against one another *hinc inde*, and they being well and rypely advised therewith; the saids commissioners, with ane consente and assente, conforme to the ordinance and act of burrows, of the date, tenor, and contents above written, doe, for the peace and tranquillity of the said burgh of Inverness, and for the amicable settling of all differences betwixt the present magistrats, and gildry, and tradesmen, in all time coming, and for the avoiding further

strife,

strife, debate; or any ground of contention, in all time hereafter; and conforme to that point of the said act empowering them to settle and compose all their differences, in order to their future election as far as possible can be, and to establish one sett and platforme of government of the said burgh most agreeable to the laws of the kingdom, example of the best governed burrows of the nation, and particular constitution of the said burgh, have decerned and ordained, and hereby decerns and ordains, that, at the next election of the magistrates and council of the burgh of Inverness, and yearly at their elections in all time coming, there shall be strictly kept and observed, without the least change or alteration, these rules and ordinances following, to wit, *primo*, That the number of the town council of Inverness, shall consist of twenty-one councillors, and no more, whereof the then present to be one part of the number, and which is conforme to the sett made be the town council of Inverness in anno 1748 years; and, in respect the great complaint of this place has been continuing the council these many years bygone; therefore, and for rectifying of the samen, the said commissioners has ordained, for this next ensuing year only, that this present council shall elect and choose their counsellors for the next ensuing year, the persons following, viz. John Polson, John Barbour, John Steuarte, William Thomson, William Paterfon, Donald M'Lean, John Cuthbert, and Alexander Clunes, who are to come in place of eight of the present counsell, to be putt off and discharged be the present magistrates and council. And, after the eight old counsellors are putt out, and the new eight putt in the counsell, to make choise of the present provost, baillies, dean of gild, and, treasurer, and in case of their not acceptance, with power to them to make, choose, and leit, other magistrates, to continue for the next ensuing year. And ordains, that in all time coming, that the modell, sett, and platforme, shall be as follows, to witt, *primo*, That they shall change five new councillors every year, and the five old councillors being removed, the council shall, out of their own number, every year make a choice of their magistrates. *Secundo*, The provosts of Inverness hereafter to be chosen to continue at the most in the office of provoltrie, but the space of three years together, and, if he shall continue the whole three years but interruption, he shall not be capable to be upon the leet of the provoltrie for the fourth year; and this is but prejudice to the magistrates and council to choose him yearly as they think fit; likeas, it is declared to be but prejudice to him to be chosen the fifth year, or at any time thereafter; and it is hereby declared, that the provost of the burgh shall have two votes in council, which makes in the whole twenty-two. *Tertio*, The said commissioners have decerned and ordained, that the baillies, dean of gild, and treasurer, shall at most continue but two years in their office together, and if they shall continue so long without intermission in the said offices, then, in the third year, they shall not be capable to be leited and chosen to officiate in these offices the third year thereafter. And it is hereby provided, that the magistrates and council has power to elect and choose them yearly as they think fit, but prejudice also to them to be chosen the third year, or any other time thereafter. And, for the more clearing the former sett, it is hereby declared, that the provost, baillies, dean of gild, and treasurer, shall continue councillors the next year, after their bearing charges and offices of magistracie *ex officio*; and they have ordained, that the persons to be chosen councillors or magistrates in time coming, with this burgh, shall be actual residents within the samen and liberties thereof, and actual trafficking merchants, or maltmen allenarly. And for the more firme settling of the peace of this burgh, the said commissioners have decerned and ordained, for the encouragement of trades and tradesmen within this burgh, that the several trades following, providing that each one of the incorporations underwritten consist of seven freemen burgeses, viz. the hammermen, wrights, shoemakers, tailors, skimmers, and weavers, shall be incorporat within themselves, with power to them for their further encouragement, *Firft*, That they shall yearly give in one leit of three of their number, to the magistrates and council, who shall choose one of the three to be visitors or overseers of each one of their respective trades for the next ensuing year. *Secondly*, That one of the saids visitors or overseers, being informed that any extraneous persons does encroach upon the priviledges of any of the respective trades, by working within the freedom of this place, then, and in that case, they are to apply themselves to the magistrates of the place, who are hereby obliged to fyne the persons delinquents as they shall think fit, and to discharge the saids persons from encroaching upon the priviledges of the respective crafts, and to cause them enact themselves under a penalty to do so no more in time coming. *Thirdly*, That the apprentices of any of the forefaids trades being lawfully admitted apprentices, whose names are holden to be booked in the council books, and who serve their apprenticeships faithfully, and have discharged of their indentures, shall be holden and accepted of as burgeses of this burgh, they paying their ordinary dues, and are to be received as freemen within their respective trades. And it is hereby declared and decerned, that it shall not be leifome to any master of the forefaids trades, to take in ane apprentice but one in three years time, except upon the death of, or running away of another apprentice. *Fourthly*, That in case a-

ny

ny of the forefaids tradesmen shall transgress in their said calling, then, and in these cases, it shall be leifome and lawful to the overseers, or in making any insufficient work, or in keeping up of any person's work too long, or shall any otherwise transgress in their said calling, then, and in that case, it shall be leifum and lawful to the overseers or visitors of any of the respective trades, with the major part of any of their respective trades, after tryal made of the forefaid faults, to fyne the delinquents, the fyne not exceeding ten shillings Scots, and which fines are yearly to be compted for to the magistrates and council of the burgh, by the visitors and overseers, that they may see the same applied to the maintainance of the poor, or other pious uses of the respective incorporations from whom the fines are taken. *Fifthly*, That any freeman within the respective trades, or any of their children or apprentices, after expiring of their apprenticeships, actually quitting their trades, and take themselves to merchandizing, then they shall be admitted freemen of the gildrie, they paying the ordinary dues of the gild-brethren, and shall be capable of being elected their counsellors or magistrates of this burgh; and in respect that the great stents and impositions, and way of imposing the samen, has been one of the great grievances of this place, therefore, the saids commissioners has ordained, and ordains, that it shall not be lawful to the magistrates or council, to stent or impose taxations upon the inhabitants of this place, without their own consent, or at least the most part thereof; (except the stents imposed by public authority) and, in case there be a necessity for imposing any stents upon the inhabitants of this burgh, then, and in that case, the magistrates shall give notice to the inhabitants, what is the cause of the samen by tuck of drum, and of the time, place, and manner, how the same is to be imposed; and, for the more regular and equal way for imposing the samen, they ordain, that the magistrates and council of this burgh shall nominate and elect fifteen persons of best fame and repute within this place to be stentmasters, who shall be holden to give their oaths in presence of the council *de fidei*, whereof eleven of the fifteen shall be a quorum, who shall meet in the tolbooth of this place, and no persons shall be suffered to be with them, but one of the magistrates; and, after the same is imposed and collected, the magistrates and council of this place shall be obliged to make it appear, that the stent is bestowed and expended to the ends for, which it was imposed. And, because, it is informed to the saids commissioners, that the town is in debt in the sum eight thousand merks or thereby, and that there is no other way for paying the samen, but by imposing stents upon the inhabitants of the place; they do seriously recommend to the inhabitants of the said burgh to concur with the magistrates thereof, for stenting the neighbours, in order to the payment of the said debt of the town, and to levie and raise the saids stents, at such times as they may best do with their convenience; and that no vestige or memory be left of former differences, and for taking away all grounds of diffentions and divisions in the place, the said commissioners finally ordain all actions and pursuits of law betwixt the present council, gildrie, and trades, to be presently destroyed and cancelled in their presence. And, in like manner, the said commissioners witts and declares, that the above written decret in all points, shall stand and continue inviolable unchanged in all time coming, certifying the breakers thereof, that the royal burrows will notice the breakers of the samen, and punish them accordingly, and state themselves as parties against them. And the saids commissioners ordains, that thir presents shall stand in force in all time coming, for the rule and government of the said burgh of Inverness, and that extracts shall be given forth thereof be the preses; and that the above written decret is to be insert and registrat in the town court books of Inverness; in testimony whereof, the principall is subscribed be the said Sir Patrick Threapland, praefes, and the said Mr Alexander Edward, clerk, in name, and at the desire of the remanent commissioners above written. Extracted by authority and command be me *sic subscribitur*, per Threapland praefes, Alexander Edward clerk. Registrat per me, *sic subscribitur*, James Cuthbert. Extrasted be me, *sic subscribitur*, Ch. M'Lean, clerk.

Submission the Magistrates, Council, and trades of the burgh of Inverness, to a committee of the Royall Burrows, with the decret arbitral following thereon.

The blank on the other side hereof, is to be filled up be the final sentence and decret arbitral of John Ross of Braidley, provost of Nairn, William Ross of Easterfearn, Kenneth M'Kenzie, junior baillie of Elgin, and William Tolmie baillie of Fortrose, as a committee of the convention of royal burrows, appointed by their act, of the date the twelfth day of July last, for the ends therein specified, and submitted to, by Simon M'Kenzie and William M'Lean, goldsmiths in Inverness, James Porteous tailor there, Robert Miller coppersmith there, for themselves, and be James Waus visitor of the glover trade of the said burgh, David Monro visitor of the taylor trade thereof, James Dick visitor of the Shoemaker trade there-

E

of,

ot, Matthew Moor visitor of the square-wright trade thereof, James Petrie and John M'Canter smiths there, and Andrew Denson peutherer there, all of them for themselves, and in name and behalf of the respective incorporations, of the hammermen, glover, tailor, shoemaker, and square-wright, or couper trades, and the other trades of the said burgh, submitters; anent the differences arisen betwixt the magistrates of Inverness, and the said trades, conforme to the respective informations and representations to be given in be the saids magistrats, and them *hinc inde*, with the instructions and documents thereof, and answers to be given in *hinc inde* be both parties, which are declared to be as sufficient as if here insert, renouncing hereby any advocacy, and disclaiming and passing from all process of declarator, reduction, intended or raised be them in the saids matters. Likeas, the saids members of committee, have accepted this present submission and decision of the premisses, in and upon them, and faithfully promise to give their final sentence and decret therein, betwixt and the last day of October instant, and whatever the said committee agreeing together in one voice shall decide, determine, and for their final sentence and decret arbitral in the premisses, give and pronounce betwixt and the day above mentioned, the forenamed persons submitters for themselves, and in name and behalf foresaid, bind and oblige them and their successors in their respective incorporations above written, to stand to and abide thereat, and perform and fulfill the same on their part, without any furder process, appeal, or plea of law, under the penalty of six hundred pounds Scotts money, by and attour fulfilling of the said decret, consenting to the registration hereof in the books of Council and Session, or others competent within this kingdom, that letters of horning and all other executorial needful may pass hereupon in form as effeirs, and constitute

In witness whereof, the saids parties submitters have subscribed thir presents, and blank on the other side hereof; likeas the said committee, in token of their acceptance, have subscribed thir presents, written be Mr Charles M'Lean town clerk of Inverness, at Inverness, this 13th day of October, 1709 years, before these witnesses, Alexander M'Intosh of Termitt, merchant in Inverness, George M'Gilligen apothecary, burges of the said burgh; William Rofs messenger there, and the said Mr Charles M'Lean, and James Cuthbert junior, merchant there. *Sic subscribitur*, Simon M'Kenzie, Will. M'Lean, James Porteous, Matthew Moor, Ja. Waus, And. Denoon, James Dick, Robert Miller, accepts William Rofs, accepts Kenneth M'Kenzie junior, accepts John Rose, accepts William Tolme. De mandato dñi Jacobi Petrie, Joannis Macaanteer, et Davidis Monro, scribere nescien. ut asserunt, et ut mihi notum est calamum tangen. ego Joannes Taylor notarius publicus, cum co-notario subscribenti subscribo. Jo. Taylor, N. P. De mandatis quibus supra ut mihi notum est scribere nescien. ut asserere calamum tangen. ego Magister Carolus M'Lean co-notarius publicus requisitus subscribo. Ch. M'Lean, N. P. George M'Vulligen, witness, William Rofs, witness, James Cuthbert, witness, Alex. MacIntosh, witness.

The committee of the royal burrows within designed, to whose decision the magistrates and councilors of the burgh of Inverness, by a judicial act, and the trades of the said burgh, by the within submission, have submitted the determination of the differences within written, having considered the representations, informations, and petitions given in *hinc inde*, with the answers thereto, and the documents and verifications thereof, the said committee for settling the peace of this burgh, and removing all grounds of difference and debate that has arisen upon the act of sett, give their final sentence and decret arbitral, as follows, viz. *Primo*, The committee finds, That any burges acting in the double capacity of tradesman and gild brother at the same time, is contrar to the fifth article of the act of sett, and the custom and constitution of the burrows; and therefore ordains all burgeses acting in both capacities to betake themselves to the one or other allenerly in all time coming, and that they appear before the town council, when required, and make their election, which of the freedoms they shall continue in, and enact themselves accordingly, but prejudice of any tradesman to have the privilege of renouncing his trade, and being thereon admitted gild brother, and capable of being counsellor and magistrate, in the terms of the act of sett. And declares, That the privilege of meeting is only competent to burgeses, gild-brethren, and that tradesmen are debarred therefrom by the said act of sett. *Secundo*, The said committee finding that the hammermen have assumed several crafts as branches of their incorporation, who were not in the place the time of the act of sett, and that the number of each craft so assumed is not now sufficient to serve the burgh; therefore the committee ordains, That the crafts after named shall be allowed, at least, in all time coming, the number of persons following, viz. the blacksmiths seven, the silversmiths two, coppermiths three, peutherers three, armourers three, fadlers three, gunsmiths three, brassiers two, white-iron men two. And, when any of the saids crafts falls to be fewer, then the incorporation of hammermen shall be obliged to admitt any man compleat in his craft, who shall offer himself, to make up the said number,

number, upon payment of the ordinary dues to the burgh for his admission as burges, and of a sum not exceeding eight pounds Scots to the trade for his freedom. *Tertio*, The committee finds, That the visitor of any trade cannot point, or away take the work, or work looms, of an extraneous person, or unfreeman, at his own hand; but must apply to a magistrate, who is obliged to stop such persons from working, and to fine them, and to cause them enact in the terms of the act of sett. *Quarto*, The committee finds, That each incorporation of the trades may meet separately by themselves for regulating the sufficiency of work, and exorbitancy of prices, receiving of freemen, and doing such other things as tend to the encouragement of the trade, and may employ any clerk, and officer, for these purposes. But finds, That they are not warranted by the act of sett, to have general meetings, or general preses, or overseer, nor to levie money upon any pretext whatsoever, except the sums accreling to them by entrie of prentices, and admission of freemen, and the fines mentioned in the fourth article of the act of sett; which sums so accreling are to be applied for the uses of the trade, and compted for to the magistrates yearly in time coming. *Quinto*, The committee ordains, That the privilege granted by the act of sett to the weavers be allowed them, and, when they amount to the number of seven burgeses, that the magistrates do appoint them a visitor, in the terms of the act of sett, allowing to the magistrates, because of the present paucity of sufficient workmen of that craft, at any time within two years, to bring into their incorporation such a number of the best accomplished workmen of that craft, as may be sufficient to serve the place. *Sexto*, That the magistrates shall be obliged to admitt the sons of such as have been, or shall be burgeses, residents of this burgh, or have served, or shall serve their prenticeships with burgeses therein, unto the freedom of the burgeses-ships, upon their application and payment of the ordinary dues. *Septimo*, That the skinners in time coming do not traffique in foreign trade, or other merchant ware, except skins, furs, wool, and such other things as are proper for their own craft and manufactory. *Octavo*, The committee ordains, That no tradesman, while continuing such, shall be admitted or chosen a member of the council, or magistrate of this burgh. *Nono*, Ordains, That, when any jeweller, founder, or any other tradesman, applies to be admitted, of whose craft there is none in the place for the time, the said tradesmen shall be received on such terms as the magistrates shall see reasonable. *Decimo*, And, for removing of differences and debates, and settling peace and unanimity in all time coming, the committee ordains the incorporation of hammermen to give in a leit or list of three of their number, qualified in terms of this decret, to the magistrates and council the first council day, of which number the council shall choose one to be visitor of that incorporation for this year; and that the magistrates remitt and discharge the fines imposed by them on James Porteous, William M'Lean, Simon M'Kenzie, and Walter Denoon, for their illegally away taking silver spoons from George Leith, upon consigning the saids spoons in the hands of the magistrates, to be delivered to the true owners; and appoints the magistrates to return their burges-tickets to the saids persons, and to Robert Miller coppermith, upon making their election, and enacting themselves in the terms of the first article of this decret. And, for the better encouragement of the skinners to observe this decret, appoint the magistrates freely to remitt and discharge the fines imposed on some of their number; by decret, dated the 4th of May 1697 years, and to deliver up to them the bond granted relative thereto. And, in case any debate arise hereafter betwixt the magistrates and trades, and their constitution, act of sett, or any other article of this decret, the committee ordains both parties, in the first instance, to apply to the convention of burrows, or their commission sitting for the time, under the penalty of two thousand pounds Scots money. And, *lastly*, the committee humbly requests the next general convention of burrows to grant a ratification of this present sentence and decret, at their next general meeting. And, for the more security, the said committee do ordain, That the present decret, with the within submission, be registrat in the books of Council and Session, or town court books of Inverness, or other books competent, that extracts thereof may be given to the parties concerned, and that letters and executorial needful may pass hereon, in form as effeirs. In witness whereof, the said committee, and John Taylor notar publick, their clerk, have subscribed thir presents, (written be John Frazer writer in Inverness, at Inverness, the 15th day of October, 1709 years, before these witnesses, Mr John Macintosh advocate, Mr Charles M'Lean town clerk of Inverness, James Dunbar, younger, and Kenneth M'Kenzie merchants there, and the said Thomas Frazer writer foresaid. *Sic subscribitur*, Kenneth M'Kenzie junior, Elgin, William Rofs for Tayn, Simon M'Kenzie, Will. M'Lean, Willi. M'Lean, James Porteous, Robert Miller; John Rose, Nairn, Matthew Moor, John Waus, And. Denoon, James Dick, Charles M'Lean, N. P. Wi. Tolme, Fortrose, John Taylor clerk to the committee, Ch. M'Lean witness, Alexander M'Intosh witness, Ja. Dunbar witness, John M'Intosh witness, Kenneth M'Kenzie witness, Tho. Frazer witness, James Cuthbert witness, George M'Gilligan witness. William Rofs witness. De madatis quibus infra, ego Joannes Taylor notarius publicus, cum co-notario subscribenti, subscribo. Jo. Taylor, N. P.

In the General Convention of the Royal Burrows of Scotland, holden at Edinburgh the 5th day of July, 1722.

The which day, the committee appointed to consider the petition from the burgh of Inverness, concerning the alteration of the sett of their burgh, reported, That they having mett and considered the same, with the act of their town counsell thereanent, and having considered the convention's manner of proceeding in like cases, they were therefore of opinion, the convention should ratify and approve of the said alteration; which being considered by the convention, they approved of the said report, and hereby enact and ordains, That in all time coming the six incorporate trades, that is to say, the hammermen, wrights, skinners, shoemakers, tailors, and weavers, shall have each of them a deacon to be elected annually, in the same manner as their visitors are at present, with this difference, that the deacons must be chosen annually, on Monday in the week preceeding the election of the magistrates and council. *Item*, That, in presence of the provost, or one of the baillies to be named by the council, the deacons so chosen shall annually elect one of their number to be deacon convener, who as such shall be of right a member of the town council. *Item*, That, at the annual election of the town council, two more of the deacons for that year, shall, by the town council, be elected to serve at councilers; so that of the trades deacons, three, including the deacon convener, shall always be members of the town council, and no more. *Item*, That no other alteration shall be made in the sett of the town than is above exprest, and that the council shall consist of no greater number than twenty-one councilers as before, and that this present regulation shall take place at Michaelmas ensuing. Extracted, &c.

In the General Convention of Royal Burrows, holden within the Burgh of Edinburgh, the fifth day of July one thousand seven hundred and twenty-two, by their Commissioners therein convened.

The which day, a petition having been presented to the convention by the burgh of Inverness, craving ane alteration of the sett of that burgh, which alteration having been approved of by the convention, the member for the burgh of Dundee protested against the same upon these grounds: (1^{mo}.) That he apprehended that it was at least doubtful, if the convention had power to alter a sett that had been established formerly by approbation of the royal burrows, more than forty years ago, after a deliberate enquiry into the interest of the town, and hearing all parties concerned; and since confirmed by a forty years possession, whereby the gildry had ane established right to be such a number of the council, which could not be taken from them, at least without the consent of the whole brethren of the gild, and yet more especially since differences in the town had been settled and determined by a decret arbitral, in the year 1709; and that he conceived the convention had no more power to alter their own decret arbitral, than any other arbiters whatsoever. (2^{do}.) That the going in so precipitantly to alter the sett of a burgh was, as he conceived, a dangerous precedent, and might be pernicious to the liberties of the burgh, since, at this rate, it might be in the power of a town council to have the sett of the town altered at pleasure, whereby the setts of burghs, which ought to be perpetual rules of administration, would turn precarious, and alterable at the pleasure of every magistracy and council, and that a magistracy may find it convenient for private ends, such as continuing themselves or friends in the magistracy, to have alteration made in the sett, no ways advantageous for the common well of the burgh, and whether that may be the concern as to the present alteration, was what the convention could not know, without further enquiry and information, that what they had yet got, no more being before them but ane act of eleven councilors, which might be a thing unknown to the half of the gildry. And, (3^{tio}.) That the alteration proposed, as it was ane encroachment upon the established right of the gildry, so it was unreasonable in itself, since it gave the election of two of the trades councilers proposed to be brought into the council itself, which tendeth directly to hurt the liberty of the town's freedom of election, as giving the old magistrates and council the opportunity to secure two new councilors, such as would be creatures of their own, and would go into any new election they thought proper, for which reason he protested against the alteration made of the sett of the town of Inverness; to which protestation Aberdeen and Coupar adhered.

To which protest, the commissioner for Inverness gave in the following answers, viz. to the first, The powers of the convention for giving or altering setts of the burrows, where setts are not settled by their charters, or by act of Parliament, is expressly founded upon several acts of Parliament, and confirmed by their

their immemorial custom: That the sett of Inverness is neither founded on their charter, nor act of Parliament, but was given them by the convention, and that decret establishing the said sett by no means can have the effect of a decret arbitral, but is alterable upon good relevant grounds by the convention. That the act of the town council of Inverness produced, proves the gildry to be consenting, and in effect is a new submission made by all parties, which warrants the decision of the convention, even though the former decret had the whole effects of a decret arbitral, as it plainly has not. To the second, The procedure of the convention is regular and deliberate, and cannot be attended with any ill effect, and no ways renders the constitution of a burgh precarious, or is any ways pernicious to its liberties; for the case by the said act of council is fully laid before the convention, and whereby all parties were certiorate and sifted. The reasons enforcing the alterations are fairly sett forth, and which have convinced the convention, that the said alteration is most just and equitable, and beneficial to the burgh of Inverness. To the third, The alteration is agreeable to the whole community of Inverness, for they all of them are presumed to have known, that the same was to be laid before the convention for their approbation; none of them have appeared to object against it, nor indeed is it possible that with reason they could, for no man that knows the least of the constitution of the royal burrows, can fancy that the gildry could have any objection to admitting the trades to so small a part of the administration. The concession in this case from the gildry to the trades is very small, being only the admitting into their council three trades councilers, and two of these to be chosen in effect by the gildry themselves, the town council representing them, and the old magistrates and council can have no more influence over two trades councilers, than they could have over two merchant councilers; but, on the contrary, much less, for two of these trades councilers are to be chosen out of the deacons, who are chosen by the corporations; whereas, in the other case, the magistrates and council would be at liberty to choose their merchant councilers out of the whole gildry, who would be most fit for a private view. Extracted from the records of the general convention of the royal burrows of Scotland, upon this, and the five preceeding pages, by me, their conjunct general clerk.

JOHN DUNDA S.
J. W.

S T I R L I N G .

Sett of the Burgh of Stirling, with respect to the yearly election of their Magistrates and Counsell.

1^{mo}, THE town counsell of Sterling consists of the provost, four baillies, dean of gild, treasurer, seven merchant counsellors, and seven trades counsellors, being deacons of crafts, making in whole twenty-one persons.

2^{do}, The dean of guild, as well at the yearly election, as at all other occasions, presides in counsell, and, in case of his death or absence, the provost presides, and the preses has only the casting vote, in case of parity.

3^{tio}, The dyet of election of the magistrates and counsell has been, and continues to be, upon the immediate lawful day preceeding Michaelmas yearly, but they are not stinted to any particular day.

4^{to}, About a fortnight before the new election, the magistrates and counsell issue an act appointing the deacon convener of the trades to order the several deacons to convene their respective trades, at their ordinar meeting place, in order to their giving into the counsell lists, commonly called leets, of such persons in each trade, out of which lists their deacons are to be chosen, who accordingly meet, and their being only seven incorporat trades in Sterling, viz. hammermen, weavers, taillors, cordners, baxters, fleshers, and glovers, each of these trades are obliged to give in a leet of four of their respective numbers, except the baxters, who are obliged, in case their number amount to eight persons, or fewer, to give in all these nominatim, in leet, and if their number exceed eight, then to give in to the counsell the leet of eight only.

5^{to}, The town counsell meets about eight days before the new election, and, in the first place, fill up their compleit number, (in case of death or absence, a part of them) by electing others in their places during the new election; but, in case any of the absents return before the dyet of election, and be present thereat, they take their own place; the counsell being full, the seven deacons give in to them their sealed leets,

leets, whereupon the counsell, after voting, returns two of the persons contained in each leet, to each trade, one of which two the trade is obliged to make choice of as their deacon; and accordingly, the trades againe meet and elect their deacons, and thereafter, the new and old deacons elect the deacon conveyer.

6^{to}. Upon the dyet of election, which is ordinarily upon the twenty-eight day of September, if a lawful day, the old counsell meet, including the old deacons, and elect the new merchand counsell, consisting of fourteen persons, one after another; and immediately after electing the new merchand counsell, the seven new elected deacons are called to and admitted by the counsell, and both the new merchand counsell and they, gives their oaths *de fidei* as counsellors, untill the next election; and then both new and old counsell elect the magistrats and office-bearers, viz. provost, baillies, dean of guild, and treasurer; and in the election of the provost, dean of guild, and treasurer, there is always three persons named in each of their leets.

7^{to}. By a decret of declarator of the Lords of Session, the major part of the town counsell must be changed and putt off yearly, and accordingly there are always seven of the merchand counsell, and four of the deacons exauctorat; and farther, neither provost, baillies, dean of guild, nor treasurer, can be continued in the same offices longer then two years successively. Sterling, June the twenty, 1709, the above sett is attested by, *sic subscribitur*, J. Finlayson, clerk. Extracted from the records of the general convention of the royal burrows of Scotland, upon this, and the three preceeding pages, by me, their conjunct general clerk.

JOHN DUNDA S.
J. W.

At the Court of St James's, the 23d May 1781.

Present, the King's most Excellent Majesty, Lord President, Lord Chamberlain, Earl of Salisbury, Earl of Denbigh, Earl of Sandwich, Earl of Hillsbury, Lord George Germain, Viscount Stormont.

Whereas, there was some time since presented to his Majesty at this board, a petition of James Moir, David Gourlay, Duncan Glasford, Colin M'Leran, Robert Banks, Alexander Cunningham, and John Campbell, for themselves, and in name and behalf of the other burgeses, and inhabitants of the burgh of Stirling, in north Britain; stating, that by the sett of constitution of the said burrow of Stirling, as practised for near a century past, the common council consisted of a provost, four baillies, a dean of guild, and treasurer, seven ordinary merchant councilers, and seven deacons of trades, making in all twenty one members, fourteen of whom were of the gildry, or merchants, and the other seven of the incorporated trades. That the provost, four baillies, treasurer, and dean of guild, were annually chosen out of the fourteen gildry or merchant councilers; that seven of the merchant council, and four of the trades council, were changed or turned out of council yearly, and seven merchants elected by the common council in place of those turned out; and each of the seven incorporated trades made up a list or leit of four of their members, to be sent to the council, and the council cutt off two from each of these lists, and returned the other two to the respective incorporations or companies, that they might elect one of them to be council deacon for the year ensuing. That the gildry or merchants, had no choice of the seven members brought into council out of their own number, neither had they any choice of their own dean of gild, he being elected and presented to them by the common council. That, though no person could, by election, be continued in the magistracy of the said burgh, longer than two years at one time, yet one magistrate might, and by practice often did, continue in council as one of the seven ordinary merchant councilers, or be made dean of gild, and so remain in any of these offices for another year, and could againe be re-elected as provost or baillie for another year; whereby the leading members in the council had it in their power to perpetuate themselves in office, and to manage and do in all the matters in the burrough as they thought proper. That three of the leading men in the council having greatly abused this power, a complaint was made to the Court of Session in Scotland, for having the election of magistrats and councilers of the burrough made at Michaelmas 1773 set aside and made void, as being brought about by undue influence and corrupt practices; and upon a proof brought, and hearing of parties, the said Court of Session declared the said election at Michaelmas 1773, to be void and null; and upon an appeal to the House of Lords, that decree was affirmed; whereby the said burrough of Stirling has not only been ever since, and is now without magistrats and town council, but hath also, since that time, been deprived of

a representative in the convention of royal burrows of Scotland, and disqualified from voting in the election of a member to serve in Parliament, and humbly praying, that his Majesty will be graciously pleased to restore the said burrough, and to direct a magistracy and town council to be chosen by a pole election, and that some part of the former sett or constitution of the burrow may be altered, in order to prevent in future the abuses which occasioned the present disfranchisement. His Majesty taking the said petition into his royal consideration, and having received the opinion of his Majesty's attorney general, the Lord Advocate of Scotland, his Majesty's solicitor general, and also of a committee of the Lords of his Majesty's most honourable Privy Council, thereupon is pleased, by and with the advice of his Privy Council, to order, that, for the restoring the peace and good government of the said burrough, the inhabitant burgeses of the gildry or merchants, and incorporated trades of the said burrough, who resided therein at and previous to Michaelmas 1777, (excluding all honorary or non-resident burgeses, and such who were not members, and had not a residence in the said burgh, at and previous to Michaelmas 1777, whether members of the gildry or incorporated trades, and also town and hospital servants, and pensioners, and others, who are now, or shall be under any incapacity in acting at such election,) be, and they are hereby authorized, and commanded to assemble themselves at the council chamber, within the said burgh of Stirling, at ten o'clock in the forenoon, upon Monday the eleventh day of June next, with continuation of days, of which the sheriff-depute of the county of Stirling shall give publick notice eight days before the day of election, then and there to elect fit persons, not exceeding twenty-one in number, being the number elected at Michaelmas immediately preceeding the vacated election, properly qualified in terms of the sett and usage of the said burrow, to be magistrats and town councilers of the same; and that the election be made in manner following, that is to say, the merchants or gildry to elect the fourteen gildry or merchant councilers, and the seven incorporated trades, each to elect their own respective deacon, who shall thereby become constituent members of the town council. The gildry or merchants at large, to chuse one of the fourteen gildry or merchant councilers to be dean of guild, and the seven new deacons, with a delegate, to be chosen by each incorporation, to elect one of themselves to be deacon conveyer, the said fourteen to compose the conveyer court, untill the next election, and the fourteen members of the gildry or merchants, so elected as aforesaid, together with the seven deacons of the trades, so elected as aforesaid, to chuse the provost, four baillies, and a treasurer, out of the fourteen gildry or merchant councilers, (exclusive of the one elected dean of guild,) and that the persons so elected by a majority of the persons aforesaid, shall continue from that time magistrats and councilers till the usual time of election in the year 1781. The provost to be chief magistrate and praeses of the council, in place of the dean of guild, who was praeses by the former sett; and that all persons claiming to vote, give in their burges tickets, and acts of admiffion, or authentick extracts from the records of the burrows, of their admiffion to the freedom thereof, at and previous to Michaelmas 1777, six days at least before the day of election, to the sheriff-depute of the county, or gildry clerk of the town of Stirling, that their names may be inrolled before the election, and that the sheriff-depute of the county of Stirling, within which the burrough lyes, the sheriff-depute of the county of Perth, and the sheriff-depute of the county of Lanark, being two counties adjoining to Stirlingshire, or any two of them, be, and they are hereby authorized and required to attend to oversee and direct such election, according to law and the rules used to be observed in such cases, and to form an authentick instrument thereupon under their subscription manual, to be reported to his Majesty for confirmation: And to administer to the electors, before they be admitted to pole, the oaths appointed by law to be taken in Scotland by the electors at ordinary elections of magistrats, and likewise the oath against bribery and corruption, if required by any person having a right to vote at the election. And for the better order and good government of the said burrow in time to come, his Majesty, by and with the advice of his Privy Council, is hereby pleased to alter the former sett or constitution of the said burrough, and to order and direct, that at the election to be made at Michaelmas 1781, and at all future elections, the gildry or the merchants at large, who, at the time of such election, and for the three months immediately preceeding the said election, have been resident within the said burrough, do elect four of their number to be new councilers, in place of four of the seven, who, by the sett or constitution of the said burrow, go out of council yearly at Michaelmas election, and that the said members of gildry or merchants at large, do elect and chuse one of the said four persons to be dean of guild, to continue in office for the year ensuing; and that at the said election 1781, and at all future elections, the seven incorporated trades do yearly each of them chuse their own respective deacons out of their number, without sending lists or leets to the council to be shortened, as practised under the former act or constitution of the burrow, except that (as by the former sett four of the deacons must be yearly changed) the council, previous to the election of deacons, shall cutt off, or declare four of the deacons elected the former year incapable

capable of being elected for the year ensuing: That the provost shall be chief magistrate and praefes of the council, and that all the different steps of election be carried on upon the following days, viz. that the council shall meet upon Tuesday preceeding Michaelmas, at eleven o'clock in the forenoon, to cutt off or declare the ineligibility of the said four deacons; that the guildry and seven incorporations shall meet next day at ten o'clock in the forenoon, in their respective convening places, to elect their severall deacons and members of the merchant council, and dean of gild; and the council shall on the following day, being Thursday, meet to conclude the annual election, by voting off the seven members who go out of council, chusing three new members, receiving in the numbers chosen by the guildry and trades, and choosing a provost, four baillies, and treasurer. But that, in all other respects, the former sett or constitution of the said burgh of Stirling, be observed as the mode of annual elections. (*Sic subscribitur*) W. Fawkenor. Extracted upon this, and the seven preceeding pages, from the original, lodged among the archives belonging to the burgh of Stirling, by (signed) John M^cGibbon town clerk.

I John Dundas, junct principal clerk to the general convention of the royal burrows of Scotland, do hereby certify, that what is contained on this, and the ten preceeding pages, is an exact copy of an extract, under the hands of John M^cGibbon, town clerk of Stirling, as given in by the commissioners of that burgh to the last general convention, of the order of his Majesty in Council for a pole election of magistrates and town council of Stirling, upon the eleventh day of June, 1781 years, and bearing date at St James's, the twenty-third day of May 1781, which is attested by

JOHN DUNDAS.
J. W.

NOTE.

GUILDRY, about 130.

HERITORS, who are not burgeses, about 12.

INCORPORATIONS by royal charters, seven; besides the guildry, or merchant company, and four tolerated communities. The seven incorporated trades consist of 230 heads of families. The four tolerated communities consist of about 100 heads of families.

INHABITANTS, about 6000 or 7000.

DUMFERMLINE.

IN the general convention of the royal burrows, holden at the burgh of Dumfermline, the 10th day of July, 1718 years. The commissioners of burrows decerned and ordained, That the forme of the electione of the magistrats and council of Dumfermline should, in all time thereafter, be in manner following, viz. That the hail magistrats and council of the said burgh should consist of the number of sixteen persons, whereof nine merchants and seven craftsmen, of the which number of nine merchants, there shall be chosen the provost, two baillies, dean of gild, and treasurer; and the old council, in all time thereafter, to chuse the new; and thereafter the old and new council to convene yearly at their ordinary time of election, and chuse and elect the provost, baillies, and other officers of the burgh, who shall bear rule for the year to come. That the sett and forme of electione of the magistrats and council of Dumfermline is conforme to the decret arbitrall of the commissioners of the royall burrows, above narrated, is attested by, *sic subscribitur*, And. Symone clerk.

Act of the Royal Burrows ratifying a new Sett by Decreet-arbitral for the Burgh of Dumfermling.

At Edinburgh, the 13th day of July, 1724 years. In the general convention of the royal burrows, holden at the said burgh by the commissioners therein convened, anent the petition presented to the general convention of burrows, upon the 9th day of July, 1723, by John Wilson weaver, burges of Dumfermline, for himself, and in name of a considerable number of the burgeses of the said burgh, shewing, That where the committee of the convention of the royal burrows mett at Dumfermling, the 10th day of July, 1718, by their decret pronounced by them for regulating and establishing the order and method of electing the magistrats and council of the said burgh, statute and ordained, That the form of election of the magistrats and council of the said burgh should be in all time thereafter, as follows, viz.

That

That the hail magistrats and council should consist of the number of sixteen persons, whereof three merchants and seven craftsmen; of the which number of nine merchants, there should be chosen the provost for the year to come, two baillies, dean of gild, and treasurer; and ordained the then present council to elect and choise the said sixteen persons in all time thereafter, the old to choise the new; and for that end, the old council and the new, consisting ilk one of the number of persons above written, to convene yearly at their ordinar time of election, and to elect and choise the said magistrats, baillies, and other officers of burgh, who should bear rule for the year to come, as in the said decret is at more length contained. Yet, notwithstanding whereof, there was a custom of late introduced to the said burgh, whereby the old council of themselves, consisting of the number of sixteen, and not in conjunction with the new, as is directed by the said decret, did meet and elect the dean of gild and treasurer for the ensuing year, albeit it be expressly statut by the said decret, That the old and new council, consisting ilk one of them of the number of sixteen persons, should elect and choise the dean of gild and thesaurer as well as the other magistrats and office-bearers within the said burgh. And, whereas it seemed highly reasonable and just, and agreeable to the constitution and practice of every well governed burgh, that the leet of each trades counsellor should consist of the present and immediate last deacons; yet, by a custom of late crept into the said burgh, the present counsellor, tho' neither present, nor immediate last deacon, was always on leet, and for ordinar chosen counsellor for several years successively; by which practice a councillor might be continued for many years, yea during life, expressly contrair to the many laws and acts of parliament, and of the royal burrows made thereanent. And albeit, by the constant custom and uninterrupted practice of the said burgh, the old and new councils, electors appointed by the said act of the provost, baillies, dean of gild, and thesaurer, had been in use of leeting, electing, and choosing ane gild brother of the said burgh, for representing the same as provost, baillies, dean of gild, or treasurer; yet notwithstanding thereof, within these two years there had been a design of introducing this practice, that none be putt upon the leet for any of the foresaid offices, but such as are present members of council; and for supporting thereof, it had been alledged, that the said practice was agreeable to the decret of the committee before mentioned; whereas, the plain import and meaning of the said decret is, as it had always been understood to import no further, than that these office-bearers, when elected, were counsellors *ex officio*. For redressing of which grievances, the petitioner, with a considerable number of the burgeses of the said burgh, made application to the magistrats and council by petition, hoping proper methods would have been taken for restoring the form and method of electing the magistrats and council, prescribed by the forementioned decret of the committee of the convention of burrows, and redressing such abuses as have of late crept into the election of the magistrats, and other members of council: But the magistrats having delayed to proceed in the matter, there was a necessity for regulating the order and method of elections in the said burgh, and preserving the peace and quiet thereof, to make application to the honourable convention of the royal burrows then mett: Therefore craving the honourable convention to take the premisses to their consideration, and to rectify the above grievances, by settling such rules, as would be thought proper for facilitating the election of the magistrats and council of the said burgh, and preserving the peace and quiet thereof, as the petition bears. Which being read in presence of the convention, and they having heard the commissioners for the said burgh thereanent, they, by their act of the date of the said ninth of July, 1723, appointed the burghs of Edinburgh, St Andrews, Stirling, Innerkeithing, Kirkaldie, King-horn, Culrofs, and Queensferry, whereof five a quorum, to meet at the said burgh of Dumfermling, upon the fourth Tuesday of August then next, and to endeavour to compose the differences amongst the inhabitants of the said burgh, and to determine anent their grievances, and report to the next annual convention. And accordingly, George Drummond and Andrew Wardrop, commissioners for the burgh of Edinburgh, James Johnston for Stirling, Mr David Monnypenny for St Andrews, James Barclay for Kirkaldie, John Cant for Innerkeithing, Mr Patrick Erskine for Culrofs, and George Hill for Queensferry, of the committee above named, having mett at the said burgh of Dumfermline, upon the twenty-second day of August, 1723 years, Reported to the present convention, that after making choise of George Drummond to be their praefes, they did, in obedience to the remitt of the general convention, the ninth day of July last, fully consider the decret arbitrall 1718, and revised the records of council produced to them, for a good many years since that time, anent their manner of electione, in order to discover if there was just ground for the grievances complained of by the petitioners; thereafter, the said committee endeavoured, by a good many different propositions, to compose amicably the differences that were amongst the inhabitants about their election; but matters were carried so high upon the different sides, that this was lost labour; wherefore the said committee came to this resolution, to lay the state of the burgh, with respect to the rule and manner of election, fully before the convention,

G

being

being convinced, that the ruin or prosperity of the burgh, depended upon the measures taken to settle this affair. In the *first* place, they could find no other rule of election, they pretended to, but the above decret arbitral, 1718. As to the decret, it was plain it could never have been intended by the pronouncers to be a compleat sett of the burgh, but seemed purely calculated to settle matters betwixt the merchants and trades, as to the number of their respective representatives in council, and with respect to their private oeconomy in the exercise of their trade, &c. There having been great divisions, tumults, and animosities, in the said burgh about these matters, immediately before that time, for which cause, the decret seemed to be a very indistinct rule of election. The committee find, in the next place, that notwithstanding, by the decret arbitral, it is expressly ordained, that the old and new council, consisting of thirty-two persons, should choise the magistrates, baillies, and other officers of the burgh, who are to bear rule for the ensuing year; yet it had been long the practice, that the old council, consisting of sixteen persons, doe meet upon the Saturday before Michaelmas, and then choise the dean of guild and treasurer for the ensuing year; which, in their opinion, was directly opposite to the meaning of the said decret. The committee further observed, that albeit by the foresaid sett, the old council, consisting of sixteen persons, was appointed to choise the new council, consisting of the like number, yet the practice had long prevailed, that upon the Saturday thereafter, the old council meet, and each member of it names a conjunct, (the provost and eldest baillie excepted,) and then removes to the door, upon which the council votes, whether the old member or his conjunct should be counsellor for the ensuing year, and so goe on till the new and old council be made up to the number of thirty-two persons, half merchants and half trades; the committee was of opinion, that the above conjuncts, as they are called, ought each of them to be chosen in a council way, agreeable to the meaning of the decret arbitral, in regard each of the sixteen conjuncts, though not elected to be counsellors for the ensuing year, have at present a vote in choising the provost, and two baillies, and ought, by the decret, to have a vote in the election of the haill magistrates and office-bearers, and this in virtue of their being named by single counsellors, as said is, which seemed absurd to them. Upon the whole, it appeared to them, that this burgh had not a compleat sett to regulate the election of their councillors and magistrates; for, notwithstanding the decret arbitral made mention of a new council of sixteen, which sixteen were chosen by way of conjuncts, as said is, yet the old council were under no necessity of choosing one of these conjuncts to be counsellors for the ensuing year, for it was in the present council's power to re-elect themselves, both merchants and trades to the day of their death, without any change; for, with respect to the trades representation in council, no regard was had to the present deacons of the incorporations, else this would necessitate a change in the members of council, because the deacons change once in the two years; but the present trades councillors, according to their method, might name for conjuncts, such of their incorporations as might not rival themselves in the judgment of the electors, and they observed they were often continued; therefore the said committee were humbly of opinion, that this general convention should take the present circumstances of this burgh into their serious consideration, and soe to explain their decret arbitral, as the council in all time coming might have a distinct rule to govern themselves by, in the election of their successors, agreeable to the acts of parliament and burrows in such cases; whereby, the faction that seemed to be growing there might be removed, and peace and tranquillity might be cultivate amongst the inhabitants, by having the offices of magistracy in the burgh ambulatory amongst the inhabitants, in proportion to their merit and qualifications for such offices of trust. *Sic subscribitur*, Geo. Drummond, Edinburgh, Ja. Johnston for Stirling, Jo. Cant for Iverkeithing, Da. Monypenny for St Andrews, James Barclay for Kirkaldie, Patrick Erikin Culrofs, Geo. Hill Queensferry, as the report bears. Which being read in presence of the convention, upon the ninth of July instant, they again remitted to the burghs of Edinburgh, Stirling, St Andrews, Kirkaldie, Innerkeithing, Dumbarton, Culrofs, Sanquhar, and Queensferry, or the major part of them, to compose the differences betwixt the contending parties in the said burgh of Dumfermling. And accordingly, the said committee having mett upon the said affair, compared Robert and Mr John Walkers, present baillies of the said burgh of Dumfermling, George Crawfoord, present deacon conveener thereof, Captain Peter Halkett, of Pittferran younger, and David Dalgleish weaver, all present town councillors of the said burgh, who produced, in presence of the committee, a commission granted by the magistrates and town council of the said burgh, under the hand of the clerk, and seal of the said burgh of Dumfermling, of the date the sixth day of July instant, empowering them to attend the convention in name of the town council, and to defend the magistrates against the foresaid petition, and to doe every thing necessary with relation to the constitution of the said burgh, that the magistrates and council might doe, if personally present; of which commission the tenor follows. Att Dumfermline, the sixth day of July, 1724 years, the which day, the magistrates and town council of the burgh of Dumfermline did, and hereby

hereby do grant warrand and commission to Robert and Mr John Walkers, present baillies, George Crawfoord, present deacon conveener, Captain Peter Halkett, of Pittferran younger, and David Dalgleish weaver, all present town councillors of the said burgh, or any one of them, for them, in their name and upon their behalf, to attend and wait upon the general convention of the royal burrows, that is to meet at Edinburgh to-morrow, with power to the said five commissioners, or any one of them, to attend all the dyets of the said convention, and to answer for, and defend the present magistrates and town council, against the petition given into the convention last year, by John Walker younger weaver, or any other thing that may be proposed, anent altering the decret arbitral on the present constitution of this burgh, and to do every thing anent the said affair that the magistrates and council might do, if personally present. Extracted furth of the records of council, and the seal of the burgh is hereto affixed by me, *sic subscribitur*, Andrew Symson clerk, L. S. Also compeared, the said John Wilson younger, weaver in the said burgh, and John Black, late deacon of the weavers of the said burgh, for themselves, and in name of John Black, William Inglis, Adam Main, William John M-Raich, Robert Barclay, James Reid, John Kerr, William Hodge, John Potter, Thomas Williamson, James More, John Wilson, David Morrison, Adam Neathry, Alexander Hart, Henry Donaldson, John Hanna, John Bewhill, John Graham, Henry Arnot, William Anderson, Alexander Young, Peter Creir, James Law, Thomas Bleak, James Henderon, Andrew Robison, John Rea, Andrew Blackwood, George Inglis, James Young, William Kirk, Robert Bult, John Brown, George Simpson, Alexander Douglass, Patrick Wattwood, John Williamson, John Brown, James Wilson, Andrew Bave, George Pearson, David Inglis, Matthew Hutton, David Potter, John Gibson, Patrick Hatton, John Kirk, David Malloch, John Richardson, Robert Main, James Hutton, William Inglis, Robert M-Craich, James Bain, William Brown, John Gotterston younger, George Bult, Alexander Coupar, William Anderson, John Wilson, John Dunsyre, Andrew Main, James Inglis, John Davidson, John Haw, John Aitken, Thomas Richardson, John Gotterston, William Brown, William Chalmer, William Anderson, David Wilson, James Thomson, Robert Gotterstone, George Millar, James Beverage, David Donaldson, James Bennet, James Nobell, John Fergusson, William Neilson, Thomas Kilpatrick, David Kilpatrick elder, David Kilpatrick younger, John Kilpatrick, Robert Kirk, John Dalgleish, Thomas Cufen, James Smith, James Belfrage, John Inglis, Andrew Bain, David Fergusson, Andrew Stevenon, John Gotterstone elder, Henry Mitchell, George Stark, Thomas Adamson, William Inglis, David Turnbull, Robert Smiton, James Cruickshanks, Andrew Morrice, David Black, James Wilson, Henry Smiton, John White, Robert Durham, Robert Hoggans, Andrew Dewar, John Wilson, John Foldes, and James Turnbull, all burgeses of the said burgh, and subscribers to a petition formerly given in by them to the Lord Provost, baillies, dean of guild, conveener, treasurer, and remanent members of the said burgh of Dumfermling, dated the twenty and twenty-first days of June seventeen hundred and twenty-three, craving ane act of the council, explaining the former decret-arbitral, and to statute and appoint the form and manner of election of the magistrates and members of council in all time coming, agreeable to the acts of parliament made anent elections, or otherwise, to refer the same to the then ensuing general convention of burrows, to be explained and directed by them according to justice; and, for that end, the forenamed persons did nominate and appoint John Black, late deacon of the weavers, and John Wilson younger, weaver, Andrew Main, and James Belfrage, shoemakers, William and George Pearsons, wrights, all burgeses of the said burgh, or any one of them, to present the said petition, and to prosecute the same *usque ad finem*, as the petition bears. And also compeared Robert Anderson merchant in Dumfermling, and produced a commission granted to him and the said John Wilson, by several of the burgeses of the said burgh, dated the tenth day of July instant, empowering them to compear before the convention, and argue, reason, and insist in the said matter, and to make an entire and absolute submission of the interests of the said burgh, and to doo every other thing therein which they could do themselves if personally present; of which commission the tenor follows: We burgeses of the burgh of Dumfermling subscribing, being also concerned in, and subscribers of a petition given in to the Right Honourable the General Convention of the Royal Burrows, craving a rectification of grievances in the manner of carrying on the election of magistrates and councillors of the said burgh, and a settlement of such rules as may, for the future, facilitat the saids elections, and secure the peace and quitt of the said burgh; and we considering the uncertainty of the time when the Honourable Convention shall be pleased to take our petition under their consideration, and give their determination therein; and it being expensive and troublesome to us to give our attendance at Edinburgh, and leave our employments and families at home; and having sufficient and ample prooff, fidelity, experience, and diligence of Robert Anderson merchant in Dumfermling, and John Wilson weaver there, and their honest and zealous concern for the good and advantage of the said burgh, doe hereby, for ourselves, and in name and behalf of the remanent subscribers of the fore-

faid petition, who are not hereto subscribing, make, constitute, and ordain, the faids Robert Anderson, and John Wilson, our undoubted and irrevocable commissioners, agents, and trustees, for, and in behalf of us, and the faids remanent persons, subscribers in the faid matter depending, with power to them to compear before the faid convention, and to argue, reason, and insist, propone arguments and defences, as shall be needful in the faid matter, as they shall think fitt; and if they shall think it reasonable and proper, we hereby give them full power to make ane intire and absolute submission of the interests of the faid burgh in the faid matter to the faid Honourable Convention, and every other thing to do which they shall think expedient, and which we ourselves might have done before the granting of thir presents; dispensing with the generality foresaid, and admitting the same to be as valid and sufficient as if every particular power hereby generally vested in them were distinctly sett down, promising to hold the same firm and stable, but revocation. In witness whereof (written by Michael Ramsay wryter in Edinburgh), we have subscribed thir presents, at Edinburgh, the tenth day of July seventeen hundred and twenty-four years, *sc. subscribitur*, John Bell, William Walker, John Wilson, George Walls, John Gotterston, James French, James Symth, Thomas Cussen, Andrew Robison, Andrew Main, James Law, David Potter; which powers and commissions being read in presence of the committee, and they having fully heard the faid partys in the faid affair, they reported to the convention, that the faid partys having frankly submitted their differences to the determination of the committee, in a formall submission subscribed by them; and they having considered the former decret-arbitral, and sett of the burgh *anno* seventeen hundred and eighteen, did unanimously agree upon a new sett of the faid burgh in time coming, and pronounced their decret-arbitral duly subscribed of the date hereof: Which submission and decret-arbitral being read in presence of the convention, they unanimously approved of the faid decret-arbitral, and appointed the same to be recorded amongst the other setts of the royal burrows, to be the rule of their elections in all time coming; and in case any difficulty happen at their next elections, appointed the faid burgh to represent the same to the annual committee empowered to sitt after dissolving this present convention, to give directions thereanent as they shall see cause; of which submission and decret-arbitral the tenors follow: We Robert and Mr John Walkers, present bailies of the burgh of Dumfermling, George Crawfoord present deacon-conveener, Capt. Peter Halket of Pittfirren younger, and David Dalgleish weaver, all present town-councillors of the faid burgh, for ourselves, and as having power and commission from the magistrates and council of the faid burgh of Dumfermling, conform to ane act of the town council of the faid burgh, dated the 6th day of July init. and as taking burden on us for them, on the one part, and John Black, late deacon of the weavers of the faid burgh, and John Wilson younger, weaver there, for ourselves, and as having power and commission from several of the burgeses and inhabitants of the faid burgh, subscribers to ane petition given in by them to the magistrates and council of the faid burgh, craving ane explanation and rectification of the sett thereof, dated the 20th and 21st days of June 1723 years, and as taking burden on us for the hail other burgeses and inhabitants of the faid burgh, on the other part; and also Robert Anderson merchant in Dumfermling, for himself, and in name of his constituents the burgeses of the faid burgh, subscribing to a commission, of the date of thir presents, have submitted and referred, and hereby submit and refer to the final decision and decret-arbitral of George Drummond, commissioner for the burgh of Edinburgh to the general convention of burrows now met there, Doctor James Johnstoun assessor to the commissioner for the burgh of Stirling, Patrick Lindsay assessor to the commissioner for the burgh of St Andrew's, James Barclay commissioner for the burgh of Kirkaldie, Henry Cunningham of Boequhan, commissioner for Innerkeithing, Archibald M'Aullay assessor to the commissioner for the burgh of Dumbarton, Mr Patrick Erskine commissioner for Culrofs, George Irving commissioner for Sanquhar, and George Hill commissioner for Queensferry, or of the major part of them, (being ane committee of the faid convention of burrows, appointed to compose our differences) all matters and differences debateable betwixt us, anent the way and manner of election of the magistrates, office-bearers, and councillors of the faid burgh of Dumfermling, and particularly the sett and decret-arbitral of the faid burgh, with power to them to make such explanations and alterations of the faid sett, and to lay down such rules and directions for regulating the elections of the faid burgh in time coming, as they shall think fitt; and whatever the faid arbitrators, or the major part of them, shall determine thereanent, we bind and oblige us, and our constituents, to stand to and acquiesce in, and inviolably observe the same in all time coming, under the penalty of four thousand merks, Scots money, to be paid by the party failing to the party observing or willing thereto, by and attour performance; consenting to the registration hereof, and decret to follow hereon, in the records of the convention of burrows, and books of council and session, therein to remain for conservation, and, if need bees, to have the strength of ane decret interponed thereto, that letters of horning, on six days, and all other execution necessary, may pass thereupon in form, as effects, and thereto constitute

our

our procurators, &c. In witness whereof wee have subscribed these presents, (written by Andrew Jackson wryter in Edinburgh, on stamped paper,) at Edinburgh, the 10th day of July 1724 years, before these witnesses, James Naismyth depute town-clerk of Edinburgh, Archibald Blair wryter there, and the faid Andrew Jackson, witnesses also to the signing the marginal note. *Sic subscribitur*, A. Walker, Jo. Walker, George Crawfoord, Peter Halkett, Da. Dalgleish, Robt. Anderson, John Black, John Wilson. J. Naismyth witness. Arch. Blair witness.—Follows the decret-arbitral on the back of the faid submission. At Edinburgh, the 13th day of July 1724 years, we George Drummond commissioner for the city of Edinburgh, Doctor James Johnstoun assessor for the burgh of Stirling, Patrick Lindsay assessor for the burgh of St Andrew's, James Barclay commissioner for the burgh of Kirkaldie, Henry Cunningham commissioner for the burgh of Innerkeithing, Archibald M'Aullay assessor for the burgh of Dumbarton, Patrick Erskine commissioner for the burgh of Culrofs, and George Irving commissioner for the burgh of Sanquhar, the committee of the general convention of royal burrows, and arbitrators within named and designed, having fully considered the whole matters and things within specified to us committed by the faid general convention, and to us submitted by the within named parties, on behalf of themselves and constituents, having likewise considered the faid general convention their proceedings touching the premises, with the former act of sett, and having fully heard the parties submitting, and having God and good conscience before our eyes, we unanimously give and pronounce our decret-arbitral in manner following: For avoiding all disputes that may arise touching the administration and government of the burgh of Dumfermling, till the next elections of magistrates and council be proceeded in according to the rules hereby appointed, and touching the persons who shall have the administration and government of that burgh annually thereafter, their numbers, their powers, and times, and manner of their elections, we decern and ordain, *primo*, That the present council of the faid burgh, consisting of sixteen persons, viz. the provost, two bailies, dean of gild, thesaurer, four merchants, and seven craftsmen, shall continue to have administration and government of the faid burgh till the next elections of magistrates and council hereby appointed to take place. *Secundo*, That in the next and all succeeding elections, none shall be capable to be elected to the office of provost, or old provost, but such persons as shall be either merchants or gild brother of the burgh: That none shall be capable to be elected to the office of baillie, dean of gild, or thesaurer, old bailies, old dean of gild, old thesaurer, or to be of the merchant council, but such persons as are merchants or gild brother of the burgh, residing and having scott and lott in the place; and that no craftsman shall be capable to be on the council, but such persons as are burgeses, freemen of the burgh residing in the place, hand labourers in their crafts, and bearing scott and lott there. *Tertio*, That, by the next and all succeeding elections hereby appointed, the magistrats and ordinary council of the burgh shall consist of twenty-two persons, viz. a provost, two bailies, a dean of gild, a thesaurer, ane old provost, two old bailies, ane old dean of gild, and ane old thesaurer, two merchant, and two trades councillors, and eight deacons of crafts to be elected according to the rules hereby made, who shall have the administration and government of the burgh vested in them alone, except at the annual elections of magistrates, when to them shall be joined four extraordinary councillors, viz. two merchants and two trades, according to the directions hereby given. *Quarto*, For preventing inconveniencies that may arise to the burgh by bailies, deans of gild, thesaurers, and others, having it in their power to continue themselves in their offices, or on the council without any limitation, and for establishing harmony and friendship among the council and whole community, it is hereby appointed, That no person shall be capable to be continued in the office of baillie for more as two years together, and shall not be capable to continue on the council for more as one year longer in the character of old baillie, untill he be one year out of the council, unless he be elected to the office of dean of gild, or provost: That no person shall be capable to be continued in the office of dean of gild for more as two years together, and shall not be capable to continue on the council for more as one year longer in the character of old dean of gild, untill he be one year out of the council, unless he be elected to the office of a baillie or provost: That no person shall be capable to be continued in the office of a thesaurer for more as two years together, and shall not be capable to continue on the council for more as one year longer in the character of old thesaurer, untill he be one year out of the council, unless it shall happen that his accounts are stated, and no balance resting by him to the burgh, and that he shall be elected to the office of a baillie or dean of gild: That no craftsman shall be capable to be on the ordinary council, as a new or old trades councillor for more as three years together, untill he be one year out of the council: That no craftsman shall be capable of being elected a deacon for more as two years together, unless he be one year out of that office; and no merchant shall be capable to continue on the ordinary council as a merchant councillor, (without ane office or other character), for more as two years together. *Quinto*, For preventing of strife and faction, the present

sent magistrates and council, consisting of said sixteen persons, shall, on Thursday preceeding Michaelmas next, proceed to the first steps of their next annual election, and shall, on Monday immediately thereafter, finish and conclude the same, conform to the rules herein laid down, and that all succeeding magistrates and councils hereby established shall annually thereafter, on the Thursday preceeding Michaelmas, proceed to the steps of their annual elections, and shall finish and conclude the same on the Monday thereafter, according to the directions herein given. 6^{to}, That, on Thursday preceeding Michaelmas next, the present magistrates and council, consisting of said sixteen persons, shall give notice to, and appoint the present deacons of the eight incorporations following, viz. smiths, weavers, wrights, tailors, shoemakers, baxters, masons, and fleshers, to assemble their corporations at their respective usual places of meeting the same day, and there and then each of the said corporations to make and conclude on a leet or list of four of their own number, of best character, most expert hand labourers in their crafts, burgeses and freemen of the burgh, and bearing scott and lott there; and on the same day to deliver these leets or lists to the provost, or eldest magistrate in office on the place for the time. 7^{mo}, That, on Friday thereafter, (whether it shall happen to be Michaelmas day or not), the said present magistrates and council shall convene, and shall proceed to examine the said leets or lists, and out of the said leets or lists, shall make choice of two persons, and shall deliver to each of the said present deacons, or their corporations respective, a list of the foresaid two persons, and the said corporations, with their said deacons, shall be obliged to assemble the same day at their said usual places of meeting, and to elect one of the foresaid two persons to be their deacon for the year ensuing; and the old deacons, with some of the masters of their crafts, shall present the new deacons to the magistrates and council on the Saturday immediately thereafter. 8^{vo}, That, on the same Saturday, (whether it shall happen to be on Michaelmas day or not), the said present magistrates and council, consisting of sixteen persons as aforesaid, shall assemble, and shall elect and choose two merchants and two trades councillors for the ensuing year, and for filling up the ordinary and extraordinary council, according to the third rule herein laid down, shall elect and choose three merchants in the character of old merchant councillors, and two craftsmen in the character of old trades councillors, and immediately thereafter the same day, such of the present seven trades councillors, as shall not be continued in the council by a new office or character, shall be removed from the council during the year ensuing, and the eight new deacons to be chosen and presented as above, shall be admitted and received as members of the council during the ensuing year. 9^{mo}, That, on Monday, immediately thereafter the said provost, two bailies, dean of gild, thesaurer, nine merchants, and four trades councillors old and new, with the eight new deacons, making twenty-six persons, shall convene, and shall, out of the number of merchants on the council, exclusive of the two new merchant councillors, elect and choose a provost, two bailies, a dean of gild, a thesaurer, an old provost, two old bailies, an old dean of gild, and an old thesaurer for the ensuing year. 10^{mo}, That, how soon the choice of the said five new and five old magistrates shall be made, as aforesaid, the four extraordinary councillors, viz. two of the merchants who shall not be of the aforesaid new merchant council, or who shall not be chosen to the office of a old or new magistrate, and the two craftsmen who are in the character of two old trades councillors, shall be removed from the council, the number of the ordinary council being always to be only twenty-two persons, who are to have the government and administration of the burgh alone, except at the elections of magistrates, in manner above provided. 11^{mo}, That, annually thereafter, on the Thursday preceeding Michaelmas, the said ordinary council, consisting of twenty-two persons, viz. the provost, two bailies, dean of gild, thesaurer, old provost, two old bailies, old dean of gild, old thesaurer, two merchant and two trades councillors, with the eight deacons of crafts, shall convene, and shall appoint the foresaid eight corporations to assemble that day, and each of them to make a leet, and to deliver these leets the same day, to the provost, or eldest magistrate in the place for the time, precisely in the manner directed in the above sixth article. 12^{mo}, That annually, on the Friday thereafter, the said ordinary council shall convene, and shall elect two persons out of each of the said eight leets, and that same day shall deliver to each of the said corporations the respective lists of the foresaid two persons; also, that the same day the said corporations shall be obliged to assemble respectively, and to choose one of those two persons, to be given them in a list from the council, as their deacon for the ensuing year, and to present the new deacons to the magistrates and council on the Saturday thereafter, precisely in the manner directed by the above seventh article. 13^{mo}, That, on the Saturday annually, after the election of the said deacons, the said ordinary council of twenty-two persons shall convene, and shall elect and choose two new merchant councillors, and two craftsmen, either as two new trades councillors, or in the character of two old ones; and, immediately thereafter, the same day, shall remove such of the said eight council deacons as shall not be of the new council deacons, and shall receive and admit the eight new council deacons, as members.

members of the council during the ensuing year. 14^{mo}, That annually, on the Monday thereafter, the ordinary and extraordinary council, consisting of twenty-six persons, viz. the provost, two bailies, dean of gild, thesaurer, old provost, two old bailies, old dean of gild, old thesaurer, four merchant and four trades councillors, with eight new deacons of crafts, shall convene, and out of the number of merchants on the council, exclusive of the two new merchant councillors, shall elect and choose a provost, two bailies, a dean of gild, a thesaurer, an old provost, two old bailies, an old dean, and an old thesaurer, for the year ensuing. 15^{mo}, That, how soon the choice of the new and old magistrates shall be annually made, the four extraordinary councillors shall be removed from the ordinary council, in the same manner as in the above tenth article is provided to be done after the next election of magistrates. 16^{to}, That if, at any of the dyets hereby appointed for the next annual election, or at any of the dyets of all succeeding annual elections, any member of the ordinary or extraordinary council shall happen to be absent, the present and succeeding councils shall supply such absents, by choosing merchants as proxies for such absent merchants, or craftsmen as proxies for such absent craftsmen; or, where a vacancy shall happen by death or otherwise, the present and succeeding councils shall supply the same, by electing a merchant in place of a merchant, and a craftsman in place of a craftsman. 17^{mo}, For establishing harmony and tranquillity in the burgh, and for preventing inconveniencies that may arise from caballing and faction, all meetings and convocations of merchants among themselves, or of craftsmen among themselves or with their deacons, or of the deacons among themselves, for canvassing, or treating on any part of the administration of the burgh, especially touching any part of the annual elections, are hereby expressly discharged; provided nevertheless, that the dean of gild may assemble his brethren for doing of their own affairs, according to the laws of the gildrie; and that each of the said eight crafts may convene by themselves, at their usual places of meeting, for leeting and choosing their deacons at the times hereby appointed, and for making of masters, receiving of prentices, for tryal of their handy work, and for managing their common stocks allanarly. 18^{mo}, For preventing micheiffs that may arise, from concerts or engagements that may be made or entered into by such of the council as are merchants, among themselves, or by such of the council as are craftsmen, among themselves, for influencing or carrying all or any part of an election out of the regular way known by the name of chapeling, whereby members are not at liberty to proceed according to their consciences, but according to the opinion of a majority, were it never so wrong: therefore, all such concerts, engagements, and chapeling, are hereby expressly discharged, and declared to be a manifest transgression of their presents; and the said present and succeeding magistrates and council are hereby required and appointed to proceed in every step of the next and succeeding annual elections, precisely according to the rules here laid down, with concord and harmony, and to have always in their view the peace and prosperity of the burgh. 19^{mo}, For preventing any dispute that may arise among the members of the council, touching precedency in the council, or elsewhere, by reason of the alterations in their constitution hereby made, it is hereby determined, that, in the council rolls, the provost shall be first called, the two bailies according to their seniority next, the dean of gild next, the thesaurer next; that the same rule shall be observed among the five old magistrates; that the two merchant councillors shall, according to their seniority, be called next to the old treasurer; the two trades councillors, according to their seniority, shall be called next; and the eight council deacons shall be called next, in the following order, viz. smith, weaver, wright, tailor, shoemaker, baxter, mason, and flesher; and that this regulation, concerning precedency in the council, shall take place touching the same every where. 20^{mo}, And wee the said arbiters do hereby declair, that the former decret-arbitral, pronounced by the Royal Burrows the 10th day of July 1718 years, shall remain in full force, except in so far as it is hereby varied from and altered: And we hereby decern and ordain the parties submitting, and their constituents, to make these presents their rule in every matter and thing relating to the election of their magistrates and council, and to perform and fulfill the same, under the penalty mentioned in the foresaid submission: And we appoint, that their presents may be registrate, and that execution may be issued hereon, in manner as is provided in the foresaid submission. In witness whereof, (written on stamped paper by William Vassie servitor to the said George Irving) we have signed these presents, place, day, moneth, and year of God foresaid, before these witnesses, John Cant clerk of Inverkeithing, and the said William Vassie, witnesses also to the two marginal notes written by the said William Vassie, and signed by the said George Drummond, at our appointment. *Sic subscribitur.* Geo. Drummond, Ja. Johnston, P. Lindsay, James Barclay, Hen. Cunninghame, Patrick Erskine, Arch. McAullay, Geo. Irving. Jon. Cant witness. Will. Vassie witness.

Follows

Follows the subsequent Acts of the Annual Committee of the Royal Boroughs, relative to the foregoing Decreet-arbitral, appointed to be recorded by Act the 10th July 1725.

Edinburgh, the twenty-fifth of August 1724 years; the which day, the preses of the annual committee laid before them a letter to him from Captain Peter Halkett, one of the council of the burgh of Dumfermling, praying, in their name, that the annual committee would be pleased to explain the sixth article of the sett and decreet-arbitral of the said burgh, anent the persons who are capable of voting in the making of leets for deacons, or voting in the elections of deacons: Which being read in presence of the committee, and they having considered the sett and decreet-arbitral of the said burgh, it is their unanimous opinion, that none are qualified, or can be allowed to vote in making of the leets for deacons, or to vote in electing the deacons of the said burgh, except such persons as are burgeses freemen of the said burgh residing in the place, hand-labourers in their crafts, and bearing scott and lott in the burgh; and appoint the same to be strictly observed in the ensuing elections for deacons in the said burgh. *Sic subscribitur*, Geo. Drummond preses, P. Lindfay, St Andrew's, Geo. Irving for Sanquhar, Archibald M'Aulay for Dumbarton.

Follows ane other Act of the Annual Committee also appointed to be recorded, relative to the new Sett of the said Burgh.

Edinburgh, the seventeenth day of September 1724 years; the which day the preses of the annual committee laid before them two several letters, one from Robert and Mr John Walkers, present baillies of the burgh of Dumfermling, in name of the town council of the said burgh, dated the twelfth instant, and the other from John Wilfon and Robert Anderson in Dumfermling, dated the seventh instant, both praying that the annual committee would be pleased to send one or two of their number to the said burgh of Dumfermling, on Wednesday the twenty-third instant, to oversee the ensuing elections in the said burgh, and to explain what parts of the new decree-arbitral and sett of the said burgh may happen to be contraverted, that the said elections may be carried on according to the true meaning of the said decreet-arbitral, and the peace of the burgh may be established in all time coming; which being read in presence of the committee, they appoint Archibald M'Aulay assessor for the burgh of Dumbarton, George Irving commissioner for the burgh of Sanquhar, and John Hogg assessor for the burgh of Campleton, or any two of them, as a sub-committee to meet at the said burgh of Dumfermling, upon Wednesday next being the twenty-third instant, whom they authorize and empower to determine all differences that may happen in the said elections, agreeable to the meaning and intent of the said decreet-arbitral, that the peace of the said burgh may be established in time coming; and ordain all persons concerned in the said elections to give ready obedience to what the said sub-committee shall determine, conform to the powers given to the annual committee by the fourth-second act of the last general convention; *sic subscribitur*, Geo. Drummond praeses, Geo. Irving for Sanquhar, J. Nimmo for Inverrarie, Archibald M'Aulay for Dumbarton.

Follows the proceedings of the sub-committee above named, and ane act of the annual committee approving thereof, also appointed to be recorded.

Edinburgh, the tenth day of July, 1725 years. The which day, in presence of the annual committee, the committee appointed to oversee the elections at the burgh of Dumfermling in September last, reported, that they had mett at the said burgh, upon the twenty-third day of the said month, and after reading the appointment of the annual committee to the magistrates of the said burgh, Robert Walker, one of the then present baillies thereof, produced to them a paper, subscribed by him, as specially empowered by ane act of council of the said burgh, containing seven quaeries, touching the sense and meaning of the late act of sett, authorized by the convention of burrows for the said burgh; as also, Robert Anderson merchant in the said burgh, and William Walker, then present deacon of the shoemakers, appeared for themselves, and on behalf of other craftsmen of Dumfermling, and others, who were partys with the magistrates and town council, in the submission whereon the said act of sett proceeded; and produced to the sub-committee a paper subscribed by them, containing ten quaeries, also touching the sense and import of the said act of sett; to all which quaeries, they, the committee, mett at the said burgh of Dumfermling,

ling, did then give their opinion and answers in writing; and which several quaeries, with the opinion of the sub-committee thereanent, being this day read in presence of the annual committee, they find, that the answers given by the sub-committee to the several quaeries above mentioned, are agreeable to the new sett appointed for the said burgh of Dumfermling, and to the true meaning and intent thereof; and therefore, the annual committee approve of the opinion and report of the said sub-committee thereanent, and appoint the said quaeries and proceedings of the sub-committee, with the acts relative thereto, to be recorded in the register appointed for the setts of the royall burrows, and extracts thereof to be given out to all partys concerned, who shall require the same; and of which quaeries and answers, the tenor follows: Quaeries offered to the sub-committee of the royal burrows, by the town council of Dumfermling. 1^{mo}, In case of the death of a provost, or old provost, in ane interval betwixt elections, *Quaeritur*, if the ordinary council for the time may not choise a proxie or ane old provost in their roome to bear these offices, till the Michaelmas next thereafter, the provost or old provost so chosen, being only merchant or gild brother of the burgh. 2^{do}, In case a provost or old provost be absent at any meeting of the council, *Quaeritur*, If the council may not choise a proxie to vote for them in their absence, though the proxie have no other qualifications, but of being either merchant or gild brother of the burgh; by the decreet arbitral, none can be elected on the leet of four, nor elected deacon of a craft, but hand-labourers in their craft; and, by the act of the annual committee, none can be allowed to vote in the leet for deacons, nor for deacons, but hand-labourers in their crafts. 3^{to}, *Quaeritur, primo*, if ane burges and freeman of a craft, who is an inhabitant, and pays cefs, though he was never capable to work in that craft, or who never exercised that craft, can be reckoned a hand-labourer in that craft, soe as to be qualified to vote in the election of deacons, or to be chosen a deacon? 4^{to}, *Quaeritur, secundo*, If a burges or freeman of a craft, who is inhabitant and pays cefs, and is capable to work in that craft, and actually exercised that craft for several years, though he do not now work at his craft, can still be reckoned a hand labourer, soe as to be qualified to vote in the election of deacons, or to be chosen a deacon? 5^{to}, *Quaeritur*, If a burges and freeman of a craft, who is inhabitant and hand-labourer in his craft, but is a militia-man of the burgh, can be allowed to vote in the election of a deacon, or can be chosen a deacon? 6^{to}, In case any contraverfy shall happen anent the qualifications of the voters at the election of the leet of four, or at the elections of deacons, soe as to occasion a contraverted election, *Quaeritur*, Whether the conveyer court, as was formerly usual, or, in case of appeal from them, the magistrats and council, shall summarly decide the contraverfy? 7^{mo}, David Dalgleish and Andrew Duncan, complain, that they and some other craftsmen have been (by a vote of their respective corporations) turned off their trade, and not allowed to meet with them, or vote in their affairs, for no reason but their owning their conveyer, and the deacons and conjuncts whom the committee of the convention of burrows found duly elected, and they being informed that they are to be debarred from a vote at the ensuing election of deacons, and leet for deacons? *Quaeritur*, Whether they can be justly debarred from their free vote? And its humbly desired the honourable committee may order the rectification of such abuses, *sic subscribitur*, R. Walker. Quaeries upon the new sett of the burgh of Dumfermling, to be laid before the committee of the general convention of the royal burrows, by Robert Anderson and William Walker: 1^{mo}, *Quaeritur*, If, or not, by the second article of the sett, the electors of present and old provost, are allowed to extend these offices to persons without the burgh, and to the electing of baillies who are not merchants and actual traffickers within the burgh, contrair to the act James IVth Parliament 6th c. 80th, and James Vth Parliament 20th cap. 8th? 2^{do}, If a provost or old provost may be continued during life, or what number of years? 3^{to}, Anent the fourth article, *Quaeritur*, How many years a merchant councillor may continue on the council, and if, or not, they may circulate the offices of magistracy among themselves; and if there is a necessity that some of the merchant councillors goe off the council annually? *Quaeritur*, How many, and how, and after what manner they are to be voted out, and others elected in their roome. "As to the explanation of the sixth article, dated 25th August 1724, by which it's provided, That none are qualified, or can be allowed to vote in making of the leets for deacons, or to vote in the electing of deacons, except burgeses freemen of the burgh residing therein, hand-labourers in their crafts, and bearing scott and lott." 1^{mo}, Seeing dyers, glovers, glasers, scaiters, and sailders, are none of them distinct incorporations, nor are any of them restricted to enter with a particular trade, but may exerce their handy-crafts within burgh, without being entered with any corporation, *Quaeritur*, If any of those who are entered with a particular corporation, can be allowed to vote in the electing of a deacon, for that trade with whom they are incorporated? 2^{do}, *Quaeritur*, If militia-men, who are actual trademen, are capable to elect, or be elected deacons? 3^{to}, *Quaeritur*, If the town officers are capable to elect? &c. 4^{to}, If the town customer is capable to elect? &c. 5^{to}, If persons, who for ordinary receive charity for the subsistence of their families, are

are capable to elect? 6^{to}, If persons, who have formerly laid aside their trade, and who have no shops of their own, and who work in their neighbour's shops now and then, to obtain a vote at the elections, are capable to elect? 7^{mo}, If the votes run equal in making up of the leets, or electing of a deacon, *Quaeritur*, How the same shall be determined, and if the present deacon, who may be supposed a party, is to have the first vote of the trade, and likewise the decisive vote, in case of an equality? 8^{vo}, If an actual tradesman, who is living in family with his father, is capable to elect? 9^{no}, Whereas, by the sixteenth article, it is provided, that in case a vacancy shall happen by death or otherways, the present and succeeding council shall supply the same, by electing a merchant in place of a merchant, and a craftsman in place of a craftsman, *Quaeritur*, In case a deacon shall happen to die, if the council shall choose a deacon for that corporation for the rest of the year then to run? 10^{mo}, If a person, who is absent, can substitute by a write under his hand, to vote in his stead, or to leave his vote in wryte? *Sic subscribitur*, Robert Anderson, William Walker.

Follows the opinion and answers of the sub-committee of the Royal Burrows, met at the burgh of Dumfermling upon the twenty-third day of September 1724, to the foregoing quaeries.

The which day, the said sub-committee, having fully considered the act of sett of the said burgh, with the act of the annual committee relative thereto, dated the twenty-fifth day of August, together with the quaeries offered by the magistrates and town council, do find, 1^{mo}, That, on the event of the death of a provost or old provost, in the intervalls betwixt elections, their offices may be supplied, the provost by the ordinary and extraordinary council, consisting of twenty-six persons, that is, two baillies, dean of gild, thesaurer, old provost, two old baillies, old dean of gild, old thesaurer, two merchant, and two trades councillors, two old merchant, and two old trades councillors, who voted in the election immediately preceding, or proxies, in case of any of their absence or death, a proxy for the provost deceased, together with the eight deacons of crafts. The old provost may be elected by the ordinary council, or their quorum. That no other qualifications are necessary to these, than the qualifications directed by act of sett, which is, that they be either merchant or gild brother. 2^{do}, That the absence of a provost or old provost, at any meeting of the council, other than the meetings appointed by the act of sett for the different steps of the annual election, needs not to be supplied by a proxy. That at the meetings appointed for the different steps of the annual elections, the absence of any member must be supplied by a proxy, who must be qualified according to the qualifications required by the act of sett to be in the person whom he represents. 3^{io}, That all such persons, who are named in the seals of causes granted to the several incorporations, and who reside and bear scott and lott, must be deemed members, and capable of electing or being elected a deacon, they being in the real exercise of the employment or craft, which they exercised at the granting of the seals of cause. 4^{to}, That all craftsmen, during their not being in the real exercise of their craft, or in the exercise of the employment which they exercised when the seals of cause were granted, though residing and bearing scot and lott, are incapable of electing or being elected. 5^{to}, That such craftsmen as are militia-men, are incapable of electing or being elected deacon, because they bear no scott nor lott, are servants to the burgh, and presumed to be under the influence of the magistrates and council. 6^{to}, That the decision of all contraversies that shall arise, touching the letting for, or electing of deacons, belongs to the magistrates and council, and not to the deacon conveners' court as formerly. 7^{mo}, That the cognizance of the complaint entered by David Dalgleish and Andrew Duncan, does not appear to be comprehended under the powers granted to the sub-committee. However, since their opinion thereof is askett, they humbly think that the said David Dalgleish and Andrew Duncan, their adherence to their conveners and his court, is no reason relevant to infer a deprivation of their titles to be members of their incorporations, but that their incorporation's procedure against them therein is illegal and unwarrantable, and that they have still a right of electing or being elected deacons: And the sub-committee having also considered the foresaid quaeries offered by the said Robert Anderson and William Walker, with the foresaid act of sett and act of the annual committee, they find, 1^{mo}, That, by the second article of sett, any person who is a merchant or gild-brother, though he do not reside, is capable of being elected provost or old provost: That no person is capable to be elected to the office of a baillie, but he who is a merchant or gild brother, residing and bearing scott and lott. 2^{do}, That a provost or old provost must be annually elected; but there is no limitation as to the time of their continuance in these offices: 3^{io}, That merchant councillors must be annually chosen, and cannot continue on the council as such longer than two years together: That they are capable to be chosen to the office of new or old magistrate, under the limitations and directions mentioned in the said act of sett: That two merchants, who are not new merchant councillors,

councillors, and who are not elected to the office of an old or new magistrate, must go off the council annually, so soon as the annual elections of magistrates and old magistrates are finished, in the manner directed by the tenth article of the sett. 4^{to}, That such persons as are dyers, glovers, glassiers, scalters, fadlers, or of employments other than the eight incorporate crafts or deaconries, who are originally members of these crafts, by being named in the seals of causes granted to them, and who are in the real exercise of these other employments, which they exercised when the seals of cause were granted, and who reside and bear scott and lott, are capable of electing and being elected deacons: That all other persons who are of employments different from the craft wherein they are entered members, and who are not named in the seals of causes, are incapable of electing or being elected deacon; because these seals of causes do not authorize the incorporations to assume members who are not of their own craft and employment. 5^{to}, That militia-men and town-officers are incapable of electing or being elected a deacon, though actual craftsmen during their holding of these offices, because they are presumed to be under the influence of the magistrates and council: That James Walker present deacon of the wrights, and present tackman of the town's customs, may convene his incorporation, in order to make a leet for and electing of a deacon, according to the rules laid down by the act of sett; but that he, nor no other tradesman, while they collect or farm the town's customs, should be capable hereafter to be leeted for or elected a deacon, or to be a trades councillor, but only should be capable to vote in the letting and electing a deacon: That persons who are indigent, and in use to receive charity, are incapable of electing or being elected deacons, while they continue in these circumstances. 6^{to}, That a craftsman, while he has laid aside the exercise of his craft, is incapable of electing or being elected a deacon: That while a craftsman has not a shop of his own wherein he works, for at least the space of three months preceeding an annual election, and is not stented for his trade, must be presumed to have laid aside his craft. 7^{mo}, That the deacon, in letting for or electing of a deacon, vote first; and, when the votes run equal, that the deacon should have also the decisive vote: That the late deacon, in absence of the present deacon, shall assemble his incorporation for letting and electing as aforesaid, and shall preside and act as deacon, and have the decisive vote, in case of an equality of votes, as the deacons. 8^{vo}, That a craftsman, living in family with his father, and who is in the real exercise of his craft, and stented therefore, is capable of electing or being elected a deacon. 9^{no}, That, on the death of a deacon, the old deacon or box-master should convene his incorporation, and make a leet of four, and deliver the same into the council: That the council should choose two out of that four: That the incorporation should choose a deacon out of that two, who is to be received in the terms of the act of sett for the remaining space of that year. 10^{mo}, That no member of the council, ordinary or extraordinary, can supply his own absence by his appointing a proxy for himself; but the absence of any member in any steps of the annual elections, must be supplied by a proxy to be appointed by the council, according to the directions in the act of sett; and the sub-committee recommended unity and harmony to all the persons concerned, as they regarded the peace and welfare of their burgh; *sic subscribitur*, Archd. M'Aulay for Dumbaron, Geo. Irving for Sanquhar.

In the annual committee of the Royal Burrows, holden at Edinburgh the 9th day of July 1731 years,

The which day, the committee elected Patrick Lindsay, Esq; present lord provost of Edinburgh, to be their preses. The same day, the committee having, conform to a remitt of the last general convention to them, taken into their consideration the petition of James Smith deacon of the incorporation of smyths of the burgh of Dumfermling, for himself, and in name and behalf of the remanent members of the said incorporation, craving, that the convention would, by their act, declare, That, under the denomination of smyths were comprehended blacksmys, coppersmys, peutherers, fadlers, locksmys, cutlers, lorimers or spurriers, gunsmys, white-iron smys, sword-slippers, and belt-makers, and to allow the said several above-mentioned arts, in common, the privilege of electing and being elected deacons of the said incorporation of smyths, in all time coming, conform to the antient, constant, and uniforme custom of the said burgh of Dumfermling; and they having also considered the last sett of the said burgh, and the subsequent queries, and the answers made by the committee mett at Dumfermling to the said queries, with the act of the town-council of the said burgh made thereanent, upon the 5th of July instant, the committee are of opinion, That any freeman tradesman exercising any trade, who were lawfully incorporated, and were in use as such to vote in the election of deacon, before the last sett dated the 13th day of July 1724 years, may still elect, and be elected as deacon of the incorporation in which they are now freemen, and bear scott and lott with the incorporation, and in the actual exercise of their craft.

At Edinburgh, the 20th day of July 1733 years.

The which day, the annual committee of the Royal Burrows having heard the petition in name of the wrights and coupars of Dumfermling, by the deacon of the said incorporation, remitted to them by the general convention, with the answers given in thereto; as also a commission to the petitioners, signed by a great many of the incorporation; and the said petitioners being interrogate, if this was pursued upon the public charges of the said incorporation, or at the charge of the persons granting commission for that effect? they declared, in presence of the committee, That the said incorporation should be burdened with no part of the said charge; and the committee having also heard a letter from the baillies and council of the said burgh thereanent, they sub-committ to the burghs of Edinburgh, St Andrew's, Bruntisland, and Sanquhar, to consider the sett of the said burgh, with the former procedure of the committee and sub-committee upon a former complaint, and to prepare ane opinion thereupon against the next meeting of the committee: Accordingly, the foresaid sub-committee, appointed to consider the petition of John Hutton deacon of the incorporation of the wrights of Dumfermling, in name of the said incorporation, upon the third day of August following, reported, That they having considered the same, with the answers made thereto by James Noble and James Clerk sclaiters there, and others of the same incorporation, and having also considered the sett of the said burgh, dated the 13th of July 1724, with the 4th article of the proceedings of a sub-committee met at Dumfermling, dated the 23d day of September the said year, together with ane act of the annual committee, dated the 9th of July 1731, all referred to in the said petition and answers, were humbly of opinion, That, since it does not appear that the said incorporation had, by their seal of cause, a power to assume glaziers and sclaiters, or any other bye-art, therefore, such assumption is invalid and ineffectual, unless the want of such power had been supplied by the acquiescence and homologation of the magistrats and town-council of Dumfermling; but, since it does appear from the answers, and uncontradicted by the petitioners, that, in the seal of cause, there are several persons original members, who were glaziers, ancestors to some of the present answerers, and who had been the office of deacon, and that sclaiters and glaizers have been in use to choice and be chosen deacons, and bear other publick offices in the said incorporation, and that there is nothing in the late sett contradictory thereto, and that the same has been acquiesced in and homologated by the said magistrats and town-council, as is vouched by a missive letter from the said magistrats and town-council, addressed to the preses of the annual committee, bearing date the 19th of July last; therefore, that the glaziers, sclaiters, and other bye-arts, who were assumed by the said incorporation, and owned and acknowledged as such by the said magistrats and town-council, as aforesaid, and who are in the real exercise of their employments, and who reside and bear scott and lott in the burgh, are capable of electing and being elected deacons of the incorporation of wrights of Dumfermling, and the other offices of the said incorporation; which report, and the writes therein referred to, being considered by the annual committee, they approve of the said report, and find, discern, and declare accordingly.—Extracted from the records of the general convention of the Royal Burrows of Scotland, upon this and the forty-five preceding pages, by me their conjunct general clerk.

JOHN DUNDAS.
J. W.

NOTE.

GUILDRY, about 200.

HERITORS. The number of heritors who are not burgeses, is not mentioned; but these and the honorary burgeses are said to amount together to 120.

INCORPORATIONS, 8; and the number of members connected with them is about 365.

INHABITANTS, about 6000.

INVERKEITHING.

THE council consists of fifteen persons at least, viz. the provost, two baillies, the dean of guild, and treasurer, and ten or more inhabitants burgeses. They proceed in their elections thus: Upon the twentieth day of September yearly, the magistrats and old council meets in the forenoon within their tolbuith, and

and when these of the old council, who are desirous of ane ease, have dimitted their offices, they choose as many new councillors in their roome to keep up the number; and, first, they elect the provost, then leets five of the council, and chooses two out of them baillies for the ensuing year; next leets three, and chooses the dean of guild; and last two, and chooses the treasurer, all swearing the oaths *de fidei* and *secrecie*, and taking and signing the publick oaths, &c. for the time ordered to be taken, and the burrow letter anent elects read immediately thereafter.

The above sett has been the ordinary of this burgh these forty years bygone and upwards, as witness our hands the present baillies thereof, at Innerkeithing, the sixteenth day of June 1709 years; *sic subscribitur*, Wm. Henderson, Ja. Dudgeon.

In the general convention of the royal burrows of Scotland, holden at Edinburgh, the tenth day of July 1716; the which day, the convention having heard a petition from the magistrats and council of the burgh of Innerkeithing, desiring the approbation and ratification of the royal burrows to ane act of their town council, for the better regulating of their elections in time coming, dated the ninth day of July inst. and having heard the said act read in their presence, they ratified and approved thereof for the rule of election of their magistrats in time coming, and ordained the said act to be recorded in the borrow court books, after dissolving of this present convention; and of which act the tenor follows: "At Innerkeithing, the ninth day of July 1716 years; the which day, the provost, baillies, and town council of the said burgh, taking to their consideration the present rule and sett, establishing the manner of election of magistrats and town council within the burgh, and finding that many inconveniencies has happened by reason that the sett is not exprest as to the time the magistrats can continue in their office; and in regard that it is the practice of the most part of the well regulate burrows within this kingdom to change their office-bearers annually, or once in the two years at farthest; for preventing of which inconveniencies in time coming, and that the magistrats within burgh may be putt upon the same footing of the other burrows of this kingdom; and that the inhabitants of this burgh may have access to serve in the office of magistracy in their turn, according to their capacity, the magistrats and council, *venime contradicente*, enacts and ordains, that, in all time coming, no man shall be capable of bearing the office of baillie, dean of gild, or treasurer, within burgh, longer than for the space of two years after his being elected: But at the annual election after the said space, the baillies and council shall be holden and obliged to proceed to election of other well qualified persons in their room. And furder enacts and ordains, that no man shall be capable of being elected baillie, dean of guild, or treasurer, unless he has been in the office of a common counciler immediately for two years before, and that none can be elected either baillie or dean of guild but those who have been treasurer or in the same office before; and appoints John Caul, their present commissioner to the convention of the royal burrows, presently sitting at Edinburgh, to apply for the ratification of this present act, whereupon the same is signed by us, day, month, place, and year of God above written; *sic subscribitur*, Roseberrie p. John Cant, James Steedman, baillies, William Deas dean of guild, James Bowers treasurer, Francis Henderson, Robert Main, Thomas Anderson, John Deas, James Graham, Geo. Smiton, John Craich, William Hodge, James Stenhouse, councilers. Extracted by (*sic subscribitur*) William Charters dept."

In the general convention of royal burrows, holden at Edinburgh, the ninth day of July 1717; the which day, upon application from the burgh of Inverkeithing, the convention allowed the said burgh to choose such persons to be treasurers of their said burgh as they shall think fit, although the said persons have not been two years upon their council, any thing in the contrary in the former sett notwithstanding.

Edinburgh, the seventh day of July 1742 years; the which day, in the general convention of the royal boroughs of Scotland, the committee, to whom the petition given in by Andrew Tulloch, and other deacons of the incorporations of the town of Innerkeithing was remitted, reported, that they having considered the same, and also having seen a petition from the dean of gild, and ane extract from the guild court books, all craving that the five deacons of crafts, viz. hammermen, weavers, baxters, tailors, and shoemakers, might be admitted councilers of the said burgh of Innerkeithing yearly, *ex officio*, they were of opinion, that the convention should ratify and approve of the same, under the provisions following, which is in the terms of the dean of gild's and gildry their petition, viz. that the said deacons shall have no conveyer. 2do, That the number of gild councilers should exceed the number of trades councilers: And, 3tio, That the deacons, hereafter to be elected, shall be elected conform to the sett of the burgh in all points. Which report being considered by the convention, they approve of the report, and appoint this act to be recorded, with the other setts of the burrows, after dissolving this convention. Extracted by, &c.

JOHN DUNDAS.
J. W.
CULROSS.

C U L R O S S.

AT Culrofs, the 1st day of September, 1658. The which day the commissioners of burrows after named, to witt, David Wilkie dean of gild of Edinburgh, Thomas Kincaid chirurgion, burges there, Mr Thomas Paterfon late dean of gild of Perth, Duncan Nairn dean of gild of Stirling, Andrew Glen provost of Linlithgow, David Seton late baillie of Burntisland, and William Walker provost of Dumfermling. In obedience to the act of burrows made in the general convention at Edinburgh, in July last, empowering the saids commissioners to convene at the said burgh of Culrofs, for settling of the number and quality of their town council, and for the well of the merchant trade of the said burgh, conform to the order contained in their electione. That the magistrates and council of the said burgh, at their next election, elect ane dean of gild in the said burgh, as is at more length contained in the said act of burrows; the saids commissioners, after mature deliberatione upon true information of the condition of the said burgh, and of the number and quality of the burgeses and inhabitants of the said burgh, have thought fit, that the town council, (the magistrates being included), shall consist of the number of nineteen persons in all time coming: To witt, twelve merchants, whereof there is always to be six who are, or have been actual trafficking merchants, and the other six to consist of sea-faring men, and inland traders, as maltmen and wine vintners, and such as are not under the corporation of ane deacon, being always burgeses and inhabitants within the burgh, bearing all portable charges with their neighbours; and the craftsmen to consist of seven, which makes up the full number of nineteen, of which craftsmen there be five of them deacons of crafts for the time, and tuo councilers; all which seven are to elected and chosen councilers yearly by the town council. The whole magistrates and treasurer are to be chosen yearly out of the number of the foresaid twelve merchants, excepting one baillie to be chosen yearly out of the foresaid seven crafts councilers, providing he be not for that year both baillie and deacon; and the whole seven deacons to have ane vote at the yearly election of the magistrates; and the moderator of the town council for the time to have two votes at the yearly election, if need beis: And the saids commissioners decerns and ordains, That the haill premisses be kept inviolably as ane constant rule for the election of the magistrates and council in all time coming; and ordains this act and ordinance to be insert and registrat in the town council books of Culrofs. And, as to the establishing of the gildrie, the persons commissioners doe earnestly recommend to the magistrates and town council, at their next election, to elect and chose ane dean of gild and his council, conform to the act of the burrows foresaid, and the dean of gild to be chosen out of the number of the foresaid twelve merchants, and his council to consist of four gild brethren, with the foresaid dean of gild. As also, the saids commissioners, considering the great interest of the Earl of Kinkardine his family in this place, and for the more unanimous and peaceable performance and oncarrying of the premisses, do heereby appoint the commissioners of Edinburgh, Bruntisland, Linlithgow, or any two, or more of them, to deal with, and inform Alexander Bruce brothergerman to the said noble Earl, of the burrows their ordinance, that he may be instrumental for promoting and advancing the same. *Sic subscribitur*, Da. Wilkie, Tho. Kinkaid, Duncan Nairn, Mr John Paterfon, Andrew Glen, D. Seton, Will. Walker. *Extractum per me, sic subscribitur*, J. Mason clerk. *Extracted, &c.*

JOHN DUNDAS.
J. W.

Q U E E N S F E R R Y.

IN the general convention of the royal burrows, holden at the burgh of Edinburgh, upon the 10th day of July, 1710 years, by the commissioners therein convened. The which day, the convention, anent the representation given in be George Hill late baillie of Queensferry, for himself, and in name of several others of the said burgh, complaining of undue election of magistrates in Queensferry at Michaelmas last, and anent the answers given in to the said representation for James Dalgleish late baillie of the said burgh, for himself, and in name of several other burgeses and inhabitants thereof, The convention, in the first place, ordered both parties to enact themselves to stand to their determination: Which being accordingly,

cordingly done, the convention decerned and ordained the present magistrates and council of the said burgh to continue till Michaelmas next, and remitted to the committee appointed to sitt, after dissolving of this present convention, to make a sett to be the rule of election of the magistrates and council of the said burgh in time coming, from and after the said term of Michaelmas next, and recommended to the burghs of Edinburgh, Linlithgow, Inverkeithing, and Dumfermling, or any one of them, to see the said sett duly observed, and ordained them to report their diligence to the next general convention.

Sett of the Burgh.

In the committee of the royal burrows, holden at the burgh of Edinburgh upon the 17th day of July 1710 years, the which day the committee having considered the representation given in to the last general convention, by George Hill late baillie of Queensferry, for himself and in name of several others of the said burgh, complaining of ane undue election of magistrates in Queensferry at Michaelmas last, with the answers given in to the said representation for James Dalgleish late baillie of the said burgh, for himself and in name of several other burgeses and inhabitants there, with the saids parties submission to the convention, and their committee's determination, and remitt by the convention to the said committee, by the 30th act of the famen, to make a sett, to be the rule of election of the magistrates and council of the said burgh in time coming, from and after the said term of Michaelmas next, and having fully heard both parties upon the said matter, the said committee decerned and ordained the following sett to be the only rule of the election of the magistrates and council of the said burgh of Queensferry, from and after the term of Michaelmas next; of which sett the tenor follows: *Imprimis*, That the old custom of the burgh, in the matter of election of their magistrates and council, to be inviolably observed as to the number of electors, whereof eighteen councilers and fourteen burgeses, two or three of the deacons being of that number: *Item*, That the quality of the electors be, that the two parts thereof be seamen, and the third part landmen burgeses, inhabitants bearing scott and lott: *Item*, That the magistrates and council to be elected consist of the same species: *Item*, That the stent-masters, whereof six are ordinarily the number, consist of four seamen and two landmen, of which number there shall be ane old magistrate, if he can be had in the burgh, and the said stent-masters shall be chosen by the council: *Item*, That all the saids persons be sworn, at the time of their elections, to be faithful in their several offices: *Item*, That, in time coming, one of the foresaid baillies, who are seamen, shall be obliged to attend their post during that year wherein they are elected: *Item*, That, for preserving the policy of the burgh, in case so many seamen shall not be found in the burgh as will make up the two-thirds of the electors, in that case, and no otherwise, landmen may be elected to supply their place: *Item*, That no new burges shall be assumed within the said burgh until Michaelmas, that the election may proceed at that time of the burgeses and inhabitants now belonging to the place: *Item*, That, upon Tuesday preceding Michaelmas, being the 26th day of September next, the election, expressly conform to the conditions above written, shall proceed by the poll of the burgeses, and in all time thereafter the elections are to be according to the former old custome of elections: *Item*, That two or three of the deacons of crafts must be always three of the foresaid electors of magistrates and council, and shall be two or three of the council over and above the foresaid eighteen councilers, and so making up in haill twenty or twenty one councilers: *Item*, In case of the absence of any of the twenty or twenty one councilers, at the election, the magistrates and council present shall fill up the vacant places with inhabiting trading burgeses, to make up the quantity and quality of the council, viz. two parts seamen, and one part landmen, of the eighteen councilers; besides the two or three deacons of incorporations; and in case any warned to be of the number of the fourteen, assumed to the council to make up the number of thirty-two, refuse to come, that then the council shall supply the vacancies, by choosing proxies in their roome: *Item*, That the commissioners of the burghs of Edinburgh, Linlithgow, Inverkeithing, and Dumfermling, or any of them, attend the said election the said foresaid day, for preventing of all disorder and confusion that may happen in the foresaid election.—*Extracted, &c.*

JOHN DUNDAS.
J. W.

ST ANDREW'S.

S T A N D R E W ' S .

THE council of St Andrew's consists of twenty-nine persons, (beside the clerk) who all, at their entry and admission, take the oath *de fideli administratione*, which is found amongst the ancient registers belonging to the city.

The counsell are as follows: The provost, for the time always præses of the counsell, dean of gild, four baillies, the treasurer, all gild brethren, other fourteen gild brethren, the deacon convener of trades, and the seven deacons of trades following, to witt, the deacons of the smiths, wrights, baxters, tailors, shoemakers, weavers, and fleshers.

The council, thus constitute, do meet at the præses or magistrat's order, intimate to them by the common serjeants or town-officers, as oft as the commune affairs of the burgh do require. Upon the Wednesday next before or after the 24th day of September yearly, the council convenes by order, as aforesaid, where, in order to the election, first, tryal is taken how many of the counsellors for the former year are dead, and (if their places have not been filled formerly) the council proceeds, by leit and voting, to appoint others in their roome; and accordingly these being chosen, are appointed to be warned to compare on Friday thereafter, to accept and make faith. This is called, by the counsell books, the making up of the old counsell. Then the samed Wednesday, the counsell, by leit and voice, choise other three counsellors, who continue in that employment the haill subsequent year; these are appointed to be warned, by the common serjeants, to compare the said Friday immediately following, to accept, and make faith *de fideli administratione*; and these are called the three new counsellors, till the election be over.

Upon the Friday immediately after the said Wednesday, and is alwise before or upon Michaelmas's day the 29th day of September, the counsell, by order of the magistrats, are convened in the tolbuith of the city, and there, first of all, these chosen for making up the old counsell are called to compare, accept, and make faith *de fideli administratione*, by taking and swearing the oath above mentioned. Thereafter, the three new counsellors are also called to compare, accept, and make faith *de fideli administratione*, by taking the same oath; then these counsellors proceed to the leeting of the persons for the following offices, to witt, the provost, dean of gild, baillies, and treasurer: In this manner, the provost (if present) being always præses, with consent of the other magistrats, names two other persons with himself to be on the provost's leit of the grave, wife, loyall, and most substantiall neighbours, inhabitants, gild brethren within the city, or burgeses who are some way traffickers and merchants, and ordinarily have born that same or some other office within the city, and who have served sometime at the least as counsellor; but seldom are any named to be on the provost's leit, who are that year either dean of gild, baillies, or treasurer. If this nomination please the counsell, then none are added; but, if otherwise, then any counsellor may crave one to be added, which is allowed; and, after one or more are added to the provost or præses' nomination, then three of them, the present provost being always one, are voted to be on the provost's leit.

Then the provost or præses gives out the leit for the dean of guild's office, which is voted as the former leit, and then concluded, being the present incumbent, and other two loyall substantial merchants, actual traffickers within the burgh, and ordinarily who have formerly served as baillies; thereafter, the præses gives out the baillies leit, which consists of the four present incumbents, and other eight gild brethren, and merchants within the burgh added to them; and this is voted, continued, augmented, and stated, as the two former leits, when the same form is observed in making the treasurer's leit, with this difference, that none that have served in a superior office, can be brought down to the leit of ane inferiour office, so that once provost, he cannot be putt in another leit, and *sic deinceps*.

The Tuesday thereafter, being either Michaelmas's day, or the Tuesday immediately after Michaelmas's day, the counsell, old and new, consisting of twenty-four gild brethren, and the convener, and seven deacons, being called, convenes punctually within the tolbuith, at ten of the clock in the forenoon, and after voting and electione, the provost, dean of gild, baillies, and treasurer, are elected and chosen, who accept and make faith *de fideli administratione*, according to the oaths recorded in the ancient records of the city.

Immediately thereafter, these of the deacons of crafts who go off that employment for the succeeding year, take leave and quite the counsell; and those who are chosen by the respective crafts, (wherein the counsellors have no vote), doe also compare, accept, and make faith, as counsellors for that year; then the dean of guild choises his assessors, being ordinarily the provost, baillies, treasurer, and two or three

more

more of the counsellors, actual traders, to be assistant to him in the discharge of his office, and keeping of gild courts. Thereafter, the keys of the charter chest are enquired into, and one is committed to the provost, another to the dean of gild, and another to the eldest baillie, and the fourth to the deacon convener, who most always be present at the opening thereof, to take out or putt in ane evident book, or thing therein, and thus the election is over.

The week following, the magistrats call the counsell, which is constitute by the provost, dean of gild, four baillies, and treasurer, new elected and appointed, and of such others who were in these offices for the former year, who, *ex officio*, are counsellors for the following year, and of the three new counsellors, chosen before the election, and wherein all these are short in the number of twenty-one, the magistrats warns so many more of the guild brethren to be upon the counsell as will make up the number; and if the convener and other seven deacons who are in that station that year, make up in haill the number of twenty-nine *ut supra*. Extracted forth of the records of counsell, by me, *sic subscribitur*, Pa. Wilfon, clerk. Extracted, &c.

JOHN DUNDAS.
J. W.

NOTE:

GUILDREY, about 130.

HERITORS, about 500. It is not said whether they are burgeses or not.

INCORPORATIONS, six; and numbers connected with them about 124.

INHABITANTS, consisting of heritors and burgeses, about 600.

F O R F A R .

AT Forfar, the twenty-sixth day of June, 1710 years, the provost, baillies, and town council, of this burgh, being convened in the ordinary place, and taking to consideration the eight member of the missive, whereby each burgh of this kingdom are ordained to bring up their sett to the next convention, for the causes contained in the act of the royal burrows in that behalf made, have, by the plurality of voices, agreed, that the sett following, be the only sett of this burgh in all time coming, and ordained the same to be registrat in their council book, and ane extract thereof carried up by their commissioner to the next convention, that the same may be registrated in the general convention books, conform to the said act; of the which sett the tenor follows: Michaelmas's week yearly, on the Wednesday thereof, is the election day of the magistrats and treasurer of the burgh of Forfar; for expeding whereof, on the Monday before, the magistrats and council make a leit of provost, baillies, and treasurer, in order to elect, viz. two on the leit of provost, four on the leit of baillies, and two on the leit of treasurer. The provost and baillies being elected annually, yet because it may chance, by reason of the small number of inhabitants in this burgh, that a penury of fit persons for representing in the magistracy may happen, the council condescends and appoints, that the provost and two baillies may be continued for two or three years, without prejudice of yearly electing, the council consisting of fifteen, beside the provost, two baillies, and treasurer, of which fifteen, the four deacons of crafts, viz. glovers, shoemakers, tailors, and websters, are always councillors *ex officio*. The same day after the council, the four trades meet and elects their deacons, for the ensuing year, who have a vote in the election, although not councilors for the preceeding year, nor named as new councilors; for the election Tuesday's night, the magistrats and old council convenes, and choises other fifteen new councilors to pass on the election, being added to the old council, (these fifteen of new council not being yearly councilors). On the day of election, the magistrats, the treasurer, thirty councilors, and new deacons of crafts, with these who are on the several leits, (although neither old nor new councilors), meet and have every one their free votes on the electione, and so elects the provost, baillies, and treasurer, for the ensuing year. And that on the Saturday thereafter, the magistrats, with the old council, or quorum of them, make choise of a new council for the ensuing year, the four deacons being always in the number, and this election of the council passes by vote. *Sic subscribitur*, Dickson provost, William Ure baillie, Alexander Jaffrey baillie, John Findall treasurer, John Ogilvie councilor, Will. Sarrock councilor, Tho. Fenton councilor, James Coutie councilor. Extracted by me, *sic subscribitur*, W. Dickson. Extracted, &c.

JOHN DUNDAS.
J. W.

L

COUPAR

C O U P A R.

THE burgh of Coupar has for magistrates, ane provost, and three baillies, dean of gild, and treasurer. Ane counsell, consisting of thirteen gild brethren, and the eight deacons, amongst whom there is ane conveener.

At every election of the provost, baillies, and treasurer, the thirteen old counsell choise the like number, each naming their own counsellor, which are termed the new counsell, and both old and new counsell, with the conveener, and seven deacons, choise the provost, three baillies, and town treasurer; and of consent of counsell, the magistrates cannot continue above two years successive.

As for the dean of gild, he is chosen by the whole gild brethren of the burgh, and has a counsell of four, called his assessors; the dean of gild continues but two years as above.

After the election yearly, there is chosen out of the old counsell, four persons called the adjoynd counsellors, who are warned to all meetings of the counsell from election to election.

This is the sett of the burgh of coupar, as has been observed these forty years bygone and upward. Extracted forth of the records of the said burgh, as is attested by us magistrats and clerk of the said burgh under subscriber, at Coupar, the twelfth day of June, 1710 years; *sic subscribitur*, William Greig, David Sibbald, Jo. Bayen, John Clark, D. Anderson clerk. Extracted, &c.

JOHN DUNDAS.
J. W.

R E N F R E W.

AT Renfrew, the 2d day of June, 1709. The which day convention within the tolbooth of the said burgh, the provost, baillies, and counsell of the said burgh of Renfrew, and they considering, That, by the twenty-ninth article of the missive direct to them from the convention of burrows, appointing each royal burgh within this kingdom to send up their sett to the clerks of the burrows, to be by them recorded in a particular book to be keep'd for that very purpose; to the end any question about their setts may be quickly discusst; and that, betwixt and the next convention, they, in obedience thereto, declare the sett of the said burgh of Renfrew to have been, and at present is, as followes, viz. The town council of the burgh of Renfrew consists of nineteen persons, including the three magistrates, which council meets yearly on Michaelmas day, in the court-hall of the burgh, betwixt the hours of ten and twelve; and, if Michaelmas day fall upon Sabbath, then on the Munday thereafter, for electing a new council, and new magistrats for the ensuing year, which is done after this manner. The former years magistrats are continued councillors for two years, but no longer, except they be elected. Then the former years provost causes each councillor retire to a separate room one by one, and, in absence of each councillor, it is putt to the vote, whether the person absent shall be continued for a councillor for the ensuing year, or not. And, for supplying the places of those that are not continued, or who have died since the last election, each councillor present may name a burges of the burgh, whose names being all marked by the clerk, the council is made up to the number of nineteen, with those that are found to have manyest votes. Then the new council proceeds to elect a provost for the ensuing year, which is done by putting as many persons in the leet for being provost, as the council thinks fitt, they being always such persons as have been councillors for the two preceding years. Then the former years provost appoints two of the council to sit in the court-hall with the clerk, and see the votes marked, the rest of the council withdrawing to a separate room, and are called one by one, and their votes asked; who shall be provost for the ensuing year; and after the two councillors that remained with the clerk have voted, then they number the votes, and declare to the council who have the majority. Then the new provost causes make up a new leet for the two baillies for the ensuing year, who are chosen after the same manner as the provost was; the council withdrawing, and the new provost remaining with the clerk in the court-hall, and calling the council one by one, and seeing their votes marked, and after all have voted, declare to the council who have the manyest votes. And, last of all, the dean of gild and treasurer are chosen at the council board by plurality of votes; and, in case the treasurer be a person that is not in the council, he may meet with the council in all their meetings, but has no liberty of voting. And the said provost, baillies, and council;

cill have ordained this their sett to be read yearly by the common clerk upon Michaelmas day before they proceed to their election, and to extract their said sett under his hand, and transmitt the same to the saids clerks of burrows, conform to the foresaid article, to be by them recorded to the effect above specified. *Extractum per me, sic subscribitur*, Will. Cochran clerk. Extracted, &c.

JOHN DUNDAS.
J. W.

R U T H G L E N.

AT Ruthglen, the twelve day of October 1671 years, Andrew Harvie provost, William Riddell baillie, Robert Spence, George Fairrie, George Jollie, William Riddell fisher, Thomas Wilkie, John Fairrie, John Riddell elder, John Shaw, James Wyllie, Robert Bowman, John Riddell tailor, John Muir, John Smith, and Robert Auldcorn, councilors of the burgh of Ruthglen, with the special advice and consent of the haill inhabitants thereof now convened, considering the debates, differences, and divisions of this incorporation, in order to the election of the magistrates and town council thereof, and that it hath been the constant and continual practice of the provost and baillies of the said burgh thir many years bygone after their electione yearly, to nominat and elect a council by and to themselves, whereby some leading and factious men have brought in on the council all their friends, allies, relations, and adherents, and so have practised and endeavoured to inhance and perpetuat the magistracy to themselves for a long time, and to make use of and dispose upon the common good, revenues, and casualties of the burgh as they thought fit, without comptrolment, to the great prejudice and ruin of the publick interest of this poor incorporation: For preventing whereof, and for removing and settling of all the differences and divisions in relation to the election of their magistrates and town council, and for establishing a constant and solid order to be inviolably observed thereanent in all time coming, it is now enacted, statut, and ordained, by the said provost, baillie, and council, with the consent of deacons of trades, and haill inhabitants of the said burgh foresaid, that the town council of this burgh, consisting of fifteen persons for this succeeding year, and in all time coming, shall be elected and chosen in manner following, to witt, that ilk ane of the three deaconries, viz. of the smiths, weavers, and mafons, shall give in a list of six persons, and the fourth deaconrie, viz. of taillors, shall give in a list of four persons, and the remanent burgeses inhabitants of the said burgh and territory thereof (bearing scott and lott within the same), shall give in a list of eight persons to the provost and two baillies of the said burgh, who shall chose three out of the severall three sixes, and two out of the four, and four out of the eight, which maketh up the number of fifteen persons, who are to be the common council of the said burgh, and the foresaid forme of election of the said common council is to be unalterable in all time coming; and the saids four trades and remanent burgeses, shall be holden and obliged to meet and give in their respective lists of persons foresaid, to the said provost and baillies, upon the thirteenth day of October instant, for this present year, and upon the first Thursday next after the elections of the magistrates yearly in all time thereafter; wherein, if the saids trades, or any of them, shall failzie, that the saids magistrates shall have power to chose the councillors for that trade or trades, and remanent burgeses, and ane or either of them, that shall happen to failzie to give in their list to the said provost and baillies, upon the said first Thursday next after the said election. *Item*, It is enacted, statut, and ordained, that the magistrates of the said burgh shall be chosen within the tolbooth of the said burgh, upon the first Tuesday immediately after Michaelmas, in this manner, viz. at the election in the year 1672, and in all years thereafter, the provost and baillies shall be elected and chosen be the said common council; and that the said provost and baillies shall only continue in their offices for the space of ane year, and shall not be capable to be continued, but shall be changed yearly, and the town-treasurer to be thereafter chosen be the provost, baillies, and council so established, and for auditing, comptrolling, and stating of the treasurer's accounts yearly, there shall be chosen three be the provost, baillies, and council, and three be the deacons and masters of the foresaid four crafts, and eight persons of the remanent burgeses foresaid, and the said six masters to be stent-masters, for proportioning and laying on of all publick burdens to be imposed upon the said burgh; and whatever person or persons refuses to accept any of the foresaid offices of provost, baillie, and treasurer foresaid, being lawfully elected thereto, shall pay to the treasurer, for the commone use and behove of the said burgh, the sum of ane hundred pounds Scotts money;

ney; and it shall be leifum and lawful to the present magistrates and council for the time being, to elect and chose fitt and able men to fupply the places of fuch of the faid provost, baillies, treasurer, and council, who refuses to accept of the faids offices, and of these deceasand in the interval of elections; and this order to be inviolably observed and kept in all time coming. And whatever person or persons, provost, baillies, councilors, and burgeses within this burgh, shall any ways hereafter endeavour to repeal, or any ways infringe this order, he or they shall not only be repute and holden as infringers of the liberties and privileges of this burgh, and thereby *ipfo facto*, shall forfeit their burgeship, and be repute and holden as infamous and perjured persons, but shall also be liable in a fine of one hundred pounds, to be paid to the treasurer for the public use of this incorporation. And farther, all such facts and deeds to be done in prejudice of the foresaid sett, and established forme of election of the faids magistrates and council, choosing of the treasurer, auditors, and stent-masters, shall be void and null and of none avail, force, strength, nor effect, as if the famen had never been thought upon or made: And ordains the above written act and sett to be recorded in the faid common council books of the faid burgh of Ruthglen, and in the books of the four respective deaconries above mentioned. *Extractum per me (sic subscribitur)*, Will. Spens clk.

Act of the town council of Ruthglen, relative to the sett of the faid burgh.

AT Ruthglen, the twenty-seventh day of Aprile, 1710 years, John Muir and Patrick Witherfpoon, baillies, John Scott elder, Robert Bowman elder, Andrew Harvie elder, Andrew Fleeming, James Park, John Witherfpoon, James Freebairn, William Harvie, James Peadine, and John Riddell measson, councilors of the burgh of Ruthglen now convened, taking to their consideration, that this burgh, and the publick good and utility thereof, hath suffered by persons being advanced into the magistracy thereof, without knowledge or experience of the town's affaires, and circumstances of the famen; and which evil practices may be yet again renewed, and be of dangerous consequence to the town, and publick good thereof, and consequently to every private burges of the famen, unless remed be provided, which the faids baillies and council are willing to do to the utmost of their power, in manner underwritten: Therefore the faids baillies and council have statut and ordained, and hereby, with advice and consent of the four deacons, and their masters of craft, representing the faids trades, and the rest of the heritors and burgeses, who are not incorporate within the four deaconries, statutes and ordains, that in all time coming, no person shall be capable of bearing office as provost of this burgh, untill first he have born office as baillie therein for one year at least, and that no person shall be capable to bear office as baillie of this burgh, untill first he has served as town treasurer thereof; and because also it will be evil and dangerous consequence to this burgh, and the publick well and utility thereof, if any person shall be advanced to be either provost, baillie, or treasurer, of this burgh, except ane ordinary burges thereof, having always his dwelling and residence within this burgh, and thirteen pound land thereof, during the haill time of his bearing office in any of the foresaid stations; for preventing whereof, the faids baillies and council, with consent foresaid, have statut, enacted, and ordained, and hereby statutes, enacts, and ordains, that in all time coming, no person shall be capable to bear office within this burgh, either as provost, baillie, or treasurer, except ane ordinary burges of this burgh, having always his dwelling-place and residence within the same, and thirteen pound land belonging thereto, during the haill time of his bearing office in any of the foresaid stations, and that none but fuch as shall be capable to be voted upon to bear office in any of the foresaid stations. And the faids baillies and town council, with advice foresaid, have enacted, statut, and ordained, and hereby enacts, statutes, and ordains, that it shall not be lawful for any magistrate, councilor, or other burges whatsoever, in all time coming, to vote, plott, or contribute, anent the encroaching upon or contraveening this present act, under the pain of being declared incapable to bear office in any publick statione within this burgh for ever thereafter, and of losing his freedom, and under the pain of one hundred pounds Scotts of fine farther, for the publick use, well, and behove of this burgh; and to the effect this act may be made more readily effectual, it is hereby declared, that it shall be in the power of any of the private burgeses of this burgh, whether councilor or not, as well as the magistrates and councilors thereof, to cause the same to be putt to execution at their instance, and that upon the expence of the contraveener hereof, and that these presents shall be recorded in the council books, and extracts hereof given *gratis* by the town-clerk thereof to the four trades, that the same may be recorded in each trades books, and another extract given by the clerk *gratis* to the heritors; and this present act, with the writt commonly called the act of establishment of this burgh, dated the 12th day of October, 1671 years, shall be openly read yearly in all time coming, in presence of the magistrates, councilors,

cilers, and burgeses, that shall be present upon the election day of the magistrates, after the additional council has given their oaths, and before the magistrates be elected; and that the present magistrates of this burgh, with the present councilors, shall subscribe this act, and that all succeeding magistrates and councilors of this burgh shall, in all time coming, immediately after giving their oaths *de fidei*, and before they exerce, subscribe this act. And ordains the clerk to extract an double hereof upon parchment, which is to be signed by the present magistrates and town council, and the four deacons, and their masters of craft, and the rest of the heritors, and burgeses who are not incorporate within the four deaconries, and which, with the foresaid act, called the act of establishment, is ordained to be put into the town's charter chest. This act ratified and approven be the provost, baillies, and council, upon the 24th of October, 1710 years, and ordains the same to stand in full force in all time coming; and also, of new againe, enacts, statuts, and ordains, That no person, or persons whomsoever, except he be ane burges and constant indweller within this burgh and territories thereof, shall not be capable to be elected to represent this burgh, either as elector for the burgh, or any other manner of way whatsoever, in time coming, and that under the pains and penalties therein contained. *Extractum per me, sic subscribitur*, Will Spens clerk. Extracted, &c.

JOHN DUNDAS.
J. W.

DUMBRITAN, OR DUMBARTON.

IN anno 1221 the faid burgh was by King Alexander II. erected into a burgh royal, with liberties, customs, and privileges, which the burgh of Edinburgh and burgeses thereof enjoyed, as their original charter, of the date foresaid, bears. The burgh consists of merchants and tradesmen, the tradesmen are five, to witt, hammermen, taillors, cordiners, coupers, and weavers. The common council is made up of the provost, two baillies, dean of gild, and treasurer, with ten other councilors, which are in all fifteen, whereof ten are merchants and five are tradesmen, the provost, two baillies, and dean of gild, being always merchants. The manner of election is as follows: The old council doth choise the new; the old provost, two baillies, dean of gild, and treasurer, being, by virtue of their offices, continued councilors for the year ensuing, and the other ten are elected, one by one, in the ordinary forme; which new council being sua chosen, they, with the haill deacons of trades, proceed to the leiting and electing first the provost, then the eldest baillie, the youngest baillie, the dean of gild, the treasurer, the master of work, clerk, quarter-masters, and remanent officers of the burgh, and which new treasurer, if he be not a member of the new council, is supernumerarie of the fifteen. The gild council consists of six members, besides the dean of gild, who are chosen yearly by himself, and received by the town council, before whom they make faith *de fidei*, and whereof some are merchants and some are tradesmen. Given under the hand of Andrew Graham common clerk of the faid burgh, at Dumbritan, the 18th day of June 1709 years. *Sic subscribitur*, And. Graham.—Extracted, &c.

JOHN DUNDAS.
J. W.

NOTE.

- GUILDRY. Their number is uncertain, because a number of the trades are admitted into the guildry.
- HERITORS. None who are not burgeses.
- INCORPORATIONS, 5 in number, 181 members.
- INHABITANTS, males 600.

S E L K I R K.

AT Selkirk, the 2d day of July, 1709. The which day, the magistrates and town council of the burgh of Selkirk being mett, and considering that, by the twenty-ninth article of the missive, they are appointed to send up their sett to the clerk of the burrows betwixt and the next convention: They do hereby declare, That the sett of the faid burgh of Selkirk is as followes, viz. two baillies, ane dean of gild, and

and treasurer; all to be chosen at the Michaelmas yearly, and that the burgh may elect a provost; but, in respect they were brought into a great dale of debt by their former provost Hayning, they have always forborne to chose a provost, and holds themselves with the two baillies. *Item*, The council consists of the saids two baillies, dean of gild, and treasurer, the old baillies, old dean of gild, and old treasurer, if they be men of substance within the burgh, five deacons, and five colleagues, being one to each deacon, ten merchant councillors, and five trades councillors; they are not chosen yearly, but continued; and as they decrease in their substance, are turned out from being councillors, and always these of the greatest substance brought in. The council choses a clerk, to whom, (if they please), they grant a commission during life, if he be a man that they find takes notice of the burgh's affairs, and whose commission cannot be taken from him, except upon some extraordinary malversation and fault legally tryed, and made appear. Extracted out of the council book belonging to the said burgh, by me An. Waugh clerk. Extracted, &c.

JOHN DUNDAS.
J. W.

P E E B L E S.

The magistracy consists of a provost, two baillies, a dean of gild, a treasurer, and eleven councillors, making in all seventeen. The election is yearly on the first Monday after Michaelmas, and proceeds after this manner: The week before the election, the whole burgeses and inhabitants are cited to a head court, to be holden the Monday following; and the court being sett, the roll is called three times, and thereafter the magistrates ask, if any of them have any grievances or ground of complaint against any of the magistrates and council? and, if any be, the same is fully heard and discuss. And, thereafter, the election proceeds thus: The old magistrates and council elect the new council of seventeen persons, out of which there is a leet of three persons for provost, three for eldest, three for youngest baillie, three for dean of gild, and three for thesaurer, of which leets there is one chosen for each of the above offices; and, if it have happened that any councillor or magistrate have deceast before Michaelmas, his roome is first of all supplied by a new councillor, elected to make the number full. There being but one deacon of a craft in the burgh, the magistrates, out of a leet of six given in by the trade, returns three, of whom the incorporation choose one, who sits as one of the town-council.

The clerk's office, being elective, is chosen yearly after the magistrates and council. *Sic subscribitur*, John Frier baillie.—Extracted, &c.

JOHN DUNDAS.
J. W.

L I N L I T H G O W.

THE said burgh was erected in a burgh royal be Robert King of Scots, with the port of Blacknes, small customs, tolls, and others, as their original charter, dated at Linlithgow, the twenty-third day of October, and of the King's reign the eighteen year, bears.

The whole number of the magistrates, merchant counsellors, and deacons of crafts, consists of twenty-seven persons, to witt, the provost, four baillies, the dean of gild, treasurer, twelve merchant counsellors, and eight deacons; to witt, of the smiths, taillors, baxters, cordiners, weavers, wrights, coupers, and feshers, the provost, baillies, dean of gild, treasurer, and twelve counsellors, are to be of the estate and calling of merchands, or of such other burgeses as are not incorporat with the trades. The manner of election is as follows:—On Saturday before Matthew's fair, which falls on the twenty-first of September yearly, the deacons gives into the counsell to be approved by them, an account of the common good the year preceding, with the leet of the deaconry of three persons, one of which there is dilated by the counsell, and the present deacon, and the other two are on the leits; and thereafter the several incorporations meets and elects their deacon out of the said leit, and the *perjone dilate* is always praeses at the election of the deacon.

On

On the Saturday thereafter, the special maftermen of the crafts presents the new deacons to the council, who are sworn and admitted counsellors untill the next Michaelmas, and the same day the new merchant counsell of twelve is chosen be the old counsell as follows.

There are twelve chosen on the leits and added to the old counsell, out of which number the new council is chosen one by one, and the same day the leits of the provostry are chosen, being two out of any of the counsell not being deacons; but the leet may be altered the day of election. The election of the magistrates, which is always upon the first Munday after Michaelmas, is done as followes.

First, of the provostry. The leit made the last counsell day is either continued, or a new leit of two chosen, and added to the present provost; out of which number the new provost is chosen.

Secondly, of the bailliary. There are eight chosen on the leits out of the merchant counsell, who are added to the present baillies, and out of that number the new baillies are chosen, one baillie with two on the leits with him removing by turns.

Thirdly, of the dean of gild and treasurer. There are two chosen on the leit for each of them out of the merchant counsell, who are added to the present dean of guild or treasurer, and out of that number new dean of gild and treasurer are chosen, who are also to continue untill the election at the next Michaelmas. The dean of gild counsell consists of six members, to witt, four merchants and two deacons, beside the dean of gild himself, who are listed by him, and given in and approved be the town counsell; and the acts of the dean of guild counsell, and the dean of gild's yearly accounts, are also approved of be the town counsell. Given under the hand of William Bell, common clerk of the said burgh, at Linlithgow, the seventh day of May 1709 years; *sic subscribitur*, Wm. Bell clerk. Extracted, &c.

JOHN DUNDAS.
J. W.

L A N A R K.

We William Inglis, and Archibald Simpson, present baillies of the burgh of Lanark, John Clelland dean of gild thereof, James Moodie, present deacon conveener of the samen, John Simson treasurer, Mr John Young, William Steel, James Weir younger, and John Young, merchants, John Russell maltman, James Lockhart wright, Bernard Bell, John and Thomas Patons shoemakers, John Anderson and James White weavers, and James Scott glover, all present councillors of the said burgh; forasmuch as, by the thirty-eight act of the general convention of the royal burrows, holden at Edinburgh, anno 1708, each royal burgh within this kingdom, are appointed to send up their sett to the clerks to the burrows, to be recorded in a particular book to be kept for that very purpose, to the end any question about their respective setts may be quickly discuss, upon production of the said book; as in the said act in itself at more length is contained; in obedience whereunto, we, according to our ancient custome, as gathered from our ancient records, and according to our present use, make up our sett as follows, viz. that this our burgh of Lanark, hath always had in the best of times, and yet hath seventeen councillors, all burgeses, indwellers, and inhabitants, within the said burgh, and persons affected to the protestant religion, without suspicion to the contrair, and who bear part of the publick burdens, and who can time and wone in all the affairs of the burgh; of the which number of councillors, the two baillies, dean of gild, and deacon conveener, are always four, and for ordinary the treasurer, who, if chosen not of the number of the said council, is joynd to them; and that at least eight days before the election of the saids councillors yearly upon Michaelmas day, being a lawful day, and the same being unlawful, the next immediate lawful day; thereafter, it is appointed by an act of council, that the election of the saids councillors, and the baillies forth thereof, shall be for the subsequent year upon the said Michaelmas day being lawful, and falling upon an unlawful day, upon the next immediate lawful day thereafter, and the said appointed day being come, the baillies and council of the said burgh, do convene within the council-house thereof, at nine of the clock in the morning, being the usual hour of their ordinary meetings, and then *scitis vocatis et curia legitime affirmata*, we proceed to a new electione of councillors for the ensuing year, and the whole old council do remove from the board to the far end of our council house, excepting our eldest baillie and deacon conveener for the time, who sit with the town clerk, for observing of the several votes right marked, as they are given, and the said eldest baillie and deacon conveener, giving first their votes, the rest are called.

called one by one, and their votes marked according as they are given by our town clerk (who is sworn *de fidei*), at the sight of the giver of the vote, and the said eldest baillie and deacon conveneer present with the said town clerk as said is, and after giving of the said votes, do again remove one by one, as they were called, and the votes being finished, the seventeen councillors of new chosen, are called, except of the said office, take their places accordingly, and give oath *de fidei*, and then proceed to the listing of four of our own number, out whereof the two baillies for the ensuing year are to be chosen by ourselves; and present deacons of crafts within the burgh, at twelve of the clock the said day, and the said list delivered to the deacon conveneer, for advising with the present deacons of crafts against the said hour; whereupon they dismiss, and accordingly again convene at twelve of the clock, with the saids present deacons of crafts, and do all remove from the board to the said far end of the council-house, excepting two of the council, not of the said list who are appointed to sit with the clerk, for observing the votes right marked as they are given, as said is; and the said two present with the clerk, giving first their votes, the rest are called one by one, giving their vote, see it marked as given, and remove; and the saids votes being finished, the two baillies chosen are called, except of the said office, take their place accordingly, and give oath *de fidei*: and then proceed to the vote, how many shall be in the leit for treasurer for the ensuing year, either of ourselves or of the other responsal burgeses within the said burgh, and the number being fixed, the saids baillies, new council, and present deacons of crafts, nominate the persons by votes, out whereof (the persons nominat by plurality of votes, if present, removing) the treasurer for the ensuing year is chosen, who being called, compares, accepts of the said office, and gives oath *de fidei*; and then our present clerk removing, the saids baillies and council so of new chosen, proceed, and by new election, either continue their old clerk, or else chose and elect another for the ensuing year, who is called, compares, accepts of the said office, and gives oath *de fidei*; but prejudice always to us to elect and chose a provost out of the said number of seventeen abovementioned, as the saids baillies are elected, (the said provost being always a continual residenter within our burgh, or territories thereof, and one that bears all portable charges with neighbour and other therein, and who payeth part of our publick burdens, and who can tane and wone in all our affaires,) and in testimony of the verity of this our sett, we consent to the registration hereof, in the books of the royall burrows of this kingdome, or any competent register therein, therein to remain for conservation, and constitute

our procurators, &c. in witness whereof (written be James Brown, servitor to Alexander Wilson, our present clerk,) we have subscribed these presents at Lanark, the twenty-ninth day of June, 1710 years, before these witnesses, the said Alexander Wilson, and James Brown, *sic subscribitur*, William Inglis, Archibald Simson, Jo. Clelland, John Simpson, James Lockhart, John Anderson, John Russell, Jo. Paton, Bernard Bell, John Young, John Paton, James Scott, James White, James Weir, William Steele, John Young, Alexander Wilson witness, James Brown witness. Extracted, &c.

JOHN DUNDAS.
J. W.

F O R R E S.

AT Forres, the 20th day of September 1711 years, in presence of the town-council of the said burgh of Forres, ane letter being read, direct by the agent of burrows to the magistrates of the said burgh, anent their making a true account and return to the said agent of their sett, in electing and choosing the magistrates and town-council of the said burgh yearly, bearing, if they failzied therein to send the same at the time appointed, by ane act of the convention of burrows in July 1711, under the certification contained in the said act; in obedience to, and performing whereof, the saids magistrates declare, that the number of their council does not exceed the number of seventeen, provost, baillies, dean of gild, and treasurer, being included; and that, at ilk election, the old council choses the new, and are changed yearly, as occasion offers; and to that effect timeous premonition is made to the whole burgeses, heritors, and inhabitants, of the day prefixt for electing the said magistrates and town council, by tuck of drum, and placading on the croce, and by other advertisements used and wont; and that the new council choses the magistrats, and puts off and takes on, or continues them, as the circumstances of the place needs and requires; and this our sett has been unaltered these many years; and ordains our clerk of court to send ane extract hereof to the agent

gent of burrows. The provost, baillies, and remanent council of the burgh of Forres, signed in our name and by our order, by Robert Tulloch our common clerk. *Sic subscribitur*, Ro. Tulloch clerk.—Extracted, &c.

JOHN DUNDAS.
J. W.

F O R T R O S E.

IN a council meeting, holden within the burgh of Fortrose the 23d day of June 1711 years, by Mr George M'Kenzie of Inshculter, provost, John Dallas of Bannans, Duncan Forbes, and Robert Clark, baillies of the said burgh, Hugh M'Culloch treasurer, dean of guild, Hugh Baillie, John Wilson elder, John Wilson younger, Robert Wilson, Alexander Man, John M'Donald, George Baillie, Donald Watson, Alexander Watson, Hugh Miller, and George Huiton, councilers of the said burgh of Fortrose; they, after mature deliberation, and serious consideration had, and in obedience to the 38th act of the general convention of the royal burrows, anno 1708, conform to the seventh head or article of this year's missive, have all unanimously agreed to the following sett, for regulating their annual elections in time coming, to the effect the same may be reported to, and laid before the Honourable convention of the royal burrows, to be holden at Edinburgh the first Tuesday of July next, for their approbation. *1mo*, It is agreed to and enacted hereby, that, at ilk annual election to be made at Michaelmas, in time coming, the number of the council, including the provost, three baillies, treasurer, and dean of gild for the said burgh, as unite, shall be hereafter made up of, restricted to, and not exceed fifteen in all, consisting of merchants, traffickers, burgeses, inhabitants within the sament burgh, authorized by law, bearing all portable charges with their neighbours, and a part of the publick burdens, and who can tane and won in all their affairs; and that, at each annual election foresaid, the old council shall elect the new, and alter no fewer than two of the old, and the alike number, altered and impared, to be elect in their place. *2do*, That the council, so elect, have power to elect a provost for exercising in that station the succeeding year, who, being qualified according to law, shall not continue without intermission further than three years. *3tio*, That, in the election of baillies by all the saids new members of council, (being qualified as said is) there shall be three of their number put on the leit with the three old baillies *in praesentia*, and after removal of old and new out of council, the members within, with the provost in office, inclosing themselves, and choosing a praesident for asking and gathering the votes, are to elect and chose, furth of the said six removed, three new baillies for officiating in that station thereafter; which six, re-entering the house, the three elected to be divulged and published in council, and these new elected to accept and officiate, as said is; and that no baillie shall continue without intermissione longer than three years. *4to*, That thereafter, the magistrates and council do elect, nominate, and appoint their dean of gild, treasurer, fiscall, and three officers, to exerce and officiate in their respective stations (being qualified as said is) for no longer than three years; and magistrates and council in office their pleasure to elect and continue the said fiscall and offices longer; which method and order is ordained to be inviolably used and observed for the future, by the magistrates and council of this burgh of Fortrose, as unite, after the same is approven and ratified by the ensuing Honourable convention of royal burrows' act. *Sic subscribitur*, Geo. Mackenzie pr. Jo. Dallas baillie, D. Forbes baillie, Robt. Clark baillie, Hugh M'Culloch treasurer, Hugh Miller councillor, George Houton councillor, Hugh Baillie councillor, John Wilson councillor, Geo. Baillie councillor, Donald Davidson councillor, Robert Wilson councillor, John Wilson councillor, Donald Watson councillor, Alex. Watson councillor.—Extracted, &c.

JOHN DUNDAS.
J. W.

MONTROSE.

M O N T R O S E.

At Montrose, the twenty-second day of June 1709 years.

THE which day the counsell considering, that by the thirty-eight act of the last general convention of burrows, each royal burgh within this kingdome is appointed to send up their sett to the clerks of the burrows, to be recorded in manner, and to the purpose mentioned in the said act, have therefore ordained, and in obedience to the said act, hereby ordains John Spence their town clerk, to certify, by extract under his hand, to the clerk of the burrows, that the sett of this burgh is as follows: The town council consists of seventeen merchants and two tradesmen, including in the said number the provost, three baillies, the dean of guild, the treasurer, and the master of the hospitall. The annual election is upon Wednesday immediately before Michaelmas, unless Michaelmas fall upon Wednesday, and then the election is upon Michaelmas-day. The old counsell elects the new with this restriction, that the provost, the three baillies, the dean of gild, the treasurer, and the master of the hospitall for the immediate preceeding year are continued *ex officio*, members of the counsell for the year immediately following; the old and new counsell leit two of the new counsell, out of which they choice the provost, and then they leit six of the new counsell, out of which they choice the three baillies, and then the new counsell choices the dean of guild and his assessors; and then also, or at any time betwixt and Martinmas thereafter, they choice the treasurer, and betwixt and the first of January thereafter they elect the hospitall master. The provost cannot be continued longer than two years together, and the baillies cannot be longer continued than three years together in their respective offices. The dean of guild may be continued as long as the counsell thinks fit; the treasurer and hospitall master can only be continued for two years together. Extracted forth of the council books of the said burgh by me (*sic subscribitur*), Jo. Spence clerk. Extracted, &c.

JOHN DUNDAS.
J. W.

NOTE.

GUILDRY, about 200.

HERITORS, very few who are considerable, and not burgesse; but there are many small heritors not burgesse.

INCORPORATIONS, none established by royal charters; but there are seven trades, who, it is said, have authority from the magistrates to elect heads whom they call deacons and conveyers. The members connected with these may be about 200; but there are, it is said, many tradesmen who are not joined to any of these incorporations.

INHABITANTS, about 6000.

B R I C H E N.

AT Brichen, the second day of July 1709 years; the whilk day, being convened within the tolbooth of the said burgh in public council, Alexander Young provost, David Young and James Spence baillies, William Clark dean of guild, Robert White treasurer, John Doig late provost, David Robertson late baillie, John Knox, Mr Andrew Doig, and William Guthrie, councillors, (there being absent Mr John Liddell master of the hospitall, Alexander Jamieson, and David Mylles councillors), taking to their consideration, that by the thirty-eight act of the last general convention of burrows, each royal burgh is appointed to send up their sett to the clerks of the burrows, the council foresaid convened as said is, having, in obedience to the said act, ordained, and hereby ordains, George Spence town-clerk of Brichen, to send up the sett of the said burgh of Brichen as follows, viz. that the town council of the royal burgh of Brichen consists of thirteen members, whereof eleven merchants and free brethren of the gild of the said burgh, and two tradesmen, all residents and inhabitants of the said burgh, seven of the foresaid thirteen members are always a quorum of the said town council: The members of the town council foresaid do always, out of the foresaid number of eleven merchants, traffiquers, and inhabitants of the said burgh, yearly elect and choose

choose one provost, and two baillies, one dean of gild, town treasurer, and master of the hospitall. There is no day fixed for the annual election of this burgh of Brichen, but either the town council of the said burgh, sometime before Michaelmas yearly, do appoint and affix a day for the sament peremptorie, or otherwise the provost or praefes of the town council for the time, doe call ane council to meet at any time they think fit, some few days, more or less, as they please, not exceeding five or six days, and most frequently fewer days before Michaelmas, in order to choise a new counsell, and leit the magistrates; and then the old counsell elects the new council, and both old and new councillors leit two persons of the new council, in order to choose one of them provost; and a leit also of four persons of the new council, to the end two baillies may be chosen out of the same; and then the council appoints one day, frequently two, three, and sometimes four or five days thereafter, for the election and head court, and cause make publick intimation thereof by tuck of drum through the whole burgh: And, upon the day appointed for the election, the new council meets, and, in conjunction with the six deacons of crafts of the said burgh, out of the said leit of two for the provostrie, elect ane provost for the ensuing year, and then be vertue of ane contract betwixt the Bishop of Brichen, Patrick Maull of Panmure, and the magistrates and town council of Brechin, in anno 1630 years, the Earl of Panmure, or any having right from him, being called, name a baillie out of the said leit of four persons so made by the town council, and to which baillie he is obliged to give and grant ane deputation of the offices of judiciary, and constabulary within the said burgh of Brichen; and then the council and deacons of crafts, out of the remaining three persons choose another baillie, and thereafter the council do choose an dean of guild, town treasurer, and master of the hospitall. Extracted furth of the town-council books of Brechin, by me George Spence town clerk; (*sic subscribitur*) G. Spence. Extracted, &c.

JOHN DUNDAS.
J. W.

A B E R B R O T H O C K.

1700, The council of the said burgh must consist of at least seventeen, and not above nineteen, (the present magistrates included), whereof the conveyer chosen by the deacons of trades, *ex officio*, is always one, who, at the election of magistrates, has two votes, one as conveyer, and the other as councillor. 2^{do}, None can be on the leit to be a baillie, but he that exered the office of a treasurer within burgh, and none can be on the leit to be a provost, but he that has been a baillie, and the baillies are only capable to be elected two years without intermission, and a provost three. 3^{do}, The old council previous to the leiting, choses the new, and then the new council sua chosen, leit two provosts and four baillies, which leit is sent yearly to the Earl of Panmure, and his Lordship choses a baillie who is first baillie of the burgh. 4^{do}, After the Earl of Panmure has chosen his baillie, and the leit is returned, the clerk transmits copies of the leit to the respective incorporations, each of whom have a vote in the election of the magistrates, and they empower one or two of their own number to go thro' each incorporation, and take up the votes, and thereafter the council chosen as above, meet, where those appointed by the incorporations appear and give in their votes, and the council elects a provost, and another baillie out of the leit to serve for the ensuing year. 5^{do}, In case of ane equality of votes, anent the election of magistrates and others, the provost as praefes, or, in his absence, the next magistrat present at the time, has the casting vote, besides his vote as a councillor, providing he take the first vote as such. 6^{do}, All commissioners to parliament and convention of burrows are chosen by the town council. Extracted furth of the records of the town council of the said burgh, upon the 26th day of June, 1710 year, by me, *sic subscribitur*, Geo. Adam clerk. Extracted, &c.

JOHN DUNDAS.
J. W.

NOTE.

Council of old, by charter from James VI. was elected by the free burgesse and inhabitants, both as to the counsellors and magistrates. By the influence of the family of Panmure, the old constitution was altered about the 1700, and the above sett formed. It is said, that Lord Panmure, by his accession to the rebellion 1715, forfeited his nomination of the eldest baillie; since which time the constitution has undergone several amendments as follows. 1st, The societies of seamen and labourers have a vote at the election

lection of magistrats. 2d, The society of the guildry return annually two of their number to the town council.—Guildry about 150.—Incorporations established by royal charter are 7, exclusive of the three societies above mentioned. The members connected with the whole are about 300.—Inhabitants about 5000.

K I N T O R E.

Imprimis, The old council of the said town, consisting of nine persons, with the present magistrats of the said burgh, chofes the new magistrats for the ensuing year. *Item*, The saids new elected magistrats, with the said old council of the said town, chofes the new council for the said ensuing year. The said yearly election of the saids magistrats and town council is made at or about Michaelmas; this sett is given into the committee of the royal burrows by Robert Bruce present baillie of the said burgh, at Edinburgh, the 6th day of July, 1710 years. *Sic subscribitur*, Rob. Bruce clerk. Extracted, &c.

J O H N D U N D A S.
J. W.

I N V E R U R I E.

Imprimis, The old council of the said town, consisting of nine persons, with the present magistrats of the said burgh, chofes the new magistrats for the ensuing year. *Item*, The said new elected magistrats, with the said old council of the said town, chofes the new council for the said ensuing year. *Item*, The yearly election of the saids magistrats and town council is made at or about Michaelmas day. This sett is given into the committee of the royal burrows by John Fergusson present baillie of the said burgh, at Edinburgh, the 6th day of July, 1710 years. *Sic subscribitur*, J. Fergusson. Extracted, &c.

J O H N D U N D A S.
J. W.

I N V E R B E R V Y.

I George Thomson common clerk of the town of Inverbervy, doe hereby testify and declare, That it hath been, and now is, the constant and practised custom, conform to law, to elect and chofe the provost, baillies, and town council of the burgh of Inverbervy yearly upon the Wednesday immediately preceeding Michaelmas day, and, if Michaelmas day fall upon Wednesday, then to elect the same day, in manner following. The number whereof consists of fifteen members, the provost, the baillies, dean of gild, and treasurer, being six of the said number; and the other nine members are chofen by the old council in order, conform to the form and practice observed in royal burrows yearly upon the foresaid occasions. In testimony whereof, I have subscribed thir presents, at Inverbervy, the 2d day of July, 1709 years. *Sic subscribitur*, Geo. Thomsons clerk. Extracted, &c.

J O H N D U N D A S.
J. W.

E L G I N.

IN the general convention of royal burrows, holden at Edinburgh upon the 8th day of July 1706 years, by the members therein convened, the which day, anent the petition of the burgh of Elgin, craving the convention would ratify and approve of the sett made and pronounced by the commissioners of the burghs.

of Dundee, Aberdeen, Montrose, Inverness, Tain, Banff, Nairn, Forres, and Fortrose, by warrand of ane act of the last general convention, to compose the differences of the said burgh; which being considered by this present convention, they ratify and approve of the said sett, in the hail heads, clauses, and tenors thereof; and ordain the same to be kept inviolably, as the constant sett and rule of government for the said burgh, in all time coming, and to be recorded after the subscriptions to the acts of this present convention; of which sett the tenor follows: Att Elgin, the 13th day of September 1705 years, the which day the committee did make the following sett, which they ordained to be a constant platte-forme and standart thereanent for the future, to be strictly observed, without the least alteration or change, viz. That the number of the town council of Elgin shall consist of seventeen councillors, (including the deacon-conveener for the time) and two other deacons of trades, which two deacons are to be chofen by the council, conforme to the trades their contract with the gildrie: *Item*, That Munday preceeding Michaelmas yearly, be the day of the election of the new council for the ensuing year: *Item*, That Tuesday thereafter, immediately preceeding Michaelmas, as said is, be the day of the election of the magistrats and other office-bearers of the said burgh: *Item*, That there shall be putt off yearly off the old council, three of the gildrie and two of the trades, and in their place as many elected of the samen quality: *Item*, That, out of the foresaid number of the council, there shall be chofen ane provost, four baillies, dean of gild, and treasurer, and other office-bearers, which provost shall not continue in office of provostrie above three years at once; but prejudice always to change him yearly, as the council shall think fit; and the said baillies, dean of gild, treasurer, and other office-bearers, shall not continue in their said office above two years at once, but prejudice to change them yearly, as said is: *Item*, That the provost, baillies, dean of gild, and treasurer, shall, *ex officio*, be continued on the council for the next year after they are put off their respective offices: *Item*, That the old council yearly chofe the new council, and that both old and new councils yearly chofe the magistrats, and other office-bearers: *Item*, That no person be capable to be elected a magistrate, office-bearer, or councillor, within the said burgh, except residenters and burgeses within the same, actual traders, and traffiqueing merchants, bearing scott and lott, and portable charges, with neighbours therein: *Item*, That the council shall yearly chofe out of their number, five assessors to the dean of gild, to sit with him, whereof three, with the dean of gild himself, are to be a quorum: *Item*, That the town-council shall yearly chofe fifteen persons extraneous from the council, whereof two of the trades, and nine to be a quorum; which fifteen persons, so chofen, shall give their oaths *de fidei* before the council, and shall be stent-masters for the ensuing year, for proportioning, in presence of a baillie, all the stents to be imposed within the burgh that year: *Item*, That no stent be imposed on the inhabitants of the burgh (except the public cefs due by law) without consent of ane head court: *Item*, That, on the second Tuesday of September yearly, the magistrats call ane head court, and there expose to the whole inhabitants the present condition and circumstances of the burgh, and of the common good thereof, and of their own management of the samen; and that the hail office bearers, books, and accompts, lie on the council-table yearly, twenty days preceeding the head court, for the satisfaction of all concerned. And the said committee witted and decerned, that the above sett should stand and continue inviolable and unchangeable in all time coming, for the rule and government of the said burgh of Elgin, and should commence and take effect at Michaelmas 1706 years, and yearly and continually thereafter; certifying the breakers thereof, that the royal burrows would notice and punish them accordingly, and state themselves against them. The committee adjourned the said meeting till to-morrow, at which time they would consider the other grievances, *hinc inde*, under submission; and the praefes did subscribe the said federunt, for and in name of the meeting; *sic subscribitur*, Alex. Leslie, P. Att Elgin, the 14th day of September 1705 years, the foresaid hail committee present, *ut supra*; the said day, the committee, considering that the above-sett, made for regulating the election of the magistracy and town council of Elgin, in manner contained in their last federunt, does not take effect till Michaelmas 1706 years, and that both parties submitters are desirous, by their representations given in to the committee, *hinc inde*, whereto their submission is referred, to have all their differences removed; therefore, they, as judges arbitrators, and as having power by the said submission, representation, and answers thereto, it is referred, for preventing the factions and debates that may arise betwixt the said parties submitters, anent the election of their magistracy and council for the said next ensuing year, did nominate ane council for the said burgh for the said year, as at length is contained in the decret-arbitral signed by the said committee on the back of the said submission, whose names are as follows; Thomas Donaldson and Thomas Calder, present baillies of Elgin, Mr William

William Sutherland and Robert Innes, late baillies thereof, William King late provost of the said burgh, Thomas Russell late treasurer of the said burgh, James Innes elder, dean of gild thereof, Alexander Brodie, James Gordon senior, James Fenton, William Mitchell and John Sinclair merchants in the said burgh, William Gordon present treasurer, and Kenneth M'Kenzie apothecary in the same burgh, Alexander Catto present convener, John Walker deacon of the hammermen, and William Innes deacon to the shoemakers; the committee ordained the submission and decret-arbitrall to be given to the town-clerk of Elgin, and by him to be registrat in the town-court books, that all persons, upon payment, may have access thereto, and gett extracts thereof. The committee also appointed an extract of the haill federunt of the said meeting to be signed by the praeses and clerk, and given to the town of Elgin, which they ordained to be insert and recorded in their council books; as also appointed the clerk to extract the said haill federunt, and give each of the said committee an extract, and likewise appointed the praeses to send to the next general convention of burrows another extract signed by him and the clerk, as the report from the said meeting, and the said haill committee did subscribe the said federunt; *sic subscribitur* Alex. Leslie p. W. Crookshanks senior, Ro. Turnbull, Hugh Ross, Malcolme Ross, J. Brodie, Hugh Baillie, W. Home. Extracted by warrand of the said committee by (*sic subscribitur*), Alexander Leslie p. Pat. Leslie clk. Extracted forth of the records of the royall burrows by Mr Adam Watt town clerk of Edinburgh, and conjunct general clerk to the royal burrows. This extract is taken from the council books of Elgin by me (*sic subscribitur*), James Anderfon clk. Extracted, &c.

JOHN DUNDAS.
J. W.

B A N F F.

AT Banff, the twenty day of June, 1709 years, *federunt* of ane head court, John Mark provost of Banff, James Clarke, and John Anderson, baillies of the said burgh, John Ogilvie dean of gild, William Thomfone treasurer, Thomas Wallace deacon convener, John Murray, James Gray, George Steuart, George Garden, Robert Philp, Thomas Cock, Mark Maver, councilors of the said burgh. The said day, ane head court of the said burgh, intimat be tuck of drum through the haill burgh, whereby the haill inhabitants, burgeses and heritors thereof, were strictly commanded to attend the said court, within the tolbooth thereof, this day and place, to the effect after mentioned; and the said haill inhabitants burgeses, and heritors of the said burgh, being frequently mett, conform to the said appointment, and taking to their consideration the twenty-ninth paragraph of the missive, direct to the magistrates of the burgh of Banff, and signed be Adam Watt, town clerk of Edinburgh, and conjunct clerk of the royal burrows, in name of the Right Honourable the Lord Provost, Baillies, and Council, of the burgh of Edinburgh, bearing, that by the thirtieth act of the last general convention, each royall burgh within this kingdom was appointed to send up their sett to the clerks of the burrows, to be recorded in ane particular book to be kept for that very purpose, to the end any question about their respective setts may be quickly discuss upon producing the said book, and that betwixt and the next convention, certifying such as shall fail therein, they should, be the next general convention, fined in the sum of two hundred pounds Scots money. And sicklike, that the sett of the burgh, as it now stands by ane act of the said burgh, bearing date the seventh day of October, 1704 years, is so burdesome and heavy on the burgh, that the same cannot be supported, be reason of the paucity and scarcity of men to this burgh pertaining, able capable to carry charge therein, and admitt to be so changed and elected as in the said act required, being, that it appoints the haill council to be changed, except old four of the last year's council, every year, and the haill magistracy and office-bearers. Sicklike every year, which the court represents as ane intollerable greivance, not able to be born, and therefore alters and rescinds the said act of sett of electione, of the date foresaid, in so far allennerly as is contradictory to the sett underwritten, appointed to be the only rule in all time coming, for electing the council and office-bearers of the burgh of Banff yearly, in manner following, to witt, the old council of the year preceeding shall, previous to the term of Michaelmas, meet within the council-house yearly, on the days and dates formerly appointed by acts of council, for choosing of the common council and magistrats, and that the number shall not exceed seventeen councilors yearly, (in which number shall be included the deacon convener and his assessor, to be chosen as formerly) and there make choice of eight councilors, for the preceeding year's council, to be councilors for that succeeding year, and

and then make choice of eight new councilors, which, with the deacon convener to be chosen be the trades, makes up the number four, out of which the office-bearers of burgh, such as provost, baillies, dean of gild, and treasurer, are appointed yearly to be chosen, and then the haill council of the preceeding year, with the eight to be chosen for the subsequent year, and the deacon convener chosen that year, shall yearly chose the provost that year, whose election shall not continue but to Michaelmas next year, but then may be chosen for ane second year, which election for that second year shall not continue but as above, but may, if the council determine, be chosen for ane third year to continue as above, and no longer; but hereafter, shall chose another provost, and shall lay that preceeding provost aside, for that subsequent year, and never come in office unless his merit deserves, and he be chosen again after the interval of one, two, or three years, or more, as it to them shall seem fit. And the number of baillies, to consist of three or four baillies yearly, as the council shall appoint from year to year, and time to time, to be elected, chosen, and nominate, first, second, and third years, if the council think meet and convenient, in the same manner, and after the method the provost is appointed yearly to be chosen; and after they, or any one of them, has served three years, to be laid aside, unless they be chosen again after such an interval as is above written, appointed for choosing a provost in the case foresaid, and the dean of gild to be sicklike chosen yearly, and may sicklike continue in that station the space of three years allennerly, and no more, in case he be chosen yearly in manner above prescribed; as also the treasurer yearly as aforesaid; which the haill court of unanimous consent without contradiction, statuts, constituts, enacts, and ordains, to be the only method of election in time coming, commencing at Michaelmas next to come, rescinding and annulling all former acts contrare hereto in any sort, whereon act extracted by me, *sic subscribitur*, J. Cock, clerk. Extracted, &c.

JOHN DUNDAS.
J. W.

K I R K W A L L.

SETT of the burgh of Kirkwall is as follows, viz. that the burgh shall have ane provost, four baillies, ane dean of gild, and ane treasurer, and sixteen councilors, whereof the four deacons of crafts to be four, to be elected in manner following, viz. the magistrates and council shall yearly, some six or eight days before Michaelmas day, meet in their council chamber, and by a plurality of votes, make a leit of two out of the council, to be with the then present provost upon the leit of provostrie, and four out of the council with the then present baillies to be upon the leit of bailliary, and double of which leits signed by the common clerk or his depute, shall be given to the four trades, or their deacons, and another double to ane of the town officers, with a list of the burgeses, qualified in manner after specified, to have vote in the election, bearing ane warrand to the said officer, for charging the said burgeses to be present at the election upon Michaelmas day about eleven of the clock, at ringing of the bell, to give their votes; and that the magistrates and council, upon Michaelmas day in the forenoon, convene within St Magus kirk in Kirkwall, and receive the votes of the said burgeses, and trades, each burges to vote for one to be provost, and four to be baillies, and each trade by their deacon, or eldest craftmen upon the place, to have two votes, both as to the leit of provostrie and bailliary, conform to custom. And that the provost so elected shall continue for two years, and the baillies for one year; notwithstanding whereof, the provost or baillies may be continued longer, if they be of new elected. *Item*, That no honorary burges, or burgeses, not actually residing within burgh, or not scotting or lotting with the burgh, shall have vote in the election. *Item*, That no proxies be admitted for absents, excepting only for such as were present upon the place at making up of the leits, qualified as said is and charged to be present personally, or at their dwelling-places, as use is, but necessarily called away thereafter. *Item*, The provost and baillies to be elected in manner foresaid, shall, upon Michaelmas afternoon, or next council day thereafter, by plurality of votes, chose ane dean of gild, and ane treasurer, out of the old council; and the provost, baillies, dean of gild, and treasurer, chose the new council; and, if any of the old magistrates be changed, and new ones chosen in their place, the old shall continue to sitt in council the succeeding year. *Item*, That the magistrates and council being so chosen, the four several trades shall name two of each craft to be with the respective old deacons upon the leit of deaconrie, and given into the council, out of which leit, the magistrates and council shall, by plurality of votes, chose one of each craft to be deacons for the ensuing year. Extracted from

from the records of the said burgh at Kirkwall, the twenty-third day of June, 1712 years, by me, George Spence, common clerk thereof; sic subscribitur, Geo. Spence. Extracted, &c.

JOHN DUNDAS.
J. W.

W I C K.

THE town of Wick was erected into a burgh royal the twenty-fifth of September 1589, by George Earle of Caithness, who, by the charter of erection granted to the town, obliged them to chose their magistrates by his advice; so that the constant sett of the town was to allow the Earle of Caithness to be provost, and him to chose one of the baillies, and the town only choosing the other, and thereafter the provost and the two baillies to nominate seven councilers of burgeses and heritors within the said town: But now, since the Earl of Caithness does not concerne about the provostrie, the town has been, and are in use to chose their own provost and two baillies, by the plurality of the pole; and the provost, in conjunction with the two baillies (if on the place), doe nominate the seven councilers, with ane dean of gild and treasurer. This is the true sett of this burgh, as is verified by (sic subscribitur) Alexander Doull baillie, J. Manson counciler, Alexr. Poull counciler, Geo. Sinclair counciler, Alexr. Muliken counciler, Will. Murray counciler.

In the General Convention of Royal Burrows, holden at Edinburgh, the seventh day of July 1716 years;

THE which day, the convention, anent the petition given in be John Calder, commissioner for the burgh of Wick, for himself, and in name of the rest of the magistrates, town council, and burgeses thereof, shewing, that King James the Sixth, by a charter under the great seal produced, dated the twenty-fifth of September 1589 years, did erect the town of Wick into a burgh royal, and appointed the magistrates and town council thereof to be elected yearly, with advice and consent of George Earl of Caithness, his heirs and successors; with this further qualification, that they should not be chosen any other manner of way: And albeit, the import of the foresaid clause and limitation, in favours of the Earl of Caithness and his successors, is, that the magistrates should present a leit of the persons to be chosen for his approbation, which has been explained by the custome and practice of this and all other burghs, where such a consent is necessary by the charter of erection; yet, upon misapprehending the true intent and design of the clause, there has been of late some variety in the method of election in the said burgh, especially in absence of the Earl of Braedalbane, and the Lord Glenorchy his son, upon whom the right of the earldom of Caithness, and whole priviledges thereof is established. And seeing it is absolutely requisite for the good order and government of the said burgh, that a settled rule for the elections in all time coming should be laid down, according to the meaning and import of the said charter of erection, therefore craving the convention to appoint that, in all time coming, the magistrates for the time should make a leit of the persons to be chosen for the following year, and that the said leit be presented to the said Lord Glenorchy and his successors, who are invested with the right of the said earldom and priviledges, that he or they may chose out of the said leit magistrates for the ensuing year, and that the said magistrates may choise the town council; and that the convention would authorize the foresaid sett as ane rule to be observed in all time coming, as the petition signed by the said John Calder bears:—Which being read, the convention remitted the consideration thereof to the commissioners for the burghs of Inverness, Dumfermling, Selkirk, Whithorn, Dingwall, and Campbelltown, as a committee, and to report their opinion thereanent to the convention. Accordingly the committee this day reported, That they having considered the petition and grounds thereof, with the particular clause of the said original charter in favours of the Earl of Caithness and his successors, referring to the election of the magistrates thereof, which runs in these words: "Cum speciali et plenaria potestate liberis inhabitantibus et burgensibus dicti burgi, et suis successoribus in futurum, cum expresse avifamento et consensu dicti nostri consanguinei Georgii Comitis de Caithness, ejus haeredum et successorum, et non aliter, seu alio modo praepositum, et quatuor balivos dicti burgi incolas et habitatores, una cum thesaurario, gildae decano, consulis, burgensibus, serjeandis, aliisque officariis necessariis intra dictum burgum, pro gubernatione ejusdem faciendi, eligendi, constituendi, et creandi, &c." And they likewise having considered the circumstances of the said burgh, it was the unani-

mous opinion of the committee, That the expresse consent of the Earl of Caithness, and their successors to the electione of the magistrates of the said burgh was indispensably necessary; and the making a leit by the magistrates for the time being, consisting of two, out of which a provost, and four, out of which two baillies are to be named, and the presenting the same thirty days before Michaelmas to, and the approving thereof by the Lord Glenorchy and his successors, as coming in place of the Earles of Caithness, or by his sheriff-deput there, in case of his absence forth of Scotland, ought to be the rule of election in all time coming; and that these magistrates, when so chosen and elected, are to chose seven councilers, a treasurer, and a dean of gild; and that the present magistracy represented in this present convention be authorized, before expiration of their office, to proceed in these terms at the next election for the ensuing year, and so forth in all time coming. And the committee find, That the former sett, recorded in the burrow books, dated the 30th of October, 1711, was not, conform to the charter of erection, as the report bears. Which petition, grounds thereof, and report, being considered by the convention, and ane question being moved, and putt to the vote, approve of the report of the committee so as to take effect immediately, or only after July, 1717 years, betwixt and which time parties might object. It carryed, That it should take effect immediately; and therefore the convention authorized and appointed, and hereby authorize and appoint, the present magistrates and council of the burgh of Wick, and their successors in office, in all time coming, to make their elections in the terms of the above report, conform to the foresaid charter of erection. Extracted, &c.

JOHN DUNDAS.
J. W.

D I N G W A L L.

AT the Michaelmas head court, holden be the magistrates and town council of the burgh of Dingwall within the tolbuith of the samen, upon the 9th day of October, 1710 years, Kenneth Baine of Tulloch, younger, one of the said council, and commissioner appointed for representing the said burgh in the last general convention of the royal burrows holden at Edinburgh in July preceeding, produced the draught of the act of sett for regulating the election of the magistrates and council of the said burgh, concerted with the neighbouring burrows, by appointment of the said honourable convention, and after the same was publickly read, and duly considered by the said magistrates and town council, it was putt to the vote, approve of the said draught or not; and carryed unanimously approve, and thereafter it was ordained by the saids magistrates and town council, That the foresaid act should be recorded, and ane authentick extract thereof transmitted under the hand of their clerk, by the commissioners that shall be appointed to represent the said burgh at the next general convention, that the same may be ratified and approved by the said honourable convention; of the which act of sett, the tenor follows thus: The annual election of the magistrates and council of the burgh of Dingwall, shall be upon the 29th of September, when it falls to be Tuesday, and when it falls upon any other day, the next Tuesday thereafter; the which day, the then present council being mett in the ordinary place, shall chose a new council, to consist of fifteen persons, who must be merchants or tradesmen, residing in the burgh, or heretors, bearing a part of all the publick burdens of the burgh, out of which number of fifteen of new council, the old council shall chose a provost, two baillies, dean of gild, and treasurer, by making three leets for the provost, four for the baillies, and two for the dean of gild, and two for the treasurer, without being restricted to have the old magistrates on the leets; the provost, dean of gild, and treasurer shall not continue longer than three years without being changed, but the baillies may be continued five years; and the provost, baillies, dean of gild, and treasurer, are to be continued in the number of fifteen councilers, the next year after they go out of their offices; and none shall be capable to bear any office of magistracy in the town till he be two years a counciler, and there shall be two at least of the council changed every year. Extracted by me, sic subscribitur, Jo. Tuach clerk. Extracted, &c.

JOHN DUNDAS.
J. W.

T A I N E.

AT Taine, the eighteenth day of August 1708 years; the which day, in obedience to an act of the general convention of burrows, holden in July last, directed to the burghs of Aberdeen, Inverness, Elgin, Banff, Nairn, Forreth, Dingwall, Dornock, and Fortrose, or any five of them to be a quorum, to meet at this burgh this present day, for making enquiry into the ancient constitution, use, and wont of the election of magistrates and town council of the said burgh of Taine for several years past, and to call for the books and records of the said town to that effect, and to endeavour, as much as in them lyes, to create a good understanding amongst the inhabitants of the said burgh, to the end they may live in amity and peace, and to report their diligence to the next general convention, as the said act and commission, of the date the thirteen day of July last, containing several other heads, as in itself more fully bears; conforme whereunto, and in obedience wherof, appeared Alex. Duff of Drummoor, provost of Inverness, who was one of the members of the said last convention, as commissioner for the said burgh of Inverness to this present meeting: As also appeared Kenneth M'Kenzie younger, baillie of Elgin, as commissioner for the said burgh, and produced his commission from the magistrates and town council thereof to the effect foresaid. Likeas appeared Jonathan Dunbar of Tilliglens, one of the present baillies of Forreth, and produced his commission to the effect above specified. Also appeared Daniel Dingwall, one of the present baillies of Dingwall, and produced his commission to the effect above rehearsed; which three commissions are of date the sixteen day of August 1708 years instant. And likewise appeared Wm. Tolme dean of guild of Fortrose, and one of the members of the last general convention, as commissioner for the said burgh of Fortrose to the effect above written; with power to the saids commissioners to chuse their own praefes and clerk, and to that end have chosen the said Alex. Duff of Drummoor as praefes to their said meeting, and Charles Manson clerk of Tain as their clerk: And we having considered the council books of the said burgh of Taine far above forty years backward, we find (notwithstanding some of their books produced be defective in several particulars), yet that the number of their council, including provost, baillies, dean of guild, and treasurer, did not exceed fifteen, and some years thirteen, till Michaelmas 1706 years, at which time the Laird of Balingowan was made provost, their number was augmented to seventeen, which is two more than their ordinair number and old constitution; and at Michaelmas 1707, having mett upon the twenty-ninth day of September, they continued the seventeen of the former years election; and, upon the ninth day of October thereafter, they added six more to their council, viz. William Lord Rofs, William Lord Strathnever, John Lord M'Leod, William Rofs, and John Manson merchants, and Charles Rofs wigmaker in Taine, as new councillors; and, on the fourth day of June last, 1708 years instant, the Laird of Balingowine provost, having convened a quorum of the council of the said burgh, did motione therein, that, in respect and by the decease of John Rofs late provost, and Alexander Rofs baillie, being on death-bed, and the Hon. William Rofs is living at such a distance that he could not attend the said council, therefore craved that the council should nominate other three councillors to officiate; and accordingly they did proceed and elected William Rofs of Easter Fern, William Rofs of Aldie, and Thomas Rofs junior merchant in Tain, to exerce in that statione as councillors, which, with the former number, makes twenty-six councilors, including the magistrates. It is unanimously the opinion of us the members of the committee, that the election at Michaelmas 1706, and at Michaelmas 1707, and the addition of councillors the ninth of October 1707, and the fourth of June 1708, are palpable encroachments upon the constitution of the said burgh of Tain, and contrare to the fetts of other well-governed burghs: And for remeed thereof, recommend to the magistrats and council of Tain in time coming, that they do not exceed the number of fifteen councilors, including the provost, baillies, dean of guild, and treasurer, and that they be all men qualified conforme to the acts and constitutione of burrows, viz. that they be merchants, traffiquers, actual residents, tradefmen, inhabitants, or such persons as can gain or lose in the concerns of the burgh; and that for hereafter their provost not to continue above three years, being yearly chosen be the town council, and that their baillies, dean of guild, and treasurer, continue not above two years, being yearly chosen as said is, and that they turn off yearly at Michaelmas four of their old council, and, in place of them, to chuse four new councillors, and the new council so chosen to elect the magistrates out of the said number of fifteen; and this we give as our report, in obedience to the said act and commission; and we publickly intimate the same to the magistrates, council, and inhabitants of the said burgh of Tain; and, in testimony wherof, we and our said clerk have subscribed this present report, day, place, and year of God above

above written. *Sic subscribitur*, Al. Duff for Inverness, Kenneth M'Kenzie jun. for Elgin, Jonathan Dunbar for Forreth, Dan. Dingwall for Dingwall, Wil. Tolme Fortrose, Cha. Manson clerk to the federunt.—Extracted, &c.

Sett of the Burgh.

An council of the burgh of Tain, holden the 29th day of September 1708 years, by the Laird of Balingowan provost, Robert and Malcolme Rosses baillies, Alex. Rofs dean of gild, Andrew M'Culloch treasurer, Thomas Rofs late dean of gild, David Rofs late treasurer, William Rofs of Easter Fern, David Rofs of Inverchadley, William Rofs of Aldie, Andrew Rofs of Pitgartie, Charles Rofs, Alex. Manson, Thomas Rofs jun. William Rofs merchant; the which day the magistrates and council considering the advice of the committee sent to this burgh from the last convention of the royal burrows, and for preventing of debate in all time coming, anent the election of magistrates and councilors within this burgh, they enact and ordain, that this present council shall now, on the twenty-ninth of September instant, first, elect the number of fifteen persons qualified, conform to acts and constitutione of the burrows; and the said council being sua chosen shall qualify themselves according to law, and thereafter shall chose out of their own number a provost, two baillies, a dean of gild, and a treasurer, who shall continue their respective stations, conform to the custome and constitution of this burgh till Michaelmas next 1709 years, and then the said council shall putt off four of their number, and elect four new councilors, qualified as above, in their place, to make the number of fifteen; and the said fifteen shall chose the provost, two baillies, dean of gild, and treasurer for the next year, and sua successively in all time coming; and enact, that no provost shall continue longer then three years, and the baillies, dean of guild, and treasurer, shall continue no longer then two years, albeit they be chosen yearly for a longer space, and that each magistrate, at his admission, shall enact himself not to continue for a longer space of time, and shall observe the above sett, under the penalty of five hundred merks, and the said space of magistrates continuance to be counted and commenced from the date of thir presents; which act above written is approven of *nemine contradicente*. *Sic subscribitur*, David Rofs of Balingowan provost, Malcolme Rofs baillie, Robert Rofs baillie, Alexander Manson, Tho. Rofs, William Rofs, Thomas Rofs, William Rofs, Andrew Rofs, David Rofs, A. Tulloch, C. Rofs, L. Rofs, Wm. Rofs, Al. Rofs.—Extracted furth of the council records of the said burgh of Tain be me, *sic subscribitur*, Cha. Mansone clerk.

In the General Convention of Royal Burrows, holden at Edinburgh, the tenth day of July 1730 years,

The which day, it being represented to the convention by the commissioner for the burgh of Taine, that the said burgh laboured under a great inconveniency, by reason the sett of their burgh did only allow them to elect two baillies, so that the town was sometimes without a magistrate, by reason of their occasional absence; which being considered by the convention, they grant warrant to the town council of the said burgh to elect a third baillie at their next annual election, and in time coming, in case they shall think proper; and appoint this to be recorded with the sett of the said burgh.—Extracted, &c.

JOHN DUNDAS.
J. W.

D Y S A R T.

IN the first place, the council consists of two baillies and ane treasurer, and of twenty-one counsellors, consisting of maltmen, merchants, seamen, and tradefmen, and each of the said counsell yearly leets two, and the whole counsell by votes chooseth one of the two, to be upon the new counsell till the number be full.

Thereafter

Thereafter there is a day appointed for receiving of the new counsell, and qualifying of them conforme to law, being one day or two before Michaelmas, or upon Michaelmas yearly.

The said day, after qualifying and receiving the new counsell, the baillies make their leet, which is six persons leited by each of them, which makes twelve, out of which twelve the baillies, treasurer, and counsell, old and new, chooseth six, and out of which six the two magistrats for the ensuing year are elected.

Thereafter the treasurer leits two to be treasurer, one of which are elected by the baillies and counsell for the ensuing year. Extracted by me upon the first day of July 1710 years. *Sic subscribitur*, W. Pitullo clerk. Extracted, &c.

JOHN DUNDAS.
J. W.

K I R K A L D Y,

Conforme to ane Decreet-arbitral, pronounced by the Earle of Rothes, in July, 1662 years.

IN the first place, for the better government of the said burgh in all time coming, we decern and ordain, that the town counsell of the said burgh shall consist of twenty-one persons, to witt, ten who are, or have been sea-faring men, eight who are, or have been trafficking merchants, and three craftsmen, who, beside the haill deacons of crafts, shall vote in the yearly electione, which craftsmen are to be elected be the counsell, and out of eight persons promiscuously of sea-faring men and merchants, of the said number of twenty-one persons, there shall be chosen the provost for the year to come, two baillies, dean of gild, and treasurer; and ordains the present counsell to elect and choise the haill twenty one persons, and in all time thereafter, the old counsell to choise the new; and thereafter, the old counsell and new, with the whole deacons of crafts for the time being, to convene yearly at their ordinar time of election, and leet, choose, and elect, the said magistrats, baillies, dean of gild, counsell, and other officers of the burgh, who shall bear rule for the year to come; and, if any craftsman exercising merchandize, for his good qualities shall be promoted to the office of magistracy, in that case, he shall leave his craft and not occupy the same be himself nor his servants during the time of his office, and shall not return thereto without he obtain special licence of the provost, baillies, and counsell, for that effect. *Item*, Ordains, that there be a gild counsell presently elected within the said burgh, and that the said dean of gild be one that hath carried the office of magistracy formerly, and his counsell to consist of six, besides himself, and that the said dean of gild and his counsell be now and in time coming, elected and chosen as the rest of the magistrats at the time, and in manner above written, and that there be three of the number of craftsmen gild brethren, qualified to be so, according to auditor in shipping hereafter expresst; decerns and ordains, that any of the said number be elected and chosen to be one of the said six of the gild counsell yearly, in time coming. *Item*, Decerns and ordains, that no manner of persone be chosen provost, baillies, dean of gild, or treasurer, of the said burgh, (suppose they be burgeses, and able therefore) without they have been one year or two upon the counsell of before, and for avoiding of factions, that none be upon the counsell above two years together, except they be office-bearers, and so by virtue of their office in the counsell. *Item*, That none be elected deacon of any craft, except that he hath been one master of his craft two years at least, and that none of them be continued in their office of deaconship above two years together. Extracted furth of the publick records of the said burgh, by me, *sic subscribitur*, Pat. Cunninghame, clerk. Extracted, &c.

JOHN DUNDAS.
J. W.

At Edinburgh, the twenty-ninth day of August, 1721 years, wee, the committee of the royal burrows, judges arbitrators chosen by James White present provost of Kirkaldie, as having power, warrand, and commission, from the magistrats and town council of the said burgh, conform to ane act of the town council thereof, dated the eight day of July last, 1721 years, for himself, and the saids magistrats and council on the one part, and James Oswald of Dumykeir, merchant in Kirkaldie, and Henry Miller of Powrie, chirurgion, and late conveyer there, for themselves, and in name and behalf of several of the burgeses

burgeses of Kirkaldie, by ane commission signed by them on the other part, conform to their submission, dated the eleventh day of the said month of July last, whereby the said parties did submit to the last general convention of the royal burrows, or their said committee, their decision and final determination, the differences betwixt them contained in ane petition, given in by the said James Oswald, and others, to the said last general convention, as the said submission more fully bears. And the said committee, judges arbitrators, having accepted the said matters debatable upon them, and they being therewith well and ripely advised, and after full hearing of both the saids parties, and consideration of the matters laid before them, find, that the qualification of having five hundred merks in shipping, is not required of those who are councillors and magistrats in Kirkaldie, by the decreet-arbitral, which serves the burgh in place of a sett, but that it is only required of those who are admitted gild brethren, and that the said qualification, even as to gild brethren, was never in observance. As to the second point of the petition, relating to the conveyer's being in use to present a list of three trades councillors, and the council's being in use to receive them; find the same not proven. As to the third point of the petition, find it was irregular on the part of the town council of Kirkaldie, to receive a deacon of the taillors presented to them by the conveyer, and his council, and not elected by the incorporation of the taillors. As to the fourth part of the petition, find, that frequent debates has happened in the election of the magistrats, and particularly of the dean of gild, through not observing strictly the said decreet or sett; and therefore, all in one voice, after mature deliberatione, having God and a good conscience before their eyes, they pronounce and give furth their sentence and decreet-arbitral in manner following, to witt, we hereby ordain, that the said town council shall not, in time coming, receive any deacon, but such as are chosen by their respective incorporations, in manner provided by the said decreet, and hereby discharges the conveyer and his council to choose any deacons in time coming; and furdur, ordain the magistrats and council of Kirkaldie, to have a special regard, in the election of the magistrats, to the rules prescribed by their said sett, particularly, to elect the saids magistrats and dean of gild out of the number of eight; and lastly, we decern and ordain the election of the magistrats and town council of Kirkaldie to subsist. (Signed) Jo. Wightman praefes, John Drummond for Rothesay, Geo. Irving for Sanquhar, T. Nimmo for Inverary. Extracted, &c.

JOHN DUNDAS.
J. W.

NOTE.

- GUILDRY, none.
- HERITORS, who are not burgeses; the committee cannot condescend on any.
- INCORPORATIONS, seven; and the number of members connected with them about 93.
- INHABITANTS, about 2000.

B U R N T I S L A N D.

AT Bruntisland, the fourth day of July, 1709 years; whereas, by ane act of the general convention of royal burrows, made in July last, each royal burgh within this kingdome was appointed to send up their sett to the clerks of the burrows, to be recorded in a particular book to be kept for that very purpose, to the end any question about their respective setts may be quickly discut upon producing the said book, and that betwixt and the next convention. In obedience thereto, know, that the sett of the said burgh of Bruntisland consists of twenty-one persons, whereof fourteen are termed gild councillors, (albeit they never had a gildrie) consisting of merchants, skippers, seamen, maltmen, and land-labourers; out of which, three are chosen yearly at Michaelmas, by the old and new council, to be baillies, and the other seven are trades oouncillors, being each of ilk trade, to witt, a smith, a wright, a baxter, a cordiner, a taylor, a flesher, and a weaver; and the three baillies being sua chosen out of the gild council, the whole council consists still of twenty-one persons, whereof three baillies, and eighteen counsellors, whereof eleven gild counsellors, and seven trades counsellors, and if the provost be a nobleman he is supernumerary of the sett, being twenty-one; but if the provost be a burger, he is inclusive of the said sett, and he is also chosen yearly at Michaelmas one of the gild counsell, by the old and new council, before they proceed to the election of the baillies, and then there are only two baillies that officiate with him; but there has been no burger provost thir sixty or seventy years bygone. That this is the sett of the said burgh of Bruntisland, is attested by me, *sic subscribitur*, Jo. Seton clerk.

Within

Within the convention of royal burrows, holden at Edinburgh, the seventh day of July, 1722 years, The which day, the convention having considered two memorials from the burgh of Bruntisland, the one from the greatest number of the inhabitants, subscribing; the other from a great many of the members of their town council, desiring several rectifications in the sett of their said burgh; and the convention having heard the said rectifications proposed; and the two contending parties in the said burgh being called in, and no objections made against the said particular rectifications, and the convention having seen their council books, and it not appearing from them that the former sett was sufficiently warranted from the said books, nor from the laws regulating the elections within burgh, they statute and ordain, that in all time coming, they shall observe the alterations following, viz. (1^{mo}.) That none be capable of the magistracy but merchants and actual traffickers, bearing scott and lott within the said burgh. (2^{do}.) That no magistrates be continued longer than two years at once. (3^{do}.) That three of their gild council be annually changed. (4^{to}.) That no deacon shall continue above two years together, and that the deacons be annually chosen upon the Thursday preceeding the election of magistrates, at ten in the forenoon, at the usual place of their elections; and appoints these alterations to be inviolably observed in all time coming, as a part of the rules for their elections, to take place at Michaelmas next; and ordains the clerks of the royal burrows, to transmitt ane extract hereof to the magistrates of the said burgh. Extracted, &c.

JOHN DUNDA'S
J. W.

NOTE.

The COUNCIL, at present 22. Many of the present council do not reside in the burgh.
GUILDRY, 14 in number.
HERITORS who are not burgeses, about 40.
INCORPORATIONS, seven; and the members connected with them, exclusive of journeymen and apprentices, are about 36.
INHABITANTS, about 1500.

K I N G H O R N .

AT Kinghorn, the thirty day of June 1710 years; the which day convened in council, Robert Bruce and John Aiken baillies, James Houggan treasurer, William Birrell, Thomas Kirkaldie, David Valling, John Houggan, John High, Andrew Rattray, John Gourlay, John Douglas, councillors, and David Laiverock and Charles Boswall deacons.

The magistrates, council, and deacons of crafts, unanimously ratifies and approves of the following articles of a sett, to be extracted and sent over to the clerk of the royall burrows with their commissioner.

Imprimis, The council, consisting of merchants, faillors, and brewers, to the number of seventeen and five deacons, declaring that the saids two baillies, treasurer, and council, be constant residents, traders, and traffiquers within the said burgh.

Item, Out of the said number of seventeen, the provost and two baillies are chosen yearly.

Item, The council, with the deacons of crafts, meets upon the Munday immediately before Michaelmas in the tolbuith, and there, by leiting and voting, chooses six new councillors in the room of six that goes off yearly.

Item, The baillies gives out a leit of two persons to be provost, who is chosen by plurality of votes of the haill council and deacons of crafts.

Item, The baillies also gives out a leit of two persons to be baillies, and the council adds other two thereto out of the said number of seventeen, which are chosen by plurality of votes, and the haill old and new councillors and deacons of crafts.

Item, Upon Wednesday immediately after Michaelmas, the haill old and new councillors, and deacons of crafts, meets in the tolbuith, betwixt ten and twelve in the forenoon, and; by plurality of votes, elects and chooses the provost and the two baillies, declaring always that the said two baillies shall not continue longer then two years in the office of bailliarie.

Item, Out of the haill council and deacons of crafts, the treasurer is chosen by a leit and plurality of votes at Martinmas yearly, who continue only two years in that station; *sc. subscribitur*, Ro. Bruce, John Aitken. Extracted out of the council books of Kinghorn, by me, *sc. subscribitur*, Geo. Ireland clk.

JOHN DUNDA'S
J. W.

AG.

Act of the Royal Burrows, ratifying an alteration in the Sett of the Burgh of Kinghorn.

In the general convention of the royal burrows of Scotland, holden at the burgh of Edinburgh, upon the twelfth day of July 1769 years, by their commissioners therein convened; the which day, there was presented and read to the convention, a petition from the burgh of Kinghorn, representing, that, by the sett of the borough, the election of the provost and baillies takes place upon the Wednesday immediately after Michaelmas, and the manner of chusing the provost is by a leit of two persons at that time named by the baillies, out of which list the provost is chosen by the plurality of votes of the whole council and deacons of crafts: That it was unnecessary to enquire what may have been the original motives of giving the two baillies the sole nomination of the provost, contrary to the practice of every other burgh of Scotland, and particularly inexpedient in this borough, where one baillie at least is, for most part, a seafaring man; so that, by many accidents, the election of a provost might be entirely disappointed: That to remedy this inconvenience, an overture was proposed in the year 1744, that the majority of the council should have power to add a third person to the baillies leit, out of which the provost was to be chosen; and this overture was upon the second of July 1744 unanimously approved of by the council; and this practice has continued ever since, but has not hitherto received the approbation of the convention, though from the beginning it was intended to apply to the convention that their authority might be interposed, for rendering the said act more effectual, and which, by an act of council of the said burgh, of date the tenth inst. it is particularly recommended to their commissioner and assessor to this convention, to lay the same before the boroughs, so as to obtain their approbation thereof, and praying that the convention, in consideration of the premises, would approve of the act of council of the second of July 1744, authorizing the addition of a third person to the leit of two named by the baillies for the election of a provost, and declare the said act of council to be a part of the sett of the burgh; which being considered by the convention, they unanimously approve of the foresaid overture and act of council, past in the 1744, and declare the same to be a part of the sett of the burgh of Kinghorn in time coming, and appoint it to be engrossed in the record for the setts of the boroughs for behoof of all concerned; and that the clerks to the convention, in giving out extracts of the sett of Kinghorn, do insert the above mentioned acts as part of it in all time coming: And of which acts of council the tenor follows:—Kinghorn, the twenty-fifth day of June 1744 years, federunt, Robert Bruce of Grangemyre provost, Robert Hamilton junior, shipmaster, Baillie David Herd treasurer, John Craig senior, Richard Buist, William Demperston, Robert Baxter, James Gibson, John High, William Turpie, Henry Miller, Robert Hamilton senior, John Demperston councillors, David More, John Thomson, James Orrock, deacons of crafts. The magistrates, council, and deacons of crafts, considering, that whereas, by the fourth article of the sett of this burgh, ratified by the convention of burroughs, and recorded in the borough court-books, it is fixed; that the election of a provost and baillies shall be upon Wednesday immediately after Michaelmas, and that the baillies shall give out a leit of two persons, one of which to be elected provost; wherefore it was moved, that an act be made to amend this article, in so far as it shall be in the power of the majority of the council then mett, to add a third person to the said leit, out of which the provost is to be elected; and that this amendment may be laid before the ensuing general convention of boroughs to be by them approven of, if need be. Kinghorn, the second day of July 1744, federunt, Robert Bruce of Grangemyre provost, Robert Hamilton junior, and David Gilchrist shipmasters, baillies of Kinghorn, David Herd treasurer, Robert Hamilton senior, Henry Miller, Robert Baxter, William Demperstone, John Demperstone, John Craigie, Richard Buist, David Dalgleish, councillors, David More, John Aitken, James Orrock, and John Thomson, deacons of crafts; this day the overture anent the majority of the haill council, mett at the election of the magistrates, having a power to add or eike (two persons elected by the baillies to be provost), one person more unanimously approved of by this meeting. Extracted from the council minutes of Kinghorn by (signed) Jo. Mason, cl. dep. Kinghorn, the tenth day of July 1769 years, federunt, Robert Hamilton provost, Baillie Higgle, Baillie Lighton, John Sanders, William Menzies, Malcolm Currier, William Reid, Thomas Tosh, George Smith, James Rolland, Alexander Kirkaldie, James Robertson, counsellors, Andrew Crumbie, David Kellock, George Withart, deacons. The provost overtured to the council, that they would consider the amendment offered to the fourth article of the sett of this burgh, which relates to the leit for the provost, made upon the twenty fifth of June 1744 years; which motion was unanimously approved of by the council on the second of July thereafter; and as the said act has never yet been laid before the convention of boroughs for their approbation, and held as part of the sett of this borough, the said overture and act above mentioned, with the article of sett referred to, being read and considered, with the declaration of several of the present members, that from the 1744

to the last election, the council have been uniformly in use, either to approve of the baillies leet as it then stood, or to add one thereto: All which being read, considered, approved, and signed by their appointment, and in their presence, they do unanimously recommend to the commissioner and assessor, to apply to the ensuing general convention to obtain the said approbation to the above mentioned act. Extracted furth of the council minutes of Kinghorn, by (signed) Jo. Macon C. Dep. Extracted, &c.

JOHN DUNDAS.
J. W.

N O R T H B E R W I C K .

THE ordinar council consisting of twelve persons, merchants, and tradesmen, inhabitants, burgeses, viz. two baillies, one treasurer, two old baillies, old treasurer, and six councillors, convenes the first council day immediately preceding Michaelmas, and appoints the first Tuesday after Michaelmas for electing their magistrates and council for the ensuing year. Upon the first Tuesday after Michaelmas, the council being convened, they leit four of the most knowing and substantial inhabitants burgeses, out of which, by plurality of votes, they elect two to officiat as councillors the ensuing year, who, at their acceptance, are qualified conform to law. The two new councillors being qualified and convening with the old council, the council, then consisting of fourteen persons, merchants and tradesmen, proceed to the election of their magistrates for the ensuing year, which is as follows, viz. 1^{mo}, They leit four of the nine old councillors, whereof, by plurality of votes, two are elected to serve as baillies for a year, who, at their acceptances, takes the oaths conform to law. 2^{do}, They leit two of the remanent old council, whereof they elect one to serve as treasurer the said year, who, upon his acceptance, is qualified. 3^{tio}, The magistrates being thus elected, they depose two of the remaining old councillors, so that the magistrates, old magistrates, two new councillors, and four old councillors, making up the ordinary council, consisting of twelve persons, have the sole government of the burgh for a year. Extracted forth of the council books of burgh of North Berwick, by me, sic subscribitur, Geo. Simpson clk. Extracted, &c.

JOHN DUNDAS.
J. W.

C U L L E N .

In the first, the council consists of three baillies, ane dean of gild, and treasurer, and twenty-one councillors, being heritors, merchants, in all, and tradesmen, and each of the council yearly leits two, and the whole council by votes choseth one of these two to be upon the new council till the number be full. 2^{do}, Thereafter there is a day appointed for receiving the new council, and qualifying of them conform to law, being ordinarily upon Michaelmas day, or two or three days sooner. 3^{tio}, The said day, after qualifying and receiving the new council, the baillies makes their list, which is in number four persons, listed by each of them, making twelve in all, out of which twelve the baillies, dean of gild, treasurer, and council, old and new, chose six, out of which six the three magistrates for the ensuing year are elected. 4^{to}, Thereafter the dean of guild and treasurer, each lists two, out of which first number the dean of gild is, and out of the last the treasurer elected for the year ensuing by the hail magistrates and council. Extracted furth of the town court books of the said burgh, upon the twenty-seventh of September 1711 years, by me, sic subscribitur, Tho. Murray clerk. Extracted, &c.

JOHN DUNDAS.
J. W.

J E D B U R G H .

J E D B U R G H .

THE way and manner of the annual election of the magistrats and council of the burgh of Jedburgh is as follows, viz. the council consists of twenty-five persons, to witt, a provost, four baillies, dean of gild, and treasurer, there being eight trades who choose their deacons yearly, four of these deacons are always upon the council, the conveener being always one of the saids four; the rest of the council consists for the most part of merchants and other inhabitants, of severall employments, not being tradesmen; for no tradesmen are allowed to be upon the magistracie and council, except the four council deacons. The election is ordinarily upon the twenty-seventh, twenty-eight, and twenty-ninth days of September yearly. Some days before, to witt, upon the twenty-third and twenty-fourth of the said month of September, the provost convenes the council for the intaking of the treasurer's accompts for the preceeding year, and for electing and leeting of the new council and deacons of crafts for the year to come, and which with the old council there being eleven chosen out of the two and twenty for the new council, and eight deacons of crafts, making up in the hail with the old council, the number of forty-four persons which elects the provost, four baillies, dean of gild, and treasurer, for the ensuing year. These being sua chosen and elected, the eight deacons are removed from the council table, and, being removed, the old and new council elects four of these to be upon the council for the ensuing year; thereafter the old and new council is all removed, except the magistrats, dean of gild, and treasurer, who puts out four of the old council, and takes in four of the new council in their room; thereafter the eight trades convenes and chooses one of the four council deacons to be their conveener. This is the true sett of the burgh of Jedburgh. Extracted furth of the records thereof, upon the twenty-eight day of June 1709 years, by me Thomas Cranston notar publick, town clerk of the said burgh; sic subscribitur, Tho. Cranston. Extracted, &c.

JOHN DUNDAS.
J. W.

N O T E .

Guildry, about 80. Heritors, not burgeses, about 30. Incorporations, 8; and the individuals composing them are about 147. Inhabitants, about 2000.

H A D I N G T O U N .

AT Hadington, the 13th day of November 1658 years; the which day, the provost, baillies, and council, old and new, and deacons of crafts, with their counsellors old and new, being convened, and taking to their consideration the settlement of all debates touching the dependance before his Highness' counsell in Scotland, betwixt the counsell and craftsmen, anent the leiting and electing the magistrates and ordinar counsell of the said burgh, conform to and in obedience of his Highness and counsell, their recommendation and advice for preventing future debates, have finally agreed as follows, viz. That, conforme to the act of burrows, dated at Edinburgh the 10th day of July 1655 years, the ordinar federunt of the counsell of said burgh consist of twenty-five persons, whereof sixteen merchants, qualified conforme to the act of distinction made by David Wilkie dean of gild of Edinburgh, and John Miln burges there, at Hadington the 9th day of October the said year, and ratified be the general convention of burrows holden at Hadington in July 1656 years, and no other wayes, and nine tradesmen, out of which the magistrates and treasurer are to be chosen, in manner specified in the said act of burrows, and distinction respectively; and that, at the leiting and electing of the magistrates, there be twenty merchant-counsellors, whereof sixteen old counsellors and four new, which four merchand counsellors are to be chosen yearly be the provost, baillies, treasurer, and old merchant counsell alenerly; and eleven tradesmen, which are to consist of seven deacons, tuo old counsellors and two new, the baillie for the crafts being one, and he who was baillie for the crafts before the then present baillie to be another, for a year after he comes off the bailliary, and longer, if the crafts shall be pleased to continue him, with other tuo to be chosen by them, of which eleven the tuo (by these tuo, viz. the present crafts baillie, and he who last was crafts baillie immediately before, or otherwise to be chosen by the crafts) are to be removed after leiting and electing the magistrates and treasurer, and the deacons of these trades, whereof the crafts baillie and counsellor, are

R

or shall be chosen, also to be removed frae and off the council, sua that there be seven deacons, one baillie, and one counsellor for the crafts, in the ordinar federunt of the counsell of the said burgh, which, with the haill merchant counsellors, makes up in the haill twenty-five persons, in the said federunt; and, at leiting and electing, there be thirty-one persons qualified, and elected in manner above written; and that four of the old merchand counsellors be put off after the electione yearly be the magistrats, thesurer, and new merchand counsellors for the time, and the tuo crafts counsellors to be removed in manner foresaid; *sic subscribitur*, W. Slatown provost, Richard Chaplane baillie, Ja. Forrest baillie, D. Ryll baillie, David Wilson treasurer, John Cockburn, P. Young, John Sleich, Geo. Brown, Geo. Forrest, J. Aytoun, Geo. Cockburn younger, G. Paterfon, Robert Gray, Thomas Spottfwood, Ro. Forrest, James Spottfwood, Geo. Learnmont, Geo. Wilson, A. Swintoun, James Thomfon, James Edingtoun, John Thomfon, John Bower, Patrick Cockburn, Thomas Kyll, John Vallange, John Douglafs, Robert Wallace, George Bathgate, Mr James Gray notr. publick, subscribe at command of John Warrender and William Kirkwood, who cannot write as they affirmed, witnessing hereto my signe and subscription manual, used and wont. Extracted furth of the council books of the said burgh, be me Patrick Sleich notar. publick, common clerk of the said burgh, witnessing my sign and subscription manual used and wont; *sic subscribitur*, P. Sleich cl. Extracted, &c.

JOHN DUNDAS.
J. W.

D U N B A R.

AT Dunbar, the 7th day of July 1712 years, the which day the magistrats and council of the said burgh being convened, and having considered ane act of the royal burrows of this kingdom, appointing the magistrats and council of each burgh to send up, with their respective commissioners to the general convention presently mett at the city of Edinburgh, the sett of their magistracy and council, with the manner of their election; they found and declared, and hereby finds and declares, that the sett of the magistrats and council of this city consists of a provost, three baillies, ane treasurer, and fifteen councillors, whereof nine is declared to be a quorum; and that the manner of their election is thus: 1^{mo}, The magistrats and council of the said city, the week before or after the term of Michaelmas yearly, being convened in their council, do nominate and putt upon a leet to be counsellors, the number of eight persons, out of which number they elect and choise four, to be new councillors for that ensuing year, whom they cause call for and administrate the oath to them, in the terms of the acts of parliament, and then admit them, who accordingly take their seats. 2^{do}, The old and new council proceed to the election of the magistrats, and nominates and puts upon the leet to be provost, two persons, and to be baillies, six; out of which number they elect and choise ane provost and three baillies, who are received, sworn, and admitted *ut supra*, and then take their places. 3^{do}, They putt upon the leet to be treasurer, two persons with the old treasurer, out of which number they elect and choise one to be treasurer for the said ensuing year, who is also received, sworn, and admitted, and takes his place at the term of Michaelmas thereafter. 4^{to}, and *lastly*, The old and new magistrats and treasurers do meet and convene, at any time betwixt and the next council day, and discharge, by plurality of votes, such four persons of the old council (in whose place the four new councillors are chosen) as they think fitt, and do give orders to their clerk of court to give to the officers a list of the old councillors continued, and of the new chosen, that they may warn accordingly when they are commanded by the magistrats; but, of late years, since the decay of this city, and trading therein, the magistrats and council thereof have not been in use to chose a provost, although, by their constitution, they have full power and warrand; so that the magistracy just now consists only of three baillies, ane treasurer, and fifteen councillors. Extracted furth of the records of the said burgh, by me, *sic subscribitur*, W. Ancrum clk. Extracted, &c.

JOHN DUNDAS.
J. W.

L A U D E R.

L A U D E R.

IN the *first* place, there is two baillies, who are chosen annually at Michaelmas: *Item*, There are fifteen councillors, whereof the treasurer of the burgh is one: *Item*, These fifteen councillors, with four other new ones chosen by the baillies and council, eight days before Michaelmas head court, makes a leit of four of their number to go out with the present magistrats, and elects the baillies for the ensuing year out of that number, whereby the old magistrats may continue: *Item*, After the baillies are chosen and qualified, by taking the oaths conform to law, then they elect eleven of the old council, to continue for the ensuing year, whereof the old baillies (if there be any change of them) are a part, and thir eleven, with the four new ones, make up the fifteen: *Item*, The treasurer is chosen yearly; but he, as well as the baillies, may be elected of new. This is extracted out of the town-court books, by, *sic subscribitur*, A. Henderson clerk. Extracted, &c.

JOHN DUNDAS.
J. W.

K I L R E N N Y.

BY the sett of the town of Kilrenny, the town council consists of fifteen persons, viz. Three baillies, the treasurer, and eleven burgeses. The election proceeds after this manner: Three days before the third Thursday of September, which is the day prefix for the said election, the baillies cause their town-officer, by tuck of drum, make intimation to the haill inhabitants, requiring all the habile burgeses within the burgh to repair to the tolbuith upon the prefix day, and there give their respective votes in the election of baillies and treasurer for the ensuing year, (it being the custom of the said town, ever since its erection into a royal burgh, to elect their baillies by a vote of the haill burgeses that will qualify, in the terms of law;) in obedience to which intimation, the haill burgeses convene accordingly, about nine o'clock in the morning; but, before election, the old baillies and council convene within the council-house, and take in the treasurer his accompts of intromission with the town's patrimony that year; which being done, and he discharged, they immediately nominate a new council for the year ensuing, and thereafter ordain all the burgeses that are to vote to qualify themselves according to law; which being also done, they proceed to elect; and, first, the baillies give in their leit of nine persons, whereof they themselves are always three, out of which they are to choise the three baillies for the year ensuing; and the treasurer gives in his leit of three persons, whereof he himself is always one, out of which they are to elect their treasurer for said year: Which being read over in presence of the council, and approven of by them, the same is read publicly, in audience of the haill burgeses that are to vote. This being done, the clerk is appointed to sitt within the council-house, and mark the votes, (there being always one of the council appointed to oversee his right marking;) and accordingly, first the baillies, then the council, and thereafter the haill qualified burgeses, one by one, give their several votes for the baillies and treasurer for the said ensuing year; and the persons chosen by plurality of votes, together with the new council, immediately convene within the council-house, and accept of their respective offices, and give their oaths *de fidei administratione*, the same being tendered to the three baillies by the clerk, and by them first to the treasurer, and then to the council; which being done, they adjourn. This form and manner of election hath always been practised, and made use of within the said town of Kilrenny ever since the erection thereof into a royal burgh, as will appear by the records of council thereof. Extracted furth of the said records, upon the 5th day of September 1710 years, by me, *sic subscribitur*, Jo. Paton clk. Extracted, &c.

JOHN DUNDAS.
J. W.

N O T E.

HERITORS, about 30.
BURGESSES, about 60.

C R A I L L.

C R A I L L

AT the burgh of Craill, the ninth day of June, 1711 years, federunt, John Bethun, Thomas Mercer, and George Drummond, baillies, John Brydie treasurer, John Paterfon, Thomas Young, George Robertson, John Corfar, John Tarvit, David Horsburgh, James Dron, and James Cunningham, councillors. The samen day, the saids baillies and councillors, taking to their consideration, that heretofore there hath been no formal sett of the constitution of this burgh, and finding it just and reasonable; that in all time hereafter, the sett and constitution underwritten shall be punctually observed, viz. the town council of this burgh to consist of three baillies, one treasurer, and seventeen councillors, whereof six tradesmen, the conveyer included, making in haill twenty-one; and that at every election of the magistracy, there shall be three councillors changed, two merchants, and one craftsman; and on the Monday preceeding Michaelmas next ilk year, the saids baillies, treasurer, and council, shall chose two merchants, and one craftsman, making in haill twenty-four, and thir persons to be called a new council, and this new council shall proceed to the chosing of the leits to the baillies and treasurer; and upon the Wednesday immediately preceeding Michaelmas yearly, there shall convene the saids twenty-four persons, of new and old council, and with them the deacons of crafts, which are not on the council, extending to seven persons, viz. hammermen, squaremen, weavers, taillors, cordiners, coupers, and baxters, the haill persons so convening extending to thirty-one, whereof seventeen merchants and fourteen tradesmen, whilk persons shall begin at the leit of the baillies, and give their votes to such as they think meet, for the good of the town according to their knowledge, but fide or favour; and so to proceed to the leit of the treasurer in manner above written, the saids baillies, treasurer, and council, elected as said is, making in haill twenty-one persons, they only and no others shall have the full government and administration of the common good of this burgh in all things; as the baillies, treasurer, and council thereof, or of any other burgh had before, or may hereafter have, by the laws and custom of this kingdome, or by priviledges granted to this burgh by our Sovereigne Lady, and her noble progenitors. The whole burgeses within this burgh being cited by publick intimation with tuck of drum, and the burges roll called, the whole burgeses who compeared gave their unanimous consent to the above written sett; and therefore, the saids baillies and council statut and ordained, and statuts and ordains, that the said sett and constitution shall be punctually observed in all time hereafter. Extracted per me, sic subscribitur, Geo. Dischingtoun, clerk.

In the General Convention of Royal Burrows, holden at Edinburgh, the eight day of July, 1742.

The which day, the commissioners for the burgh of Craill, presented a memorial, with an extract of some acts of council, whereby it was enacted, that no baillie or treasurer should continue in their respective offices more than two years successively, and therefore the convention were humbly entreated to approve of the foresaid acts of the burgh of Craill, in order to prevent all contraversies in time coming. Which being considered by the convention, they approve of the said acts of council, and appoint them to be observed as a rule in all time coming; and appoint the said acts to be recorded in the burrow books, after dissolving of this convention. Extracted, &c.

JOHN DUNDAS.
J. W.

A N S T R U T H E R - E A S T E R .

BY the sett of the town of Anstruther-easter the town counsell consists of nineteen persons, viz. three baillies, the treasurer, and fifteen burgeses, being merchants and other tradesmen. The election proceeds after this manner; about the beginning of September, the baillies call a counsell, and appoint their election of baillies, treasurer, and counsell, for the ensuing year, to be about the middle of September, upon the fourteenth or fifteenth day thereof; and, after the election is appointed, they cause the town officer, three or four days before the prefixt day, make intimation thereof to the haill inhabitants

habitants by tuck of drum, requiring all the habile burgeses to come and give their several votes in the said election, (it being the custome of the said town, ever since its erection into a royal burgh, to elect their baillies and treasurer be the pole, and the haill burgeses that will qualify in terms of law to have a vote there.) In obedience to which intimation, the haill burgeses convene accordingly in the tolbooth, about nine o'clock in the morning, but, before they proceed to elect, the baillies and counsell meet in the counsell house, and nominate four new counsellors, for whom they putt off four of the old counsell; thereafter, they ordain the haill burgeses, before they can have a vote, to qualify themselves according to law, which being done, the three baillies give in a leet of nine persons, whereof they themselves are always three, out of which number they are to choise the three baillies for the ensuing year; and the treasurer gives in a leet of three persons, whereof he himself is always one, out of which number they are to choise their treasurer for said year. Which leets being read over in presence of the counsell, and approven of by them, the same is read publickly in audience of the haill burgeses that are to vote.

This being done, the clerk is appointed to sit within the council house, and mark the votes, (there being always one of the counsell appointed to oversee his right marking) And accordingly, first the baillies, then the counsell, and thereafter the haill qualified burgeses, one by one, give their several votes, for the baillies and treasurer for the said ensuing year, and the persons chosen by plurality of votes, (after publication of their names,) together with the council, immediately convene within the council house, and accept of their respective offices, and give their oaths *de fidei administratione*, the same being administrate to three baillies by the clerk, and by them, first to the treasurer, and then to the fifteen counsellors, five after five; and thereafter, if they have no other publick business of the town's, they immediately adjourn. This manner of election hath always been practised within the said burgh of Anstruther-easter, ever since the erection thereof in a royal burgh, as will appear by the records of council thereof. Extracted forth of the saids records, upon the seventeenth day of June, 1710 years, by me, sic subscribitur, Jo. Paton, clerk. Extracted, &c.

JOHN DUNDAS.
J. W.

A N S T R U T H E R W E S T E R .

THE oldest records and registers I have seen, giving account of the way of electing magistrats and councillors in this burgh, is in the year 1644, by which the old baillies and councillors first choses the new council, and then both new councillors, and also the old, or at least it seems them that are continued on the council choses the baillies. Untill the 1658, I do not see any treasurer chosen, nor any particular leet of bailliary or of treasurer recorded: The number of baillies ordinarily three; the number of council, consisting of baillies and councillors, variable. I see sometimes twenty, twenty-two, twenty-four, and sometimes ten, eleven, or nine. The leit of baillies ordinarily nine, if not the same persons and number with the council, though variable: The leit for treasurer ordinarily three. It seems there has been no settled clerk betwixt the 1658 and 1662, when, upon the twenty-fourth of May 1662, (Andrew Simson clerk of Anstruther Easter being upon the third of Aprile before chosen and admitted their clerk), he records an act of council, wherein, upon consideration, that through the want of ane certain and settled clerk, several years then before many and several acts of council, admission of burgeses, sasins and infestments, and other things done and granted by this burgh, then stood unrecorded, the council orders him to record them, wherein, and in which time, is the first treasurer I find admitted in the administratione. When also, by another act of council, they appoint James Brown to meet at the parliament, and to supplicat the commissioner to dispense with the not attendance of its representative, because of their inability. In the 1663, their election of magistrats then seems to admitt burgeses to vote, and down to 1671, (at which time it seems Andrew Jamieson their clerk died), in which time I find the number of councillors frequently very small, particularly 1668, I find only nine in all baillies and council, and them they then continue; by which it appears they have had but few inhabitants to chose on, and so to have been advised to do by Andrew Simpson their clerk, as was the manner in admitting burgeses to vote in Anster Easter, either of which I shall not determine. Betwixt 1671, and 1689, I find no records, thirteen years at least of that time this burgh having been out of magistracy. Upon the fourth of September 1689 years, the old baillies and councillors, burgeses, and inhabitants, being convened within the tolbuith of the said burgh, and considering

S

considering that a long time, at least for the space of thirteen years, this burgh had been without magistracy, occasioned by the low condition it had been reduced to, and the heavy burdens lying thereupon; and that the sad and desolate condition of this burgh having been represented to the general convention of the royal burrows of this kingdom, mett at Edinburgh upon the first Tuesday of July then last, they had been pleased to take the desolate case and condition of the said burgh into their consideration, and to ease the famen of four parts of five of the publick burdens imposed and to be imposed thereon, upon condition the inhabitants would meet and make a new election of magistrats for ruling and governing the same, and a new councill in time coming. The then late baillie, councill, burgeses, and community from thence, were then encouraged to go into a new election, and, by degrees, get some venture upon their offices, and accept, and then give their oaths *de fidei administratione*; by which I find they then make a leet of baillies out of them, consisting of nine persons, and three for treasurer; and so ever since they go on yearly, the old council choosing the new councill, and the new, after acceptance and qualifying, choosing the baillies out of them with the old, and the treasurer also; and no burgeses seems, after 1671, admitted to vote: And, in the present administration, the old baillies, *ex officio*, continue councillors always the year after their going off from being baillies. Their election seems, all this time, to have been in the month of September yearly, but no particular day thereof by another. None are admitted and chosen councillors untill first they be burgeses. Extracted by me, *sic subscribitur*, John Cunninghame clk. Extracted, &c.

JOHN DUNDAS.
J. W.

NOTE.

NO GUILDRY, NOR INCORPORATIONS
HERITORS, who are not burgeses, about 30.
INHABITANTS paying cels, about 50.

STRANRAWER.

TOWN Court of the burgh of Stranrawer, holden within the tolbooth thereof upon the eight day of October 1711 years, by the magistrates and haill town councill of the said burgh; the which day the magistrates and town council of the said burgh convened, in obedience to ane act of the royal burrows, do hereby declare, that the under-written sett is the true and real copy of the sett, and accustomed way of the election of the provost, baillies, dean of gild, treasurer, and town council of this burgh, whereof the tenor follows, and is such: The council of the said burgh consists of fifteen burgeses inhabitants, beside the provost and two baillies: They all meet and convene upon one of the lawful days of the ensuing week after Michaelmas, and there the provost and two baillies, or any two of them, doth divide the fifteen councillors into three leits, and each leit consists of five persons, which five persons are removed *per vices*, and it is putt to the vote whether all or either of them be continued councillors or not for the year ensuing; and, in place of any that are not continued, there is immediately the like number of burgeses chosen and called for to make up the haill number of fifteen; and thereafter the magistrates, one or more present, putts three men on the leit as to the provost, and then it is putt to the vote of council, so elected as aforesaid, which of them shall be provost, and he who hath the plurality of votes is elected provost; and, in the next place, they chose four men out of the council to be upon the leit of the baillies, and who hath the plurality of votes, two of the said leit are elected baillies. Likeas it is putt to the vote of the haill councill who shall be dean of gild, and he that hath plurality of votes is elected; and last, two persons of the council is upon the leit for treasurer, and he who hath plurality of votes is elected treasurer. *Nota.* The provost is only continued for two years; and the foresaid magistrates and council ordained their clerk to transmit ane copy of the foresaid act and sett under his hand to the clerk of the royal burrows. Extracted furth of the town court books of the said Stranrawer by me, *sic subscribitur*, J. Paterfon clerk. Extracted, &c.

JOHN DUNDAS.
J. W.

A I R.

A I R.

AIR, ninth July 1713 years; the constitutione and sett of the magistrates of the burgh of Air, and the manner of their electione, is as follows, viz. there is the provost, two baillies, dean of gild, treasurer, ten merchant and two trades councillors, in all seventeen, which are elected at the times and in manner after mentioned, to witt; upon Wednesday before Michaelmas day the saids provost, baillies, dean of gild, treasurer, ten merchant and two trades councillors, meets within the tolbooth, and elect four other merchants and two trades, all of different deaconries and crafts, who are to be members of the council for the subsequent year; and, upon Friday immediately before Michaelmas day, the old and new council, consisting of twenty-three in number, chose and elect the persons who are to be upon the leits for provost, baillie, dean of gild, and treasurer, three persons of the said twenty-three being on the leits for provost, six for baillies, three for dean of gild, and three for treasurer. Upon Monday immediately after Michaelmas day, the said old and new council meet, with the remaining three deacons of the other crafts, consisting in all of twenty-six in number, within the said tolbooth, about ten of the clock before noon, and betwixt and twelve of the clock at noon, elect, out of the saids leits, the provost, baillies, dean of gild, treasurer, with the twelve councillors, four of the merchants, and two of the trades of the old council necessarily falling off. This attested by, *sic subscribitur*, Jo. Hunter clk. Extracted, &c.

JOHN DUNDAS.
J. W.

R O T H S A Y.

THE provost, baillies, and council does meet yearly upon the first Monday after Michaelmas; and the method they follow is, and has been in use these many years bygone, past memory of man. First, They make choice of four of the council, with one of the magistrates, to make choice of the council for the ensuing year, who removes to a place apart, and makes choice and returns and shows what they did. Then, first, they call in such men as are newly chosen, who swears the oath *de fidei*, and qualifys themselves by law, and so proceeds. First, old and new council, with the magistrates, makes a leit of four men to be provost the ensuing year, out of which four they nominate one to be provost, and he who gets manyest votes carries to be provost the year ensuing. Next they make a leit of eight men to be baillies, out of which eight two are nominate baillies, and the two who bears manyest votes are made baillies for the ensuing year, and then adjourns till the Friday thereafter; and then the officer warns the haill new council to meet on Friday, and does not warn if any be sett off. Accordingly, they all meet on Friday, and the first thing is, the magistrates newly chosen gives their oaths *de fidei administratione*; and if any of the new council who were not present the first day, they then compear and swears *de fidei*, and all of them qualifys themselves by swearing and subscribing the oaths ordained by law. Next, the magistrates and council choses their clerk, and qualifys him. The baillies choses their officers and qualifys them, and procurator-fiscal of court, and the magistrats and council proceeds and makes a leit of eight or moe, whereof one to be chosen treasurer for the burgh for the ensuing year, and he who hes manyest votes is chosen treasurer for the year ensuing, to uplift all dues belonging to the town; *sic subscribitur*, Ja. Stewart, Robert Stewart, Da. Glas, Da. Stewart, clk. Extracted, &c.

JOHN DUNDAS.
J. W.

I R V I N E.

THEIR councill consists of fifteen merchants, including the provost, two baillies, dean of gild, and treasurer, and two trades, making in all seventeen: They elect their magistrats, viz. the provost and two baillies.

baillies yearly the first Munday after Michaelmas; and the Friday preceeding they leit the magistrats, and do put two on the leit to the old provost, and four to the two old baillies; and the Friday preceeding that, they elect their new council; and on the Friday after the election of the magistrats, they choose their dean of gild, treasurer, clerk, fiscal, officers, visitors of mercats, berlamen, &c. and are obliged yearly to change two merchants and two trades, and the provost and two baillies are not to continue above two years; which is attested by me this twenty-ninth of June 1710 years; sic subscribitur, F. Francis. Extracted, &c.

JOHN DUNDAS.
J. W.

CAMPBELTOWN.

HIS Grace the Duke of Argyle, who is proprietor of the burgh, by the charter of erection (among his whole other rights, as formerly thereby reserved) has the privilege of giving in a leit of three of the inhabitant burgeses, out of which one is chosen provost, and of six of the other inhabitants burgeses, out of which two are chosen baillies. There is a dean of gild and treasurer, with twelve of a common council yearly, in the burgh, and a water baillie, five stenters, and two collectors of the cefs and necessary stents, with four of the town inhabitants burgeses, for the common and ordinary comprisers, and, of late, two proper men in the place elected for town coupers and packers. The magistrats and council, conform to their charter of erection, do meet yearly on Michaelmas day the 29th of September, if a lawful day, and, if not, on the next lawful day thereafter, in order to their election; and, at meeting, four of the old council are eas'd, four of a new, in place of the old, are elected, and the old magistrats, with the council old and new, chose the new magistrats, dean of gild, treasurer, and other office-bearers, who sometimes do continue for two years together unchanged, (though by annual election continued) but never exceed two years. The two baillies, the whole year after they are eas'd, are admitted of the council, by virtue of their office, the year preceeding, and the provost, though changed, is still a councillor during life; but neither he nor the late baillies are obliged to attend, nor can be fined for absence. The election is made both with respect to Argyle's leit, and of the other office-bearers indifferently, both out of merchants, gentlemen resident, being burgeses at the time, or of tradesmen according to merit, without distinction. The clerk's, fiscal's, and officer's posts are precarious. Upon the Duke of Argyle's leit of nine for baillies, the magistracy and council may choose three baillies out of the nine, by the charter of erection, by which likewise the magistrats are justices of the peace within the town bounds, and do choose two of the inhabitants to serve from half year to half year as constables. Extracted furth of the records of the said burgh, by me, sic subscribitur, Ro. Chalmers cl. Extracted, &c.

JOHN DUNDAS.
J. W.

NOTE.

GUILDRY. Number 12, chosen by the dean of guild alone.
INCORPORATIONS. There were 5 till 1760, when the magistrats called in all their charters, and destroyed them.

WHITHORNE.

THE said burgh is governed by a provost, two baillies, and fifteen town-council yearly, chosen at Michaelmas out of the most deserving, judicious, and best qualified persons within the said burgh. The council, at their annual election, changes three of their number every year, and elects other three in their roome and place; and being so chosen and elected, and having qualified themselves to act conform to law, they make and give in the leit of their provost and baillies, who elect the best deserving and most judicious person of that leit to be their provost for that year till Michaelmas thereafter; and, according to the plurality of votes, he is admitted and received provost, and their clerk administers the accustomed oath to him, and he sits down and takes his place. Thereafter, the provost and council so elected, they chose

two

two of the best qualified men out of the leit of the baillies, and, according to the plurality of votes, they are admitted and received to be baillies of the said burgh till Michaelmas next thereafter, and, after taking their oaths, they sit down and take their place. The provost, baillies, and council, so chosen and received, they give in a leit of their treasurer, and elects the most responsible and best deserving person in the said leit to be their treasurer for one year, till Michaelmas next thereafter, who, according to the plurality of votes, is received, and, after taking his oath, he takes his place. Nota, the provost, baillies, and treasurer are not continued longer than two years together at one time.—At Whithorne, the 29th day of June 1709 years, extracted out of the court-book of the said burgh by me William M'Gowan, common clerk of the said burgh, witnessing hereunto my signe and subscription manual. Sic subscribitur, W. M'Gowan, cl. com. Extracted, &c.

JOHN DUNDAS.
J. W.

NEW GALLAWAY.

AT the royal burgh of New Gallaway, the penult day of October 1711 years, in presence of Samuel Brown of Mollance, lord provost of the said royal burgh; William Nairn and Roger M'Naught baillies thereof, elected for this present year, and councillors of the sames, they being convened in council, anent the eighth article of the missive from the royal boroughs, mentioning, that, by the thirty-eighth act of the general convention, in anno 1708, each royal burgh within this ancient kingdom are appointed to send up their sett to the clerk of the burrows, to be recorded in a particular book to be kept for that purpose, to the end any questions anent their respective setts may be quickly discuss'd, upon producing the said book; in obedience thereunto, we the saids present magistrats and town-council do hereby affirm and declare, that our said burgh has always been in use of, and yet continue in the election of magistrats and councillors in manner underwritten, viz: That our magistracy consists of one lord provost, two baillies, one treasurer, one council consisting of fifteen habile persons within the burgh, with a dean of the mercat, who are elected *ut infra*, viz. The lord provost and baillies elect the first five of the councillors, and the said first five new councillors elect the next five new councillors, and the saids ten councillors elect the lord provost; and two baillies and treasurer, with one dean of the mercat, and one clerk of the burgh, and other servants to serve under them. This being our report, is recorded in our council-books, and desired it may be recorded in the books of the convention of burrows for Scotland. Extracted out of the said burrow court-books, by me Alexander M'Culloch notar-publick, and principal clerk to the said burgh. Sic subscribitur, A. M'Culloch N. P. and Clericus Burgi. Extracted, &c.

JOHN DUNDAS.
J. W.

WIGTOWN.

AT Wigtown, the 24th day of June 1709 years, the whilk day the magistrats and council of the said burgh of Wigtown, taking into their consideratione, That whereas, by the thirty-eighth act of the last general convention of the royal burrows, each royal burgh within this kingdom were appointed to send up their sett to the clerks of the royall burrows, to be recorded in a particular book to be kept for that very purpose, to the end any question about their respective setts might be quickly discuss'd, upon producing of the said book; they therefore, in obedience to the said act, doe hereby testify and declare, that the constant sett of the said burgh has, for the fifteen years bypast, and upwards, consisted of one provost, two baillies, fifteen councillors, and one clerk, the treasurer always being one of the said fifteen councillors; and that the saids magistrats does not continue in their office of magistracy more than two years together, and that, at every annual election, they put off three of their old council, and brings on three new ones

two

two

in their stead, that the whole inhabitants may be the better acquaint with, and understand the burgh's affairs; and, in case any of the saids magistrates and council should depart this mortal life, in the mean time while they were in their office, that their places lay vacant till Michaelmas thereafter, which is the ordinary time of their election yearly; and this is the true sett of the said burgh of Wigtown, these hail years above written, without any alteration; and ordains the clerk to transmitt the extract hereof to the saids clerks of burrows, to the effect the samen may be recorded by them, as said is. Extracted forth of the town-court books of Wigtown, *per me, sic subscribitur*, Alex. Campbell clk. Extracted, &c.

JOHN DUNDAS.
J. W.

NOTE.

NO GUILDRY NOR INCORPORATIONS.

INHABITANTS, including feuars, are about 123, who are heads of families.

P I T T E N W E E M.

IMPRIMIS, the constitution is, four baillies, a treasurer, and nineteen councillors. The old council chooses the new council, the four old baillies and treasurer being alwayes of the number of the leit of baillies.

2do, The leit of baillies consists of twelve, and the treasurer's leit of three, all to be chosen upon any Tuesday after the first Tuesday of September yearly.

3tio, The baillies and council appoints as many auditors of the treasurer's accompts as they think fitt; and the auditors reports the same to the council, to be approven or not, as they see cause.

4to, Every burges, at his admission, gives his oath *in communi forma*. Extracted from the records by me, *sic subscribitur*, Geo. Smith cl. Extracted, &c.

JOHN DUNDAS.
J. W.

S A N Q U H A R,

Made by recommendation in the sixth act General Convention, 1713.

WHEREAS, the last general convention having recommended to the commissioners of the burghs of Dumfries, Kirkcubright, Annan, and Lochmaben, to ascertain a sett for the burgh of Sanquhar; and we having, conform to that recommendation, considered duly the charters and custom of the said burgh, we are of opinion, that for all time hereafter, their sett should be, that they shall have a provost, three baillies, dean of gild, and treasurer, with eleven councillors, making in all seventeen, and these shall be of heretors, merchants, or tradesmen, burgeses residents within the said burgh, and that these, nor any of them, shall continue longer than one year, unless they be chosen again, and at least, that there be four new councillors yearly; and that the old council shall still chose the new only at Michaelmas, if it fall on a Monday, if otherways, then the first Monday after Michaelmas. In witness whereof, we, and the provost of the said burgh of Sanquhar, have subscribed these presents at Edinburgh, the ninth of July, 1714 years; *sic subscribitur*, John Corbie for Dumfries, William Johnston for Annan, John Kirkpatrick for Kirkcubright, George Kennedy Lochmaben, Ab. Crichton provost of Sanquhar. Extracted, &c.

JOHN DUNDAS.
J. W.

ANNAN.

A N N A N.

AT Annan, the twenty-third day of June, 1712 years. The which day, the magistrates and town council of the said burgh, being in council convened, did (in obedience to the seventh act of the general convention of the royal burghs, in July 1711 years, anent setts for regulating elections in time coming) agree to statute, enact, and ordain, that the sett underwritten hath been, now is, and shall be, the sett of our burgh for regulating our elections in time coming, viz. that we have ane provost, three baillies, ane treasurer, dean, and thirteen councillors; and ordains our clerk to give our commissioner ane extract of this act, to be by him laid before the ensuing general convention, which is to meet at Edinburgh, the first day of July next, for their approbation. Extracted forth of the court books of the said burgh, by me, *sic subscribitur*, Geo. Blair, clerk. Extracted, &c.

JOHN DUNDAS.
J. W.

NOTE.

NO GUILDRY, NOR INCORPORATIONS.

INHABITANTS, about 400.

L O C H M A B E N.

AT Lochmaben, the twenty-sixth day of June, 1712 years. The which day, the magistrates and town council of the said burgh, being convened in common council, did, in obedience to the seventh act of the general convention of the royal burrows, in July 1711, anent setts of burghs, find, that by the old and constant custom of the burgh, the sett thereof is as follows, viz. the burgh has been in use to have a provost, and sometimes three baillies, and sometimes only two, a dean of gild, and ten councillors when they had three baillies, and eleven when they had only two, of which councillors two are putt off annually, after the election, and two new ones brought in their place; and that both the new and old councillors have voice in the elections, before the two old ones are turned out of the council, which is ordinarily done the afternoon of the election day; and ordained the clerk of the burgh to give ane extract hereof to our commissioner to the ensuing convention, to be by him laid before them, for their approbation thereof, as the sett of the burgh in all time coming. Extracted by, *sic subscribitur*, A. Henderson. Extracted, &c.

JOHN DUNDAS.
J. W.

D U M F R I E S.

1mo, THE magistrates are, a provost and three baillies. *2do*, The burgh has a dean, who is not a dean of gild, it not being a gild town. *3tio*, The burgh has a treasurer for uplifting their revenues, and the provost, baillies, dean, and treasurer, are always merchants, and are elected yearly at or about Michaelmas. *4to*, The town council (beside the magistrats) consists of fourteen merchants, viz. the dean, the treasurer, and twelve merchants, and of seven deacons of crafts, viz. the deacons of the smiths, wrights, weavers, tailors, shoemakers, glovers, and fethers, of which deacons one is the deacon convenor of the trades, so that the magistrats and council are in all twenty-five. *5to*, The merchant counsellors are elected some days before Michaelmas thus: The magistrats and council in office, and being for the current year, are *simul et semel* in use, some short time before Michaelmas day, to appoint two several days for the elections under-written, viz. one for the election of the four new merchant counsellors, and another posterior day for the election of the magistrats, dean and treasurer, which is ordinarily upon the Michaelmas day, if ane lawful day; and the council having accordingly met the first day and hour thereof appointed for electing

ting the four new merchant council, by plurality of votes, doe choose four new merchant councillors whom they order to be warned, to compear on the day of the electione of the magistrats, dean, and treasurer, in order to qualify themselves, and accept their offices. 6to, The new merchant counsellors being so chosen, and the conveener and deacons of trades being chosen by their own incorporations (without any dependence upon the magistrats and council), thereafter the magistrats, dean, and treasurer, are elected thus: The day and time of day for the election of them being previously appointed by the magistrats and counsell as said is, the magistrats and the old merchant councillors, with the seven new deacons of crafts doe meet, and then the four new merchant counsellors and four trademen, commonly called led votes, named by the deacons of the smiths, wrights, weavers, and tailors, or by the conveener, instead of the deacon of the tailors, in case the conveener be not the deacon of one of these four crafts, are called, and the new merchant councillors, and these of the deacons, who were not deacons the preceeding year, are sworn *de fidei administratione officii*, as counsellors, thereafter, the rolls being called, if there be any of the magistrats, or old or new merchant counsellors absent, the provost names so many merchants to supply their places and vote for them, who being called and compearing, the new merchant counsellors, these deacons who were not in that office the preceeding year, the four led votes and voters for absent merchant counsellors, are qualified by taking the oaths required by law; then are openly read several acts of the town council, whereby, 1mo, it is enacted, That no man be provost longer than one year or two at furthest together, under the pain and penalty after specified, viz. if any man shall imbrace or exerce the office of provost the third year without intermission, he shall be lyable in one thousand pounds Scotts of penalty, and be rendered incapable of any publick trust within the burgh till he purge the said penalty; and whatsoever of the merchant council or trademen shall vote any man to be provost the third year without intermission, he shall be liable in the sum of two hundred pounds Scotts money foresaid of penalty, and be rendered incapable of all publick trust, till he purge the foresaid penalty. 2do, It is enacted, that if any man, who is an inn-keeper, vintner, or feller of strong waters, brandy, ale, or beer, shall, at any time, be elected provost, he shall be obliged to give up his trade of keeping a publick clange, within fifteen days after he is elected provost, and that he shall forbear his said trade, in all time coming, during his being provost, under the pain of being deposed, and payment making of one thousand pounds, if he shall contravenen the act. 3to, It is enacted, that none of the relations after specified, by consanguinity or affinity, be upon the magistracy together at one and the same time or year; that is to say, father and son, father and son-in-law, brethren-german and brethren-in-law, shall not be provost and baillies together, under the pain of one thousand pounds Scotts, to be paid by each persone so related transgressing the said act; and if any councillor shall vote any of his said relations to be upon the magistracy together, they shall be liable in the sum of two hundred pounds money foresaid. 4to, It is enacted, that noe baillie shall continue in his office as baillie, or be elected baillie longer then one year, or two at most together, and that under the pain of five hundred pounds Scotts, to be paid by the acceptor *toties quoties*, and one hundred pounds Scotts be ilk voter. 5to, It is enacted, that one man should not be either dean or treasurer longer then one year, or two at farthest together, under the pains and penalties following, viz. two hundred merks for the acceptor, and one hundred pounds money foresaid for the voter, contrary hereunto: And for the further corroboracion and strengthening the said acts, the same are appointed to be subscribed by all the magistrats and councillors, obliging themselves never to come in the contrary, or endeavour the repealing thereof, under the pain of one thousand pounds Scotts, to be paid by each magistrat, and two hundred pounds Scotts for each counsellor that shall endeavour the rescinding thereof. And for the more speedy and accurat execution of the personal statuts above written, it is declared not only to be in the power of the counsell, but (failling of the counsellors), to be in the power of any man and considerable burden bearer within the burgh, to call and persue for the foresaid penalties, if any be incurred, before any judge competent; and, for that effect, the clerk is ordained to give forth extracts thereof to any magistrat, councillor or freeman, who shall desire the same upon their own expences. After reading of which acts, the magistrats and councillors signe the same yearly; for which end the same are transcribed immediately before the election in the council book every year: Then the said electors (who are thirty-three in all, and two third parts are merchants, and the third part are trademen), proceed to the election of the magistrats, dean and treasurer for the next year; and first to the election of the provost, who is chosen thus: The electors by plurality of votes, vote two of the merchants or merchant council to go out in the leits for the provost; and if the provost for the preceeding year has not been in office the last two years together without intermission, he may be one of them, which two being removed, the electors vote whether of them shall be provost; and they being called in their own votes are asked there-

in; then the clerk having counted who has the plurality of votes, makes ane act electing such a man to be provost as hath the plurality of votes foresaid, who is instantly (if he be present and accepts) taken sworn *de fidei administratione officii*, and takes his place as provost. In the second place, the three baillies are elected thus; the electors, by plurality of votes of the magistrats and council, vote six to go out in the leits for baillies, and these three baillies for the preceeding year that hath not been in office the last two years together without intermission, may go out in the leits for the baillies; which six being removed, the electors vote three of them to be baillies, and they being called in, their own votes are asked therein; then the clerk having counted who hath the plurality of votes, makes ane act, electing such three men to be baillies as have the plurality foresaid, who are instantly (if they be present and accept), sworn *de fidei administratione officii*, and takes their places as baillies. In the third place, the dean is elected thus; the electors, by plurality of votes, vote two of the merchant council to go out in the leits for dean, and if the dean for the preceeding year has not been in that office the two last years together without intermission, he may be one of them; which two being removed, the electors vote who of them shall be dean, and they being called in, there own votes are asked therein; then the clerk having counted who has the plurality of votes, makes ane act, electing such a man to be dean, who is instantly (if he be present and accepts), taken sworn *de fidei administratione officii*, and takes his place as dean: And, in the last place, the treasurer is chosen thus; the electors, by plurality of votes, vote two of the merchant council to go out in the leits for treasurer; and if the treasurer for the preceeding year has not been in that office the two last years together without intermission, he may be one of them; which two being removed, the electors vote who of them shall be treasurer, and they being called in, their own votes are asked therein; then the clerk, having counted who has the plurality of votes, makes ane act electing such a man to be treasurer (who if he be present and accepts) is instantly taken sworn *de fidei administratione officii*, and takes his place as treasurer. If any man be chosen a magistrat, dean, or treasurer, and he be either absent, or being present, refuse to accept the office, he must accept the said office within a fortnight after his being elected, if present, and if absent, within a fortnight after his return home, or otherways cannot be admitted to accept any time afterwards before the council; but the persone refusing is fineable by the council for his said refusal, according to custome. 7mo, There are four of the old merchant counsellors yearly after the election of the magistrats, dean, and treasurer, voted off by a council called by the provost, consisting of new magistrats, dean, and treasurer, the four new merchant counsellors, the conveener, and deacons. This is subscribed by order of the council and community of the said burgh, at Dumfries, the twenty-eight day of June 1709 years, by us, *sic subscribitur*, John Corbie provost, Alex. Barkly baillie, John Gilkerist baillie. Extracted, &c.

JOHN DUNDA S.
J. W.

K I R K U D B R I G H T.

IN the general convention of burrows, holden at the burgh of Edinburgh, upon the fifth day of July, 1707 years, by the commissioners therein convened. The which day, anent the petition given in for the burgh of Kirkudbright, shewing, that it had been the immemorial and constant sett, and consuetude of said burgh, ever since its erection into a royal burgh, to elect and choose the magistrats to officiate in the said burgh, at the term of Michaelmas yearly, and the new councillors yearly at the said terme, viz. eight days before the said term of Michaelmas yearly, the magistrats and town council of the burgh, which consists of seventeen persons, viz. the provost, two baillies, the treasurer, and thirteen commone councillors, does elect and choose two or three new councillors, the number of two or three being still optional to the saids magistrats and council; and immediately the saids magistrats and old council doe vote three of their own number of the council in lieu, and in place of the three new councillors voted as foresaid, which two or three new councillors, voted to come upon the council, are warned to attend the election of the magistrats upon Michaelmas day, where they are qualified and received before voting, and thereafter proceed to the election of the provost, who is still to be a merchant, or heretor, within the burgh, and then to the election of the two baillies and treasurer, who are to be merchants or trademen, as they shall happen to be voted; and, at the said election, the community of the burgh doe still name a person to represent them, who is to have a vote in the election of the magistrats only, but not of the

new

new council, and that besides the ordinary town council of seventeen persons; but the foresaid representative for the community is no farther a member of the town council, nor has no vote, but simply in the said election; the foresaid two or three new councillors yearly assumed into the council, and the foresaid two or three old councillors putt off the council in lieu of them, are indefinitely either merchants or tradesmen, as the council by plurality shall vote; and besides the foresaid magistrates, treasurer, and council, there was never within the said burgh either dean or deacon of craft, neither had any tradesman liberty to convene to consider any matters relating to their several crafts, without the authority and consent of the magistrates, nor were there any incorporat crafts in the said burgh, or any composition or fine due by any tradesman to the fraternity of his trade; but that every man who was a burges of the burgh, might exerce and follow the occupation he was capable of. Subscribed Hugh Fullarton; as the petition bears. Which being considered by the convention, together with overtures anent the sett of the said burgh, they ordered both the petition and overtures to be recorded, upon conditione that the intendant, or overseer mentioned in the saids overtures, shall not be continued in office above two years together; the tenor of which overtures followes: Overtures by the commissioners of Dumfries, Wigtown, and New Gallaway, for accommodating differences betwixt the magistrates and town council of Kirkcudbright, and trades of the said burgh. *Primo*, That the constitution and sett of the said burgh be unalterable, and continue the same in all time coming, as it has been in times bygone, except in so far as it may be innovat by any of the overtures following. *Secundo*, That at the annual election of the magistrates at Michaelmas, after the electione of the provost, two baillies, and treasurer, conform to the immemorial sett of the burgh, that the magistrates and council do immediately thereafter, and at the same time, elect, nominate, and chose, one intendant and overseer to the crafts and tradesmen with the burgh, who is to be one burges freeman and mechanick, and one of the town council for the time, and *ex officio* is to be a councillor during the time of his being intendant and overseer, as said is. *Tertio*, That the said intendant and overseer, by his office, is to have the care and oversight in preserving the priviledge of the trades within the burgh, and of receiving or refusing any mechanick or tradesman into the fraternity, or priviledge of an tradesman of this burgh, with and under these conditions and provisions: *Primo*, That it shall not be leisum to the said intendant to receive any one freeman of the trades, who is not admitted first an burges by the magistrates and town council. And, *secundo*, That it shall not be leisum to him to exact or demand more for the priviledge of being admitted and incorporat as tradfman, then the equal half of what composition or fine, which the constitutione or acts of toun council hath been, or shall be payable for the priviledge of burges-ship. And, *tertio*, That it shall be without prejudice, to the merchants and town council to admitt and receive ane person of ilk craft or trade, who shall be found to exceed any of the tradesmen in Kirkcudbright in skill and dexterity of the craft he professes, and to endue him with the priviledge of burges-ship, and freedome amongst the trades, he always being obliged to reside in the place, and bear scott and lott with his neighbours, and being subject to such acts and constitutions of trade, as shall be enacted in manner underwritten. *Quarto*, That the said intendant or overseer do oblige all the tradesmen within the burgh to receive no apprentices, but such as shall be bound to serve for three years, and ane year for meat and fee, and that they be booked in the town-council books, conforme to use and wont, otherwise that they be incapable of the priviledge of burges-ship by and through their service; and, to obviate any collusion betwixt ane master and apprentice, that, beside the master's discharge of the indentures, that the said intendant give in an certificate to the town-council, that the said apprentice hath faithfully served his full time, otherwise the said apprentice is to enjoy no priviledge otherwise than as ane stranger. *Quinto*, That the said intendant doe, at the admission of any tradesman, appoint him ane piece of work for the prooff and essay of his knowledge and skill; and, if the said work be found insufficient, albeit he be a burges, yet that he may be rejected as an incorporat member of the trades, for his ignorance. *Sexto*, That the said intendant and overseer shall have the power to convene the trades, and amerciate delinquents and offenders, upon just complaints; and, if the fault be such as deserves imprisonment, that he crave the magistrates authority and concurrence; and, with power to regulate the prices of work, make acts and constitutions for the saids trades their better regulation and policie, the same being always subject to the review, alteration, and approbatione of the magistrates and town-council, and to be of no force or binding till the civil sanction and authority be interponed thereto. *Septimo*, The commissioners above named do propose the above articles, which they find agreeable to the present constitution of the burgh of Kirkcudbright, to be their sett in all time coming, to be irrevokably observed; and recommends to the magistrates and council to lay the same before the general convention of the royal burrows for their ratification. Signed at Kirkcudbright the 23d day of October 1706 years; *sic subscribitur*, Wm. Coupland,

Coupland, Alex. Campbell, John Chalmers. And ordains the principall articles to be putt in the charter-chest for conservation *ad futuram rei memoriam*. The which day the magistrates, toun-council, and tradesmen within this burgh, doe hereby approve of the above overtures, and engages hereby to stand to and abide thereat, without innovation or alteration thereof in all time coming; and, in testimony hereof, have subscribed the same, with their hands, as follows: *Sic subscribitur*, Hugh Fullerton Prs. Sa. Euart baillie, James McQuhan baillie, Nicoll Donaldson treasr. James Gordon councillor, James McColm councillor, John Kirkpatrick councillor, Adam Donaldson councillor, John Thomson councillor, Dav. Lidderdale councillor, David McClellan councillor, Robert McEwen councillor, Roger Gordon councillor, David Smart councillor, John Hosten, John Halliday councillor, William Darling glover, John Crichton-smith, Thomas McCartney glover, Robert McAdam saidler, John Herries smith, Alex. Logan smith, Charles Livingstone glover, John Fleeming wright, John Staffing carpenter, William Comblin wright, William Thomson wright, George McGhie sclater, John Robson shoemaker, Robert McGown shoemaker, Wm. McKinnay shoemaker, John McKean tailor, William Biglem tailor, John Brown tailor, Robert Brown tailor, John Henderfon dyer, James Lintown weaver, John Bell weaver, James Biglem weaver, Andw. Lintoun weaver, John Walker dyer, Charles Murray weaver, John Smith merchant, Samuel Carmont late baillie, Gavin Dunbar late baillie, George Meek late baillie, Samuel Martin merch. Extracted furth of the burrow court-books of Kirkcudbright, be me Mr George Home town-clerk of Edinburgh, and conjunct general clerk to the royal burrows, (*sic subscribitur*,) George Home. Extracted, &c.

JOHN DUNDA S;
J. W.

N A I R N.

THERE is no written sett of this burgh. The present number of the town council is 17; but has varied in different years from 13 to 19. The old council annually choose the new, and these choose the magistrates. No guildry or incorporations. Heritors, not resident, about 10. Burgeses and resident heritors, about 140. Inhabitants, not above 1600, though generally computed at 2000.

I N D E X.

Aberdeen	A	12	Inverbervie		52
Aberbrothock		51	Jedburgh		65
Annan		75		K	
Anstruther-easter		68	Kirkudbright		77
Anstruther-wester		69	Kirkaldie		60
Air		71	Kinghorn		62
	B		Kintore		52
Brechin		50	Kirkwall		55
Bruntisland		61	Kilrenny		67
Baaff		54		L	
Berwick (North)		64	Lanark		47
	C		Linlithgow		46
Culrofs		38	Lauder		67
Coupar		42	Lochmaben		75
Cullen		64		M	
Crail		68	Montrose		50
Campbeltown		72		N	
	D		Nairn		79
Dundee		14		P	
Dunfermline		24	Perth		13
Dumbarton		45	Pittenweem		74
Dyfart		59	Peebles		46
Dingwall		57		Q	
Dunbar		66	Queensferry		38
Dumfries		75		R	
	E		Renfrew		42
Edinburgh		1	Rutherglen		43
Elgin		52	Rothfay		71
	F			S	
Forfar		41	Stirling		21
Forres		48	St Andrew's		40
Fortrose		49	Selkirk		45
	G		Sanquhar		74
Glasgow		6	Stranraer		70
Galloway (New)		73		T	
	H		Taine		58
Haddingtown		65		W	
	I		Wigton		73
Inverness		14	Whithorn		72
Inverkeithing		36	Wick		56
Irvine		71			
Inverury		52			